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Proclamation 4410 • December 31, 1975

Termination of Temporary Quantitative Limitation on the Importation Into the United States of Certain Beef and Veal From Canada

By the President of the United States of America

A Proclamation

WHEREAS, Proclamation No. 4335 of November 16, 1974, issued pursuant to Section 252(a) of the Trade Expansion Act of 1962 (19 U.S.C. 1882(a)) in response to unjustifiable restrictions imposed by Canada on meat imports from the United States, limited imports into the United States of certain cattle, beef, veal, swine and pork from Canada, and whereas that Proclamation inserted item 945.03 into subpart B of part 2 of the Appendix to the Tariff Schedules of the United States (TSUS), and

WHEREAS, Canada has now lifted those unjustifiable restrictions on meat imports from the United States, and

WHEREAS, Section 255(b) of the Trade Expansion Act of 1962 (19 U.S.C. 1885(b)) authorizes the President to terminate in whole or in part any proclamation made pursuant to Section 252 of the Trade Expansion Act of 1962 (19 U.S.C. 1882(a)), and

WHEREAS, Proclamation No. 4382 of August 5, 1975, terminated those parts of Proclamation No. 4335 pertaining to the importation of cattle, swine and pork from Canada and

WHEREAS, I deem it necessary and appropriate to terminate the remaining restrictions proclaimed in Proclamation No. 4335, specifically those imposing temporary quantitative limitations on the importation into the United States of certain beef and veal from Canada, in order to encourage trade between the United States and Canada.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, acting under authority vested in me by the Constitution and statutes, including Section 255(b) of the Trade Expansion Act of 1962 (19 U.S.C. 1885(b)) do hereby proclaim that:

1) Proclamation No. 4335 is terminated.

2) Subpart B of part 2 of the Appendix to the TSUS is amended as follows:

(a) By deleting the superior heading immediately preceding item 945.03.

(b) By deleting item 945.03.

3) This Proclamation is effective with respect to articles entered, or withdrawn from warehouse, for consumption after 12:01 a.m. EST, January 1, 1976.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of December in the year of our Lord nineteen hundred and seventy-five and of the Independence of the United States of America the two hundredth.

Gerald R. Ford

[FR Doc.76-294 Filed 1-2-76;10:53 am]

Executive Order 11892 • December 31, 1975

Amending Executive Order No. 11647 [1] Relating to Federal Regional Councils

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, and as President of the United States of America, in order to include the Department of Commerce and the Federal Energy Administration in the Regional Council System and thus expand interagency cooperation and improve the coordination of services to the States, consistent with Section 401(d) of the Intergovernmental Cooperation Act of 1968 (82 Stat. 1103, 42 U.S.C. 4231(d)), it is hereby ordered as follows:

SECTION 1. Subsection (a) of Section 1 of Executive Order No. 11647 of February 10, 1972, as amended by Executive Order No. 11731 of July 23, 1973, is amended to read as follows:

"(a) There is hereby continued a Federal Regional Council for each of the ten standard Federal regions. The President shall designate one member of each Council as Chairman. Representatives of the Office of Management and Budget may participate in any deliberations of each Council. Each Council shall be composed of the principal regional officials of the following departments and agencies:

(1) The Department of the Interior.

(2) The Department of Agriculture.

(3) The Department of Commerce.

(4) The Department of Labor.

(5) The Department of Health, Education, and Welfare.

(6) The Department of Housing and Urban Development.

(7) The Department of Transportation.

(8) The Community Services Administration.

(9) The Environmental Protection Agency.

(10) The Federal Energy Administration.

(11) The Law Enforcement Assistance Administration.".

SEC. 2. Section 3 of Executive Order No. 11647 of February 10, 1972, as amended by Executive Order No. 11731 of July 23, 1973, is amended to read as follows:

"Sec. 3. *Under Secretaries Group for Regional Operations.* (a) The Under Secretaries Group for Regional Operations is hereby continued and shall be composed of the following:

(1) The Under Secretary of the Interior.

(2) The Under Secretary of Agriculture.

(3) The Under Secretary of Commerce.

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[1] 37 FR 3167; 3A CFR, 1972 Comp., p. 146.

(4) The Under Secretary of Labor.

(5) The Under Secretary of Health, Education, and Welfare.

(6) The Under Secretary of Housing and Urban Development.

(7) The Deputy Secretary of Transportation.

(8) The Deputy Director of the Community Services Administration.

(9) The Deputy Administrator of the Environmental Protection Agency.

(10) The Deputy Administrator of the Federal Energy Administration.

(11) The Administrator of the Law Enforcement Assistance Administration.

(12) An Associate Director of the Domestic Council.

(13) The Deputy Director of the Office of Management and Budget, who shall be Chairman.

"(b) When the Chairman determines that matters which significantly affect the interests of a Federal agency not represented on the Group are to be considered by the Group, he shall invite an appropriate representative of the agency involved to participate in the deliberations of the Group.

"(c) The Under Secretaries Group for Regional Operations shall, consistent with the objectives and priorities established by the President and the Domestic Council, establish policy with respect to Federal Regional Council matters provide guidance to the Council, respond to their initiatives, and seek to resolve policy issues referred to it by the Councils. The Under Secretaries Group, under the Chairmanship of the Deputy Director of the Office of Management and Budget, shall be responsible for the proper functioning of the system established by this Order.".

Gerald R. Ford

THE WHITE HOUSE,
December 31, 1975.

[FR Doc.76-295 Filed 1-2-76;10:54 am]

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 9—Animals and Animal Products

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

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

PART 78—BRUCELLOSIS

Quarantine Areas

Correction

In FR Doc. 75-34723 appearing at page 59421 in the issue for Wednesday, December 24, 1975, the following correction should be made. On page 59422, in the first column, the last line of the authority citation following § 78.22a now reading "38 FR 19111.)" should read: "38 FR 19141.)"

NOTE: A second document amending 9 CFR Part 78 appears on page 766.

CHAPTER III—ANIMAL AND PLANT HEALTH INSPECTION SERVICE (MEAT AND POULTRY PRODUCTS INSPECTION) DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—VOLUNTARY INSPECTION AND CERTIFICATION SERVICE

PART 350—SPECIAL SERVICES RELATING TO MEAT AND OTHER PRODUCTS

PART 351—CERTIFICATION OF TECHNICAL ANIMAL FATS FOR EXPORT

PART 355—CERTIFIED PRODUCTS FOR DOGS, CATS, AND OTHER CARNIVORA; INSPECTION, CERTIFICATION, AND IDENTIFICATION AS TO CLASS, QUALITY, QUANTITY, AND CONDITION

Laboratory Rate Increase

Pursuant to the statutory authorities cited below, the fees relating to laboratory service performed in connection with inspection, identification, or certification service rendered to operators of meat establishments, importers, or exporters by the Animal and Plant Health Inspection Service, Meat and Poultry Inspection Program, are hereby amended to reflect increases in operating costs since the last increase January 5, 1975, and to reflect increases in Federal employees' salaries authorized by the Federal Pay Comparability Act of 1970, and Executive Order 11883, dated October 6, 1975. Such increases are needed to cover the cost of the laboratory service provided.

§§ 350.7, 351.9, 355.12 [Amended]

Therefore, the rate for laboratory service, as provided for in these parts, is changed from $19.20 per hour to $19.92 per hour in §§ 350.7(c), 351.9, and 355.12.

(7 U.S.C. 1622(h), 1624)

It has been determined that in order to cover these increased costs of the services, the hourly fees charged in connection with the performance of the services must be increased as soon as practicable as provided herein. The need for the increase and the amount thereof are dependent upon facts within the knowledge of the Animal and Plant Health Inspection Service. Therefore, under 5 U.S.C. 553, it is found that notice and other public procedure with respect to these amendments are impracticable and unnecessary and good cause is found for making these amendments effective less than 30 days after publication in the Federal Register.

Effective date: January 4, 1976, except for § 351.9 which shall be effective on January 11, 1976.

Done at Washington, D.C., on December 30, 1975.

HARRY C. MUSSMAN,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc.76-173 Filed 1-2-76;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 75-EA-70]

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

Alteration of Transition Area

Correction

In FR Doc. 75-34178 appearing on page 58849, in the issue for Friday, December 19, 1975, make the following change:

In the fourth paragraph of the document, the effective date should read "December 19, 1975".

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket 8955-o]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

British Oxygen Co., Ltd. et al.

Subpart—Acquiring corporate stock or assets: § 13.5 Acquiring corporate stock or assets; 13.5-20 F.T.C. Act. Subpart—Interlocking directorates unlawfully: § 13.1106 Interlocking directorates unlawfully.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18)

In the Matter of British Oxygen Company, Limited, BOC Financial Corporation, BOC Holdings, Limited, British Oxygen Investments, Limited and Airco, Incorporated, corporations.

Order requiring a London, England, manufacturer of industrial gases, among other things to divest itself of all the stocks and assets of Airco, Inc., a Montvale, N.J., producer of industrial gases and medical products, within one (1) year of the issuance of the order. Respondent is further prohibited from acquiring any corporate stocks or assets in any field related to production of industrial gases or medical products for a period of 10 years without prior F.T.C. approval. British Oxygen and Airco, Inc. must also cease any representation on each other's respective boards of directors.

The Final Order, including further order requiring report of compliance therewith, is as follows:[1]

FINAL ORDER

For the purpose of this Order, "BOC" shall include all subsidiary or related corporations and all successor corporations of The British Oxygen Company Limited; BOC Financial Corporation; BOC Holdings Limited; and British Oxygen Investments Limited; and "Airco" shall include all subsidiary or related corporations and all successor corporations of Airco, Inc.

I. *It is ordered,* That BOC, its officers, directors, agents, representatives and employees, shall within one (1) year from the date this Order becomes final, divest itself absolutely and in good faith, subject to the prior approval of the Federal Trade Commission, of all rights, title and interest including without limitation all shares of stock and all assets, properties, rights and privileges, tangible or intangible, including without limitation all plant, equipment, machinery, raw material reserves, inventory, customer lists, trade names, trademarks, good will, and other property of whatever description acquired by BOC as a result of its acquisition of the stock of Airco.

II. *It is further ordered,* That none of the stock, assets, properties, rights and privileges, tangible or intangible, required to be divested by BOC pursuant to Paragraph I above, shall be divested directly or indirectly to anyone who is, at the time of the divestiture, an officer, director, employee, or agent of, or under the control, direction or influence of BOC, or who owns or controls more than one percent of the capital stock of BOC.

III. *It is further ordered,* That respondent BOC shall cease and desist for a period of ten (10) years from the date this Order becomes final from acquiring, directly or indirectly, through subsidiaries or otherwise, the whole or any part

[1] Copies of the Complaint, Initial Decision, Findings as to the Facts and Opinion, filed with the original document.

of the stock, share capital or assets (other than products sold in the normal course of business) of any concern, corporate or noncorporate, engaged at the time of acquisition in any state of the United States in any or all of the business of (1) industrial gases, or (2) anesthesia machines, or (3) anesthesia vaporizers, or (4) anesthesia face masks without the prior approval of the Federal Trade Commission. The foregoing restriction (1) shall not apply to the acquisition of a concern which in the two most recent reporting years prior to the acquisition has reported value of shipments of industrial gases (SIC 2813) to the Bureau of Census not in excess of $25 million in the aggregate in each of the two years: *Provided, however,* That BOC has not already acquired any interest in a concern engaged in any portion of the business of manufacturing or selling industrial gases in the United States and no longer retains an ownership interest in Airco at the time of such acquisition.

The prohibited acquisitions in the above paragraph shall include but not be limited to the entering into of any arrangement between BOC, and any concern engaged in any or all of the aforesaid businesses pursuant to which BOC obtains the market share of any such concern (a) through such concern discontinuing its participation in the industries mentioned in this paragraph, or any segment thereof, under its own trade name or labels and thereafter manufacturing or distributing any of said products under the BOC trade name, or (b) by reasons of such concern discontinuing its participation in the industries mentioned in this paragraph, or any segment thereof, and thereafter transferring to BOC its customer lists, or in any other way making available to BOC access to its customers or its customer accounts.

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

V. *It is further ordered,* That BOC cease any and all representation on the board of directors of Airco, and cease and desist from taking any steps to nominate, seat, or admit any representatives of Airco to the board of directors of BOC.

VI. *It is further ordered,* That BOC shall within sixty (60) days from the date this Order becomes final, and every sixty (60) days thereafter until BOC has fully complied with the provisions of this Order, submit in writing to the Federal Trade Commission a verified report setting forth in detail the manner and form in which BOC intends to comply or has complied with this Order. All compliance reports shall include, among other things that are from time to time required, a summary of contacts or negotiations with anyone for the specified stock, assets, properties, rights, and privileges, tangible or intangible, the identity of all such persons, and copies of all written communications to and from such persons.

VII. *It is further ordered,* That Airco cease and desist from taking any steps toward achieving union of interest between Airco and BOC, including but not limited to merger, acquisition, consolidation or joint venture in any market referenced herein.

VIII. *It is further ordered,* That Airco cease and desist from taking any steps to implement any provision of the agreements between Airco and BOC of July 25, 1973, and of December 10, 1973. The foregoing provision shall not apply (1) to Airco's right of first refusal as set forth in paragraph 4 of the December 10, 1973 agreement, subject, however, to Commission final approval of the exercise of that right; (2) to the restrictions on dissemination of information contained in the July 25, 1973 agreement.

IX. *It is further ordered,* That Airco cease any and all representation on the board of directors of BOC, and cease and desist from taking any steps to nominate, seat, or admit any representative of BOC to the board of directors of Airco.

X. *It is further ordered,* That Airco shall within sixty (60) days from the date this Order becomes final, submit in writing to the Federal Trade Commission a verified report setting forth in detail the manner and form in which Airco has complied with this Order.

The Initial Decision Order was issued, Oct. 18, 1974.

The Final Order was issued by the Commission Dec. 8, 1975.

VIRGINIA M. HARDING,
Acting Secretary.

[FR Doc.76-101 Filed 1-2-76;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER A—GENERAL

[Docket No. 75N-0329]

PART 8—COLOR ADDITIVES

Subpart—Provisional Regulations

POSTPONEMENT OF CLOSING DATES

The Commissioner of Food and Drugs is postponing the closing date for the use of provisionally listed color additives until September 30, 1976. This order is effective January 5, 1976.

The Commissioner on his own initiative proposed in the FEDERAL REGISTER of November 14, 1975 (40 FR 53039) to postpone the closing date for the use of provisionally listed color additives until September 30, 1976. Four comments (all from associations of manufacturers) were received in response to the proposal. Each comment supported the proposed action.

One comment urged the correction of errors and omissions existing in the provisional listing of color additives under § 8.501 (21 CFR 8.501). The typographical errors and omissions will be corrected in the next publication of the Code of Federal Regulations.

In accordance with the provisions of 5 U.S.C. 553 (d)(1) and (d)(3), this postponement is being made effective upon publication so as to permit the uninterrupted use of the affected color additives.

§ 8.501 [Amended]

Therefore, under the transitional provisions accompanying the Color Additive Amendments of 1960 to the Federal Food, Drug, and Cosmetic Act (sec. 203 (a)(2), (d)(1), Title II, Pub. L. 86-618, 74 Stat. 404-405 (21 U.S.C. 376 note)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 8 is amended in § 8.501 *Provisional lists of color additives* by changing the closing dates for the color additives listed in paragraphs (a), (b), (c), (e), (f), and (g) to read "September 30, 1976."

Effective date. This order shall become effective January 5, 1976.

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

Dated: December 24, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.76-118 Filed 1-2-76;8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 74-257]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Atlantic Intracoastal Waterway, Hallandale, Fla.

This amendment changes the regulations for the East Hallandale Beach Boulevard drawbridge (SR-824) across the Atlantic Intracoastal Waterway in Hallandale, Florida, to provide restricted periods on a year-round basis. This amendment was circulated as a public notice dated October 17, 1975, by the Commander, Seventh Coast Guard District, and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGD 74-257) on October 15, 1975, (40 FR 48363). Four comments were received. Two endorsed the proposal, one had no comment and one had no objection thereto.

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by revising § 117.446b to read as follows:

§ 117.446b SR-824 drawbridge, AIWW, Hallandale, Fla.

(a) The draw shall open on signal from 6:15 p.m. to 7:15 a.m. From 7:15 a.m. to 6:15 p.m. the draw need not open except on the quarter and three-quarter hour to allow any accumulated vessels to pass, and except as provided in paragraph (b) of this section.

(b) The draw shall open at any time for the passage of public vessels of the

United States, tugs with tows, cruise boats operated on a regular schedule or vessels in distress. The opening signal from these vessels is four blasts of a whistle, horn, or by shouting.

(c) The owner of or agency controlling this bridge shall post, on both sides of the bridge, signs that state the conditions of this regulation. These signs shall be of such size that they may be easily read from an approaching vessel at any time.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4)).

Effective date. This revision shall become effective on February 2, 1976.

Dated: December 19, 1975.

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

[FR Doc.76-52 Filed 1-2-76;8:45 am]

[CGD 3-75-8-R]

PART 127—SECURITY ZONE

Governors Island, New York

This amendment to the Coast Guard's Security Zone Regulations, establishes the waters of Buttermilk Channel, New York as a security zone. This security zone is established because of the presence of the Polish Fishing Vessel "LEPUS" which, having been duly seized, is in the custody of the United States of America.

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

In consideration of the foregoing, Part 127 of Title 33 of the Code of Federal Regulations is amended by adding § 127.334, to read as follows:

§ 127.334 Buttermilk Channel, New York.

That area of the waters of Buttermilk Channel, New York Harbor, within a 200 yard (radius) circle drawn from the center of the "Y" shaped pier on the eastern shore of Governors Island, N.Y.

(46 Stat. 220, as amended, 6(b), 80 Stat. 937; 50 U.S.C. Art. 191, 49 U.S.C. Art. 1655(b); E.O. 10173, E.O. 10277, E.O. 10352, E.O. 11249; 3 CFR, 1949-1953 Comp. 356, 778, 873, 3 CFR 1964-1965 Comp. 349, 33 CFR Part 6, 94 CFR 1.46(b)).

Effective date: This amendment becomes effective on December 28, 1975.

Dated: December 28, 1975.

FRANK OLIVER,
Captain, U.S. Coast Guard, Captain of the Port of New York.

[FR Doc.76-57 Filed 1-2-76;8:45 am]

Title 34—Government Management

CHAPTER II—OFFICE OF FEDERAL MANAGEMENT POLICY, GENERAL SERVICES ADMINISTRATION

SUBCHAPTER C—PROPERTY MANAGEMENT

[FMC 75-3]

PART 235—ESTABLISHMENT AND USE OF THE INVENTORY OF FEDERAL LABORATORIES

Federal Laboratories

A proposed Federal Management Circular (FMC) requiring the establishment and use of an inventory of Federal laboratories was published in the FEDERAL REGISTER on April 15, 1975, (40 FR 16855). Interested persons were given until May 16, 1975, to submit written comments on the proposed FMC. Comments were received from 13 Federal agencies and two private concerns. All comments were given careful consideration by the interagency task group responsible for preparation of the FMC. Specific changes made to the FMC in response to the comments include: (1) deleting the requirement that agencies document the comparative costs of contracting for laboratory services; (2) removing non-essential data elements from the report form (GSA Form 3252); (3) changing the report requirements to provide that agencies submit only one GSA Form 3252 for a laboratory facility; (4) limiting the inventory report to Government operated laboratory facilities; and (5) expanding and clarifying specific terms defined in the report.

NOTE: GSA Form 3252 is filed as part of the original document.

Effective date. This regulation is effective December 23, 1975.

Dated: December 23, 1975.

DWIGHT A. INK,
Acting Administrator of General Services.

Part 235 is added as follows:

Sec.
235.1 Purpose.
235.2 Background.
235.3 Applicability.
235.4 Definitions.
235.5 Policies and procedures.
235.6 Responsibilities.
235.7 Inquiries.

AUTHORITY: Executive Order 11717 (38 FR 12315, May 11, 1973).

§ 235.1 Purpose.

This part establishes policy and procedures for better space utilization in existing Federal laboratories of 10,000 square feet or more in area.

§ 235.2 Background.

(a) Federal laboratories, because of their specialized nature, are generally under the exclusive control of the occupant agency. There is a consequent lack of information about the availability of laboratory space on a Government-wide basis. This part is issued in recognition of the need for managers contemplating acquisition of laboratories to have available in a central location certain basic information regarding existing Federal laboratory facilities.

(b) This part is issued pursuant to Executive Order 11717 of May 9, 1973, which transferred certain functions from the Office of Management and Budget to the General Services Administration and pursuant to the Office of Management and Budget, Office of Federal Procurement Policy, delegation letter of June 24, 1975, 40 FR 29935, July 16, 1975.

§ 235.3 Applicability.

The provisions of the part apply to all executive departments and establishments. The term "agency" throughout the part is synonymous with the term "departments and establishments" as defined in § 200.5.

§ 235.4 Definitions.

(a) *Laboratory.* The term "laboratory" means any Government owned or leased building containing 10,000 square feet or more, or an area of 10,000 square feet or more within such a building, that is equipped and/or used for scientific or engineering research, development, or testing.

(b) *Laboratory facility.* "Laboratory facility" means a building or a complex of buildings containing two or more laboratories with a combined area of 10,000 square feet or more and which are generally considered as a unit and identified by a common name; e.g., Naval Research Laboratory, Washington, D.C.

(c) *Underutilized laboratory space.* The term "underutilized laboratory space" means space not currently in use and not officially planned for use in the current fiscal year. Use must be for significant laboratory purposes, and does not mean use for storage or other non-laboratory purposes.

(d) *Significant space change.* A "significant space change" means an area of 1,000 square feet or more in a previously reported laboratory which changes from utilized to underutilized or a previously reported underutilized area of 1,000 square feet or more that becomes utilized. In laboratories or laboratory facilities totaling over 50,000 square feet in area, a significant space change shall be any change exceeding 2 percent or more of the total laboratory area.

§ 235.5 Policies and procedures.

Federal agencies shall ensure that laboratories under their control are efficiently utilized and to that end shall cooperate in making underutilized and excess laboratory space available to other agencies having a requirement. Excess laboratory space, as opposed to underutilized space, shall continue to be reported to the General Services Administration in accordance with the provisions of part 231. Underutilized space shall be reported on GSA Form 3252, Federal Laboratory Report, as outlined below.

(a) *Inventory of Federal laboratories.* (1) The General Services Administration (GSA) shall assemble and maintain a current printed inventory of all Federal laboratories and laboratory facilities containing 10,000 square feet or more. The complete inventory or selective information contained therein will be made available to Federal agencies upon request. To enable GSA to prepare and maintain the inventory, the headquarters office of each agency shall submit a completed GSA Form 3252 (appendix A)[1] to GSA for each laboratory or laboratory facility which it operates. This report has been approved in accordance with FPMR 101–11.11 and assigned the Interagency Report Control Number 0094–GSA–AR. Only one GSA Form 3252 should be submitted for a laboratory facility. GSA Form 3252 should not be submitted for Government owned or leased laboratories that are staffed and operated by private individuals or firms under contract to the Government.

(2) Completed copies of all report forms shall be submitted to the General Services Administration (PR), Washington, DC 20405, by April 1, 1976. Thereafter, additional reports shall be submitted to GSA at the end of each fiscal quarter to reflect any significant space changes occurring since the prior report. GSA Form 3252 should not be submitted for a previously reported laboratory or laboratory facility unless a significant space change has occurred.

(3) Agencies may obtain their initial supply of GSA Form 3252 from General Services Administration (3FNDD), Union and Franklin Streets Annex, Building 11, Alexandria, VA 22314. Agency field offices should submit all future requirements to their Washington headquarters office which will forward consolidated annual requirements to the General Services Administration (BRO), Washington, DC 20405.

(b) *Agency use of inventory.* Agencies shall review the inventory of Federal laboratories to identify existing underutilized laboratory space when studying requirements for the acquisition of new laboratory space, including replacement of existing facilities. Agency files shall be thoroughly documented to reflect the precise reasons for acquiring new space instead of using existing laboratories having sufficient space available to accommodate the agency's need.

(c) *Special reports.* Agencies may request special reports on laboratory facilities from GSA. Reports can be provided on combinations of most of the data elements specified on the GSA Form 3252. For example, reports listing all vacant or underutilized laboratory space within a specific city, State, or zip code area can be provided. Requests to GSA for special reports will be handled on a cost-reimbursable basis. Such requests should be directed to the General Services Administration (PR), Washington, DC 20405, Telephone 202–343–4730.

[1] GSA Form 3252 is filed as part of the original document.

(d) *GSA and OMB use of inventory.* GSA will use the inventory in reviewing agency requests for new laboratory facilities. Copies of the report also will be forwarded to OMB for appropriate use. In addition, OMB will issue instructions for use of the inventory in the budgetary process.

§ 235.6 Responsibilities.

Heads of agencies are responsible for promulgating such regulations, controls, and review actions as are necessary to comply fully with the provisions of this part. Such regulations and controls shall ensure that:

(a) Accurate and complete GSA Forms 3252 are submitted to GSA in a timely manner;

(b) Significant changes are reported; and

(c) The inventory is utilized in considering acquisition of laboratories.

Copies of all implementing documents, upon issuance, will be provided to the General Services Administration (AM), Washington, DC 20405.

§ 235.7 Inquiries.

Further information concerning this part may be obtained by contacting:

General Services Administration (AMP), Washington, DC 20405. Telephone: IDS 183–7528, FTS 202–343–7528.

[FR Doc.76–87 Filed 1–2–76;8:45 am]

Title 37—Patents, Trademarks and Copyrights

CHAPTER I—PATENT AND TRADEMARK OFFICE, DEPARTMENT OF COMMERCE

PART 1—RULES OF PRACTICE IN PATENT CASES

PART 2—RULES OF PRACTICE IN TRADEMARK CASES

PART 4—FORMS FOR TRADEMARK CASES

Revised Rules and Procedures

On February 11, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 6361) regarding the proposal by the Patent and Trademark Office to amend Title 37 of the Code of Federal Regulations by revising or amending §§ 1.12, 1.136, 1.197, 1.244, 1.256, 1.304, 2.18, 2.37, 2.75, 2.80, 2.85, 2.101, 2.102, 2.103, 2.105, 2.111, 2.112, 2.120, 2.123, 2.127, 2.129, 2.141, 2.144, 2.145, 2.162, 2.172, 2.183, 2.185, 2.187, and 4.2. Interested persons were given until May 1, 1975, to submit written comments and suggestions. Full and careful consideration was given to all written comments submitted and some changes in the original proposal have been made in view thereof.

Amendments are also now being made in sections which were not included in the published proposal, namely, §§ 2.11, 2.14, 2.15, 2.19, 2.93, 2.99, 2.113, 2.119, and 2.161; and section 4.3 is being deleted. Since these amendments are in accord with changes as to related matters in other sections which were contained in the published proposal, notice and public procedures thereon are deemed unnecessary.

The additional amendments, as well as changes from the text of the sections as published in the original proposal, are described below:

Paragraph (b) of § 1.197, paragraph (b) of § 1.256, paragraph (c) of § 2.129 and § 2.144 are being revised to include the name of the Board which may grant extension of time for requesting rehearing or reconsideration of a decision, that is, the Board of Appeals, the Board of Patent Interferences, or the Trademark Trial and Appeal Board.

Paragraph (a) of § 1.304 (second sentence) and paragraph (d)(1) of § 2.145 (second sentence) are being revised to state more clearly that the time for filing a request for rehearing or reconsideration is determined under § 1.197(b) or § 1.256(b) in patent cases and § 2.129(c) or section 2.144 in trademark cases. These paragraphs are also being revised to make clear that if a request for rehearing or reconsideration, or modification of a decision, is acted on less than thirty days after the date of the decision, an appeal may still be filed or a civil action commenced within the original sixty-day period.

As to representation and powers of attorney, § 4.2 is being revised to state that individuals must be appointed in a power of attorney in order for the document to be regarded as a power, and § 4.3, which is a form for the authorization of an agent, is being cancelled because normally persons who are recognized to practice before the Patent and Trademark Office in trademark cases are not designated as agents (see § 2.12). The form is outmoded and inaccurate, and in view of the relatively small amount of use which will probably be made of a form for authorizing representation by a person who is not an attorney, it is not believed necessary to provide a form for that purpose. In line with this change, the wording as to "agent" where it appears in either existing or proposed §§ 2.11, 2.14(c), 2.15, 2.18, 2.19, 2.93, 2.99 (a) and (b), 2.102(a), 2.103, 2.113, 2.119 (a) and (b), 2.123(e)(2), and 2.129(b), is being changed to "other authorized representative" or equivalent language, as appropriate.

In § 2.75 the word "effective" is being added to the second sentence in describing the original filing date.

In paragraph (e) of § 2.85, the clause which refers to the fee being less than the required amount because "a multiple class application or registration is" involved, is being reworded, for greater accuracy, to refer to the fee being less than the required amount because "multiple classes in an application or registration are" involved. At the end of the paragraph, the following is being added: ", or if action is sought only for the number of classes equal to the number of fees submitted," the purpose of this addition being to make it clear that action may be taken as to less than all of the classes in a multiple class application or registration. In this connection, see also revised § 2.172. In paragraph (e) of § 2.85 the word "Examiner" is being changed to "Office" because the notification referred

to is not necessarily handled by an examiner.

In § 2.101 wording is being added to make it clear that an opposition may be filed within an extension of time for filing opposition as well as within thirty days after publication of the mark. Also, the wording "Two or more persons may be joined" is being changed to "If persons are joined," since whether or not persons are properly joined is subject to review by the Trademark Trial and Appeal Board.

In paragraph (b) of § 2.102, the word "written" is being inserted before "request to extend the time" in the first sentence. Also, reference to a time for filing a showing of cause has been deleted as being superfluous. These modifications accord with Pub. L. 93–600, enacted January 2, 1975.

In § 2.103 the words "such filing" have been modified to read "the filing of such opposition" in order to assure the clarity of the meaning.

In addition, §§ 2.101, 2.102, and 2.103 taken as a unit are being reorganized to place topics in better sequence and to consolidate references to each topic in one place. This reorganization is for the purpose of clarity and does not make any change in substance.

The division of § 2.111 into paragraphs (a) and (b) has been eliminated, proposed paragraph (b) relating to insufficient fees being incorporated in the body of the section. The last sentence in proposed § 2.112 relating to insufficient fees has been deleted as being repetitious of § 2.111.

A sentence is being added at the end of section 2.112 indicating that a fee for each person for each class is required if persons are joined in a petition to cancel.

The pertinent wording in each of §§ 2.101, 2.102, 2.103, 2.111, 2.112, 2.141, 2.161, 2.162, and 2.183 is being changed to indicate more plainly that action may be taken on less than the total number of classes in an application or registration, and that in that event the particular class or classes for action should be specified. The pertinent wording in such sections has also been modified to state that action should "include" the appropriate number of fees rather than "be accompanied by" such fees, in order to accord with the present practice of accepting a fee if it is received within the prescribed period even though it may not physically accompany the action.

Section 2.113 is being revised to change the word "notice" to "notification." In section 2.112 the word "notice" in the first sentence is likewise being changed to "notification." These changes accord with the equivalent change made in § 2.105 in the published proposal. The purpose is to make it clear that the paper which is prepared under these sections is merely a notification of the existence of a cancellation proceeding which commenced when a petition which is correct as to form was filed. The last word of paragraph (b) of § 2.113 is being changed from "registrant" to "respondent party" to agree with cancellation § 2.112.

Paragraph (c) in § 2.120 is being modified to provide that a written statement by the attorney for the moving party, rather than an affidavit or declaration, is sufficient in support of a motion for an order to compel discovery, and that if issues raised by the motion have been subsequently resolved, the attorney should merely advise the Trademark Trial and Appeal Board in writing of the matters which no longer require decision by the Board.

In § 2.162, the wording of paragraph (e) is being modified to indicate that the sixth year affidavit must state that the mark is in use except when there is excusable nonuse under paragraph (f) of such section. The wording of such paragraph also is being expanded to make clear the present practice that the specimen submitted with the sixth year affidavit be a specimen currently in use. In both paragraphs (e) and (f), in the second sentences, the second occurrence of the words "may be" is being deleted as unnecessarily repetitious.

In § 2.172, the proposed third sentence is being reworded to simplify the language, and at the end of the proposed fourth sentence the specific number (2.173) of the section referred to in the sentence is being added.

In § 2.183 the wording of paragraph (a) is being modified to indicate that the renewal application must state that the mark is still in use in commerce except when there is excusable nonuse under paragraph (c) of such section. In the last sentence of paragraph (c), the words "in order to show excusable nonuse" are being added after the word "explanation" for greater clarity, and in the same sentence the second occurrence of the words "may be" is being deleted as unnecessarily repetitious.

Section 2.187 is being reworded to make clear that not only is it permissible for a certificate of registration to issue to an assignee or in a new name of applicant, but that the certificate will be so issued whenever the Office knows of such situation in time to do so. Section 2.187 is being further reworded to clarify that for a certificate of registration to issue to an assignee or in a new name of applicant, the supporting document must be actually recorded by the time indicated; further, if the document is not actually recorded by such time, a statement placed in the application file by the time specified will accomplish the same result. Also added to § 2.187 is the statement that the address of the assignee may be provided by being placed in the recorded document.

In consideration of the comments received and pursuant to the authority contained in section 41 of the Act of July 5, 1946 (60 Stat. 440; 15 U.S.C. 1123) as amended on January 2, 1975 (Pub. L. 93–596, 88 Stat. 1949), and in section 6 of the Act of July 19, 1952 (66 Stat. 793; 35 U.S.C. 6) as amended on October 5, 1971 (Pub. L. 94–132, 85 Stat. 364) and amended on January 2, 1975 (Pub. L. 93–596, 88 Stat. 1949), Parts 1 and 2 of Chapter I of Title 37 of the Code of Federal Regulations are hereby revised or amended, as follows:

1. Section 1.12 is revised to read as follows:

§ 1.12 Assignment records open to public inspection.

The assignment records, relating to original or reissue patents, including digests and indexes, and assignment records relating to pending or abandoned trademark applications and to trademark registrations, are open to public inspection and copies of any instrument recorded may be obtained upon payment of the fee therefor. Assignment records, digests and indexes, relating to any pending or abandoned patent application are not available to the public. Copies of any such patent assignment records and information with respect thereto shall be obtainable only upon written authority of the applicant or his assignee or attorney or agent or upon a showing that the person seeking such information is a bona fide prospective or actual purchaser, mortgagee or licensee of such patent application, unless it shall be necessary to the proper conduct of business before the Office or as provided by these rules. An order for a copy of an assignment should give the identification of the record. If identified only by the name of the patentee and number of the patent, or in the case of a trademark registration by the name of the registrant and number of the registration, or by name of the applicant and serial number of the application, an extra charge will be made for the time consumed in making a search for such assignment.

2. In § 1.136, paragraph (b) is revised. As amended, § 1.136 reads as follows:

§ 1.136 Time less than six months.

* * * * *

(b) The time for reply, when a time less than six months has been set, will be extended only for sufficient cause, and for a reasonable time specified. Any request for such extension must be filed on or before the day on which action by the applicant is due, but in no case will the mere filing of the request effect any extension. Only one extension may be granted by the primary examiner in his discretion; any further extension must be approved by the Commissioner. In no case can any extension carry the date on which response to an action is due beyond six months from the date of the action.

3. In § 1.197, paragraph (b) is revised. As amended, § 1.197 reads as follows:

§ 1.197 Action following decision.

* * * * *

(b) Any request for rehearing or reconsideration, or modification of the decision, must be filed within thirty days from the date of the original decision, unless that decision is so modified as to become, in effect, a new decision, and the Board of Appeals so states. Such time may be extended by the Board of Appeals upon a showing of sufficient cause.

* * * * *

4. In § 1.244, paragraph (c) is revised. As amended, § 1.244 reads as follows:

§ 1.244 Motions; miscellaneous provisions.

* * * * *

(c) Any request for rehearing or reconsideration, or modification of the decision, must be filed within twenty days after the date of the decision, and any reply thereto shall be filed within twenty days from the date of service of the request.

* * * * *

5. In § 1.256, paragraph (b) is revised. As amended, § 1.256 reads as follows:

§ 1.256 Final hearing.

* * * * *

(b) Any request for rehearing or reconsideration, or modification of the decision, must be filed within thirty days from the date of the original decision, unless that decision is so modified as to become, in effect, a new decision, and the Board of Patent Interferences so states. Any reply thereto shall be filed within fifteen days from the date of service of the request. The times specified herein may be extended by the Board of Patent Interferences upon a showing of sufficient cause. (See § 1.304.)

6. Section 1.304 is revised to read as follows:

§ 1.304 Time for appeal or civil action.

(a) The time for filing the notice and reasons of appeal to the U.S. Court of Customs and Patent Appeals (section 1.302) or for commencing a civil action (section 1.303) is sixty days from the date of the decision of the Board of Appeals or the Board of Patent Interferences. If a request for rehearing or reconsideration, or modification of the decision, is filed within the time specified in section 1.197(b) or 1.256(b), or within any extension of time granted thereunder, the time for filing an appeal or commencing a civil action shall expire at the end of the sixty-day period or thirty days after action on the request, whichever is later. The sixty and thirty day periods may be extended by the Commissioner upon a showing of sufficient cause.

(b) The times specified herein are calendar days. If the last day of the time specified for appeal or commencing a civil action falls on a Saturday, Sunday or legal holiday, the time is extended to the next day which is neither a Saturday, Sunday nor a holiday.

(c) If a defeated party to an interference has taken an appeal to the U.S. Court of Customs and Patent Appeals and an adverse party has filed notice under 35 U.S.C. 141 that he elects to have all further proceedings conducted under 35 U.S.C. 146 (§ 1.303(c)), the time for filing a civil action thereafter is specified in 35 U.S.C. 141.

7. Section 2.11 is revised to read as follows:

§ 2.11 Applicants may be represented by an attorney.

The owner of a trademark may file and prosecute his own application for registration of such trademark, or he may be represented by an attorney or other person authorized to practice in trademark cases. The Patent and Trademark Office cannot aid in the selection of an attorney or other representative.

8. In § 2.14, paragraph (c) is revised. As amended, § 2.14 reads as follows:

§ 2.14 Advertising.

* * * * *

(c) No person not an attorney, solicitor or lawyer shall, in any material specified in paragraph (b) of this section or in papers filed in the Patent and Trademark Office, represent himself to be an attorney, solicitor or lawyer.

9. Section 2.15 is revised to read as follows:

§ 2.15 Signature and certificate of attorney or other representative.

Every paper filed by an attorney at law or other person representing an applicant or party to a proceeding in the Patent or Trademark Office must bear the signature of such attorney at law or other person except those papers which are required to be signed by the applicant or party. The signature of an attorney at law or such other person to a paper filed by him, or the filing of any paper by him, constitutes a certificate that the paper has been read; that its filing is authorized; that to the best of his knowledge, information, and belief there is good ground to support it; and that it is not interposed for delay.

10. Section 2.18 is revised to read as follows:

§ 2.18 Correspondence, with whom held.

Correspondence will be sent to the applicant or a party to a proceeding at his address unless papers are transmitted by an attorney at law, or a written power of attorney is filed, or written authorization of other person entitled to be recognized is filed, or the applicant or party designates in writing another address to which correspondence is to be sent, in which event correspondence will be sent to the attorney at law transmitting the papers, or to the attorney at law designated in the power or attorney, or to the other person designated in the written authorization, or to the address designated by the applicant or party for correspondence. Correspondence will continue to be sent to such address until the applicant or party, or the attorney at law or other authorized representative of the applicant or party, indicates in writing that correspondence is to be sent to another address. Double correspondence will not be undertaken by the Patent and Trademark Office, and if more than one attorney at law or other authorized representative appears or signs a paper, the Office reply thereto will be sent to the address already established in the file until another correspondence address is specified by the applicant or party or by the attorney or other authorized representative of the applicant or party.

11. Section 2.19 is revised to read as follows:

§ 2.19 Revocation of power of attorney or of other authorization to represent.

Authority to represent an applicant or a party to a proceeding may be revoked at any stage in the proceedings of a case upon notification to the Commissioner; and when it is so revoked, the Office will communicate directly with the applicant or party to the proceeding or with such other qualified person as may be authorized. The Patent and Trademark Office will notify the person affected of the revocation of his authorization.

12. Section 2.37 is revised to read as follows:

§ 2.37 Authorization for representation; U.S. representative.

The authorization of a qualified person to represent applicant (section 2.17 (b)) and the designation of a domestic representative (section 2.24) may be included as a paragraph or paragraphs in the application.

13. Section 2.75 is revised to read as follows:

§ 2.75 Amendment to change application to different register.

An application for registration on the Principal Register may be changed to an application for registration on the Supplemental Register and vice versa by amending the application to comply with the rules relating to the requirements for registration on the appropriate register, as the case may be. The original filing date may be considered the effective filing date for the purpose of proceedings in the Patent and Trademark Office provided the application as originally filed was sufficient for registration on the register to which amended. Otherwise, the filing date of the amendment will be considered the effective filing date of the application so amended.

14. Section 2.80 is revised to read as follows:

§ 2.80 Publication for opposition.

If, on examination or reexamination of an application for registration on the Principal Register, it appears that the applicant is entitled to have his mark registered, the mark will be published in the Official Gazette for opposition. The mark will also be published in the case of an application to be placed in interference or concurrent use proceedings, if otherwise registrable.

15. In § 2.85, paragraph (e) is revised. As amended, § 2.85 reads as follows:

§ 2.85 Classification schedules.

* * * * *

(e) Where the amount of the fee received on filing an appeal in connection with an application or on filing an affidavit under section 8(a) or 8(b) or on an application for renewal or in connection with an opposition or petition for cancellation is sufficient for at least one

class of goods or services but is less than the required amount because multiple classes in an application or registration are involved, the appeal or the affidavit or renewal application or opposition or petition for cancellation will not be refused on the ground that the amount of the fee was insufficient if the required additional amount of the fee is received in the Patent and Trademark Office within the time limit set forth in the notification of this defect by the Office, or if action is sought only for the number of classes equal to the number of fees submitted.

* * * * *

16. Section 2.93 is revised to read as follows:

§ 2.93 Declaration of interference.

An interference is declared and instituted by the mailing of a notice of interference to the parties. The notice shall be sent to each applicant, in care of his attorney or other representative of record, if any, and if one of the parties is a registrant, the notice shall be sent to him or his assignee of record. The notice shall give the name and address of the adverse party and of his attorney or other authorized representative, if any, together with the serial number and date of filing and publication, if published, of each of the applications or registrations involved.

17. In § 2.99, paragraphs (a) and (b) are revised. As amended, § 2.99 reads as follows:

§ 2.99 Application to register as concurrent user.

(a) An application for registration as a lawful concurrent user will be examined in the same manner as other applications for registration. When it is determined that the mark is ready for publication or allowance, except for questions relating to concurrent registration, the applicant may be required to furnish as many copies of his written application, specimens and drawing, as may be necessary. The Examiner of Trademarks shall prepare notices for the applicant and for each applicant, registrant, or user specified in the application for registration as a concurrent user. Such notices for the specified parties shall give the name and address of the applicant and of his attorney or other authorized representative, if any, together with the serial number and filing date of the application.

(b) The notices shall be sent to each of the parties, in care of their attorneys or other representatives, if they have attorneys or other representatives of record, and if one of the parties is a registrant, a notice shall also be sent to him or his assignee of record. A copy of the application shall be forwarded with the notices to the parties specified in the application. An answer to the notice is not required in the case of an applicant or registrant whose application or registration is specified in the application to register as concurrent user but a statement, if desired, may be filed within forty days after the mailing of the notice; in the case of other parties specified in the application to register as concurrent user, answer must be filed within forty days after the mailing of the notice.

* * * * *

18. Section 2.101 is revised to read as follows:

§ 2.101 Filing an opposition.

(a) Any person who believes that he would be damaged by the registration of a mark upon the Principal Register may oppose the same by filing an opposition in the Patent and Trademark Office within thirty days after publication of the mark sought to be registered (§ 2.80), or within an extension of the time for filing an opposition (§ 2.102). The opposition must be verified, or include a declaration in accordance with § 2.20, unless the opposition is filed by an attorney at law or other authorized representative in accordance with § 2.103.

(b) An opposition must include the required fee for each class sought to be opposed in the application. If fees insufficient to cover all classes in the application are submitted, the particular class or classes in which opposition is sought should be specified. If prsons are jointed in an opposition, a fee for each class sought to be opposed in the application for each person so joined is required.

19. Section 2.102 is revised to read as follows:

§ 2.102 Extension of time for filing opposition.

(a) A request to extend the time for filing an opposition must be made by a person who believes that he would be damaged by the registration of the mark on the Principal Register, but an attorney at law or other person authorized to represent a party may file the request on behalf of a potential opposer. The potential opposer must be identified with reasonable certainty in the request. Any opposition filed during an extension of time should be in the name of the person to whom the extension was granted, but an opposition may be accepted if the person to whom the extension was granted was misidentified through mistake, or an opposition filed in a different name may be accepted if the person filing the opposition is in privity with the person to whom the extension was granted.

(b) A written request to extend the time for filing an opposition must be received in the Patent and Trademark Office before the expiration of thirty days from the date of publication, and should specify the period of extension desired. A first extension of time will be granted upon request if the extension is for not more than thirty days. Other extensions of time may be granted by the Commissioner for good cause.

20. Section 2.103 is revised to read as follows:

§ 2.103 Opposition filed by attorney at law or other authorized representative.

An opposition may be filed in the Patent and Trademark Office by an attorney at law or other person authorized to represent a party, either within thirty days after publication of the mark sought to be registered (§ 2.80), or within an extension of the time for filing an opposition (§ 2.102), but the opposition will be null and void unless confirmed by the opposer by verification, or by declaration in accordance with § 2.20, within thirty days after the filing of the opposition, or within such further time as may be fixed by the Commissioner upon request made before the expiration of the thirty days.

21. Section 2.105 is revised to read as follows:

§ 2.105 Notification of opposition proceedings.

A notification of an opposition which has been regularly filed shall be prepared, identifying the title and number of the proceeding and the application involved, and designating a time, not less than thirty days from the mailing date of such notification, within which answer must be filed. Copies of this notification shall be forwarded by the Trademark Trial and Appeal Board to the parties in care of their attorneys or other representatives, if they have attorneys or other representatives of record. The duplicate copy of the opposition and exhibits shall be forwarded with the notification to the applicant.

22. Section 2.111 is revised to read as follows:

§ 2.111 Time for filing petition for cancellation.

Any person who believes that he is or will be damaged by a registration may, upon payment of the required fee for each class sought to be cancelled in the registration, apply to the Commissioner to cancel said registration as to the specified class or classes. A petition to cancel which includes insufficient fees to cover all classes in the registration should specify the particular class or classes for which cancellation is sought. Such petition may be made at any time in the case of registrations on the Supplemental Register or under the act of 1920, or registrations under the act of 1881 or the act of 1905 which have not been published under section 12(c) of the act (§ 2.153), and in cases involving the grounds specified in section 14 (c), (d) and (e) of the act. In all other cases such petition must be made within five years from the date of registration of the mark under the act of 1946 or from the date of publication under section 12(c) of the act.

23. Section 2.112 is revised to read as follows:

§ 2.112 Petition for cancellation.

The petition to cancel, which must be verified, or include a declaration in accordance with § 2.20, must set forth a short and plain statement showing how the petitioner is or will be damaged by the registration, state the grounds for cancellation, and indicate the respondent party to whom notification shall be sent. A duplicate copy of the petition, includ-

ing exhibits, shall be filed with the petition. Applications to cancel different registrations owned by the same party may be joined in one petition when appropriate, but the required fee must be included for each class sought to be cancelled in each registration against which each application to cancel is filed. If persons are joined in a petition to cancel, a fee for each class sought to be cancelled for each person so joined is required.

24. In §2.113, paragraph (b) and the title are revised. As amended, § 2.113 reads as follows:

§ 2.113 Notification of filing of petition.

* * * * *

(b) When the petition is correct as to form, a notification shall be prepared, identifying the title and number of the proceeding and the registration involved, and designating a time, not less than thirty days from the mailing date of such notification, within which answer must be filed. A copy of this notification shall be forwarded to the petitioner in care of his attorney or other representative, if he has an attorney or other representative of record. The duplicate copy of the petition and exhibits shall be forwarded with a copy of such notification to the respondent party.

25. In § 2.119, paragraphs (a) and (b) are revised. As amended, § 2.119 reads as follows:

§ 2.119 Service of papers.

(a) Every paper filed in the Patent and Trademark Office in inter partes cases, including notice of appeal, must be served upon the other parties except the notice of interference (§ 2.93), the notification of opposition (§ 2.105), the petition for cancellation (§ 2.113), and the notice of a concurrent use proceeding (§ 2.99), which are mailed by the Patent and Trademark Office. Proof of such service must be made before the paper will be considered by the Office. A statement signed by the attorney or other authorized representative, attached to or appearing on the original paper when filed, clearly stating the date and manner in which service was made will be accepted as prima facie proof of service.

(b) Service of papers must be on the attorney or other authorized representative of the party if there be such or on the party if there is no attorney or other authorized representative, and may be made in either of the following ways: (1) By delivering a copy of the paper to the person served; (2) by leaving a copy at the usual place of business of the person served, with someone in his employment; (3) when the person served has no usual place of business, by leaving a copy at his residence, with a member of his family over 14 years of age and of discretion; (4) transmission by first-class mail, which may also be certified or registered. Whenever it shall be satisfactorily shown to the Commissioner that none of the above modes of obtaining service or serving the paper is practicable, service may be by notice published in the Official Gazette.

* * * * *

26. In § 2.120, paragraph (c) is revised. As amended, § 2.120 reads as follows:

§ 2.120 Discovery procedure.

* * * * *

(c) Failure to make discovery: Sanctions.

(1) If any party fails or refuses to answer any proper question in taking discovery depositions or fails or refuses to answer any proper question propounded by interrogatories or fails or refuses to comply with a request to produce and permit the inspection and copying of designated things, the party seeking discovery may file a motion with the Trademark Trial and Appeal Board for an order compelling discovery. Such a motion must be supported by a written statement by the attorney for the moving party that the moving party or its attorney has conferred with the opposing party or its attorney in an effort in good faith to resolve by agreement the issues raised by the motion and has been unable to reach agreement. If issues raised by the motion are subsequently resolved between the parties, the attorney for the moving party should advise the Trademark Trial and Appeal Board in writing of the matters in the motion which no longer require decision by the Board.

(2) If a party or an officer, director, or managing agent of a party, or a person designated under Rule 30(b)(6) or 31(a) of the Federal Rules of Civil Procedure to testify on behalf of a party, fails to obey an order to provide or permit discovery, the Trademark Trial and Appeal Board may strike out all or any part of any pleading of that party, dismiss the action or proceeding, or deny any part thereof, enter judgment as by default against that party or take any such other action as may be deemed appropriate.

27. In § 2.123, paragraph (e)(2) is revised, and paragraph (g)(3) is added. As amended, § 2.123 reads as follows:

§ 2.123 Trial testimony in inter partes cases.

* * * * *

(e) * * *

(2) The deposition shall be taken in answer to questions, with the questions and answers recorded in their regular order by the officer, or by some other person (who shall be subject to the provisions of Rule 28 of the Federal Rules of Civil Procedure) in the presence of the officer except when his presence is waived on the record by agreement of the parties. The testimony shall be taken stenographically and transcribed, unless the parties present agree otherwise. In the absence of all opposing parties and their attorneys or other authorized representatives, depositions may be taken in longhand, typewriting, or stenographically.

* * * * *

(g) * * *

(3) Each deposition must contain an index of the names of the witnesses, giving the pages where their examination and cross-examination begin, and an index of the exhibits, briefly describing their nature and giving the pages at which they are introduced and offered in evidence.

* * * * *

28. In § 2.127, paragraph (b) is revised. As amended, § 2.127 reads as follows:

§ 2.127 Motions.

* * * * *

(b) Any request for rehearing or reconsideration, or modification of a decision, on a motion which is not finally dispositive of the case, must be filed within thirty days from the date thereof. Any brief in opposition shall be filed within fifteen days after service of the request.

* * * * *

29. In § 2.129, paragraphs (b) and (c), and the title, are revised. As amended, § 2.129 reads as follows:

§ 2.129 Oral argument, and reconsideration.

* * * * *

(b) Hearings may be advanced or adjourned, as far as is convenient and proper, to meet the wishes of the parties and their attorneys or other authorized representatives.

(c) Any request for rehearing or reconsideration, or modification of a decision, including a decision on a motion which is finally dispositive of a case, must be filed within thirty days from the date thereof. Any brief in opposition shall be filed within fifteen days after service of the request. The times specified herein may be extended by the Trademark Trial and Appeal Board upon a showing of sufficient cause.

30. Section 2.141 is revised to read as follows:

§ 2.141 Ex parte appeals from the Examiner of Trademarks.

Every applicant for the registration of a mark may, upon final refusal by the Examiner of Trademarks, appeal to the Trademark Trial and Appeal Board upon payment of the prescribed fee for each class in the application for which an appeal is taken. An appeal which includes insufficient fees to cover all classes in the application should specify the particular class or classes in which an appeal is taken. A second refusal on the same grounds may be considered as final by the applicant for purpose of appeal.

31. Section 2.144 is revised to read as follows:

§ 2.144 Reconsideration of decision on ex parte appeal.

Any request for rehearing or reconsideration, or modification of the decision, must be filed within thirty days from the date of the decision. Such time may be extended by the Trademark Trial

and Appeal Board upon a showing of sufficient cause.

32. In § 2.145, paragraphs (a), (b), and (d) are revised. As amended, § 2.145 reads as follows:

§ 2.145 Appeal to court and civil action.

(a) Appeal to U.S. Court of Customs and Patent Appeals. An applicant for registration, or any party to an interference, opposition, or cancellation proceeding who is dissatisfied with the decision of the Trademark Trial and Appeal Board and any registrant who has filed an affidavit or declaration under Section 8 of the act or who has filed an application for renewal and is dissatisfied with the decision of the Commissioner (§§ 2.165, 2.184), may appeal to the U.S. Court of Customs and Patent Appeals. The appellant must take the following steps in such an appeal: (1) In the Patent and Trademark Office give written notice of appeal to the Commissioner (see paragraphs (b) and (d) of this section); (2) in the court, file a petition of appeal and a certified transcript of the record within a specified time after filing the appeal, and pay the fee for appeal, as provided by the rules of the court. The transcript will be transmitted to the Court by the Patent and Trademark Office on order of and at the expense of the appellant. Such order should be filed with the notice of appeal, but in no case should it be filed later than fifteen days thereafter.

(b) Notice of appeal.

(1) When an appeal is taken to the U.S. Court of Customs and Patent Appeals, the appellant shall give notice thereof in writing to the Commissioner, which notice shall be filed in the Patent and Trademark Office, within the time specified in paragraph (d) of this section. The notice shall specify the party or parties taking the appeal and shall designate the decision or part thereof appealed from.

(2) In inter partes proceedings, the notice must be served as provided in § 2.119.

* * * * *

(d) Time for appeal or civil action.

(1) The time for filing the notice of appeal to the U.S. Court of Customs and Patent Appeals (paragraph (b) of this section), or for commencing a civil action (paragraph (c) of this section), is sixty days from the date of the decision of the Trademark Trial and Appeal Board or the Commissioner, as the case may be. If a request for rehearing or reconsideration, or modification of the decision, is filed within the time specified in section 2.129(c) or 2.144, or within any extension of time granted thereunder, the time for filing an appeal or commencing a civil action shall expire at the end of the sixty day period or thirty days after action on the request, whichever is later. The sixty and thirty day periods may be extended by the Commissioner upon a showing of sufficient cause.

(2) The times specified herein are calendar days. If the last day of time specified for appeal, or commencing a civil action falls on a Saturday, Sunday or legal holiday, the time is extended to the next day which is neither a Saturday, Sunday nor a holiday.

(3) If a party to an inter partes proceeding has taken an appeal to the U.S. Court of Customs and Patent Appeals and an adverse party has filed notice under section 21(a)(1) of the act that he elects to have all further proceedings conducted under section 21(b) of the act, the time for filing a civil action thereafter is specified in section 21(a)(1) of the act.

33. Section 2.161 is revised to read as follows:

§ 2.161 Cancellation for failure to file affidavit or declaration during sixth year.

Any registration under the provisions of the act of 1946 and any registration published under the provisions of section 12(c) of the act (§ 2.153) shall be cancelled as to any class in the registration at the end of six years following the date of registration or the date of such publication, unless within one year next preceding the expiration of such six years the registrant shall file in the Patent and Trademark Office an affidavit or declaration in accordance with § 2.20 showing that said mark is still in use as to such class or showing that its non-use as to such class is due to special circumstances which excuse such nonuse and is not due to any intention to abandon the mark.

34. Section 2.162 is revised to read as follows:

§ 2.162 Requirements for affidavit or declaration during sixth year.

The affidavit or declaration required by § 2.161 must:

(a) Be executed by the registrant after expiration of the five-year period following the date of registration or of publication under section 12(c) of the act;

(b) Be filed in the Patent and Trademark Office before the expiration of the sixth year following the date of registration or of publication under section 12(c) of the act;

(c) Identify the certificate of registration by the registration number and date of registration;

(d) Include the required fee for each class to which the affidavit or declaration pertains in the registration. If insufficient fees are included to cover all classes in the registration, the particular class or classes to which the affidavit or declaration pertains should be specified;

(e) State that the registered mark is in use (except under pargaraph (f) of this section). The statement must be supported by evidence which shows that the mark is still in use, and normally such evidence consists of a specimen or a facsimile specimen which is currently in use, or a statement of facts concerning use. The supporting evidence should be submitted with the affidavit or declaration, but if it is not or if the evidence submitted is found to be deficient, the evidence, or further evidence, may be submitted and considered even though filed after the sixth year has expired;

(f) If the registered mark is not still in use, recite facts to show that nonuse is due to special circumstances which excuse such nonuse and is not due to any intention to abandon the mark. If the facts recited are found not to be sufficient, further evidence or explanation may be submitted and considered even though filed after the sixth year has expired; and

(g) Contain the statement of use or statement as to nonuse and appropriate evidence in support thereof, as required in paragraphs (e) and (f) of this section, for each class to which the affidavit or declaration pertains in the registration.

35. Section 2.172 is revised to read as follows:

§ 2.172 Surrender for cancellation.

Upon application by the registrant, the Commissioner may permit any registration to be surrendered for cancellation. Application for such action must be signed by the registrant and must be accompanied by the original certificate of registration, if not lost or destroyed. When there is more than one class in a registration, one or more entire class but less than the total number of classes may be surrendered as to the specified class or classes. Deletion of less than all of the goods or services in a single class constitutes amendment of registration as to that class (see § 2.173).

36. In § 2.183, paragraphs (a), (b), and (c) are revised. As amended, § 2.183 reads as follows:

§ 2.183 Requirements for application for renewal.

(a) The application for renewal must include a statement which is verified or which includes a declaration in accordance with § 2.20 by the registrant setting forth the goods or services recited in each class for which renewal is sought in the registration on or in connection with which the mark is still in use in commerce, specifying the nature of such commerce (except under paragraph (c) of this section). This statement must be executed not more than six months before the expiration of the registration and must:

(1) Be accompanied by a specimen or facsimile specimen for each class for which renewal is sought in the registration showing current use of the mark.

(2) Include the required fee for each class for which renewal is sought in the registration, and an additional fee for each class in the case of a delayed application for renewal. If the application for renewal includes insufficient fees to cover all classes in the registration, the particular class or classes for which renewal is sought should be specified.

(b) The declaration or verified statement, specimen or facsimile specimen and the fee for each class for which renewal is sought in the registration must be filed within the period prescribed for applying for renewal. If defective or insufficient, they cannot be completed after the period for applying for renewal has passed; if completed after the

initial six month period has expired but before the expiration of the three month delay period, the application can be considered only as a delayed application for renewal.

(c) If the mark is not in use in commerce at the time of filing of the declaration or verified statement as to any class for which renewal is sought, facts must be recited to show that nonuse is due to special circumstances which excuse such nonuse and is not due to any intention to abandon the mark. There must be a recitation of facts as to nonuse for each class for which renewal is sought or it must be clear that the facts recited apply to each class sought to be renewed. If the facts recited require amplification or explanation in order to show excusable nonuse, further evidence may be submitted and considered even though filed after the period for applying for renewal has passed.

* * * * *

37. In § 2.185, paragraphs (a)(2) and (a)(4) are revised. As amended, § 2.185 reads as follows:

§ 2.185 Requirements for assignments.

(a) Assignments under section 10 of the act of registered marks, or marks for which an application for registration has been filed, will be recorded in the Patent and Trademark Office. Other instruments which may relate to such marks may be recorded in the discretion of the Commissioner. No assignment will be recorded, except as may be ordered by the Commissioner, unless it has been executed and unless:

* * * * *

(2) It is in the English language or, if not in the English language, accompanied by a translation signed by the translator;

* * * * *

(4) A designation of a domestic representative is made in case the assignee is not domiciled in the United States. The designation must be separate from the assignment and there must be a separate designation for each registration or application assigned in one instrument.

38. Section 2.187 is revised to read as follows:

§ 2.187 Certificate of registration may issue to assignee.

The certificate of registration may be issued to the assignee of the applicant, or in a new name of applicant, and certificate of registration will be so issued provided an appropriate document is of record in the Assignment Division of the Patent and Trademark Office no later than the time the notice of publication is mailed, or if such document is not of record, then if a statement that such document has been filed for recordation is in the application file by the time the application is being prepared for issuance of the certificate of registration. The address of the assignee must be made of record in the application file or in the recorded document.

39. Section 4.2 is revised to read as follows:

§ 4.2 Power of attorney accompanying application.

Applicant hereby appoints _____(8) _____ to prosecute this application (address)
to register, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the certificate of registration.

NOTE: (8) An individual must be appointed. If the name of a law firm is given, it will be regarded merely as a designation of address for correspondence.

§ 4.3 [Removed]

40. Section 4.3 is removed.

Effective date: These amendments become effective on February 1, 1976.

Dated: December 11, 1975.

C. MARSHALL DANN,
Commissioner of Patents and Trademarks.

Approved: December 24, 1975.

DAVID B. CHANG,
Deputy Assistant Secretary for Science and Technology.

[FR Doc.75-35246 Filed 12-31-75;9:53 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER E—PESTICIDE PROGRAMS

[FRL 475-5; PP4F1464/R73]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

N-(Mercaptomethyl) Phthalimide S-(O,O-Dimethyl Phosphorodithioate)

On November 12, 1975, the Environmental Protection Agency published in the FEDERAL REGISTER (40 FR 52744) a notice of proposed rulemaking to amend 40 CFR 180.261 to establish a tolerance for combined residues of the insecticide N-(mercaptomethyl) phthalimide S-(*O*, *O*-dimethyl phosphorodithioate) and its oxygen analog N-(mercaptomethyl) phthalimide S-(*O*, *O*-dimethyl phosphorothioate) in or on the raw agricultural commodity group citrus fruits at 5 parts per million. Notice of the proposed rulemaking was published in response to a petition (PP 4F1464) submitted to the Agency by Stauffer Chemical Co., 1200 S. 47th St., Richmond CA 94804.

No comments or requests for referral to an advisory committee were received by the Agency. Therefore, based on the data submitted in the petition and other relevant material, it is concluded that the tolerance established by amending 40 CFR 180.261 will protect the public health, and that the proposed regulation should be adopted without change.

Any person adversely affected by this regulation may, on or before February 4, 1976, file written objections with the Hearing Clerk, Environmental Protection Agency, Room 1019, East Tower, 401 M St. SW, Washington, DC 20460. Such objections should be submitted in quintuplicate and should specify both the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Dated: December 24, 1975.

JOHN B. RITCH, Jr.,
Acting Deputy Assistant Administrator for Pesticide Programs.

Part 180, Subpart C, § 180.261 is amended by revising the paragraph "5 parts per million * * *" to include the raw agricultural commodity group citrus fruits to read as follows:

§ 180.261 N-(Mercaptomethyl) phthalimide S-(*O*,*O*-dimethyl phosphorothioate) and its oxygen analog; tolerances for residues.

* * * * *

5 parts per million in or on apricots, citrus fruits, nectarines, and plums (fresh prunes).

* * * * *

[FR Doc.76-182 Filed 1-2-76;8:45 am]

[FRL 475-6; OPP-260015]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Carbofuran

The Environmental Protection Agency (EPA) is amending 40 CFR 180.254 to clarify the language in certain paragraphs with regard to established tolerances for residues of the pesticide chemical carbofuran (2,3-dihydro-2,2-dimethylbenzofuranyl-*N*-methylcarbamate), its carbamate metabolite 2,3-dihydro-2,2-dimethyl-3-hydroxy - 7 - benzofuranyl-*N*-methylcarbamate, and its phenolic metabolites 2,3-dihydro-2,2-dimethyl-7-benzofuranol, 2,3-dihydro-2,2-dimethyl-3-oxo-7-benzofuranol, and 2,3-dihydro-2,2-dimethyl-3,7-benzofurandiol. The amendments to § 180.254 are editorial in nature and do not affect the substance of the regulation. Therefore, the Agency finds that no useful purpose would be served by publishing these changes as proposed rulemaking and soliciting public comment. Consequently, pursuant to the Administrative Procedures Act [5 U.S.C. Section 553(b)(B)], notice and public procedure in this case are considered unnecessary, and the Agency finds that good cause therefore exists to forego these procedures. Additionally, for the same reasons and pursuant to the Administrative Procedures Act [5 U.S.C. Section 553(d)], the Agency is amending 40 CFR 180.254 effective January 5, 1976, as set forth below.

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

Dated: December 24, 1975.

JOHN B. RITCH, Jr.,
Acting Deputy Assistant Administrator for Pesticide Programs.

Part 180, Subpart C, Section 180.254 is amended beginning with paragraph "2 parts per million . . ." to the end of the section as follows:

§ 180.254 Carbofuran; tolerances for residues.

* * * * *

2 parts per million in or on potatoes (of which no more than 1 part per million is carbamates) and in or on sugar beet tops (of which no more than 1 part per million is carbamates).

1 part per million in or on peppers and in or on rice straw (of which no more than 0.2 part per million is carbamates).

0.5 part per million in or on strawberries (of which no more than 0.2 part per million is carbamates).

0.2 part per million in or on corn grain, including popcorn (of which no more than 0.1 part per million is carbamates), in or on peanuts (of which no more than 0.1 part per million is carbamates), and in or on rice.

0.1 part per million in milk (of which no more than 0.02 part per million is carbamates).

0.1 part per million in or on bananas, coffee beans, sorghum grain, sugar beets, and sugarcane.

0.05 part per million in the fat, meat, and meat by-products of cattle, goats, hogs, horses, and sheep (of which no more than 0.02 part per million is carbamates).

* * * * *

[FR Doc.76-183 Filed 1-2-76;8:45 am]

[PP6F1652 and PP6F1607/R72; FRL 474-7]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

3,5-Dimethyl-4-(Methylthio)phenyl Methylcarbamate

Correction

In FR Doc. 75-35070, appearing at page 59729 in the issue for Tuesday, December 30, 1975, the following corrections should be made:

1. In the last paragraph on page 59729, the comment date, now reading "on or before January 28, 1976", should read, "on or before January 29, 1976".

2. In the first full paragraph on page 59730, the effective date, now reading "December 29, 1975" should read "December 30, 1975".

Title 41—Public Contracts and Property Management

CHAPTER 14—DEPARTMENT OF THE INTERIOR

PART 14-2—PROCUREMENT BY FORMAL ADVERTISING

PART 14-18—PROCUREMENT OF CONSTRUCTION

Subcontracting

Pursuant to the authority of the Secretary of the Interior contained in 5 U.S.C. 301, Parts 14-2 and 14-18 of Chapter 14 of Title 41 of the Code of Federal Regulations are hereby amended as stated herein.

It is the general policy of the Department of the Interior to allow time for interested persons to participate in the rulemaking process. However, the amendments herein are minor revisions to delete references to provisions which have been revoked. Because the amendments are entirely administrative in nature, the public rulemaking process is waived in this instance and the amendments herein are effective immediately.

Dated: December 29, 1975.

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

§ 14-2.201 [Amended]

1. Subpart 14-2.2 is amended by deleting the text only of § 14-2.201. The caption of the section is retained.

2. The table of contents of Part 14-18 is amended by deleting and reserving Subpart 14-18.1 and § 14-18.104.

Subpart 14-18.1—[Reserved]

§ 14-18.104 [Reserved]

3. Part 14-18 is amended by deleting and reserving Subpart 14-18.1 and § 14-18.104.

[FR Doc.76-102 Filed 1-2-76;8:45 am]

Title 46—Shipping

CHAPTER I—U.S. COAST GUARD, DEPARTMENT OF TRANSPORTATION

[Docket No. CGD 75-050]

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

Miscellaneous Labeling Amendments and Nomenclature Change

The purpose of these amendments is to amend the Coast Guard Dangerous Cargo labeling requirements in 46 CFR Part 146 to provide consistency with the new Department of Transportation labeling system adopted February 27, 1973 (See 38 FR 5292) and which became effective January 1, 1975.

These amendments were proposed in the June 18, 1975 issue of the FEDERAL REGISTER (40 FR 25686). Interested persons were given 43 days in which to submit written comments and were also given an opportunity to make oral comments at a public hearing on July 16, 1975 in Washington, D.C.

These amendments are based on that notice and the comments thereto and in general delete the obsolete labeling requirements contained in 46 CFR Part 146 and substitute therefor the current nomenclature and requirements. Six comments were received on the notice. All six commenters were in favor of the proposed amendments with five of the commenters suggesting specific changes to the proposal. These are discussed below.

One commenter suggested that the provisions of 46 CFR Part 146 be reviewed to update the labeling requirements on certain specific articles of ships' stores. This comment has merit and will be accomplished by separate rule making. It is envisioned that this future rule making will revise Part 146 to make it more responsive to the industrial atmosphere it regulates.

One commenter recommended that the proposed wording of § 146.05-15(d)(5) be further amended by adding the words "unless otherwise exempted" after the word "labeled" for the purpose of clarity and consistency with the provisions of Title 49 CFR Part 173. Since this section applies only to special fireworks and samples of explosives and these materials are not allowed any exemptions from the labeling requirements contained in 49 CFR Part 173, nor was the intent of the proposal to allow such exemptions, the suggested change is considered unwarranted and hence not adopted.

One commenter suggested that the wording explaining the required changes to § 146.04-5 did not accurately reflect the fact that for explosives, Classes A, B, and C, the existing "Label required" column is blank. This thought has been incorporated in the amendment and the wording explaining the changes to § 146.-04-5 regarding explosives, Classes A, B, and C, has been changed accordingly.

One commenter suggested that the proposed changes to § 146.05-12(f)(6) did not go far enough in that the requirement to show the kind of label on the shipping papers should also be deleted. Insofar as the current provisions of 49 CFR Part 173 and the International Maritime Dangerous Goods Code do not require the showing of the kind of label on the shipping papers and this requirement would be redundant of the required proper classification that must be shown, this comment is adopted.

One commenter suggested that the proposed changes to § 146.05-17 would prohibit compliance with current international requirements in regard to labeling and would in fact be inconsistent with the provisions of 46 CFR 146.02-10 and 146.02-11. As this was not the intent of the proposal the amendment has been reworded to alleviate this apparent conflict.

The final commenter suggested that paragraphs (e) through (w) of § 146.05-17 should not be revoked since this would require personnel utilizing 46 CFR Part 146 to have available 49 CFR Parts 170 to 179. The commenter further requested that the display of the current labels in 46 CFR Part 146 should be continued. The currently displayed labels in 46 CFR Part 146 are obsolete and they must be deleted to avoid confusion. The reprinting in their place of facsimilies of the current labels is not deemed necessary. It is felt that all personnel involved with the maritime shipment of hazardous materials should be familiar with the provisions of 49 CFR Parts 170 to 179 and should have this book available to them.

In consideration of the foregoing, 46 CFR Part 146 is amended as follows:

§ 146.04–4 [Amended]

1. § 146.04–4 is amended by:

a. Substituting the abbreviation "Flam." for the abbreviation "Inf." wherever it appears therein;

b. Substituting the word "Flammable" for the word "Inflammable" wherever it appears therein;

c. Substituting the abbreviation "Nonflam." for the abbreviation "Noninf." wherever it appears therein;

d. Substituting the word "Nonflammable" for the word "Noninflammable" wherever it appears therein.

§ 146.04–5 [Amended]

2. § 146.04–5 is amended wherever the entry in the "Classed as" column reads:

a. "Inf. L", by striking that entry and the corresponding entry in the "Label required" column, and inserting the abbreviation "Flam. L" in place thereof:

b. "Inf. S", by striking that entry and the corresponding entry in the "Label required" column, and inserting the abbreviation "Flam. S" in place thereof;

c. "Oxy. M", by striking the corresponding entry in the "Label required" column, and inserting the abbreviation "Oxy." in place thereof;

d. "Inf. G", by striking that entry and the corresponding entry in the "Label required" column, and inserting the abbreviation "Flam. G" in place thereof;

e. "Noninf. G", by striking that entry and the corresponding entry in the "Label required" column, and inserting the abbreviation "Nonflam. G" in place thereof;

f. "Pois. C", by striking the corresponding entry in the "Label required" column, and inserting the word "Irritant" in place thereof;

g. "Expl. A", by inserting the abbreviation "Expl. A" in the "Label required" column;

h. "Expl. B", by inserting the abbreviation "Expl. B" in the "Label required" column;

i. "Expl. C", by inserting the abbreviation "Expl. C" in the "Label required" column.

3. § 146.05–12 is amended by revising paragraph (f) (6) to read as follows:

§ 146.05–12 Originating shipping order, transfer shipping paper.

* * * * *

(f) * * *

(6) In connection with the entry of each dangerous article, where the detailed regulations exempt the packages from labeling, the exemption must be indicated by the words "No Label Required" immediately following the description on the shipping paper.

* * * * *

4. § 146.05–15 is amended by revising paragraphs (d) (1), (d) (5), and the introductory text of paragraph (g) to read as follows:

§ 146.05–15 Marking and labeling.

* * * * *

(d) * * *

(1) Each package containing explosives must be marked:

(i) With its proper shipping name as shown in the commodity list in this Part;

(ii) With label required by § 146.04–5; and

(iii) With such other marking as prescribed by the Department of Transportation regulations for the explosive in the package.

* * * * *

(5) Each outside package containing special fireworks or samples of explosives (if offered for transportation on board vessels) must bear the appropriate explosives label, in addition to the following prescribed markings:

(i) Samples of explosives.

(ii) Special fireworks.

* * * * *

(g) Each package containing "Any Other Dangerous Article," as defined by the regulations in this Part, must be conspicuously labeled by the shipper in accordance with the Department of Transportation regulations in 49 CFR Parts 170 through 179.

* * * * *

§ 146.05–16 [Revoked]

5. § 146.05–16 is revoked.

6. § 146.05–17 is amended by revising paragraph (b) and revoking paragraph (e) through (w) as follows:

§ 146.05–17 Labels.

* * * * *

(b) Labels shall not be applied to packages containing only articles which are not subject to the regulations in this Part, except as otherwise provided in §§ 146.02–10 and 146.02–11.

* * * * *

(e)–(w) [Revoked]

7. § 146.20–13 is amended by revising paragraph (c) to read as follows:

§ 146.20–13 Samples of explosives and explosive articles for laboratory and examination purposes.

* * * * *

(c) Shipments of samples of explosives, fireworks, and explosive devices must be packed, marked, labeled, and described as required by the Department of Transportation regulations, 49 CFR Parts 170 through 179, for the particular explosive.

* * * * *

§ 146.20–100 [Amended]

8. § 146.20–100 is amended by striking the entry in the "Label required" column for the article:

a. "Ammunition for cannon with explosive projectiles" and inserting in place thereof the words "Expl. A, except 'Ammunition for cannon with gas projectiles,' loaded with a poisonous gas or liquid, Class A, and an explosive charge, must also bear the 'Poison Gas' label."

b. "Explosive projectiles" and inserting in place thereof the words "Expl. A, except bombs, grenades, projectiles, or other containers loaded with a poisonous gas or liquid, Class A, and an explosive charge, either boxed or unboxed, must also bear the 'Poison gas' label."

c. "Ammunition for small arms with incendiary projectiles," and inserting in place thereof the abbreviation "Expl. A."

d. "Rocket ammunition with explosive projectiles" and inserting in place thereof the words "Expl. A, except Rocket Ammunition with gas projectiles loaded with a poisonous gas or liquid Class A, and an explosive charge, must also bear the 'Poison Gas' label."

9. § 146.20–100 is amended by striking the words "No label required" wherever they appear in the "Label required" column and inserting the abbreviation "Expl. A" in place thereof.

§ 146.20–200 [Amended]

10. § 146.20–200 is amended by striking the words "No label required" wherever they appear in the "Label required" column and inserting the abbreviation "Expl. B" in place thereof.

§ 146.20–300 [Amended]

11. § 146.20–300 is amended by inserting the words "Expl. C" in the "Label required" column for the articles "Blasting caps—1000 or less" and "Cartridges, practice ammunition", and by striking the words "No label required" whenever they appear in the "Label required" column and inserting the abbreviation "Expel. C" in place thereof.

§ 146.21–100 [Amended]

12. § 146.21–100 is amended by striking the word "Red" wherever it appears in the "Label required" column and inserting the abbreviation "Flam. L" in place thereof.

§ 146.22–100 [Amended]

13. § 146.22–100 is amended by striking the word "Yellow" wherever it appears in the "Label required" column and inserting the abbreviation "Flam. S" in place thereof.

§ 146.22–200 [Amended]

14. § 146.22–200 is amended by striking the word "Yellow" wherever it appears in the "Label required" column and inserting the abbreviation "Oxy" in place thereof.

§ 146.24–100 [Amended]

15. § 146.24–100 is amended by striking the words:

a. "Red gas" wherever they appear in the "Label required" column and inserting the abbreviation "Flam. G" in place thereof.

b. "Green gas" wherever they appar in the "Label required" column and inserting the abbreviation "Nonflam. G" in place thereof.

§ 146.25–300 [Amended]

16. § 146.25–300 is amended by striking the words "Tear gas" wherever they appear in the "Label required" column and inserting the word "Irritant" in place thereof.

NOMENCLATURE CHANGE

17. 46 CFR Part 146 is amended by striking the words "Inflammable" and "Noninflammable" wherever they appear, except in the Table of Contents

entry for § 146.03–9, § 146.03–9, and the "SOLAS 1960 classifications" column of § 146.01–4(a), and inserting in place thereof the words "FLAMMABLE" and "NONFLAMMABLE," respectively.

(49 U.S.C. 170; 49 CFR 1.53(f))

Effective date: March 31, 1976. However, immediate compliance with the regulations as amended herein is authorized immediately.

Issued in Washington, D.C. on December 24, 1975.

JAMES T. CURTIS, Jr.,
Director,
Materials Transportation Bureau.

[FR Doc.76–135 Filed 1–2–76;8:45 am]

CHAPTER IV—FEDERAL MARITIME COMMISSION

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[Docket No. 72–19; General Order 13]

PART 536—FILING OF TARIFFS BY COMMON CARRIERS BY WATER IN THE FOREIGN COMMERCE OF THE UNITED STATES AND BY CONFERENCES OF SUCH CARRIERS

Postponement of Effective Date

In order to permit additional time to evaluate petitions for reconsideration of final rules in this proceeding (40 FR 47770; October 10, 1975), it has been determined that further postponement of their effective date is warranted. Accordingly, it is ordered that the "January 2, 1976" effective date incorporated in the first sentence of § 536.16 of 46 CFR Part 536 is amended to read "February 2, 1976."

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–168 Filed 1–2–76;8:45 am]

Title 49—Transportation

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

[Docket No. 69–19; Notice 11]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Lamps, Reflective Devices, and Associated Equipment

This notice amends 49 CFR 571.108, Motor Vehicle Safety Standard No. 108, *Lamps, Reflective Devices, and Associated Equipment*, primarily to modify requirements applicable to turn signal lamps. The amendments are effective January 5, 1976.

Triangle Home Products has petitioned for immediate adoption of SAE Standard J588e, *Turn Signal Lamps*, September 1970, as the referenced standard for that item of lighting equipment. This change was originally proposed by NHTSA in Notice 3, Docket No. 69–19 (37 FR 22801). SAE J588e differs from J588d in several respects, the principal one being that the minimum effective projected luminous area of all turn signal lamps is 8 square inches. SAE J588d had divided turn signal lamps into two classes, A and B, but this no longer occurs in J588e. Class A turn signal lamps were those with a lens area not less than 12 square inches, while Class B were those whose minimum lens area was not less than 3.5 square inches. The amendment means that the minimum required luminous area of turn signals on passenger cars, and on other vehicles (except motorcycles) less than 80 inches in overall width, is increased to 8 square inches from 3.5 square inches, while that of larger vehicles is reduced to 8 from 12 square inches. The agency expects there to be no effect upon safety from this reduction as the photometric requirements are unchanged.

This proposal was not uniformly supported, several manufacturers objecting that the increase in minimum area from 3.5 square inches to 8 square inches was unnecessary, and suggesting 5 square inches instead. The NHTSA notes, however, that the SAE adopted J588e after many tests that demonstrated that the increase to 8 square inches, by providing more signal area, resulted in better estimation of the position of the signaling vehicle as seen by drivers of oncoming and following vehicles. Because of the increased photometrics for turn signal lamps that became effective January 1, 1970, it is difficult to manufacture lamps smaller than 8 square inches and produce the required light output. Finally, an area smaller than 8 square inches would increase the unit area intensity to a level that is likely to be distressing to many drivers. It is likely, however, in spite of the objections to the proposal that the industry conforms at present. The NHTSA surveyed the turn signal lens area of 18 contemporary domestic and foreign passenger cars, finding no lens area less than 8 square inches, with the average at 14. However, the amendments permit continued compliance with J588d, on an optional basis, until September 1, 1978.

Notice 3 also proposed the adoption of updated SAE Standards, J585d and J586c, for taillamps and stop lamps respectively. There were no objections to these proposals. The principal difference in the updated standards is the inclusion of definitions of and photometering instructions for multiple compartment lamps and multiple lamp arrangements. SAE J586c also establishes a minimum of 8 square inches for the effective projected lamps and multiple lamp arrangements. in a combination stop lamp-turn signal lamp, prohibits operation of the stop lamp while the turn signal is flashing. SAE J585d, in a change from J585c, requires measurement of photometrics not less than 10 feet from the photometer screen, the previous distance being a minimum of 4 feet. Because of these changes, the NHTSA is permitting continued compliance with J585c and J586b until September 1, 1978.

Accordingly, Standard No. 108 is being amended to incorporate the three new SAE Standards. Editorial amendments are also made to S4.1.1.6, S4.1.1.7, S4.1.1.12, S4.5.5 and S5.1 to conform them to the new requirements.

§ 571.108 [Amended]

In consideration of the foregoing, 49 CFR 571.108, Motor Vehicle Safety Standard No. 108, is amended as follows:

1. S4.1.1.1, S4.3.1.7, and S4.5.6 are revised by changing the words "SAE Standard J588d, *Turn Signal Lamps*, June 1966" to "SAE Standard J588e, *Turn Signal Lamps*, September 1970".

2. S4.1.1.6 is revised to read:

S4.1.1.6 Each stop lamp on any motor vehicle manufactured between January 1, 1973, and September 1, 1978, may be designed to conform to SAE Standard J586b, *Stop Lamps*, June 1966. It shall meet the photometric minimum candlepower requirements for class A red turn signal lamps specified in SAE Standard J575d, *Tests for Motor Vehicle Lighting Devices and Components*, August 1967. Each such lamp on a passenger car and on a multipurpose passenger vehicle, truck, trailer or bus less than 80 inches in overall width shall have an effective projected luminous area not less than 3½ square inches. If multiple compartment lamps or multiple lamps are used, the effective projected luminous area of each compartment or lamp shall be not less than 3½ square inches; however, the photometric requirements may be met by a combination of compartments or lamps.

3. S4.1.1.7 is revised to read:

S4.1.1.7 Each turn signal lamp on any motor vehicle, except motorcycles, manufactured between January 1, 1972, and September 1, 1978, may be designed to conform to SAE Standard J588d, *Turn Signal Lamps*, June 1966, and shall meet the photometric minimum candlepower requirements for Class A turn signal lamps specified in SAE Standard J575d, *Tests, for Motor Vehicle Lighting Devices and Components*, August 1967. Each such lamp on a passenger car and on a multipurpose passenger vehicle, truck, trailer or bus less than 80 inches in overall width shall have an effective projected luminous area not less than 3½ square inches. If multiple compartment lamps or multiple lamps are used, the effective projected luminous area of each compartment or lamp shall be not less than 3½ square inches; however, the photometric requirements may be met by a combination of compartments or lamps. Each such lamp on a multipurpose passenger vehicle, truck, trailer or bus 80 inches or more in overall width shall have an effective projected luminous area not less than 12 square inches.

4. S4.1.1.12 is revised to read:

S4.1.1.12 A taillamp, stop lamp, or turn signal lamp is not required to meet the minimum photometric values at each test point specified in the referenced SAE Standards, if the sum of the candlepower measured at the test points is not less than that specified for each group listed in Figure 1, or for motorcycle turn signal

lamps, not less than one-half of such sum.

5. New paragraphs S4.1.1.28, S4.1.1.29, S4.1.1.30, S4.1.1.31 and S4.1.1.32 are added to read:

S4.1.1.28 Each taillamp on any motor vehicle manufactured before September 1, 1978, may be designed to conform to SAE Standard J585c, *Tail Lamps*, June 1966.

S4.1.1.29 Each turn signal lamp on a motorcycle manufactured between January 1, 1973, and September 1, 1978, may be designed to conform to SAE Standard J588d, *Turn Signal Lamps*, June 1966.

S4.1.1.30 Except as provided in paragraph S4.1.1.12 of this standard, each turn signal lamp on a motorcycle shall meet one-half of the minimum photometric values at each test point specified for Class A turn signal lamps in SAE Standard J575d, *Tests for Motor Vehicle Lighting Devices and Components*, August 1967, or in SAE Standard J588e, *Turn Signal Lamps*, September 1970, as applicable.

S4.1.1.31 Each turn signal lamp on a motorcycle manufactured on and after January 1, 1973, shall have an effective projected luminous area not less than 3½ square inches.

S4.1.1.32 Note 6 of Table 1 in SAE Standard J588e, *Turn Signal Lamps*, September 1970, does not apply. A stop lamp that is not optically combined with a turn signal lamp shall remain activated when the turn signal is flashing.

6. S4.5.5 is revised to read:

S4.5.5 The vehicular hazard warning signal operating unit on each vehicle shall operate independently of the ignition or equivalent switch, and when activated, shall cause to flash simultaneously sufficient turn signal lamps to meet, as a minimum, the turn signal lamp photometric requirements of this standard.

7. S5.1 is revised to read:

S5.1 SAE Standards and Recommended Practices subreferenced by the SAE Standards and Recommended Practices included in Tables I and III and paragraphs S4.1.4 and S4.5.1 are those published in the 1970 edition of the SAE Handbook, except that the subreferenced SAE Standard referred to as "J575" is J575e, *Tests for Motor Vehicle Lighting Devices and Components*, August 1970, for taillamps, stop lamps, and turn signal lamps designed to conform to SAE Standards J585d, J586c, and J588e respectively.

8. In Table I, the requirements for turn signal lamps in Column 2 and Column 3 are amended by deletion of the words "Class A". Column 4 is revised to read "J588e, September 1970".

9. In Table III, the requirements for turn signal lamps in Column 2 and Column 3 are amended by deletion of the words "Class A", and in Column 4, by deletion of the words "Class B". The requirements are further amended by deletion of the words "J588d, June 1966" in Column 5 and addition of the words "J588e, September 1970".

10. In Table I and Table III the SAE Standard for taillamps in Column 4 and Column 5 respectively is revised to read: "J585d, August 1970".

11. In Table I and Table III the SAE Standard for stop lamps in Column 4 and Column 5 respectively is revised to read: "J586c, August 1970".

Effective date: January 5, 1976. Because the effect of the amendments is to allow compliance with either the new or the existing requirements until September 1, 1978, an immediate effective date imposes no additional burden on any person and is found for good cause shown to be in the public interest.

(Sec. 103, 119, Pub. L. 89-563, 80 Stat. 718, 15 U.S.C. 1392, 1407; delegation of authority at 49 CFR 1.50).

Issued on December 23, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.76-28 Filed 1-2-76;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Prime Hook National Wildlife Refuge, Del.

Correction

In FR Doc. 75-32063 appearing at page 55353 in the issue for Friday, November 28, 1975, the correct name of the wildlife refuge affected should appear in the document heading as set forth above.

Title 9—Animals and Animal Products

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

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

PART 78—BRUCELLOSIS

Quarantined Areas; Extension of Effective Date

The purpose of this amendment is to postpone the effective date of amendments to Part 78, Title 9, Code of Federal Regulations, as published in the FEDERAL REGISTER December 24, 1975 (40 FR 59421-59422) from January 5, 1976 until January 9, 1976.

Statement of considerations. On December 24, 1975, there was published in the FEDERAL REGISTER (40 FR 59421-59422) amendments to Part 78, Title 9, Code of Federal Regulations, to take effect January 5, 1976, the purposes of which were: (1) to add a new section for quarantined areas, and (2) to add a new section and amend certain definitions in order to provide for the movement of cattle from quarantined areas.

Because of the failure on the part of the State of Texas to comply with the Uniform Methods and Rules for the eradication of brucellosis and because of the incidence of brucellosis infection that exists in that State, and because measures in effect in that State to eradicate brucellosis were not deemed adequate to prevent the interstate spread of that disease, it was determined that the interstate movement of cattle from Texas without further restriction constituted a threat to the livestock of the United States. Therefore, the entire State of Texas was quarantined effective January 5, 1976, to prevent the interstate spread of brucellosis from that State.

On December 30, 1975, the District Court of Castro County, Texas, 64th Judicial District in *Louis Hinders, et al* v. *Texas Animal Health Commission, et al* (Number 4170), issued a Temporary Restraining Order, enjoining and commanding the Texas Animal Health Commission and its commissioners to enforce certain of the Commission's rules and regulations as well as enumerated provisions of the Texas-Bovine Brucellosis Regulations (including proposed changes) dated July, 1975. By its own terms, this Temporary Restraining Order will expire January 8, 1976. On that date, the Court will hear plaintiff's motion for Preliminary Injunction against the defendants, pending a final decree in the case.

The rules and regulations which the Court's order requires the defendants to enforce contain provisions which are the equivalent of the Uniform Methods and Rules for the eradication of brucellosis. The defendants' adherence to the Temporary Restraining Order will place Texas in compliance with the Department's brucellosis eradication program until said order's expiration on January 8, 1976.

Therefore, in view of this court action, the effective date of amendments to Part 78, 9 CFR, as published in the FEDERAL REGISTER December 24, 1975 (40 FR 59421-59422), is postponed from January 5, 1976 until January 9, 1976.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; secs. 1-4, 33 Stat. 1265, as amended; sec. 2, 65 Stat. 693; and secs. 3 and 11, 76 Stat. 130, 132 (21 U.S.C. 111-114a-1, 115, 117, 120, 121, 123-125, 134b, 134f); 37 FR 28464, 28477; 38 FR 19141).

Effective date. This amendment shall become effective January 2, 1976.

It does not appear that public participation in this rule making 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 this amendment are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 2nd day of January 1976.

J. M. HEJL,
Deputy Administrator,
Veterinary Services.

[FR Doc.76-313 Filed 1-2-76;1:00 pm]

proposed rules

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

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 41, 48, 142]

HIGHWAY VEHICLES

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by February 19, 1976. Pursuant to 26 CFR 601.601(b), designations of material as confidential or not to be disclosed, contained in such comments, will not be accepted. Thus, persons submitting written comments should not include therein material that they consider to be confidential or inappropriate for disclosure to the public. It will be presumed by the Internal Service that every written comments submitted to it in response to this notice of propose rule making is intended by the person submitting it to the subject in its entirety to public inspection and copying in accordance with the procedures of 26 CFR 601.702(d)(9). Any person submitting written comments who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit a request, in writing, to the Commissioner by February 19, 1976. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER, unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

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

This document contains proposed amendments to the Highway Motor Vehicle Use Tax Regulations (26 CFR Part 41) and the Manufacturers and Retailers Excise Tax Regulations (26 CFR Part 48) that are designed to clarify the definition of "highway vehicle" and to apply such definition uniformly for purposes of such sections of the Internal Revenue Code of 1954 as section 4041, relating to the imposition of diesel and special fuels taxes; section 4061(a), relating to the manufacturers excise tax in case of highway vehicles; section 4071(a)(1), relating to the tax imposed on tires of the types used on highway vehicles; section 4481, relating to the highway use tax imposed with respect to highway motor vehicles; and sections 6416(b)(2)(I) and (J), 6421(a), 6424, and 6427(a), relating to credits and refunds with respect to the special fuels, gasoline, and lubricating oil used otherwise than in highway vehicles. At the option of the taxpayer, in certain circumstances the amendment of the definition of "highway vehicle" shall not apply with respect to all periods prior to the date on which this documents is adopted as a Treasury decision. This option is extended to taxpayers in recognition of the fact that the amendment of the definition of highway vehicle represents a substantial elaboration of the present definition of highway vehicle, which elaboration is prompted by various industrial and technological developments of new forms of vehicles.

The revised definition is designed to alleviate problems that have arisen in connection with the classification of vehicles having highway and off-highway functions (dual-function vehicles) for purposes of the above-mentioned excise tax provisions. The proposed amendments also provide a procedure to enable a chassis or body manufacturer to sell tax free to another manufacturer in order that the classification of these articles may be made on the basis of a completed vehicle for purposes of the manufacturers excise tax imposed by section 4061(a) of the Code.

This document also amends the Manufacturers and Retailers Excise Tax Regulations to conform them to the changes made in section 4061 (a) by section 401 (a)(1) and (h)(1) of the Revenue Act of 1971 (Pub. L. 92-178, 85 Stat. 530, 534), relating to repeal of manufacturers excise tax on passenger automobiles, light-duty trucks, etc. It also amends such regulations to conform them to the amendment of section 6421(a) by section 205(b)(1)(A) of the Airport and Airway Revenue Act of 1970 (Pub. L. 91-258, 84 Stat. 241). Certain statutory provisions in such regulations are also being revised where relevant for purposes of the amendments being made by this document.

In addition to making the above-mentioned changes, this document also deletes § 142.1-1(d) of the Temporary Excise Regulations under the Revenue Act of 1971 (26 CFR 142.1-1(d)), relating to light-duty trucks, buses, and related articles, which was prescribed by T.D. 7186, as published in the FEDERAL REGISTER for May 17, 1972 (37 FR 9765). When promulgated, § 48.4061(a)-1(f) of the Manufacturers and Retailers Excise Regulations, hereby proposed, will supersede § 142.1-1(d) of such temporary regulations.

In view of the foregoing considerations, the Highway Motor Vehicle Use Tax Regulations, the Manufacturers and Retailers Excise Tax Regulations, and the Temporary Excise Tax Regulations under the Revenue Act of 1971 are hereby proposed to be amended as follows:

PART 41—EXCISE TAX ON USE OF CERTAIN HIGHWAY MOTOR VEHICLES

PARAGRAPH 1. Section 41.4482(a)-1 is revised to read as follows:

§ 41.4482(a)-1 Definition of highway motor vehicle.

(a) *Highway motor vehicle.* The term "highway motor vehicle" means any vehicle that is both—

(1) A vehicle propelled by means of its own motor, whether such motor is powered by gasoline, diesel fuel, special motor fuels, electricity, or otherwise, and

(2) A "highway vehicle" as defined in paragraph (c) of this section.

(b) *Treatment of certain excluded vehicles.* Although trailers and semitrailers used in combination with highway trucks or truck-tractors are not vehicles the use of which is subject to the tax imposed by section 4481 (a), trailers and semitrailers customarily used in combination with highway trucks or truck-tractors are taken into account in determining the taxable gross weight of the highway motor vehicle under § 41.4482(b)-1, which is the base of the tax.

(c) *Highway vehicle.* For the definition of the term "highway vehicle" as used in this subchapter, see § 48.4061(a)-1 (d).

PART 48—MANUFACTURERS AND RETAILERS EXCISE TAX

PAR. 2. Section 48.4041 is amended by revising paragraphs (b) through (e) of section 4041, by adding new paragraphs (f), (g), and (h) to section 4041, and by revising the historical note, as follows:

§ 48.4041 Statutory provisions; imposition of tax.

Sec. 4041. *Imposition of tax.* * * *

(b) *Special motor fuels.* There is hereby imposed a tax of 4 cents a gallon upon benzol, benzene, naphtha, liquified petroleum gas, casinghead and natural gasoline, or any other liquid (other than kerosene, gas oil, or fuel oil, or any product taxable under section 4081 or subsection (a) of this section)—

(1) Sold by any person to an owner, lessee, or other operator of a motor vehicle or

motorboat for use as a fuel in such motor vehicle or motorboat; or

(2) Used by any person as a fuel in a motor vehicle or motorboat unless there was a taxable sale of such liquid under paragraph (1).

In the case of a liquid taxable under this subsection sold for use or used otherwise than as a fuel in a highway vehicle (A) which (at the time of such sale or use) is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (B) which in the case of a highway vehicle owned, by the United States, is used on the highway, the tax imposed by paragraph (1) or by paragraph (2) shall be 2 cents a gallon. If a liquid on which tax was imposed by paragraph (1) at the rate of 2 cents a gallon by reason of the preceding sentence is used as a fuel in a highway vehicle (A) which (at the time of such use) is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (B) which, in the case of a highway vehicle owned by the United States, is used on the highway, a tax of 2 cents a gallon shall be imposed under paragraph (2).

(c) *Noncommercial aviation*—(1) *In general.* There is hereby imposed a tax of 7 cents a gallon upon any liquid (other than any product taxable under section 4081)—

(A) Sold by any person to an owner, lessee, or other operator of an aircraft, for use as a fuel in such aircraft in noncommercial aviation; or

(B) Used by any person as a fuel in an aircraft in noncommercial aviation, unless there was a taxable sale of such liquid under this section.

(2) *Gasoline.* There is hereby imposed a tax (at the rate specified in paragraph (3)) upon any product taxable under section 4081—

(A) Sold by any person to an owner, lessee, or other operator of an aircraft, for use as a fuel in such aircraft in noncommercial aviation; or

(B) Used by any person as a fuel in an aircraft in noncommercial aviation, unless there was a taxable sale of such product under subparagraph (A).

The tax imposed by this paragraph shall be in addition to any tax imposed under section 4081.

(3) *Rate of tax.* The rate of tax imposed by paragraph (2) is as follows: 3 cents a gallon for the period ending September 30, 1977; and 5½ cents a gallon for the period after September 30, 1977.

(4) *Definition of noncommercial aviation.* For purposes of this chapter, the term "noncommercial aviation" means any use of an aircraft, other than use in a business of transporting persons or property for compensation or hire by air. The term also includes any use of an aircraft, in a business described in the preceding sentence, which is properly allocable to any transportation exempt from the taxes imposed by sections 4261 and 4271 by reason of section 4281 or 4282.

(5) *Termination.* On and after July 1, 1980, the taxes imposed by paragraphs (1) and (2) shall not apply.

(d) *Additional tax.* If a liquid on which tax was imposed on the sale thereof is taxable at a higher rate under subsection (c) (1) of this section on the use thereof, there is hereby imposed a tax equal to the difference between the tax so imposed and the tax payable at such higher rate.

(e) *Rate reduction.* On and after October 1, 1977—

(1) The taxes imposed by subsections (a) and (b) shall be 1½ cents a gallon, and

(2) The second and third sentences of subsections (a) and (b) shall not apply.

(f) *Exemption for farm use*—(1) *Exemption.* Under regulations prescribed by the Secretary or his delegate, no tax shall be imposed under this section on any liquid sold for use or used on a farm for farming purposes.

(2) *Use on a farm for farming purposes.* For purposes of paragraph (1) of this subsection, use on a farm for farming purposes shall be determined in accordance with paragraphs (1), (2), and (3) of section 6420(c).

(g) *Exemption for use as supplies for vessels.* Under regulations prescribed by the Secretary or his delegate, no tax shall be imposed under this section on any liquid sold for use or used as supplies for vessels or aircraft (within the meaning of section 4221(d)(3)).

(h) *Registration.* If any liquid is sold by any person for use as a fuel in an aircraft, it shall be presumed for purposes of this section that a tax imposed by this section applies to the sale of such liquid unless the purchaser is registered in such manner (and furnishes such information in respect of the use of the liquid) as the Secretary or his delegate shall by regulations provide.

[Sec. 4041 as amended and in effect Jan. 1, 1959, and as amended by sec. 201(b), Federal-Aid Highway Act 1959 (73 Stat. 613); sec. 201 (a), (c), and (d), Federal-Aid Highway Act 1961 (75 Stat. 123, 124); Sec. 802(a)(2), Excise Tax Reduction Act 1965 (79 Stat. 159); sec. 202 (a) and (b), Airport and Airway Rev. Act 1970 (84 Stat. 237, 238); sec. 301(a) (1) and (2), Act of Dec. 31, 1970 (Pub. L. 91-605, 84 Stat. 1743)]

PAR. 3. Section 48.4041–6 is revised to read as follows:

§ 48.4041–6 Dual use of taxable liquid.

Tax applies to all taxable liquid sold for use or used as a fuel in the motor which is used to propel a diesel-powered highway vehicle or in the motor used to propel a motor vehicle, motorboat, or airplane, even though the motor is also used for a purpose other than the propulsion of the vehicle. Thus, where the motor of a diesel-powered highway vehicle or of a motor vehicle, motorboat, or airplane operates special equipment by means of a power take-off or power transfer, tax applies to all taxable liquid sold for such use or so used, whether or not the special equipment is mounted on the vehicle. For example, tax applies to diesel fuel sold to operate the mixing unit on a concrete mixer truck if the mixing unit is operated by means of a power take-off from the motor of the vehicle. Similarly, tax applies to all taxable liquid sold for use or used in a motor propelling a fuel oil truck even though the same motor is used to operate the pump (whether or not mounted on the truck) for discharging the fuel into customers' storage tanks. However, tax does not apply to liquid sold for use or used in a separate motor to operate special equipment (whether or not the equipment is mounted on the vehicle). If the taxable liquid used in a separate motor is drawn from the same tank as the one which supplies fuel for the propulsion of the vehicle, a reasonable determination of the quantity of taxable liquid used in such separate motor will be acceptable for purposes of application of the tax. Such determination must be based, however, on the operating experience of the person using the taxable liquid and the taxpayer must maintain records which will support the allocation used. Devices to measure the number of miles the vehicle has traveled, such as hubometers, may be used in making a preliminary determination of the number of gallons of fuel used to propel the vehicle. In order to make a final determination of the number of gallons of fuel used to propel the vehicle, there must be added to this preliminary determination the amount of fuel consumed while idling or warming up the motor preparatory to propelling the vehicle.

PAR. 4. Section 48.4041–7 is amended by revising paragraphs (b) and (c) to read as follows:

§ 48.4041–7 Definitions.

* * * * *

(b) *Diesel-powered highway vehicle*—(1) *In general.* The term "diesel-powered highway vehicle" means any highway vehicle (within the meaning of paragraph (b)(2) of this section) which is also a motor vehicle (as defined in paragraph (c) of this section) and which uses diesel fuel (as defined by paragraph (e) of this section) for propulsion purposes.

(2) *Highway vehicle.* The term "highway vehicle" has the same meaning assigned to such term under § 48.4061(a)-1(d).

(c) *Motor vehicles.* The term "motor vehicle" includes all types of vehicles propelled by motor which are designed for carrying loads from one place to another, regardless of the type of load or material carried and whether or not the vehicle is registered or required to be registered for highway use, such as fork lift trucks used to carry loads at railroad stations, industrial plants, warehouses, etc. The term does not include farm tractors, trench diggers, power shovels, bulldozers, road graders or rollers, and similar equipment which does not carry a load; nor does it include any vehicle which moves exclusively on rails.

* * * * *

PAR. 5. Section 48.4061(a) is revised to read as follows:

§ 48.4061(a) Statutory provisions; imposition of tax.

Sec. 4061. *Imposition of tax*—(a) *Trucks, buses, tractors, etc.*—(1) *Tax imposed.* There is hereby imposed upon the following articles (including in each case parts and accessories therefor sold on or in connection therewith or with the sale thereof) sold by the manufacturer, producer, or importer a tax of 10 percent of the price for which so sold, except that on and after October 1, 1977, the rate shall be 5 percent—

Automobile truck chassis.
Automobile truck bodies.
Automobile bus chassis.
Automobile bus bodies.
Truck and bus trailer and semitrailer chassis.
Truck and bus trailer and semitrailer bodies.

Tractors of the kind chiefly used for highway transportation in combination with a trailer or semitrailer.

A sale of an automobile truck, bus, truck or bus trailer or semitrailer shall, for the purposes of this subsection, be considered to be a sale of a chassis and of a body enumerated in this subsection.

(2) *Exclusion for light-duty trucks, etc.* The tax imposed by paragraph (1) shall not apply to a sale by the manufacturer, producer, or importer of the following articles suitable for use with a vehicle having a gross vehicle weight of 10,000 pounds or less (as determined under regulations prescribed by the Secretary or his delegate)—

Automobile truck chassis.
Automobile truck bodies.
Automobile bus chassis.
Automobile bus bodies.
Truck trailer and semitrailer chassis and bodies, suitable for use with a trailer or semitrailer having a gross vehicle weight of 10,000 pounds or less (as so determined).

[Sec. 4061(a) as amended and in effect January 1, 1959, and as amended by sec. 3(a)(1), Tax Rate Extension Act 1959 (73 Stat. 157); sec. 202(a)(1), Public Debt and Tax Rate Extension Act 1960 (74 Stat. 290); sec. 204, Federal-Aid Highway Act 1961 (75 Stat. 126); sec. 3(a)(1), Tax Rate Extension Act 1961 (75 Stat. 193); sec. 3(a)(1), Tax Rate Extension Act 1962 (76 Stat. 114); sec. 3(a)(1), Tax Rate Extension Act 1963 (77 Stat. 72); sec. 2(a)(1), Excise-Tax Rate Extension Act 1964 (78 Stat. 237); sec. 201(a), Excise Tax Reduction Act 1965 (79 Stat. 136); sec. 201(a), Tax Adjustment Act 1966 (80 Stat. 65); Joint Resolution of April 12, 1968 (Pub. L. 90-285, 82 Stat. 92); sec. 105(a)(1), Revenue and Expenditure Control Act 1968 (82 Stat. 265); sec. 702(a)(1), Tax Reform Act 1969 (83 Stat. 660); sec. 201(a)(1), Excise, Estate, and Gift Tax Adjustment Act 1970 (84 Stat. 1843); sec. 303(a)(3), Act of Dec. 31, 1970 (Pub. L. 91-605, 84 Stat. 1743); sec. 401(a)(1), Rev. Act 1971 (85 Stat. 530)]

PAR. 6. Section 48.4061(a)-1 is revised to read as follows:

§ 48.4061(a)-1 Imposition of tax; exclusion for light-duty trucks, etc.

(a) *Imposition of tax*—(1) *In general.* Section 4061(a)(1) imposes a tax on the sale by the manufacturer, producer, or importer of the following articles (including in each case parts and accessories therefor sold on or in connection therewith or with the sale thereof):

(i) Automobile truck and bus chassis and bodies;

(ii) Truck and bus trailer and semitrailer chassis and bodies; and

(iii) Tractors of the kind chiefly used for highway transportation in combination with a trailer or semitrailer.

For purposes of this section, a sale of an automobile truck or bus, or a truck or bus trailer or semitrailer, shall be considered to be a sale of a chassis and of a body enumerated in this paragraph (a)(1).

(2) *Special rule applicable to chassis and bodies.* A chassis or body enumerated in paragraph (a)(1) of this section is taxable under section 4061(a)(1) only if such chassis or body is, within the meaning of paragraph (e) of this section, sold for use as a component part of a highway vehicle (as defined in paragraph (d) of this section), which is an automobile truck or bus, a truck or bus trailer or semitrailer, or a tractor of the kind chiefly used for highway transportation in combination with a trailer or semitrailer. Furthermore, a chassis or body which is not enumerated in paragraph (a)(1) of this section is not taxable under section 4061(a)(1) even though such chassis or body is used as a component part of a highway vehicle (e.g., a chassis or body of a passenger automobile).

(3) *Equipment installed on chassis or bodies.* (i) For purposes of the tax imposed by section 4061(a)(1), equipment or machinery installed on a taxable chassis or body is considered to be an integral part of the taxable chassis or body if the machinery or equipment contributes toward the highway transportation function of the chassis or body, regardless of whether separate sales of the machinery or equipment would be subject to the tax on automotive parts or accessories imposed by section 4061(b). Therefore, the amount of the sale price of a taxable chassis or body that is attributable to such machinery or equipment must be included in the tax base when computing the tax due on a manufacturer's or importer's sale or use of a taxable chassis or body. Examples of the type of machinery or equipment that contribute to the highway transportation function of a chassis or body are the following: loading and unloading equipment; towing winches; and all other machinery or equipment contributing to either the maintenance or safety of the vehicle, the preservation of cargo, or the comfort or convenience of the driver or passengers.

(ii) Amounts charged for machinery or equipment that is installed on a taxable chassis or body are not part of the taxable sale price of the chassis or body if (A) such machinery or equipment does not contribute toward the highway transportation function of the chassis or body and (B) the reasonableness of the charge for the machinery or equipment is supportable by adequate records. Examples of such machinery or equipment are the following: equipment designed to spread materials on the highway; machinery or equipment used in the operation of mobile amusement rides; television equipment mounted in a mobile television studio; machine shop equipment mounted in a mobile machine shop; and car crushing equipment mounted on the chassis of a mobile car crusher.

(4) *Passenger automobile chassis and bodies, motorcycles, etc.* No tax is imposed under section 4061 (a) on the sale of a motorcycle or, in the case of a sale made after December 10, 1971, on the sale of automobile chassis and bodies not enumerated in paragraph (a)(1) of this section, or of trailer and semitrailer chassis and bodies suitable for use in combination with passenger automobiles. For tax on certain sales made after December 31, 1958, and before December 11, 1971, see paragraph (b)(4) of this section.

(5) *Cross references.* For additional rules relating to the sale of a chassis or body enumerated in this paragraph for use as a component part of a highway vehicle, see paragraph (e) of this section. For exclusion of certain light-duty highway vehicles, see paragraph (f) of this section. For provisions relating to the tax-free sale of bodies to certain manufacturers, see section 4063(b) and the regulations thereunder. For other exemptions from the tax imposed under section 4061(a), see sections 4063 and 4221 and the regulations thereunder. For special rules relating to the sale by a manufacturer of a vehicle consisting of a tax-paid chassis and a body manufactured by him, see § 48.4061(a)-5.

(b) *Rate and computation of tax*—(1) *In general.* With respect to the articles enumerated in paragraph (a)(1) of this section, the rate of tax imposed by section 4061(a)(1) is:

	Percent
(i) For articles sold during the period beginning on January 1, 1959, and ending on September 30, 1977	10
(ii) For articles sold on or after October 1, 1977	5

(2) *Determination of price subject to tax.* The tax is computed by applying to the price for which the article is sold the rate in effect at the time of the sale. For definition of the term "price" and for application of the tax to leases of articles, see sections 4216 and 4217, respectively, and the regulations thereunder. If an article subject to tax under section 4061 (a) has equipment mounted thereon to perform functions other than in connection with the transportation of persons or property, no tax under section 4061(a) attaches to that part of the selling price of the completed unit which is reasonably attributable to such equipment provided such part of the selling price is billed separately on the invoice to the customer or can otherwise be established by adequate records. For other rules relating to the sale of parts or accessories in connection with the sale of a chassis, body, or completed unit, see § 48.4061 (a)-4. For special rules relating to the determination of selling price when equipment or machinery is permanently installed on a taxable chassis or body, see paragraph (a)(3) of this section.

(3) *Tax on trailers sold before December 11, 1971.* With respect to sales made after December 31, 1958, and before December 11, 1971, the rate of tax imposed under section 4061(a) on a trailer or semitrailer chassis or body that is a highway vehicle within the meaning of paragraph (d) of this section depends upon a classification of the article. The sale during this period of a trailer or semitrailer chassis or body (other than a house trailer) suitable for use in combination with passenger automobiles is subject to tax as set forth in paragraph (b)(4) of this section. A trailer suitable for use in combination with a passenger automobile which is designed for purposes other than living or sleeping, commonly referred to as a "utility trailer",

is an example of a trailer taxable at the 7 percent rate set forth in paragraph (b)(4) of this section. The sale of a trailer or semitrailer chassis or body that is not suitable for use in combination with passenger automobiles is subject to tax as set forth in paragraph (b)(1) of this section.

(4) *Passenger automobile chassis and bodies and related articles sold before December 11, 1971.* With respect to the sale after December 31, 1958, and before December 11, 1971, of (i) automobile chassis and bodies not enumerated in paragraph (a)(1) of this section or (ii) trailer and semitrailer chassis and bodies suitable for use in combination with passenger automobiles, the tax imposed by section 4061(a) is computed in accordance with paragraph (b)(2) of this section at the rate of 7 percent.

(c) *Liability for tax.* The tax imposed by section 4061(a) is payable by the manufacturer, producer, or importer making the sale.

(d) *Highway vehicle*—(1) *Definition.* For purposes of this subchapter, the term "highway vehicle" means any self-propelled vehicle, or any trailer or semitrailer, designed to perform a function of transporting a load over public highways, whether or not also designed to perform other functions, but does not include a vehicle described in paragraph (d)(2) of this section. For purposes of this definition, a vehicle consists of a chassis, or a chassis and a body if the vehicle has a body, but does not include the vehicle's load. Therefore, in determining whether a vehicle is a "highway vehicle", it is immaterial that the vehicle is designed to perform a highway transportation function for only a particular kind of load, such as passengers, furnishings and personal effects (as in a house, office, or utility trailer), a special type of cargo, goods, supplies, or materials, or, except to the extent otherwise provided in paragraph (d)(2)(i) of this section, machinery or equipment specially designed to perform some off-highway task unrelated to highway transportation. In the case of specially designed machinery or equipment, it is also immaterial, except as provided in paragraph (d)(2)(i) of this section, that such machinery or equipment is permanently mounted on the vehicle. For purposes of paragraph (d) of this section, the term "transport" includes the term "tow", and the term "public highway" includes any road (whether a Federal highway, State highway, city street, or otherwise) in the United States which is not a private roadway. A vehicle which is not a highway vehicle within the meaning of this paragraph shall be treated as a nonhighway vehicle for purposes of this subchapter. Examples of vehicles that are designed to perform a function of transporting a load over the public highways are passenger automobiles, motorcycles, buses, and highway-type trucks, truck tractors, trailers, and semi-trailers. Examples of vehicles that, although they may regularly use the public highways, are not designed to perform a function of transporting a load over the public highways are farm tractors, trench diggers, power shovels, bulldozers, road graders or rollers, and any vehicle designed to move exclusively on rails.

(2) *Exceptions*—(i) *Certain specially designed mobile machinery for nontransportation functions.* A self-propelled vehicle, or trailer or semi-trailer, is not a highway vehicle if it (A) consists of a chassis to which there has been permanently mounted machinery or equipment to perform a construction, manufacturing, farming, mining, timbering, or similar operation, if the operation of the machinery or equipment is unrelated to transportation on or off the public highways, (B) the chassis has been specially designed by its manufacturer to serve only as a mobile carriage and mount for the particular machinery or equipment involved when such machinery or equipment is in operation, and (C) by reason of such special design, such chassis could not, without substantial structural modification, be used as a component of a vehicle designed to perform a function of transporting any load other than that particular machinery or equipment.

(ii) *Certain vehicles specially designed for offhighway transportation.* A self-propelled vehicle, or a trailer or semitrailer, is not a highway vehicle if it is (A) specially designed for the primary function of transporting a particular type of load other than over the public highway in connection with a construction, manufacturing, farming, mining, timbering, or similar operation, and (B) if by reason of such special design, the use of such vehicle to transport such load over the public highways is substantially limited and impaired. Solely for purposes of determinations under this paragraph (d)(2)(ii), loading, unloading, storing, vending, spreading, handling, processing, preserving, or otherwise caring for a load transported over the public highways are functions related to the transportation of a load over the public highways even though such functions may be performed off the public highways.

(iii) *Certain trailers and semitrailers specially designed to perform non-transportation functions off the public highways.* A trailer or semi-trailer is not a highway vehicle if it is specially designed to serve no purpose other than providing an enclosed stationary shelter for the carrying on of a function which is directly connected with and necessary to, and at the off-highway site of, a construction, manufacturing, mining, farming, timbering, or similar operation, such as a trailer specially designed to serve as an office for such an operation.

(3) *Optional application.* For purposes of this subchapter, if any rules existing immediately prior to [the date on which this document is published as a Treasury decision] would, if applicable, unequivocally resolve an issue involving the definition of a highway vehicle with respect to a period prior to such date, at the option of the taxpayer, such rules existing prior to such date shall be applied to resolve the issue for all periods prior to such date, and the rules of paragraph (d)(1) and (2) of this section, which define the term "highway vehicle", shall not apply with respect to such issue for all periods prior to such date.

(4) *Highway vehicles not subject to section 4061 tax.* Although for purposes of this paragraph (d) passenger automobiles, automobile trailers and semitrailers, motor homes, motorcycles, light-duty trucks, etc., will be considered to be highway vehicles because they are designed to perform a function of transporting a load over public highways, the tax imposed under section 4061(a) does not apply to the sale of such vehicles because they either are not articles subject to tax under such section or are excluded from tax under section 4061(a)(2). See also paragraphs (a)(4) and (f) of this section. Despite the fact that passenger automobiles, automobile trailers and semi-trailers, motor homes, motorcycles, light-duty trucks, etc., are not subject to the manufacturers excise tax on highway vehicles imposed by section 4061(a), the fact that they are nevertheless considered highway vehicles for purposes of this subchapter can be of material significance in determining the applicability of such excise taxes as the tax imposed by section 4041 (relating to diesel and special motor fuels), the tax imposed by section 4071(a)(1) (relating to tires of the type used on highway vehicles), or the tax imposed by section 4481 (relating to highway use tax on highway motor vehicles). In addition, the definition of the term "highway vehicle" is material in determining the credits or refunds provided by section 6416(b)(2)(I) (relating to diesel fuel used in certain highway vehicles), section 6421(a) relating to gasoline used for a nonhighway purpose), section 6424 (relating to lubricating oil used otherwise than in a highway motor vehicle), and section 6427(a) (relating to diesel or special motor fuel not used for a taxable purpose).

(e) *Sale of a chassis or body for use as a component of a vehicle other than a highway vehicle*—(1) *In general.* Except as otherwise provided in paragraphs (a)(4), (e)(2), or (f) of this section, the sale of a chassis or body shall be deemed to be a sale of a chassis or body enumerated in paragraph (a)(1) of this section for use as a component part of a highway vehicle (as defined in paragraph (d) of this section) if such chassis or body is suitable for use as a component part of a highway vehicle that is either an automobile truck or bus, a truck or bus trailer or semitrailer, or a tractor of the kind chiefly used for highway transportation in combination with a trailer or semitrailer.

(2) *Exceptions based on unitary concept*—(i) *Completed vehicles not qualifying as highway vehicles.* With respect to the sale of a vehicle after [the date on which this document is published as

a Treasury decision] which would otherwise be treated under paragraph (e)(1) of this section as a sale of a chassis or body enumerated in paragraph (a)(1) of this section, the tax imposed under section 4061(a) shall not apply to such sale if the vehicle (considered as a completed unit) is not considered to be a highway vehicle within the meaning of paragraph (d) of this section.

(ii) *Tax-free sales of chassis and bodies.* With respect to the sale after [the date on which this document is published as a Treasury decision] of a chassis or body (not including the sale of a completed vehicle described in paragraph (e)(2)(i) of this section) which would otherwise be treated under paragraph (e)(1) of this section as a sale of a chassis or body enumerated in paragraph (a)(1) of this section, the tax imposed under section 4061(a) shall not apply to such sale if (A) the chassis or body is actually sold for use, or for resale for use, as a component part of a vehicle that is not a highway vehicle within the meaning of paragraph (d) of this section, (B) the manufacturer or reseller complies with the requirements set forth in paragraph (e)(2)(iii) of this section, and (C) the purchaser furnishes the statement set forth in paragraph (e)(2)(iv) of this section to the seller before the manufacturer files a return covering excise taxes for the period in which the sale was made. For purposes of this paragraph (e)(2)(ii), a manufacturer or reseller shall not be considered to have used reasonable diligence in accepting the purchaser's statement if the type of vehicle described in the statement is a highway vehicle described in paragraph (d) of this section the sale of which would be subject to tax under section 4061(a), or if he has received a written notification from the Internal Revenue Service that the purchaser does not qualify to purchase chassis or bodies tax-free pursuant to this paragraph (e)(2)(ii). Generally, notification of ineligibility of a purchaser to purchase free of tax will be issued if the purchaser is neither a bona fide manufacturer nor a purchaser reselling directly to manufacturers or exporters, or if for some other reason the purchaser is not eligible to purchase chassis or bodies tax free.

(iii) *Requirements to be met.* In order for an otherwise taxable chassis or body to be sold free of tax under paragraph (e)(2)(ii) of this section, the manufacturer or reseller must—

(A) Act in good faith in accepting the statement required to be furnished by the purchaser under paragraph (e)(2)(iv) of this section and use reasonable diligence to satisfy himself that the use of the statement is warranted;

(B) Indicate on the invoice with respect to the sale of the chassis or body that the sale of such article is made free of tax under paragraph (e)(2)(ii) of this section; and

(C) Retain in his possession the statement required to be furnished by the purchaser and such other evidence as may be furnished by the purchaser to support the tax-free sale. Such evidence shall be retained for at least 3 years from the due date of the tax that would be due if the transaction in question had been a taxable sale.

(iv) *Form of statement.* In order for an otherwise taxable chassis or body to be sold free of tax under paragraph (e)(2)(ii) of this section, the purchaser must execute and furnish to the manufacturer or reseller a statement that substantially complies with the following form:

_____, 19__

Under the penalty of perjury, the undersigned certifies that he, or the _____
_____,
(Name of purchaser if other than the undersigned)
of which he is _____, is in the business
(Title)
of _____,
(State nature of business)
and that the chassis and/or bodies covered by the accompanying order or contract for purchase, or to be purchased during the period from _____, 19__, (Not to exceed 4 calendar quarters) to _____, 19__, from _____
(Name and address of seller)
are purchased for (check one) ☐ use, or for ☐ resale for use, as components of the following type or types of nonhighway vehicles:

1. _____
2. _____
3. _____

The undersigned understands that he must be prepared to establish by satisfactory evidence the actual use or disposition of such chassis or bodies and that, upon their use or disposition other than use as components of a highway vehicle, he is treated as the manufacturer of any such chassis or body purchased by him free of the tax imposed by section 4061(a).

The undersigned also understands that he and all guilty parties will, for use of this statement to willfully attempt to evade or defeat the tax imposed under section 4061, be subject, under section 7201, to a fine of not more than $10,000, or imprisonment for not more than 5 years, or both, together with the costs of prosecution.

_____
(Signature)

_____
(Address)

(v) *Refund or credit of overpayment.* If a purchaser furnishes the manufacturer with the statement described in paragraph (e)(2)(iv) of this section after the time the manufacurer has filed a return covering excise taxes for the period in which the sale was made, the manufacturer must include the tax on the sale in his return for the period. However, in such case, if the conditions prescribed in paragraph (e)(2)(iii) of this section are met, a claim for refund of the tax paid on such sale may be filed by the manufacturer on Form 843, or a credit taken on a subsequent return, in accordance with the provisions of sections 6402(a) and 6416(a) and § 48.6416(a)-1.

(vi) *Cross reference.* For special rules relating to the sale by a manufacturer of a vehicle consisting of a tax-paid chassis and a body manufactured by him, see § 58.4061(a)-5.

(f) *Exclusion of light-duty trucks, buses, and related articles from tax—*(1) *In general.* (i) No tax is imposed by section 4061(a)(1) on the sale after December 10, 1971, of the following articles, if suitable for use with a vehicle having a gross vehicle weight of 10,000 pounds or less (as determined under paragraph (f)(3) of this section):

(A) Automobile truck and bus chassis and bodies, and

(B) Truck trailer and semitrailer chassis and bodies, suitable for use with a trailer or semitrailer having a gross vehicle weight of 10,000 pounds or less (as so determined).

(ii) For purposes of this part, a chassis or body is suitable for use with a vehicle having a gross vehicle weight of 10,000 pounds or less (hereafter referred to in this paragraph (f) as a "light-duty vehicle") if such chassis or body is commonly used with such a vehicle or possesses actual, practical, and commercial fitness for such use. A truck or bus chassis, sold after December 10, 1971, which is suitable for use with a light-duty vehicle, is not subject to the tax imposed by section 4061(a)(1) regardless of the body actually mounted thereon. Similarly, a truck trailer or semitrailer chassis sold after such date, suitable for use with a trailer or semitrailer having a gross vehicle weight of 10,000 pounds or less, which trailer or semitrailer is suitable for use in connection with a light-duty towing vehicle, is not subject to such tax regardless of the body actually mounted thereon. A truck or bus body, sold after such date, which is suitable for use with a light-duty vehicle, is not subject to such tax even though it may also be suitable for use with (and is actually a component of) a vehicle having a gross vehicle weight in excess of 10,000 pounds. Similarly, a truck trailer or semitrailer body sold after such date, suitable for use with a trailer or semitrailer having a gross vehicle weight of 10,000 pounds or less, which trailer or semitrailer is suitable for use with a light-duty towing vehicle, is not subject to such tax even though it may also be suitable for use with (and is actually a component of) a trailer or semitrailer having a gross vehicle weight of more than 10,000 pounds, or is used in connection with a vehicle having a gross vehicle weight of more than 10,000 pounds.

(iii) Where an exempt body is mounted on a taxable chassis, the chassis is nevertheless subject to such tax, if the resulting vehicle is a highway vehicle as defined in paragraph (d) of this section.

(2) *Parts and accessories.* (i) The sale of a part or accessory which, if sold on December 10, 1971, would be subject to the tax imposed by section 4061(a)(1) as in effect at such time, is not subject to the tax imposed by section 4061(a)(1) as in effect after such date if—

(A) It is sold by the manufacturer on or in connection therewith, or with the sale of, a vehicle enumerated in paragraph (f)(1)(i) of this section which is not subject to such tax, and

(B) It is not a replacement part (as defined in paragraph (f)(2)(ii) of this section).

(ii) For purposes of this paragraph (f)(2), a part or accessory is considered sold with a vehicle if, as of the time the article is sold by the manufacturer, the part or accessory has been ordered from such manufacturer for use with the vehicle. Thus, for example, original equipment sold after December 10, 1971, with a light-duty vehicle, consisting of parts and accessories which are ordered from the manufacturer of the vehicle not later than the time at which such vehicle is sold by him (whether or not installed as of such time) are not subject to such tax. For purposes of this paragraph (f)(2), a part is a replacement part, regardless of when ordered, if its use with a vehicle is as a replacement for a part of such vehicle. Therefore, spare parts or accessories sold separately or ordered with a light-duty truck are subject to the tax imposed on sales of parts or accessories by section 4061(b)(1), unless they are excluded from tax as articles used interchangeably between truck and passenger vehicles under the provisions of section 4061(b)(2).

(3) *Gross vehicle weight.* (i) For purposes of paragraph (f)(1) of this section, gross vehicle weight means the maximum total weight of a loaded vehicle. Except as otherwise provided in this paragraph (f)(3), such maximum total weight shall be the gross vehicle weight rating of the article (as manufactured) as specified or established by the manufacturer of the completed article, unless such rating is unreasonable in light of the facts and circumstances in a particular case.

(ii) A manufacturer must specify or establish a weight rating for each chassis, body, or vehicle sold by him after September 22, 1971, if such article requires no additional manufacture other than (A) the addition of readily attachable articles, such as tire or rim assemblies or minor accessories, (B) the performance of minor finishing operations, such as painting, or (C) in the case of a chassis, the addition of a body. If an article is specially manufactured to the purchaser's specifications, such specifications may be used to establish the gross vehicle weight of the article.

(iii) A manufacturer shall maintain a record of the gross vehicle weight rating of each truck, bus, trailer, and semitrailer sold by him and excluded from the tax imposed by section 4061(a)(1) by reason of section 4061(a)(2) and this paragraph (f). For this purpose, a record of the serial number of each such article shall be treated as a record of the gross vehicle weight rating of the article if such rating is indicated by the serial number.

(iv) If (A) the manufacturer's rating indicated in a label or identifying device affixed to an article, (B) the rating set forth in his sales invoice or warranty agreement, and (C) his advertised rating for that article (or two or more identical articles) are inconsistent, the highest of such ratings will be considered to be the manufacturer's gross vehicle weight rating specified or established for purposes of the tax imposed by section 4061(a)(1).

(v) With respect to articles sold after January 31, 1972, the manufacturer's gross vehicle weight rating must take into account the strength of the chassis frame, the axle capacity and placement, and the spring, brake, rim, and tire capacities. The component with the lowest weight rating ordinarily shall be considered determinative of the gross vehicle weight. If the capacity of any of the readily attachable components (springs, brakes, rims, or tires) would otherwise be determinative of a gross vehicle weight rating of 10,000 pounds or less, no readily attachable component will be taken into account in determining such rating unless the rating determined solely on the basis of the chassis frame or the total of the axle ratings is 12,000 pounds or less.

(vi) For purposes of paragraph (f)(3)(v) of this section, the term "total of the axle ratings" means the sum of the maximum load carrying capability of the axles (without regard to springs, brakes, rims, and tires) and, in the case of a trailer or semitrailer, the weight, if any, that is to be borne by a vehicle used in combination with the trailer or semitrailer for which gross vehicle weight is determined.

PAR. 7. Section 48.4061(a)–5 is revised to read as follows:

§ 48.4061(a)–5 Sale of automobile truck bodies and chassis.

(a) *Sale of completed vehicle.* An automobile truck (as defined by § 48.4061(a)–3(a)) for purposes of the tax imposed by section 4061(a) consists of two parts, namely, a body and a chassis. Generally, the tax applies to the sale by the manufacturer of each. Thus, if the purchaser of a tax-paid chassis attaches to it a taxable body manufactured by him and sells the completed vehicle, he is liable for tax based on the sale price of the body only. However, in such a case, the tax attaches to the selling price of the entire vehicle unless adequate records are available to show the portion of the total selling price attributable to the body.

(b) *Cross references.* For special rules relating to the sale of a chassis or body to a purchaser who will use it in the manufacture or assembly of a nonhighway vehicle, see § 48.4061(a)–1(e). With respect to bodies sold to a chassis manufacturer, see also section 4063(b) and the regulations thereunder.

PAR. 8. Section 48.4063–1 is revised to read as follows:

§ 48.4063–1 Tax-free sales of bodies to chassis manufacturers.

Under the provisions of section 4063(b), the tax imposed by section 4061(a) shall not apply to bodies sold by the manufacturer thereof to a manufacturer (but not an importer) of automobile trucks (as defined by § 48.4061(a)–3(a)) to be sold by the purchaser. Thus, a manufacturer of automobile truck bodies is permitted to sell such bodies tax free to manufacturers of automobile truck chassis. This section does not apply with respect to the sale of an automobile truck chassis to manufacturers of automobile truck bodies. However, see § 48.4061(a)–1(e) with respect to the sale of an automobile truck chassis for use in the manufacture or assembly of a nonhighway vehicle (within the meaning of § 48.4061(a)–1(d)). In order to effect a tax-free sale of a body as provided in this section both the seller and purchaser must comply with the registration and other requirements of section 4222 and the regulations thereunder. A chassis manufacturer who purchases a body tax free as provided in this section shall, for purposes of application of the tax imposed by section 4061(a), be considered the manufacturer of such body.

PAR. 9. Section 48.4072–1 is amended by revising paragraph (c) to read as follows:

§ 48.4072–1 Definitions.

* * * * *

(c) *Tires of the type used on highway vehicles.* The term "tires of the type used on highway vehicles", for purposes of §§ 48.4071 through 48.4073–3, means tires of the type used on (1) motor vehicles that are highway vehicles within the meaning of § 48.4061(a)–1(d), such as tires used on motor trucks, buses, passenger automobiles, motor homes, highway tractors, trolley buses or coaches, or motorcycles, and (2) vehicles of the type used in connection with motor vehicles that are highway vehicles within the meaning of § 48.4061(a)–1(d), such as tires used on truck or bus trailers, truck semitrailers, mobile homes, housetrailers, or utility trailers. The term "tires of the type used on highway vehicles" does not include bicycle tires. Bicycle tires, however, are included in the term "other tires" as used in section 4071(a)(2).

* * * * *

PAR. 10. Section 48.4081 is amended by revising paragraph (b) and the historical note to read as follows:

§ 48.4081 Statutory provisions; imposition of tax.

Sec. 4081. *Imposition of tax.* * * *

(b) *Rate reduction.* On and after October 1, 1977, the tax imposed by this section shall be 1½ cents per gallon.

[Sec. 4081 as amended and in effect Jan. 1, 1959, and as amended by sec. 201(a), Federal-Aid Highway Act 1959 (73 Stat. 613); sec. 201 (b), (c), and (d), Federal-Aid Highway Act 1961 (75 Stat. 123, 124); sec. 303(a)(6), Act of Dec. 31, 1970 (Pub. L. 91–605, 84 Stat. 1744)]

PAR. 11. Section 48.6421(a) is amended to read as follows:

§ 48.6421(a) Statutory provisions; gasoline used for certain nonhighway purposes or by local transit systems; nonhighway uses.

Sec. 6421. *Gasoline used for certain nonhighway purposes or by local transit sys-*

tems—(a) *Nonhighway uses.* Except as provided in subsection (i), if gasoline is used otherwise than as a fuel in a highway vehicle (1) which (at the time of such use) is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (2) which, in the case of a highway vehicle owned by the United States, is used on the highway, the Secretary or his delegate shall pay (without interest) to the ultimate purchaser of such gasoline an amount equal to 1 cent for each gallon of gasoline so used on which tax was paid at the rate of 3 cents a gallon and 2 cents for each gallon of gasoline so used on which tax was paid at the rate of 4 cents a gallon. Except as provided in paragraph (3) of subsection (e) of this section, in the case of gasoline used after June 30, 1970, as a fuel in an aircraft, the Secretary or his delegate shall pay (without interest) to the ultimate purchaser of such gasoline an amount equal to the amount determined by multiplying the number of gallons of gasoline so used by the rate at which tax was imposed on such gasoline under section 4081.

[Sec. 6421(a) as added and in effect Jan. 1, 1959, and as amended by sec. 201(d)(2), Federal-Aid Highway Act 1959 (73 Stat. 615); sec. 809(b)(1)(A), Excise Tax Reduction Act 1965 (79 Stat. 166); sec. 205(b)(1)(A), Airport and Airway Rev. Act 1970 (84 Stat. 241)]

PAR. 12. Section 48.6421(a)–1 is amended by revising paragraphs (a)(1), (b), (c)(1), and (d) to read as follows:

§ 48.6421(a)–1 Payments to ultimate purchaser of gasoline used for certain nonhighway purposes.

(a) *In general.* (1) Section 6421(a) provides that if gasoline is used otherwise than as a fuel in a highway vehicle: (i) Which, at the time the gasoline is so used, is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (ii) which, in the case of a highway vehicle owned by the United States, is used on the highway, payment (without interest) in respect of such gasoline shall be made to the ultimate purchaser thereof. No payment is authorized, however, with respect to gasoline used after June 30, 1970, as a fuel in noncommercial aviation (as defined in section 4041(c)(4)). Except as hereinafter provided in this paragraph (a)(1), the payment shall be in an amount equal to 1 cent for each gallon of gasoline so used on which tax was paid under section 4081 at the rate of 3 cents a gallon, and 2 cents for each gallon of gasoline so used on which tax was paid under section 4081 at the rate of 4 cents a gallon. In the case of gasoline used after June 30, 1970, as a fuel in an aircraft (other than an aircraft in noncommercial aviation as defined in section 4041(c)(4)), the payment shall be in an amount equal to the amount determined by multiplying the number of gallons of gasoline so used by the rate at which tax was imposed on such gasoline under section 4081. However, payment in respect of gasoline used as provided in section 6421(a) shall be made only as to gasoline purchased by an ultimate purchaser after June 30, 1956, and before October 1, 1977, and only if a properly executed claim is filed by the ultimate purchaser within the time prescribed in section 6421(c). For the meaning of the term "gasoline", see § 48.4082–1(b); and for the definition of "State", see section 7701. For provisions relating to payments in respect of gasoline used on a farm for farming purposes, see section 6420 and the regulations thereunder.

* * * * *

(b) *Uses which qualify for payment.* Gasoline in respect of which payment may be made under section 6421(a) includes, for example, gasoline used in nonhighway vehicles, gasoline used in stationary engines to operate pumps, generators, compressors, etc., gasoline used for cleaning purposes, and gasoline used in motor boats, forklifts, etc., and, to the extent provided in paragraph (a)(1) of this section, aircraft. Payment may also be made in respect of gasoline used in a highway vehicle (other than one owned by the United States) if at the time the gasoline is used the vehicle (1) is not registered for highway use under the law of any State or foreign country and (2) is not required to be registered for highway use under the law of the State or foreign country in which it is operated or situated. A highway vehicle which is operated under a dealer's tag, license, or permit is considered to be registered. A highway vehicle is not considered to be registered solely by reason of the fact that there has been issued a special permit for operation of the vehicle at particular times and under specified conditions.

(c) *Meaning of terms*—(1) *Highway vehicle.* The term "highway vehicle" has the same meaning assigned to such term under § 48.4061(a)–1(d).

* * * * *

(d) *Dual use of gasoline.* No payment shall be made with respect to gasoline used in the propulsion motor of a highway vehicle solely on the basis of the fact that the motor in such vehicle is also used for a purpose other than the propulsion of the vehicle. Thus, if the propulsion motor of a highway vehicle also operates special equipment (such as a pump for discharging fuel from a tank truck) by means of a power take-off or power transfer, no payment shall be made with respect to the gasoline used to operate such special equipment, whether or not the special equipment is mounted on the highway vehicle. However, if a highway vehicle is equipped with a separate motor to operate special equipment (such as a refrigeration unit, pump, generator, or a mixing unit), a claim may be filed in respect of the gasoline used in the separate motor. In those cases where the gasoline used in a separate motor is drawn from the same tanks as the one which supplies gasoline for the propulsion of the vehicle, the determination as to the quantity of gasoline used in the separate motor operating the special equipment must be based on operating experience and supported by records. Devices to measure the number of miles the vehicle has traveled, such as hubometers, may be used in making a preliminary determination of the number of gallons of gasoline used to propel the vehicle. In order to make a final determination of the number of gallons of gasoline used to propel the vehicle, there must be added to this preliminary determination the number of gallons of gasoline consumed while idling or warming up the motor preparatory to propelling the vehicle.

* * * * *

PAR. 13. Section 48.6421(c) is revised to read as follows:

§ 48.6421(c) Statutory provisions; gasoline used for certain nonhighway purposes or by local transit systems; time for filing claims; period covered.

Sec. 6421. *Gasoline used for certain nonhighway purposes or by local transit systems.* * * *

(c) *Time for filing claims; period covered*—(1) *Gasoline used before July 1, 1965.* Except as provided in paragraphs (2) and (3), not more than one claim may be filed under subsection (a), and not more than one claim may be filed under subsection (b), by any person with respect to gasoline used during the one-year period ending on June 30 of any year. No claim shall be allowed under this paragraph with respect to any one-year period unless filed on or before September 30 of the year in which such one-year period ends.

(2) *Exception.* Except as provided in paragraph (3), if $1,000 or more is payable under this section to any person with respect to gasoline used during a calendar quarter, a claim may be filed under this section by such person with respect to gasoline used during such quarter. No claim filed under this paragraph shall be allowed unless filed on or before the last day of the first calendar quarter following the calendar quarter for which the claim is filed.

(3) *Gasoline used after June 30, 1965*—(A) *In general.* In the case of gasoline used after June 30, 1965—

(i) Except as provided in subparagraph (B), not more than one claim may be filed under subsection (a), and not more than one claim may be filed under subsection (b), by any person with respect to gasoline used during his taxable year; and

(ii) No claim shall be allowed under this subparagraph with respect to gasoline used during any taxable year unless filed by such person not later than the time prescribed by law for filing a claim for credit or refund of overpayment of income tax for such taxable year.

For purposes of this paragraph, a person's taxable year shall be his taxable year for purposes of subtitle A, except that a person's first taxable year beginning after June 30, 1965, shall include the period after June 30, 1965, and before the beginning of such first taxable year.

(B) *Exception.* If $1,000 or more is payable under this section to any person with respect to gasoline used during any of the first three quarters of his taxable year, a claim may be filed under this section by such person with respect to gasoline used during such quarter. No claim filed under this subparagraph shall be allowed unless filed on or before the last day of the first quarter following the quarter for which the claim is filed.

[Sec. 6421(c) as added and in effect Jan. 1, 1959, and as amended by sec. 809(b)(2), Excise Tax Reduction Act 1965 (79 Stat.

166); sec. 207(b), Airport and Airway Rev. Act 1970 (84 Stat. 248)]

PAR. 14. Section 48.6421(e) is amended by adding a new paragraph (e)(3) and by revising the historical note, as follows:

§ 48.6421(e) **Statutory provisions; gasoline used for certain nonhighway purposes or by local transit systems; exempt sales; other payments or refunds available.**

Sec. 6421. *Gasoline used for certain nonhighway purposes or by local transit systems.* * * *

(e) *Exempt sales;* other payments or refunds available. * * *

(3) *Gasoline used in noncommercial aviation.* This section shall not apply in respect of gasoline which is used after June 30, 1970, as a fuel in an aircraft in noncommercial aviation (as defined in section 4041(c)(4)).

[Sec. 6421(e) as added and in effect Jan. 1, 1959, and as amended by sec. 205(b)(1)(B), Airport and Airway Rev. Act 1970 (84 Stat. 241)]

PART 142—TEMPORARY EXCISE TAX REGULATIONS UNDER THE REVENUE ACT OF 1971

§ 142.1–1 [Amended]

Par. 15. Section 142.1–1 is amended by deleting paragraph (d).

[FR Doc.76–4 Filed 1–2–76;8:45 am]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[7 CFR Part 1430]

PRICE SUPPORT PROGRAM FOR MILK

Notice of Proposed Rulemaking

Notice is hereby given that the Secretary of Agriculture, under authority of section 201(c) of the Agricultural Act of 1949, as amended (63 Stat. 1051, as amended; 7 U.S.C. 1446), and sections 4 and 5 of the Commodity Credit Corporation Charter Act, as amended (62 Stat. 1070, as amended; 15 U.S.C. 714b and 714c), is considering the terms and conditions of the price support program for milk, for the 1976–77 marketing year beginning April 1, 1976, including the general level of prices to producers for milk and the prices for and terms of purchase by CCC of butter, nonfat dry milk, and Cheddar cheese. Section 201(c) of the Agricultural Act of 1949, as amended, provides as follows: "The price of milk shall be supported at such level not in excess of 90 per centum nor less than 75 percentum of the parity price therefore as the Secretary determines necessary in order to assure an adequate supply of pure and wholesome milk to meet current needs, reflect changes in the cost of production, and assure a level of farm income adequate to maintain productive capacity sufficient to meet anticipated future needs. * * * Such price support shall be provided through purchases of milk and the products of milk."

Consideration will be given to any data, views, and recommendations which are submitted in writing to the Director, Commodity Operations Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be received by the Director not later than February 4, 1976. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director during regular business hours (8:15 a.m.–4:45 p.m.). (7 CFR 1.27(b).)

Signed at Washington, D.C., on December 30, 1975.

E. J. PERSON,
Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc.76–170 Filed 1–2–76;8:45 am]

Rural Electrification Administration

[7 CFR Part 1701]

RURAL TELEPHONE PROGRAM

Common Control Central Office Equipment; Proposed Revisions in Specifications

Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 USC 901 et seq.), REA proposes to issue REA Bulletin 384–3 to announce the revisions in REA Form 524, General Specification for Common Control Central Office Equipment. On issuance of REA Bulletin 384–3, Appendix A to Part 1701 will be modified accordingly.

Persons interested in the revision of REA Form 524 may submit written data, views or comments to the Director, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, on or before February 4, 1976. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Telephone Operations and Standards Division during regular business hours.

A copy of the revised REA Form 524 may be secured in person or by written request from the Director, Telephone Operations and Standards Division.

The text of REA Bulletin 384–3 announcing the issuance of the revised Form 524 is as follows:

REA BULLETIN 384–3

SUBJECT: CENTRAL OFFICE EQUIPMENT CONTRACTS AND SPECIFICATIONS

I. *Purpose:* To announce the revision of REA Form 524, General Specification for Common Control Central Office Equipment, and list current editions of central office equipment contracts and specifications.

II. *General:* The standard forms and specifications are to be used by borrowers for all purchases of central office equipment for the initial system. For further detail, see REA Bulletin 344–1, Methods of Purchasing Materials and Equipment Used in Telephone Borrower's Facilities, and REA Bulletin 384–1, Procedure in Connection with Central Office Equipment Contracts.

III. *Contracts and Amendment:*

A. *REA Form 525 (9–66), Central Office Equipment Contract (Including Installation),* for use when the equipment is installed by the supplier.

B. *REA Form 545 (9–66), Central Office Equipment Contract (Excluding Installation),* for use when the equipment is installed by the borrower's own forces or by others under a separate contract.

C. *REA Form 400 (10–65), Telephone Equipment Contract (Installation Only),* for use when the equipment is to be installed by others than the supplier under a separate contract.

D. *REA Form 238 (4–72), Construction or Equipment Contract Amendment,* for use in amending the contracts to provide for any necessary changes in the equipment and materials or specifications and for any additional equipment and materials required in connection with the central offices included in the contract.

IV. *Specifications:*

A. REA Form 524 (1–76), General Specification for Common Control Central Office Equipment.

B. REA Form 528 (2–72), Specification for Private Automatic Branch Exchange.

C. REA Form 537 (10–73), Specification for Equipment for Automatic Number Identification—CAMA.

D. REA Form 538 (10–73), Specification for Equipment for Direct Distance Dialing.

E. REA Form 542 (4–63), Specifications for Toll Office Equipment.

F. REA Form 558 (9–66), Specification for Dial Central Office Equipment.

V. *Revision of REA Form 524, General Specification for Common Control Central Office Equipment.* This revision becomes effective *April 1, 1976.* All applicable equipment furnished REA projects through bids or negotiations or on orders placed by REA borrowers after that date shall comply with the revised specification. This does not preclude the adoption of the revised specification by manufacturers prior to the effective date. The principal reasons for the reissue are:

A. To make specific requirements for types of auxiliary equipment such as interrupters, wire chief test equipment, call progress indicators, test equipment, traffic metering, etc.

B. To clarify the requirements for simplification of growth additions with a minimum of service degradation.

C. To include a complete revision of the telephone traffic sections with additions to dimension traffic parameters such as "holding times" for trunks, registers, and senders, and "delay times" for marker completion, matching losses, etc., which had been left to the discretion of the suppliers.

D. To upgrade detailed switching requirements to reflect the improvement in the state of the art of common control switching and the toll network.

E. To add a requirement for a cost breakdown of the central office equipment on a discrete element basis in order to facilitate cost separation studies.

F. To redefine and upgrade transmission requirements for echo return loss, longitudinal balance, impulse noise and voice frequency crosstalk.

G. To change the electrical protection requirements for lightning and accidental contact of high voltages in accordance with the latest improvements in the state of the art.

H. To spell out the parameters of the particular central office being purchased (REA Form 524c) and to require more detailed, switching, translation and traffic information.

I. To give more complete information in the portion of the specification to be completed by the bidder on a particular central office (REA Form 524d) to cover such items as the number of lines and trunks that will

be supplied, power consumption, heat dissipation, etc.

VI. *Source of Central Office Equipment Contracts, Specifications, Amendment, and Contractor's Bonds:*

A. REA Form 525, Central Office Equipment Contract (A copy of REA Form 558, Specification for Dial Central Office Equipment is attached to each copy of the Form 525 Contract) is to be purchased from the Superintendent of Documents, Public Documents Distribution Center, Pueblo Industrial Park, Pueblo, Colorado 81008. Orders for the purchase of Form 525 should be prepared on REA Form 33. Copies of Form 33 are available from REA upon request.

B. All other forms referred to in this bulletin are available from REA upon request. Each contract Form 400 and 525 contains one copy of the Contractor's Bond, REA Forms 400a and 525a, respectively. Additional copies of these bond forms are available from REA upon request.

C. Questions concerning the revised specifications may be referred to the Chief, Central Office Equipment Branch, Telephone Operations and Standards Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, telephone number 202 447-5773.

Dated: December 23, 1975.

C. R. BALLARD,
Assistant Administrator.

[FR Doc.76-99 Filed 1-2-76;8:45 am]

DEPARTMENT OF LABOR

Employment and Training Administration

[20 CFR Part 602]

STATE EMPLOYMENT SERVICES

Proposed Change of Symbol

Notice is hereby given that the Employment and Training Administration is proposing to amend paragraph (a) of 20 CFR 602.12 *Organization* by substituting for the present public employment service symbol a more modern symbol. The proposed symbol is already being used in many States and the Employment and Training Administration believes that the adoption of the new symbol will aid the public by standardizing the public employment service symbol throughout the nation.

Interested persons may submit data, arguments, and comments on the proposed change to the Assistant Secretary for Employment and Training, Attention: William B. Lewis, Room 8000, Patrick Henry Building, 601 D Street, N.W., Washington, D.C. 20213. Such data, arguments and comments will be accepted until February 4, 1976.

In consideration of the foregoing it is proposed to amend paragraph (a) of 20 CFR 602.12 Organization, to read as follows:

§ 602.12 **Organization.**

(a) *Official identification.* The official name of the statewide system of public employment offices and the name on all official signs, stationary and documents used in connection therewith shall be "_____ State Employment Service". Whenever the State Employment Service name is officially used, it shall be accompanied by the following symbol:



* * * * *

(Sec. 12 of the Wagner-Peyser Act of 1933 (29 U.S.C. 49c-3, 557))

Signed at Washington, D.C. this 22 day of December, 1975.

WILLIAM H. KOLBERG,
Assistant Secretary for Employment and Training.

[FR Doc.76-68 Filed 1-2-76;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 37]

[Docket No. 15264; Notice No. 75-41]

AIRBORNE INTERIM STANDARD MICROWAVE LANDING SYSTEM CONVERTER EQUIPMENT

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Part 37 of the Federal Aviation Regulations by adding a new Technical Standard Order (TSO-C93) for airborne interim standard microwave landing system converter equipment (converter equipment).

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, SW., Washington, D.C. 20591. All communications received on or before March 5, 1976, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

On December 22, 1972, the Federal Aviation Administration published in the FEDERAL REGISTER (37 FR 28311) an invitation for comments on a policy statement concerning the development of a non-federal low approach landing system. That system, described as an interim standard microwave landing system (ISMLS), was selected by the FAA for ". . . use at locations where a VHF/UHF ILS will not perform in an effective manner, or where the needs for low approach service would be better served by the use of the (ISMLS)." In determining the suitability for an ISMLS at any given location, the invitation for comments stated that ". . . full consideration will be given to the nature of the operational requirement and to the economics of the situation including the cost of airborne avionics equipment." Furthermore, the invitation for comments announced that the selection of the ISMLS would be based upon a standard performance specification, and requested current and potential ISMLS users to comment on the operational, technical, and economic aspects of such a system.

As a result of the invitation for comments, and a subsequent notice of policy decision (38 FR 14784), wherein the comments were discussed, the FAA proceeded with the development of a performance specification and subsequently issued a request for proposals. That request led to several proposals which the FAA evaluated through flight tests. As a result of the evaluation, the FAA published on August 30, 1974, the selection of the system manufactured by Tull Aviation Corporation, 4 Kaysal Court, Armonk, New York 10504 (Tull), as the interim standard microwave landing system (see 39 FR 31681). That system includes both ground and airborne equipment.

In selecting the ISMLS proposed by Tull, the FAA has concluded an agreement whereby Tull has agreed to grant royalty-free licenses in their technical data for the manufacture, sale, and use of the Tull system only within the United States, its territories and possessions, the District of Columbia, Puerto Rico, and the Canal Zone. Licensees of the technical data only will be required to indemnify purchasers and users of equipment manufactured by the licensee from this data against liability from patent infringement arising from the manufacture or sale of the ISMLS. The data will be available to licensees from Tull for the cost of reproduction and handling. Tull has further agreed with the FAA to grant, on reasonable terms, nonexclusive licenses for the manufacture, use and sale of the ISMLS equipment claimed to be covered by patents, within the United States, its territories and possessions, the District of Columbia, Puerto Rico, and the Canal Zone.

[NOTE.—Copies of these agreements are contained in Docket No. 14120 and are available to interested persons upon request to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591.]

Converter equipment that are the subject of this Notice are covered by these agreements.

The FAA takes no position on the scope, coverage, or validity of the patents claimed by Tull for its system, nor on any patents that may result from any pending applications.

On November 1, 1974, a notice of proposed rulemaking, Notice 74-34 (39 FR 39565; November 8, 1974) was issued that proposed an amendment to Part 171 of the Federal Aviation Regulations to

prescribe procedures for the approval, installation, operation, and maintenance of ISMLS ground facilities. Amendment 171–10 (40 FR 36109; August 19, 1975) was issued pursuant to Notice 74–34.

To ensure the proper functioning of the overall ISMLS, necessary standards must be established for airborne ISMLS equipment. The Technical Standard Order (TSO) proposed in this notice contains such standards for converter equipment. This converter equipment is intended for operations in series with standard VHF/UHF ILS receiver equipment currently in use and would provide for the continued use of that receiver equipment with the presently installed instrumentation and receiving systems.

The technical standards contained in the TSO proposed herein deal, in part, with equipment sensitivity and conversion gain, signal stability, spurious response restrictioins, intermodulation and antenna efficiency, polarization, and voltage standing wave ratios. These standards are compatible with the ISMLS ground equipment standards adopted under Amendment 171–10. It is also proposed that environmental testing of the equipment be accomplished in accordance with the Radio Technical Commission for Aeronautics (RTCA) Document No. DO–138, titled "Environmental Conditions and Test Procedures for Airborne Electronic/Electrical Equipment and Instruments," dated June 27, 1968, including Change Number 2, dated October 29, 1969 or Document No. DO–160, dated February 28, 1975, having the same title. In addition, the proposed TSO contains marking provisions, data requirements, and a requirement relating to the data that must be furnished with each unit manufactured under the TSO.

It should be noted that the ISMLS is designed to meet the temporary need for an instrument approach system where installation of current systems would be unfeasible. Allowing time for final selection and testing, as well as international adoption, the implementation of a final MLS may as much as two to three years away. Consequently, the ISMLS was adopted to fill an operational need for a period of time sufficient to warrant its adoption. Upon implementation of the final MLS, system approval of additional ISMLS would cease. Thus, the two systems will not compete with one another, but will merely serve as consecutive stages in the development of a microwave instrument landing capability.

These amendments are proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 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, it is proposed to amend Part 37 of the Federal Aviation Regualtions by adding a new § 37.203 to read as follows:

§ 37.203 Airborne interim standard microwave landing system converter equipment—TSO C–93.

(a) *Applicability.* This technical standard order prescribes the minimum performance standards that airborne interim standard microwave landing system converter equipment must meet in order to be identified with the applicable TSO marking. Equipment that is to be so identified must meet the requirements of the "Federal Aviation Administration Standard, Airborne Interim Standard Microwave Landing System Converter Equipment," set forth at the end of this section.

(b) *Environmental standards.* Radio Technical Commission for Aeronautics (RTCA) Document No. DO–138, titled "Environmental Conditions and Test Procedures for Airborne Electronic/Electrical Equipment and Instruments", dated June 27, 1968, including Change Number 2, dated October 29, 1969, or RTCA Document No. DO–160, dated February 28, 1975, having the same title, must be used to determine the environmental conditions over which the equipment has been designed to operate.

(c) *Markings.* In addition to the markings specified in § 37.7(d), the equipment must be marked as follows:

(1) The environmental categories over which it has been designed to operate, as set forth in Appendix B of RTCA Document DO–138 or Appendix A of RTCA Document DO–160 must be permanently and legibly marked on the equipment. Where an environmental test procedure is not applicable and the test is not conducted, an "X" must be placed in the space assigned for that category.

(2) Each separate component of the equipment must be permanently and legibly marked with at least the name of the manufacturer, model or part number, the TSO number, and the environmental categories over which it has been tested. Where an environmental test procedure described in DO–138 or DO–160 is not applicable to that component and the test is not conducted, and "X" must be placed in the space assigned for that environmental category.

(d) *Data requirements.* In accordance with § 37.5, the manufacturer must furnish to the Chief, Engineering and Manufacturing Branch, Flight Standards Division (or in the case of the Western Region, the Chief, Aircraft Engineering Division), Federal Aviation Administration, in the region in which the manufacturer is located, one copy of the followng technical data, except that additional copies mus be furnished upon request:

(1) Manufacturer's operating instructions and equipment limitations.

(2) Installation procedures with applicable schematic drawings, wiring diagrams, and specifications. Any limitations, restrictions, or other conditions pertinent to the installation must be included.

(3) Manufacturer's test reports.

(4) Equipment data sheets specifying, within the prescribed range of environmental conditions, the actual performance of equipment of that type with respect to each performance factor prescribed in the standard.

(5) A drawing list enumerating all the drawings and processes that are necessary to define the article design.

(e) *Data to be furnished with each manufactured unit.* A copy of the instructions specified in paragraphs (d)(1) and (d)(2) of this section must be furnished with each article manufactured under this TSO.

(f) *Availability of Documents.* RTCA Document Nos. DO–138, including Change Number 2, and DO–160 are incorporated herein in accordance with 5 U.S.C. 522(a)(1) and § 37.23 of the Federal Aviation Regulations and are available for inspection as indicated in § 37.23. Additionally, RTCA Document Nos. DO–138 and DO–160 may be examined at any FAA Regional Office of the Chief, Engineering and Manufacturing Branch (or in the case of the Western Region, the Chief, Aircraft Engineering Division). RTCA Document Nos. DO–138 and DO–160 may also be obtained from the RTCA Secretariat, Suite 655, 1717 H Street, N.W., Washington, D.C. 20006, at a cost of $16.00 per copy for DO–138 and $20.00 per copy for DO–160.

FEDERAL AVIATION ADMINISTRATION STANDARD

AIRBORNE INTERIM STANDARD MICROWAVE LANDING SYSTEM CONVERTER EQUIPMENT

1.0 *PURPOSE.* This standard contains minimum performance and test requirements for Airborne Interim Standard Microwave Landing System Converter Equipment (Converter equipment).

2.0 *GENERAL STANDARDS.*

2.1 *Operation of Controls.* The operation of controls intended for use during flight must not, in any possible combination or sequence, result in a condition whose presence or continuation would be detrimental to the proper functioning of the equipment.

2.2 *Accessibility of Controls.* Controls not intended for in-flight adjustment must be located so as not to be readily accessible to flight personnel.

2.3 *Effects of Tests.* Except as expressly provided in this standard, the design of the equipment must be such that subsequent to the application of the specified tests, no condition may exist which would be detrimental to the proper functioning of the equipment.

3.0 *MINIMUM PERFORMANCE STANDARDS UNDER STANDARD CONDITIONS.*

3.1 *Sensitivity.* The noise figure of the equipment must not be more than 20 db.

3.2 *Conversion Gain.* Input signals of not more than −43 dbm for localizer and −27 dbm for glide slope must produce outputs of at least −23 dbm for localizer and −17 dbm for glide slope.

3.3 *Spurious Response.* Spurious responses in the outputs must not exceed the values in the following table when input signals of −43 dbm for localizer and −27 dbm for glide slope are applied throughout the frequency bands specified.

Frequency band (megahertz):	*Response limit (decibels)*
0 to 4599.99	−100
4600 to 4899.99	−45
4900 to 4998.99	−30
4999 to 5249.99	−35
5250 to 5298.99	−40
5299 to 10,000	−60

3.4 *Stability.* The frequency of the output must be within ± 5 kHz of the assigned

VHF localizer/UHF glide slope frequencies when assigned microwave channel frequencies are applied.

3.5 *Intermodulation.* When equal level two-tone test signals within the bands 5000 MHz to 5030 MHz for localizer and 5220 MHz to 5250 MHz for glide slope are applied at input signal levels of −43 dbm for localizer and −27 dbm for glide slope, intermodulation products must be down at least 30 db from the desired output signals.

3.6 *Antenna Efficiency.*

(a) Over the frequency band from 5000 MHz to 5250 MHz, the desired component of the radiated signal in the forward direction must be at least +8.5 db when compared to an isotropic source.

(b) At any frequency from 5000 MHz to 5250 MHz, the desired component of the radiated signal must not vary in field strength more than 3 bd from −37.5° to +37.5° from directly forward of the antenna in horizontal planes over an elevation range of ±17.5 degrees.

3.7 *Antenna Polarization.* Over the frequency range from 5000 MHz to 5250 MHz, the reception of signals with horizontal (H plane) polarization from the forward direction with respect to the antenna must be least 20 db below the reception of signals with the vertical (E plane) polarization from the same direction.

3.8 *Voltage Standing Wave Ratio (Antenna).* The voltage standing wave ratio on the transmission line connecting the antenna and a signal source may not exceed a value of 1.7:1 over the frequency range from 5000 MHz to 5250 MHz.

3.9 *Voltage Standing Wave Ratio (Receiver).* The voltage standing wave ratio on the transmission line connecting the receiver and a signal source may not exceed a value of 1.7:1 over the frequency range from 5000 MHz to 5250 MHz.

4.0 *MINIMUM PERFORMANCE REQUIREMENTS UNDER ENVIRONMENTAL CONDITIONS.*

Unless otherwise specified in this standard, the measurement procedures applicable to a determination of the performance of the equipment under the environmental conditions specified are those set forth in either RTCA Document DO–138 titled "Environmental Conditions and Test Procedures for Electronic/Electrical Equipment and Instruments" dated June 27, 1968, (DO–138), including Change Number 2, dated October 29, 1969, or RTCA Document No. 160 dated February 28, 1975, having the same title. Performance testing may be done following a series of environmental exposures. However, the order of tests must be in accordance with paragarph 3.2 of Document Nos. DO–138 or DO–160.

4.1 *Temperature—Altitude.*

(a) *Low Temperature.*

(1) When the equipment is subjected to this environment, the requirements of paragraphs 3.1, 3.2, and 3.4 of this standard must be met. All mechanical devices must perform their intended functions.

(2) After subjection to this environment, the requirements of paragraph 3.8 of this standard must be met.

(b) *High Temperature.*

(1) When operated at the High Short-Time Operating Temperature, the equipment must operate both electrically and mechanically.

(2) When the equipment is exposed to the High Operating Temperature, the requirements of paragraphs 3.1, 3.2, and 3.4 of this standard must be met.

(3) After the equipment is subjected to the environments specified in subparagraphs (1) and (2) of this paragraph, the requirements of paragraph 3.8 of this standard must be met.

(c) *Altitude.*

(1) When the equipment is subjected to this environment, the requirements of paragraphs 3.1, 3.2 and 3.4 of this standard must be met.

(2) After subjection to this environment, the requirements of paragraph 3.8 of this standard must be met.

4.2 *Humidity.* After subjection to the humidity environment and

(a) Within 15 minutes after the time primary power is applied, the noise figure may not be more than 26 db; and

(b) Within 4 hours from the time primary power is applied, the requirements of paragraphs 3.1, 3.2, and 3.4 of this standard must be met.

4.3 *Shock.*

(a) Following the application of the operational shocks, the requirements of paragraphs 3.1, 3.2, and 3.4 of this standard must be met.

(b) The equipment must remain in its mounting, and no part of the equipment or its mounting may become detached and free of the shock test table or the equipment under test during or following the application of the crash safety shocks. Paragraph 2.3 of this standard does not apply to the crash safety shock environment.

4.4 *Vibration.*

(a) When the equipment is subjected to this environment the requirements of paragraph 3.2 of this standard must be met.

(b) After subjection to this environment, the requirements of paragraphs 3.1, 3.2, 3.4, and 3.8 of this standard must be met.

4.5 *Temperature Variation.* When subjected to this environment, the noise figure may not be more than 26 db and the requirements of paragraphs 3.1, 3.2 and 3.4 of this standard must be met.

4.6 *Electrical Input Variation.* When subjected to this environment, the requirements of paragraphs 3.1, 3.2, and 3.4 of this standard must be met.

4.7 *Low Voltage.*

(a) *AC and DC Equipment.* When the primary power voltages of DC operated equipment is 80% of the design voltages, and when that of AC operated equipment is 87½% of the design voltages, the equipment must operate both mechanically and electrically. Degradation of performance is permitted.

(b) *DC Equipment.*

(1) DC operated equipment must meet the requirements of paragraphs 3.1, 3.2, and 3.4 of this standard within 2 minutes after the primary power voltages are returned to the design voltages after operating at 50% of the design voltages for at least 10 minutes.

(2) The reduction of the primary power voltages of DC operated equipment from 50% of design voltages to zero volts may not produce fire or smoke. Paragraph 2.3 of this standard does not apply to the low voltage environment for DC equipment.

4.8 *Conducted Voltage Transients.*

(a) *DC Equipment.*

(1) *Intermittent Transients.* Following the application of the intermittent transients, the requirements of paragraphs 3.1, 3.2, and 3.4 of this standard must be met.

(2) *Repetitive Transients.* While the repetitive transients are being applied, the requirements of paragraph 3.1 of this standard must be met.

(b) *AC Equipment.* While the transients are being applied, the requirements of paragraph 3.1 of this standard must be met.

4.9 *Radio-Frequency Susceptibility.* When subjected to this environment, the requirements of paragraph 3.1 of this standard must be met.

4.10 *Emission of Spurious Radio Frequency Energy.* The levels of conducted and radiated spurious radio frequency energy emitted by the equipment may not exceed those levels specified in Appendix A to RTCA Document No. DO–138 or paragraph 21 of Document No. DO–160.

Issued in Washington, D.C. on December 24, 1975.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc.76–91 Filed 1–2–76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 68]

[Docket No. 19528]

INTERSTATE AND FOREIGN MESSAGE TOLL TELEPHONE SERVICE (MTS) AND WIDE AREA TELEPHONE SERVICE (WATS)

New or Revised Classes; Extension of Time [1]

1. On December 19, 1975, public notice was given of the filing of petitions for reconsideration herein by Continental Telephone Corporation, The Bell System Companies, GTE Service Corporation, Exxon Enterprises, Inc., Computer and Business Equipment Manufacturers Association, and Rixon, Inc. Pursuant to § 1.106 of the Commission's rules, oppositions to such petitions may be filed within 10 days after such public notice is given, i.e. before December 29, 1975.

2. On December 22, 1975, IBM filed a Motion For Extension of Time for the filing of such oppositions. IBM points out that because of the holiday season, an adequate response cannot be prepared by December 29, and it accordingly requests that the filing date be extended to January 20, 1976.

3. While we agree that good cause has been shown for a limited extension of time, we do not believe that an extension of the length sought by IBM would be warranted. Therefore we will grant an extension of time to January 9, 1976, affording a full week after the New Year's holiday for the preparation of oppositions.

4. Accordingly, *it is ordered,* Pursuant to the authority delegated in § 0.303(C) of the Commission's rules, that the time for filing oppositions to petitions for reconsideration is extended to January 9, 1976.[2]

Adopted: December 23, 1975.

Released: December 24, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALTER R. HINCHMAN,
Chief, Common Carrier Bureau.

[FR Doc. 76–123 Filed 1–2–76;8:45 am]

[1] Extends time for proposal published at 40 FR 53045, Nov. 14, 1975.

[2] We have also received a "Petition For Amendment of Part 68 of FCC Rules" filed by Communication Certification Laboratory, and comments filed by T.A.D. Avanti, Inc., Gaines M. Crook and Associates, J. P. Neil, Interface Technology, Inc., Guardian Industries, Inc., and Phone Mate, Inc. These documents will all be considered along with the petitions for reconsideration.

INTERSTATE COMMERCE COMMISSION

[49 CFR Parts 1043, 1084]

[Ex Parte Nos. MC-5, 159]

MOTOR CARRIERS AND FREIGHT FORWARDERS

Cargo Insurance; Proposed Increase of Minimum Limits

In the matter of security for the protection of the public as provided in part II of the Interstate Commerce Act, and of rules and regulations governing filing of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities and agreements by motor carriers and brokers subject to part II of the Interstate Commerce Act.

In the matter of security for the protection of the public as provided in part IV of the Interstate Commerce Act, and of rules and regulations governing filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities and agreements by freight forwarders subject to Part IV of the Act.

Notice is hereby given, pursuant to secetion 4(a) of the Administrative Procedure Act (60 Stat. 237, 5 U.S.C. 1003), of the proposed amendment of § 1043.2 (b) of the Code of Federal Regulations governing the filing of insurance or other security for the protection of the public, under the authority contained in section 215 of the Interstate Commerce Act (49 Stat. 557, as amended; 49 U.S.C. 315), and the proposed amendment of § 1084.3 (a) of Part 1084 (49 CFR 1084.3(a)) of the Code of Federal Regulations governing the filing of insurance or other security for the protection of the public, under the authority contained in section 403(c) of the Interstate Commerce Act (56 Stat 285; 49 U.S.C. 1003).

The purpose of such amendments is to increase the minimum limits of cargo insurance or other security required of motor carriers and freight forwarders subject to the security requirements of the Interstate Commerce Act. If approved, it is contemplated to adopt the increases effective July 1, 1976.

PART 1043—SURETY BONDS AND POLICIES OF INSURANCE

It is proposed that § 1043.2(b) be revised to read as follows:

§ 1043.2 Insurance, minimum amounts.

* * * * *

(b) Motor common carriers; cargo liability Security required to compensate shippers or consignees for loss or damage to property belonging to shippers or consignees and coming into the possession of motor common carriers in connection with their transportation service, (1) for loss of or damage to property carried on any one motor vehicle—$5,000; (2) for loss of or damage to or aggregate of losses or damages of or to property occurring at any one time or place—$10,000.

(Sec. 215, 49 Stat., as amended; 49 U.S.C. 315)

PART 1084—SURETY BONDS AND POLICIES OF INSURANCE

It is proposed that § 1084.3(a) be revised to read as follows:

§ 1084.3 Limits of liability.

* * * * *

(a) *Cargo.* Limits for loss of or damage to property with respect to which a freight forwarder performs service subject to Part IV of the Act:

(1) For loss of or damage to property while carried on or resting in any one conveyance, other than water craft—$5,000.

(2) For loss of or damage to or aggregate of losses of or damage to property occurring at any one time and place, or while carried on or resting in any one water craft—$10,000.

(Sec. 403(c), 56 Stat. 285; 49 U.S.C. 1003)

No oral hearing on the proposed revision is contemplated; however, interested parties may file with this Commission, on or before February 4, 1976, written statements of facts, opinions, or arguments concerning the herein proposed amendments. Any written statements so filed shall conform with the specifications provided in Rule 15 of the Commission's Rules of Practice (49 CFR 1100.15). An original signed copy and six additional copies shall be furnished for use of the Commission.

Notice to the general public will be given by depositing a copy of this notice in the Office of the Secretary of the Commission for inspection, and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Insurance Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-175 Filed 1-2-76;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

[34 CFR Ch. I]

FEDERAL PROCUREMENT REGULATORY SYSTEM

Proposed Regulation; Invitation for Public Comment

The Office of Federal Procurement Policy (OFPP) plans to promulgate the following OFPP Regulation No. 1, pursuant to the authority and requirements of Public Law 93-400, and invites the written comments of interested parties for consideration in the drafting of the regulation.

Such comments should be addressed to the Administrator for Federal Procurement Policy, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503, and should be submitted by February 29, 1976.

Following receipt of comments a public meeting of the OFPP will be scheduled for the purpose of hearing oral presentations.

JAMES D. CURRIE,
Acting Administrator for Federal Procurement Policy.

OFFICE OF FEDERAL PROCUREMENT POLICY (OFPP) REGULATION NO. 1

FEDERAL PROCUREMENT REGULATORY SYSTEM

1. *Purpose.* a. The purpose of this regulation is to establish the Federal Procurement Regulatory System (FPRS), an integrated system of coordinated and, to the extent feasible, uniform procurement regulations for the executive agencies, under the direction of the Administrator for Federal Procurement Policy.

b. The objectives of the system are to bring greater coordination, simplicity, and uniformity into the Federal procurement process, to arrest and reduce the proliferation of diverse and inconsistent procurement regulations, including those implementing or supplementing the primary regulations, and to establish criteria and procedures for public participation in the regulatory process.

2. *Background.* Public Law 93-400, which established the Office of Federal Procurement Policy (OFPP), delineates the functions of the Administrator for Federal Procurement Policy. This regulation implements the following provisions of that law:

a. Establishment of a system of coordinated and, to the extent feasible, uniform procurement regulations for the executive agencies; and

b. Establishment of criteria and procedures for soliciting the viewpoints of interested parties in the development of procurement policies, regulations, procedures, and forms.

3. *Authority.* Under Public Law 93-400, authority for Federal procurement policy is vested in the Administrator for Federal Procurement Policy. All executive agency procurement policies, regulations, procedures, and forms are subject to those prescribed by the Administrator.

4. *Applicability.* The provisions of this regulation apply to all executive agencies of the Federal Government making procurements from appropriated funds of:

(a) Property other than real property in being;

(b) Services, including research and development; and

(c) Construction, alteration, repair, or maintenance of real property.

The term "executive agency" means an executive department, a military department, and an independent establishment within the meaning of section 101, 102, and 104(1), respectively, of title 5, United States Code, and also a wholly-owned Government corporation within the meaning of section 101 of the Government Corporation Control Act (31 U.S.C. 846).

5. *Federal Procurement Regulatory System (FPRS).* a. The FPRS, under the direction of the OFPP, is hereby established, and shall consist of: OFPP Regulations, applicable to all executive agencies; the Armed Services Procurement

Regulation (ASPR), applicable to the Department of Defense (DOD) and the National Aeronautics and Space Administration (NASA); and the Federal Procurement Regulations (FPR), applicable, except for NASA, to the civilian executive agencies and in certain authorized areas to all executive agencies. In addition, the FPRS includes the secondary procurement regulations of executive agencies which implement or supplement OFPP Regulations, the ASPR, or the FPR.

b. The FPRS embraces not only the content of procurement regulations, but also their format, numbering, methods of publication and distribution, and controls over implementing and supplementing regulations.

c. ASPR and FPR policies, regulations, procedures, and forms shall be in accordance with Public Law 93-400, OFPP Regulations and other directives, and other applicable laws and regulations.

d. OFPP Regulations will be issued by the Administrator for Federal Procurement Policy, and will deal with major procurement policy issues. OFPP Regulations will be independent of the Office of Management and Budget (OMB) system of Circulars and Bulletins.

e. In addition to issuing regulations, OFPP will, on a selective basis, coordinate the development of, or approve in advance, the text of ASPR and FPR provisions. Such OFPP coordination or approval will be transmitted to DOD and the General Services Administration (GSA), by numbered letter, and the text, when published, shall be identified as having been so approved.

f. Implementing and supplementing regulations issued by executive agencies shall not contain provisions which duplicate, are inconsistent with, or increase the use of any authority, policy, or requirement provided in OFPP Regulations, the ASPR, or FPR. DOD and GSA shall review agency and department regulations to assure compliance and control.

g. One-time exceptions or deviations from the requirements of OFPP Regulations may be granted in the same manner as authorized by the ASPR and FPR for ASPR and FPR deviations. A copy of each such exception or deviation authorization shall be furnished the Administrator for Federal Procurement Policy. Other deviations from OFPP Regulations, such as continuing or class deviations, must be approved in advance by the Administrator.

h. Executive agencies authorized to issue collateral regulation which, although not primarily concerned with the procurement process, have an effect on Federal procurement, shall coordinate such regulations with the principal contracting agencies affected and the OFPP prior to publication for comment in the FEDERAL REGISTER.

6. *Development and issuance of the ASPR and FPR.* a. Subject to general guidance of the Administrator for Federal Procurement Policy, the Secretary of Defense and the Administrator of General Services may prescribe instructions and procedures for the development and issuance of the ASPR and FPR, respectively. Existing organizations for this purpose, such as the ASPR Committee in the Office of the Assistant Secretary of Defense (Installations and Logistics), DOD, and the FPR staff in GSA, may continue to be utilized.

b. DOD and GSA, jointly, shall establish a procedure for close coordination between the ASPR and FPR which will minimize duplication of effort and achieve the greatest feasible uniformity in the development and revision of the two regulations. Such procedure shall include provisions for consultation with the OFPP on significant issues, and for otherwise irreconcilable differences to be resolved by the Administrator for Federal Procurement Policy. In areas where both primary regulations now have coverage, neither agency will amend that coverage without the concurrence of the other. Changes or additions to the ASPR and FPR shall be uniform except to the extent necessary to accommodate significant differences in laws, program requirements, or agency operations. Such accommodations shall be kept to a minimum.

c. In the development of the ASPR and FPR, the views and, so far as possible, agreement of agencies and departments affected shall be obtained. For coordination and advisory purposes, existing mechanims, such as the ASPR Committee and its subcommittee structure within DOD, and the FPR staff and the FPR Committee (formerly the Interagency Procurement Policy Committee) under GSA cognizance may be utilized. In addition, the Planning Staff of the Interagency Procurement Policy Group may be consulted on significant issues.

7. *Public participation.* a. The views of interested non-Governmental parties and organizations shall be given due consideration in the formulation of Federal procurement policy. Accordingly, the public will be afforded an opportunity to comment on proposed OFPP Regulations and on proposed significant changes or additions to the ASPR and FPR by means of the publication of a notice in the FEDERAL REGISTER, and in other publications as appropriate. Such notice shall include a statement of purpose and the text or a summary of the proposed issuance, changes, or additions, and shall invite interested parties to comment on the proposals. If a summary is published, the notice shall advise where the text may be examined. The notice shall also advise whether a copy of any related agency or other official report or recommendation is available for examination. Any determination by the Secretary of Defense or the Administrator of General Services, or their designees for such purpose, as to whether a particular change or addition to the ASPR or FPR, respectively, is a "significant" change or addition as contemplated by this regulation, shall be final.

b. Lists will be maintained of industry associations, professional societies, and other interested parties that have expressed a continuing desire to comment on proposed OFPP Regulations or proposed changes in the ASPR and FPR, and comments on substantive changes will ordinarily be solicited directly from such associations and parties in addition to any notice that may be published in the FEDERAL REGISTER.

c. The solicitation of views from outside the Government may be waived, with the advance approval of the Administrator for Federal Procurement Policy, where circumstances make such solicitation impracticable, such as a requirement to implement a new statute in a relatively short time.

d. Normally, 60 days shall be provided for the submission of comments, unless a shorter time period is required by unusual circumstances.

e. When an executive agency or component determines that a public meeting would materially benefit the consideration of the issues in connection with the adoption, amendment, or repeal of a procurement policy or regulation, or would be likely to develop significant additional information or views, or provide useful public visibility to regulatory determinations, the agency or component may convene such a public meeting.

f. Unsolicited proposals for changes or additions to OFPP Regulations, the ASPR, and FPR shall be considered, and the reasons for any rejection shall be furnished to the proposers.

g. Regulations of executive agencies and their major components which amplify or otherwise depart from the substance of OFPP Regulations, the ASPR, and FPR will be issued in a manner consistent with the foregoing procedures, after first obtaining any necessary deviation authorization.

8. *Public meetings.* a. When a public meeting is to be held, notice shall be published in the FEDERAL REGISTER at least 10 days prior thereto. The notice shall give the time and place of the meeting and shall include a statement of purpose and either the text or a summary of the matter to be considered. If a summary is published, the notice shall advise where the text may be examined. The notice shall advise whether a copy of any related agency or other official report or recommendation is available for examination. The notice shall also invite interested organizations, associations, firms, and members of the public to submit data, views, or arguments in writing, and shall offer an opportunity for oral presentation by or on behalf of any interested party making a written submission at least 24 hours in advance of the meeting.

b. Criteria and procedures for public meetings involving proposed policies and regulations of the Office of Federal Procurement Policy are the subject of a separate OFPP Regulation.

9. *Advance notice to OFPP.* DOD and GSA shall give the Administrator for Federal Procurement Policy advance notice of all major procurement regulations under consideration. The purposes of this requirement are: (a) to enable the Administrator to keep the Congress

fully and currently informed; (b) to permit timely designation by the Administrator of proposed procurement policies and regulations which shall be subject to formal public meetings of the OFPP (in accordance with Section 14(b) of Public Law 93-400); (c) to permit identification of regulations whose text is to be approved by the Administrator; and (d) to ensure the maximum feasible uniformity in the regulations.

10. *Reporting.* DOD and GSA shall submit to OFPP a quarterly listing of all open cases or actions in process to adopt, repeal, or amend either the primary procurement regulations (ASPR and FPR) or the subsidiary procurement regulations of other executive agencies. Such listing shall be brief, but descriptive enough to indicate the substance and purpose of each action contemplated.

[FR Doc.76-39 Filed 1-2-76;8:45 am]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 253, 399]

[EDR-290B/PSDR-44B; Docket 28460]

COMMISSIONS AND OTHER COMPENSATION; STATEMENTS OF GENERAL POLICY

Supplemental Notice of Proposed Rulemaking

DECEMBER 31, 1975.

The Board, by circulation of Notice of Proposed Rulemaking, EDR-290/PSDR-44, dated November 3, 1975, and Supplemental Notice of Proposed Rulemaking, EDR-290A/PSDR-44A, dated November 17, 1975 and published at 40 FR 54010, November 20, 1975, gave notice that it has under consideration adoption of a new Part 253 of its Economic Regulations (14 CFR Part 253) and amendment of Part 399 of its Policy Statements (14 CFR Part 399). The proposed Part 253 would require air carriers and foreign air carriers to file schedules showing the commissions and other compensation which they pay for the sale of air transportation and would prohibit the payment of commissions or other compensation differing from those set forth in the schedules. The proposed amendment of Part 399 would state that it would be Board policy to regard as an unfair practice and an unfair method of competition, the payment by a carrier—or the solicitation or receipt by a ticket agent or by another carrier—of such differing commissions or other compensation. Interested persons were invited to participate by submission of twelve (12) copies of written data, views or arguments to the Docket Section of the Board on or before December 22, 1975 and the submission of reply comments on or before January 6, 1976.

United Air Lines, Inc., by telephone request on December 30, 1975 (confirmed by written request on December 31, 1975), has requested a one week extension of the time within which to file reply comments, on the grounds that, apparently because of delays in mail delivery, it has not yet received all of the comments and will therefore be unable to file reply comments by the due date.

The undersigned finds that good cause has been shown for an extension of the time for filing reply comments.

Accordingly, pursuant to the authority delegated in § 385.20(d) of the Board's Organization Regulations (14 CFR Part 385), the undersigned hereby extends the time for submitting reply comments to January 13, 1976.

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

[SEAL] SIMON J. EILENBERG,
Acting Associate General Counsel, Rules Division.

[FR Doc.76-276 Filed 1-2-76;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

Customs Service

CHEESE FROM SWEDEN

Notice of Preliminary Countervailing Duty Determination

On August 15, 1975, a "Notice of Receipt of Countervailing Duty Petition" was published in the FEDERAL REGISTER (40 FR 34423). The petition alleged that payments or bestowals conferred by the Government of Sweden upon the manufacture, production, or exportation of cheese constitute the payment or bestowal of a bounty or grant within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303).

On the basis of an investigation conducted pursuant to § 159.47(c), Customs Regulations (19 CFR 159.47(c)), it has been determined preliminarily that payments are being made, directly or indirectly, on the manufacture, production or exportation of cheese from Sweden, which constitute the payment or bestowal of a bounty or grant within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303). Such payments are made to exporters of cheese in the form of export subsidy payments. In addition, further inquiry regarding the equalization fund will be made prior to a final determination.

A final decision in this case is required on or before June 18, 1976. Before a final decision is made, consideration will be given to any relevant data, views, or arguments submitted in writing with respect to the preliminary determination. Submissions should be addressed to the Commissioner of Customs, 1301 Constitution Avenue N.W., Washington, D.C. 20229, in time to be received by his office not later than Januray 19, 1976.

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

VERNON D. ACREE,
Commissioner of Customs.

DECEMBER 18, 1975.

Approved:

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76-56 Filed 1-2-76;8:45 am]

NON-RUBBER FOOTWEAR FROM ARGENTINA

Notice of Final Countervailing Duty Determination

On February 18, 1975, a "Notice of Preliminary Countervailing Duty Determination" was published in the FEDERAL REGISTER (40 FR 6993). The notice stated that on the basis of an investigation conducted pursuant to § 159.47(c), Customs Regulations (19 CFR 159.47(c)), a preliminary determination was made that no bounties or grants are being paid or bestowed, directly or indirectly, within the meaning of section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303), upon the manufacture, production, or exportation of non-rubber footwear from Argentina.

The notice stated that it had been determined that payments were made by the Government of Argentina upon the exportation of non-rubber footwear which would have constituted a bounty or grant of approximately 25 percent of the dutiable value of the footwear, but that the Government of Argentina had taken action, effective December 23, 1974, to abolish for footwear producers the program under which such payments were made.

The notice further stated that "[b]efore a final determination is made, the operation of a newly proposed export loan program of the Government of Argentina for the footwear industry, will be observed to make certain it is not operated so as to result in the payment or bestowal of a bounty or grant". The proposed export loan program was not promulgated by the Government of Argentina.

The notice also stated that before a final determination would be made in this proceeding, consideration would be given to any relevant data, views, or arguments submitted in writing within 30 days from the date of the notice with respect to the preliminary determination.

No written submissions having been received, it is hereby determined for the reasons stated in the preliminary determination, that no bounties or grants are being paid or bestowed, directly or indirectly, within the meaning of section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303), upon the manufacture, production, or exportation of non-rubber footwear from Argentina.

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

VERNON D. ACREE,
Commissioner of Customs.

DECEMBER 23, 1975.

Approved:

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76-55 Filed 1-2-76;8:45 am]

Office of the Secretary

BUTADIENE ACRYLONITRILE RUBBER FROM JAPAN

Antidumping Determination of Sales at Less Than Fair Value

Information was received on February 26, 1975, that butadiene acrylonitrile rubber from Japan was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*) (referred to in this notice as "the Act").

A "Withholding of Appraisement Notice" was published in the FEDERAL REGISTER of September 29, 1975 (40 FR 44587).

Determination of Sales at Less Than Fair Value

I hereby determine that, for the reasons stated below, butadiene acrylonitrile rubber from Japan is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

Statement of Reasons On Which This Determination Is Based:

The reasons and bases for the above determination are as follows:

a. *Scope of the investigation.* It appears that all imports of the subject merchandise from Japan were manufactured by Nippon Zeon Company, Ltd., Chiyoda-ku, Tokyo, Japan. Therefore, the investigation was limited to this one manufacturer.

b. *Basis of comparison.* For the purpose of considering whether the merchandise in question is being, or is likely to be, sold at less than fair value within the meaning of the Act, the proper basis of comparison is between purchase price and the adjusted home market price of such merchandise. Purchase price, as defined in section 203 of the Act (19 U.S.C. 162), was used since all export sales were made to non-related Japanese trading companies. Home market price, as defined in section 153.3, Customs Regulations (19 CFR 153.3), was used since such merchandise was sold in the home market in sufficient quantities to provide a basis of comparison for fair value purposes.

c. *Purchase price.* In accordance with § 153.31(b), Customs Regulations, (19 CFR 153.31(b)), pricing information was obtained concerning imports of butadiene acrylonitrile rubber from Japan during the 6-month period November 1, 1974 through April 30, 1975.

In the import transactions, all of the merchandise was purchased or agreed to be purchased, prior to the time of exportation, by the persons by whom or for whose account it was purchased,

within the meaning of section 203 of the Act. The purchase price was calculated on the basis of the f.o.b. vessel, Japanese port, packed price to the United States.

d. *Home market price.* The home market price was calculated on the basis of the delivered, net, packed price to the distributor. Adjustments were made for credit, transportation, technical assistance shown to be directly related to the sales in question, and packing costs, as appropriate, in accordance with section 153.8, Customs Regulations (19 CFR 153.8). Adjustments for credit relate to discounted promissory notes used for payment in the home market. Adjustments for technical assistance relate to salaries, fringe benefits, and travel expenses incurred in providing technical assistance to home market purchasers. Adjustments for transportation and packing expenses relate to differences in packing costs between home market sales and export sales, and to transportation costs involved in home market sales.

Adjustments for differences in circumstances of sale in accordance with section 153.8, Customs Regulations (19 CFR 153.8), salesmen's expenses, and depreciation of equipment in the home market were claimed by counsel for Nippon Zeon. These expenses do not bear a direct relationship to the sales under consideration and no adjustment has been allowed for these expenses. Counsel for Nippon Zeon also claimed an adjustment for warehousing costs. No adjustment for warehousing costs was allowed since inadequate information was submitted to justify that the warehousing costs incurred were directly related to the sales under consideration.

Adjustments to the home market price, in purchase price situations, are allowed only for circumstances of sale which bear a direct relationship to the sales under consideration. Accordingly, warehousing costs for inventory purposes are not an allowable adjustment since these expenses are a fixed cost which must be borne regardless of whether particular sales are made. An adjustment could be made to the extent to which warehousing costs are documented as being related to specific sales. Such costs, in effect, are incident to transportation, and therefore are considered directly related to sales under consideration. In this case, insufficient documentation was submitted to indicate that warehousing costs were directly related to sales. For these reasons, no adjustment was allowed for warehousing costs.

Salesmen's expenses, in this case, consisted of salaries, bonuses, and various fringe benefits which are fixed costs and must, unlike commissions, be paid by the company irrespective of whether sales are made. Accordingly, no adjustment to the home market price was granted for salesmen's expenses.

Adjustments for technical services rendered by a foreign company in its home market for purchasers of its product may or may not be allowable. Again, the standard for consideration is whether the technical services are directly related to the sales under consideration. Technical services which relate to research and development from which a company benefits would be considered not directly related to the sales under consideration, and no adjustments would be allowable.

On the other hand, technical services rendered to customers in the foreign market for advice on items, such as usage or application of the product sold, may be an allowable adjustment. Such adjustments would be granted only to the extent to which the specific direct costs of the services rendered are documented. The documentation submitted in the instant case relates to the salaries, fringe benefits, bonuses, and travel expenses of the technicians employed for rendering technical services. These expenses, contrary to the "Withholding of Appraisement Notice" in this investigation, have been determined to be directly related to the sales under consideration, and these have been allowed.

e. *Result of fair value comparison.* Using the above criteria, purchase price was found to be lower than the weighted average home market price of such merchandise. Comparisons were made on a month-by-month basis on all butadiene acrylonitrile rubber from Japan sold to the United States during the period of investigation. Margins were found, ranging from 7 to 12 percent, on 77 percent of the sales compared. The weighted average margin on all sales was found to be 5.2 percent.

The United States International Trade Commission is being advised of this determination.

This determination is being published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)).

DECEMBER 29, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76-53 Filed 1-2-76;8:45 am]

WATER CIRCULATING PUMPS, WET MOTOR TYPE, SUITABLE FOR USE IN RESIDENTIAL AND COMMERCIAL HYDRONIC HEATING SYSTEMS FROM SWEDEN

Discontinuance of Antidumping Investigation

On September 26, 1975, there was published in the FEDERAL REGISTER a notice of "Tentative Discontinuance of Antidumping Investigation" (40 FR 44340) concerning water circulating pumps of the wet motor type, suitable for use in residential and commercial hydronic heating systems, from Sweden.

The statement of reasons for the tentative action was published in the above-mentioned notice, and interested persons were offered an opportunity to make written submissions or to present oral views in connection with the tentative discontinuance.

No written submissions or requests to submit oral views have been received. For the reasons stated in the notice of "Tentative Discontinuance of Investigation", I hereby discontinue the investigation of water circulating pumps, wet motor type, suitable for use in residential and commercial hydronic heating systems from Sweden.

This "Discontinuance of Antidumping Investigation" is published pursuant to § 153.15(d) of the Customs Regulations (19 CFR 153.15(d)).

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76-54 Filed 1-2-76;8:45 am]

DEPARTMENT OF JUSTICE

VOTING RIGHTS ACT AMENDMENTS OF 1975

Partial List of Determinations Pursuant to Voting Rights Act of 1965, as Amended

Section 4(b) of the Voting Rights Act of 1965, 42 U.S.C. 1973 et seq., as amended by the Voting Rights Act Amendments of 1975 (Public Law 94-73) requires that the Director of the Census determine whether, in any state or any political subdivision of a State "less than 50 percentum of the citizens of voting age were registered on November 1, 1972, or that less than 50 percentum of such persons voted in the Presidental Election of November 1972." 42 U.S.C. 1973b(b). Section 4(b) requires the Attorney General to determine whether any State or political subdivision of a State "maintained on November 1, 1972, any test or device," 42 U.S.C. 1973b(b). For purposes of this deter-

mination test or device is defined as "any practice or requirement by which any State or political subdivision provided any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, only in the English language, where the Director of the Census determines that more than 5 percentum of the citizens of voting age residing in such State or political subdivision are members of a single language minority." 42 U.S.C. 1973(f)(3).

The Director of the Bureau of the Census and the Attorney General have made their respective determinations pursuant to Sections 4(b) and 4(f)(3) with regard to some States and political subdivisions. Those jurisdictions which to date have been determined to meet the requirements of Section 4(b) are listed in the following table. Determinations of coverage of additional jurisdictions under Section 4(b) will appear in later issues of the FEDERAL REGISTER.

Dated: December 23, 1975.

EDWARD H. LEVI,
Attorney General.

DECEMBER 23, 1975.

DECEMBER 29, 1975.

STATES OR POLITICAL SUBDIVISIONS COVERED UNDER SECTION 4(b) OF THE VOTING RIGHTS ACT OF 1965, AS AMENDED BY THE VOTING RIGHTS ACT AMENDMENTS OF 1975

Specified language minority:	*State or political subdivision*
Spanish heritage	California
	Yuba County
	New Mexico
	Curry County
	McKinley County
	Otero County
American Indian	New Mexico
	McKinley County
	Oklahoma
	Choctaw County
	McCurtain County
	South Dakota
	Shannon County
	Todd County

[FR Doc.76-185 Filed 1-2-76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

COEUR D'ALENE DISTRICT MULTIPLE USE ADVISORY BOARD

Notice of Meeting

Pursuant to the requirements of the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Coeur d'Alene District Multiple Use Advisory Board will hold ad hoc committee meetings beginning at 10:00 a.m., February 4, 1976, at the Holiday Inn in Coeur d'Alene. These committees will discuss timber management, grazing, wildlife, occupancy trespass, and recreation permits. At 9:00 a.m., February 5, 1976, at the Holiday Inn in Coeur d'Alene, Idaho, the entire Advisory Board will meet to hear presentations on occupancy trespass and the District's timber management program. The committees will also act upon resolutions promulgated by the ad hoc committees.

The meeting is open to the public. Interested persons will have an opportunity at the end of committee business to make oral presentations to the committee or file written statements. Such requests should be made to the official listed below at least three days prior to the meeting.

Further information concerning this meeting may be obtained from BLM District Manager Larry Woodard, 1808 North Third Street, Coeur d'Alene, Idaho 83814. His telephone number is 208-664-8231. Minutes of the meeting will be available for public inspection and copying two weeks after the meeting at the BLM District Office in Coeur d'Alene, Idaho and the BLM Resource Area Headquarters in Cottonwood, Idaho.

LARRY L. WOODARD,
District Manager.

[FR Doc.76-24 Filed 1-2-76;8:45 am]

[Colorado C-23169-R/W]

WILLIAM GRUENERWALD & ASSOCIATES, INC.

Notice of Pipeline Application

DECEMBER 23, 1975.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), William Gruenerwald & Assocates, Inc., P.O. Box 909, Colorado Springs, Colorado, 80901, has applied for a right of way for 2 inch lateral gas pipeline connected to the existing Egnar Unit Gathering System. The line totals approximately 0.598 miles in length across the following lands in:

San Miguel County, Colorado across the NE¼SE¼, Sec. 19 and SE¼NW¼, and the SW¼, Sec. 20
T. 44 N., R. 19 W., N.M.P.M.

The facility will enable applicant to accommodate natural gas and condensate production from certain wells in San Miguel County, Colorado.

The purposes of this notice are: to inform the public that the Bureau of Land Management will be proceeding with the preparation of environmental and other analyses necessary for determining whether the application should be approved and, if so, under what terms and conditions; to allow interested parties to comment on the application, and to allow any persons asserting a claim to the lands or having bona fide objections to the proposed natural gas gathering pipeline right of way to file their objections in this office. Any person asserting a claim to the lands or having bona fide objections must include evidence that a copy thereof has been served on the applicant.

Any comment, claim, or objections must be filed with the Chief, Branch of Land Operations, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202, as promptly as possible after publication of this notice.

EVERETT K. WEEDIN,
Chief, Branch of Land Operations.

[FR Doc.76-23 Filed 1-2-76;8:45 am]

[Montana 32820]

MONTANA

Notice of Proposed Withdrawal and Reservation of Lands

DECEMBER 22, 1975.

This Bureau of Reclamation has filed an application, serial number M 32820, for the withdrawal of lands described below from all forms of appropriation under the public land laws including the mining laws, but not from leasing under the mineral leasing laws, subject to valid existing rights.

The applicant desires the land as a continuous source of material and rock for construction, operation, and maintenance of waterfowl nesting islands and dust abatement structures in connection with the Canyon Ferry Unit, Helena-Great Falls Division, Pick-Sloan Missouri Basin Program.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 316 North 26th Street, Billings, Montana 59101.

The Department's regulation (43 CFR 2351.4(c)) provides that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum utilization of the lands for the purpose other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

PRINCIPAL MERIDIAN, MONTANA

T. 7 N., R. 1 E.,
Sec. 26, NE¼,NE¼NW¼, S½NW¼

The area described contains 280 acres in Broadwater County, Montana.

EDGAR D. STARK,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.76-15 Filed 1-2-76;8:45 am]

Bonneville Power Administration

DRAFT FACILITY LOCATION SUPPLEMENT, WEST BURLEY, IDAHO

Public Meeting

Notice of a public information meeting is hereby given by the Bonneville Power Administration to solicit public comments on the Draft Facility Location Supplement to BPA's Fiscal Year 1977 Program Environmental Statement covering the proposed facilities for West Burley Service.

The Draft Facility Location Supplement on this proposal describes the environmental impact of constructing a 138-kV transmission line between the newly planned West Burley Substation (to be constructed by the customers) and BPA's Unity Substation, both near Burley, Idaho.

The purpose of this public information meeting is to present to the public alternative line locations relative to the proposed facility and to solicit comments from the public with respect to the environmental impacts of the alternatives.

A notice of availability on the Draft Facility Location Supplement for West Burley Service appeared in the FEDERAL REGISTER on December 23, 1975. Copies of the Draft Facility Location Supplement describing the proposal are available for inspection in the library of the Headquarters Office of BPA, 1002 N.E. Holladay Street, Portland, Oregon 97232; the BPA Walla Walla Area Office, West 101 Poplar Street, Walla Walla, Washington 99362; and at the Idaho Falls District Office, 531 Lomax Street, Idaho Falls, Idaho 83401.

A limited number of copies are also available and may be obtained by writing to the Environmental Office, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon 97208, or to the Walla Walla Area Manager or to the Idaho Falls District Manager at the above addresses.

The meeting covering the proposed West Burley Service Facilities will be held on Tuesday, February 10, 1976, at 8:00 p.m. in the Minidoka Room of The Ramada Inn, 800 N. Overland, Burley, Idaho.

All those wishing to comment must do so by February 20, 1976.

Dated: December 30, 1975.

WILLIAM H. CLAGETT,
Assistant Administrator.

[FR Doc.76-97 Filed 1-2-76;8:45 am]

PROCUREMENT CONTRACTING

Redelegations of Authority

Redelegations of authority published in the FEDERAL REGISTER on July 6, 1968 (33 FR 9784), and last amended on September 29, 1975 (40 FR 44590), are further amended by revising § 10.12 to read as follows:

10.12 *Materials, equipment, and other contracts.* a. The Chief, Branch of Materials and Procurement; the Head, Procurement Section; and the Heads of the Contract Units may exercise the authority delegated to the Contracts Manager in Subsection 10.10a to:

(1) Execute contracts, amendments to contracts, and procurement transactions for materials, equipment, and services, including the exchange or sale of personal property for replacement purposes;

(2) Execute contracts and amendments to contracts for construction or clearing when the amount involved does not exceed the limitation on negotiation found in Section 1-18.302 of the Federal Procurement Regulations.

(3) Authorize the publication of advertisements, notices, or proposals, pursuant to Section 3828 of the Revised Statutes, 82 Stat. 1305, 44 U.S.C. 3702 (1968).

(4) Execute contracts and amendments to contracts for the disposal of surplus personal property for which the Administration is the authorized disposal agency under delegations heretofore or hereafter made pursuant to the provisions of the Federal Property and Administrative Services Act of 1949, 63 Stat. 378, as amended, 40 U.S.C. 484 to 486 (1970).

b. The Purchasing Agents each may exercise the authority described in Subsections 10.12a (1) and (3) when the amount involved does not exceed the small purchase limitation found in 41 U.S.C. 252(c)(3), and the authority described in Subsection 10.12a(2) on construction and clearing contracts.

c. The Head of the Quality Control Section and his designees may exercise the authority of the Contracting Officers for materials and equipment contracts in administering the technical provisions of the contracts during manufacturing and production. This authority includes the functions of (1) acceptance or rejection of materials or equipment; (2) interpretation of technical specifications; (3) approval of tests; and (4) quality surveillance and review of factory operations.

d. The Head of the Receiving Inspection Unit and his designees may exercise the authority of the Contracting Officers for materials and equipment contracts in administering the technical provisions of the contracts at destination. This authority includes the (1) acceptance or rejection of materials or equipment; (2) approval of test results; and (3) determining corrections necessary to meet contract specifications or requirements.

(205 DM 5.1; 205 DM 9.3; 205 DM 9.4; 205 DM 10; 28 F.R. 9884; 205 DM 11.1; 39 F.R. 43630; 365 DM 1)

Dated: December 16, 1975.

RAY FOLEEN,
Acting Administrator.

[FR Doc.76-98 Filed 1-2-76;8:45 am]

Fish and Wildlife Service

ENDANGERED SPECIES PERMIT

Notice of Receipt of Application

DECEMBER 24, 1975.

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

Applicant: Tamir M. Ellis, Department of Biology, University of Miami, Coral Gables, Florida 33124.

OMB NO. 42-R1670

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE
LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (*Indicate only one*)
☐ IMPORT OR EXPORT LICENSE ☒ PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
The Capture of five (5) American Crocodiles, (Crocodylus acutus), for research purposes.
American Crocodiles are an endangered species.

3. APPLICANT. (*Name, complete address and phone number of individual, business, agency, or institution for which permit is requested*)
Tamir M. Ellis
Department of Biology
University of Miami
Coral Gables, Florida 33124

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:

☒ MR. ☐ MRS. ☐ MISS ☐ MS.	HEIGHT 5' 10"	WEIGHT 138 lbs.
DATE OF BIRTH March 13, 1975	COLOR HAIR Blond	COLOR EYES Hazel
PHONE NUMBER WHERE EMPLOYED (305) 284-4272	SOCIAL SECURITY NUMBER 267-41-9913	

OCCUPATION: Student, Research Associate.

ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT:
State of Florida, Game and Fresh Water Fish Commission.

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION:
The University of Miami is a private teaching and research institution.

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.
Dr. David H. Evans, Assoc. Prof.
phone number of above 284-4272.

IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED:
Florida Keys, specifically Key Largo.

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? ☐ YES ☒ NO
(*If yes, list license or permit numbers*)

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☒ YES ☐ NO
(*If yes, list jurisdictions and type of documents*)
State of Florida permit attached.

9. CERTIFIED CHECK OR MONEY ORDER (*if applicable*) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF: $

10. DESIRED EFFECTIVE DATE: ASAP

11. DURATION NEEDED: 1 year

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (*See 50 CFR 13.12(a)*) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.
17.22 paragraphs: 1,2,3,5,6,i,ii,iii,iv,v,7,8,i,ii,iii.

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (*In ink*): Tamir Ellis
DATE: 11/25/75.

3-200
(6/74)

RESPONSES TO FEDERAL PERMIT REGULATIONS, SECTION 17.22

NOVEMBER 25, 1975.

17.22 (1) The cover form 3–200 requests the authorization to capture from wild populations five (5) American Crocodiles, *Crocodylus acutus,* at the age of approximately 2 years and a size of approximately 3.5 feet. For our work the sex of the individuals is of no consequence.

(2) At present the specimens sought to be covered by the permit are still in the wild in the Key Largo area.

(3) The applicants have attempted to acquire the required specimens from several sources: (1) direct loan from the Crandon Park Zoo; however, the specimens maintained at the Zoo are much too large for our intents. (2) Through commercial means and animal dealers as Mr. Ross Allen and Cecil Clemmens, again the specimens offered by these individuals proved to be too large to be worked with safely, and exorbitantly expensive. In addition of the specimens presently in collections in captivity all are maintained in a completely fresh water media, which may hinder the developement of an ion excreting device.

The American Crocodiles we propose to capture will be maintained at the University of Miami, Coral Gables, Florida, within special control areas within the Department of Biology. The University itself is a teaching institution, with approximately 18,000 students, and is privately supported.

(6) i. The living specimens will be maintained in large wood and fiberglass aquaria measuring 8 feet in length, 4 feet in width and 2 feet in depth; each unit is heated and has its own filtration system that is responsible for the constant circulation of the water. A dry area will be provided for the animal so that it is at no time forced to remain in the water. The temperature in these rooms is 75° F. at all times, lighting is provided for 12 hour intervals, and access to the rooms is gained only by key of which two are issued, being held by Tamir M. Ellis and David H. Evans, who shall share responsibility for the animals. (A schematic diagram has been attached.)

ii. Tamir M. Ellis will be solely responsible for the care and maintenance of the Crocodiles; he has many years of experience in similar work, having raised juvenile crocodiles at this University in the course of his research, as well as serving as a consultant to the Museum of Science, 3280 South Miami Avenue, in Miami, in similar matters.

iii. It is our intention to work with 3.5 foot specimens which are not yet mature for a period of only one year. Therefore we would be unable to assist in any form of breeding program.

iv. Individuals captured will be placed in smooth fiberglass transport boxes as is customary for crocodiles. These boxes will be borrowed from Crandon Park Zoo, and the Florida Game and Fresh Water Fish Commission. Total transportation by car is not longer than 4 rours and no arrangements for feeding the specimens have been considered. (A diagram of the transporting boxes is attached).

v. In our work with juveniles of the species *C. acutus,* the only mortalities that have occurred were attributed to birth defects in the individuals, all carcasses have been preserved and saved for inspection purposes.

(7) No contracts or written agreements concerning the capture of the American Crocodiles have been entered. No persons other than Tamir M. Ellis or David H. Evans shall engage in activities of capture with the exception of the Florida Game and Fresh Water Fish Commission personnel.

(8) i. We request federal permitting for the following:

The capture and retention of five (5) American Crocodiles, and their transport and maintenance at the University of Miami, for research purposes, for a period of one (1) year.

A study of the Na balance of the species, by isotopic technique, which will not in any way be detrimental to the animals.

The return of the five (5) American Crocodiles back to the original wild population.

ii. A general outline of our preliminary data and our proposed research is appended. (A identical copy has been presented and approved by the State of Florida). Specifically, we propose to use the captured juvenile *C. acutus* to determine if salinity tolerance is age-dependent. (A graph of the typical response by hatchlings when immersed in 50% sea water has also been attached). These studies will involve placing the specimens in various brackish water salinities and monitoring their ability to regulate body fluid levels. This will involve measuring the weight of the animals at various intervals after transfer to a given salinity. If the animal is able to osmoregulate in the particular salinity its body weight will remain constant. If the animal is not osmoregulation and is losing water by osmosis his weight will decrease and his blood salt concentration will increase. Small blood samples will also be taken at intervals to monitor blood salt levels. It should be noted that animals will be removed from any salinity after a 10% loss in body weight has been found. This loss in body weight is far below critical levels but is enough to show the animals ability to osmoregulate.

If we find that these larger juveniles (3.5 feet) are able to tolerate salinities above the critical salinity maximum of the hatchlings (25% sea water) then we will determine the routes of salt efflux from the animal in this salinity. This will involve injecting the experimental animal with a small dose of radioactive sodium, having a short half life, ^{24}Na, cannulating the cloacal opening and placing the animal into a chamber with a partition separating the head and tail ends of the specimen. (See chamber drawing appended). We will then sample the external media to quantify the amount of radioactivity that leaves the animal via the head, cloaca, and integument. We can then compare these data with our preliminary data on the hatchling *C. acutus*.

We propose that these data should indicate directly if a functional salt excretory gland is found in the head region as it is in other marine reptiles and birds.

iii. Our research has relevance to both comparative physiology and the ecology/propagation of the species *Crocodylus acutus*. It is important to know if all marine or brackish water reptiles and birds have evolved the ability to tolerate high salinities by the acquisition of a specialized salt secretory gland. If the adult *C. acutus* can tolerate high salinities without a salt gland (as some have proposed) then what mechanisms are utilized? More importantly, if indeed hatchling *C. acutus* cannot tolerate salinities above 25% while adults can tolerate higher salinities then it is obvious that the decline in numbers of the species is due to the vastly lowered fresh water table in South Florida and that the species remaining populations could be enhanced by maintaining the wild populations in regions of low salinity until the young have acquired the ability to tolerate more brackish environments. It is a distinct possibility that the present range of *C. acutus*, which is almost entirely costal may, in fact, be unnatural and detrimental to the normal propagation of this species. It is hoped that our studies will give us some insight into this important question.

TAMIR M. ELLIS.

FLORIDA GAME AND FRESH WATER FISH COMMISSION

H.R. THOMAS, Chairman, Jacksonville — E. P. "SONNY" BURNETT, Vice Chairman, Tampa — LADLN M. [illegible], Miami — HOWARD ODOM, Marianna — GONALO G. BARRIOS DOS, Satellite Beach

DR. O. E. FRYE, JR., Director
H. E. WALLACE, Assistant Director

November 18, 1975

TO WHOM IT MAY CONCERN:

THIS IS TO AUTHORIZE MR. TAMIR ELLIS, DEPT. OF BIOLOGY, P. O. BOX 249118, UNIVERSITY OF MIAMI, CORAL GABLES, FLORIDA, 33124, TO CAPTURE AND TEMPORARILY POSSESS FIVE (5) AMERICAN CROCODILES APPROXIMATELY THREE (3) FEET IN LENGTH FOR RESEARCH PURPOSES, CONSISTENT WITH THE RULES AND REGULATIONS OF THE FLORIDA GAME AND FRESH WATER FISH COMMISSION AND THE U. S. FISH AND WILDLIFE SERVICE.

THIS PERMIT IS NOT VALID WITHOUT CORRESPONDING FEDERAL AUTHORIZATION.

THIS PERMIT WILL EXPIRE JUNE 30, 1976.

O. E. FRYE, JR., DIRECTOR

OEF:ms

cc: Major Louis Gainey
U. S. Fish & Wildlife Service

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before February 4, 1976, will be considered.

Dated: December 24, 1975.

C. R. BAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.75-82 Filed 1-2-76;8:45 am]

ENDANGERED SPECIES PERMIT

Notice of Receipt of Application

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

Applicant: University of Nevada, Las Vegas, Department of Biological Sciences, 4505 Maryland Parkway, Las Vegas, Nevada 89154. Dr. James E. Deacon, Chairman, Department of Biological Sciences.

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (indicate only
[ ] IMPORT OR EXPORT LICENSE
[XX] PERMIT

3. APPLICANT, (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)
Department of Biological Sciences
University of Nevada, Las Vegas

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
Research Associated with M.S. Thesis or Connected Work

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:

[ ] MR.
[ ] MRS.
[ ] MISS
[ ] MS.

HEIGHT	WEIGHT

DATE OF BIRTH	COLOR OF HAIR	COLOR OF EYES

PHONE NUMBER WHERE EMPLOYED
SOCIAL SECURITY NUMBER
OCCUPATION

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION
Educational Institution

ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR ETC.
Dr. James E. Deacon, Professor of Biology, Department Chairman

IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
Refugium Below Hoover Dam
Within Nevada, Clark County

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT?
[XX] YES [ ] NO
(If yes, list license or permit numbers).
PRT8-135-C

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE?
[ ] YES [XX] NO
(If yes, list jurisdictions and type of documents)
Nevada Fish and Game permit applied for.

9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO U.S.FISH & WILDLIFE SERVICE IN AMOUNT OF$

10. DESIRED EFFECTIVE DATE: 1 Nov. 1975

11. DURATION NEEDED: 2 years

12. ATTACHMENTS, THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12(b) MUST BE ATTACHED, IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.
Endangered Wildlife Permit Section: 17.23-See Attachments

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In ink) J. E. Deacon — DATE

UNIVERSITY OF NEVADA,
Las Vegas, Nev., November 5, 1975.

U.S. FISH AND WILDLIFE SERVICE,
Division of Law Enforcement,
Washington, D.C.

GENTLEMEN: The enclosed permit application for an Endangered Species Permit is submitted to you as a request to permit collection of up to 50 Devils Hole Pupfish, an endangered species living in a refugium constructed by the Department of Interior below Hoover Dam, Nevada. This permit is submitted to cover proposed activities associated with a Masters thesis written by Jack Williams, a graduate student in the Department of Biological Sciences, University of Nevada, Las Vegas. The Research Director for the thesis project is Dr. James E. Deacon, Chairman of the Department of Biological Sciences, University of Nevada, Las Vegas. An earlier permit was submitted to allow observational activities associated with the development of data on the thesis. In the course of defining the scope of the research, it became obvious to us that it would be necessary to collect and preserve up to 50 individuals. We propose to make these collections after developing information on fluctuations in population size during the course of a year. Such data will assist us in defining the best times to remove individuals from the population. We will, of course, undertake the removal activities during that time of year just prior to maximum mortality so as to impose our man-induced mortality on the population at a time when it would otherwise be declining from natural mortality factors.

The primary purpose for these collections will be to evaluate whether or not changes have occurred in the morphology of the Devils Hole Pupfish since being transplanted into the Hoover Dam Refugium. There has been continuing comment from observers in the scientific community to the effect that the pupfish population in the Hoover Dam Refugium looks different from the population in Devils Hole. An evaluation of the extent of this difference has been continuously urged by Dr. R. R. Miller and by numerous other people associated with the efforts to save the Devils Hole Pupfish. Because the population at Hoover Dam was established from a relatively small number of individuals, it is extremely important to document whether or not such changes are taking place.

I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part XIII of the Code of Federal Regulations and the other applicable parts in subchapter B of Chapter I of Title 50 and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement hereon may subject me to the criminal penalties of 18 U.S.C. 1001.

Sincerely,

JAMES E. DEACON,
Chairman, Department of Biological Sciences.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before February 4, 1976, will be considered.

Dated: December 29, 1975.

C. R. BAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.76-83 Filed 1-2-76;8:45 am]

National Park Service

MIDWEST REGIONAL ADVISORY COMMITTEE

Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Midwest Regional Advisory Committee will be held beginning at 2:00 p.m. (CST), on Wednesday, February 4, and continuing until approximately 12:00 noon, Friday, February 6, 1976, in Omaha, Nebraska.

The committee was established pursuant to Public Law 91–383 to provide for the free exchange of ideas between the National Park Service and the public, and to facilitate the solicitation of advice or other counsel from members of the public on problems and programs pertinent to the Midwest Region of the National Park Service.

The members of the advisory committee are as follows:

Honorable Robert W. Berrey III (Chairman)
Mrs. Mildred Curtis
Mr. Norman G. Duke
Mr. John J. Franke, Jr.
Mr. Glenn C. Gregg
Mr. Fred D. Hartley
Mr. Lewis W. Jones
Mr. William L. Lieber
Mr. Erwin D. Sias

The committee will meet at 2:00 p.m. (CST) Wednesday, February 4, in the Training Room of the Midwest Regional Office, National Park Service, 1709 Jackson Street, Omaha, Nebraska. On Thursday, February 5 and Friday, February 6, it will meet at 8:30 a.m. (CST) at the Omaha Granada Royal Hometel, 72nd Street and Mercy Road, Omaha, Nebraska. Topics for the meeting include the following:

1. Committee evaluation of NPS public input efforts in the Midwest Region.
2. NPS urban park areas in the Midwest Region: special characteristics, problems and opportunities.
3. Progress report covering current problems and activities.

The meeting will be open to the public. It is expected that in addition to the committee and staff about 20 persons will be able to attend. Any member of the public may file with the committee a written statement concerning matters to be discussed.

Persons wishing further information concerning this meeting, or who wish to submit written statements, may contact Bill W. Dean, Associate Regional Director, Cooperative Activities, Midwest Regional Office at area code 402, 211–3481. Minutes of the meeting will be available for public inspection four weeks after the meeting at the office of the Midwest Region, 1709 Jackson Street, Omaha, Nebraska 68102.

MERRILL D. BEAL,
Regional Director,
Midwest Region.

[FR Doc.76–161 Filed 1–2–76;8:45 am]

OZARK NATIONAL SCENIC RIVERWAYS

Notice of Intention To Issue Concession Permit

Pursuant to the provisions of Section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Superintendent, Ozark National Scenic Riverways, proposes to issue a Concession Permit to Douglas Keeling authorizing him to provide concession facilities and services for the public at Ozark National Scenic Riverways for a period of one (1) year from January 1, 1976, through December 31, 1976.

An assessment of the environmental impact of this proposed action has been made and it has been determined that it will not significantly affect the quality of the environment and that it is not a major Federal action having a significant impact on the environment under the National Environmental Policy Act of 1969. The environmental assessment may be reviewed in the Midwest Regional Office, 1709 Jackson Street, Omaha, Nebraska 68102, and in the Office of the Superintendent, Ozark National Scenic Riverways, Van Buren, Missouri.

The foregoing Concessioner has performed his obligations under an expiring permit to the satisfaction of the National Park Service and therefore, pursuant to the Act of October 9, 1965, as cited above, is entitled to be given preference in the renewal of the permit and in the negotiation of a new permit. However, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted on or before February 4, 1976.

Interested parties should contact the Superintendent, Ozark National Scenic Riverways, for information as to the requirements of the proposed permit.

Dated: December 29, 1975.

DAVID B. BUTTS,
Acting Associate Director,
National Park Service.

[FR Doc.76–162 Filed 1–2–76;8:45 am]

SLEEPING BEAR DUNES NATIONAL LAKESHORE ADVISORY COMMISSION

Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Sleeping Bear Dunes National Lakeshore Advisory Commission will be held at 1 p.m. (EST), January 30, 1976, at the Sail Inn Restaurant, 1579 U.S. 31, one mile south of Benzonia, Michigan.

The commission was established by Public Law 91–479 to meet and consult with the Secretary of the Interior on general policies and specific matters related to the administration and development of the Sleeping Bear Dunes National Lakeshore.

The members of the commission are as follows:

Mr. Noble D. Travis (Chairman)
Mr. John B. Dougherty
Mr. Carl T. Johnson
Mr. William B. Bolton
Mr. John D. Stanz
Mr. Charles H. Yeates
Mrs. C. R. Williams
Mr. Louis F. Twardzik
Mr. John H. Stahlin
Mr. Sam Eberly

The matters to be discussed at this meeting include:

1. Status of the Lakeshore land acquisition program.
2. Report of members Johnson and Stahlin on meetings with the Secretary of the Interior and others concerning the Lakeshore land acquisition program.
3. Superintendent's report.

The meeting will be open to the public. Any member of the public may file with the commission a written statement concerning the matters to be discussed.

Persons wishing further information concerning this meeting, or who wish to submit written statements, may contact J. A. Martinek, Superintendent, Sleeping Bear Dunes National Lakeshore, 400½ Main Street, Frankfort, Michigan 49635, telephone 616 352–9611. Minutes of this meeting will be available for public inspection four weeks after the meeting at the office of the Superintendent.

Dated: December 17, 1975.

MERRILL D. BEAL,
Regional Director,
Midwest Region.

[FR Doc.76–160 Filed 1–2–76;8:45 am]

FORT LARNED NATIONAL HISTORIC SITE

Notice of Public Meeting Regarding Environmental Assessment on Master Plan

A public meeting on an environmental assessment for the master plan for Fort Larned National Historic Site in Kansas will be held at 7:30 p.m. (CST), February 3 at the Pawnee County Courthouse in Larned, Kansas. Interested individuals, representatives of organizations and public officials are invited to express their views in person. Those not wishing to appear may submit written statements which should be filed with the Superintendent, Fort Larned National Historic Site, no later than March 3.

The assessment discusses the feasibility, environmental consequences and other aspects of the reasonable alternatives identified in preparation of a new master plan to take the place of the one now considered inadequate.

The environmental assessment may be reviewed in Room 1210 of the Department of the Interior Building at 18th and C Streets NW., Washington, D.C.; the Midwest Regional Office of the National Park Service, 1709 Jackson Street, Omaha, Ne.; or at the office of the Super-

intendent, Fort Larned National Historic Site, six miles west of Larned, Ks., on U.S. Highway 156. Copies may be obtained by writing the Superintendent, Fort Larned National Historic Site, Route 3, Larned, Ks., 67550.

Dated: December 17, 1975.

MERRILL D. BEALL,
Regional Director,
Midwest Region.

[FR Doc.75-35247 Filed 12-31-75;10:24 am]

Office of Hearings and Appeals

[Docket No. M 76-42]

QUEEN ANNE COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Queen Anne Coal Company has filed a petition to modify the application of 30 CFR 77.1605(k) to its Queen Anne No. 3 Mine, Lake City, Tennessee.

30 CFR 77.1605(k) provides:

Berms or guards shall be provided on the outer bank of elevated roadways.

In support of its petition Petitioner states:

1. The subject haulage road is only 3 miles in length, very wide, and well-maintained. Petitioner's traffic system has worked extremely well in the avoidance of all accidents. In sum, Petitioner has an excellent safety record in its hauling operations due to careful maintenance of rolling stock, supervised traffic system and extra wide roads.

2. Installation of berms on the side of the road would interfere with drainage, and water, resulting from snow, would collect on the road. Thus, the berms would create a hazard to rather than a protection of the drivers.

3. Petitioner believes that the safety precautions presently taken on the haulage road will guarantee a greater measure of protection to the truck drivers than will be afforded by the installation of berms or guardrails.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before February 4, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID TORBETT,
Acting Director,
Office of Hearings and Appeals.

DECEMBER 23, 1975.

[FR Doc.76-139 Filed 1-2-76;8:45 am]

[Docket No. M 76-40]

BETHLEHEM MINES CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Bethlehem Mines Corporation has filed a petition to modify the application of 30 CFR 75.305 to its Mine No. 60, Ellsworth, Pennsylvania.

30 CFR 75.305 provides:

In addition to the preshift and daily examinations required by this Subpart D, examinations for hazardous conditions, including tests for methane, and for compliance with the mandatory health or safety standards, shall be made at least once each week by a certified person designated by the operator in the return of each split of air where it enters the main return, on pillar falls, at seals, in the main return, at least one entry of each intake and return aircourse in its entirety, idle workings, and, insofar as safety considerations permit, abandoned areas. Such weekly examinations need not be made during any week in which the mine is idle for the entire week, except that such examination shall be made before any other miner returns to the mine. The person making such examinations and tests shall place his initials and the date and time at the places examined, and if any hazardous condition is found, such condition shall be reported to the operator promptly. Any hazardous condition shall be corrected immediately. If such condition creates an imminent danger, the operator shall withdraw all persons from the area affected by such condition to a safe area, except those persons referred to in section 104(d) of the Act, until such danger is abated. * * *

For the reasons specified below, Petitioner seeks modification of that portion of 30 CFR 75.305 which requires a certified person to make a weekly examination in each return split of air with respect to the return air course from the right side of 3 Butt, A.F.M. and the right side of 53 Mains, 1 Slope section and the return air courses paralleling the following mainline haulages: E. Face North, D. Face North, 33 Mains from D. Face North to outby A.F.N. junction and 53 Mains from 6 Butt, G.F.N. junction out to E.F.N. haulage and J.F.S. haulage. This is approximately 4½ miles of haulage.

1. The Somerset Mine No. 60 was formerly known as Cokeburg Mine No. 53. Mine No. 53 was acquired from Lackawanna Steel Company in 1922. Mine No. 60 was operated with the coal being hand loaded until September 1953. Most of the return air courses for the locations in question were driven approximately 25 to 30 years ago. Since some of this development was done before the advent of roof bolts for roof support, timbers had been used for support as part of the mining cycle. These timbers have long since deteriorated due to adverse conditions (moisture, roof pressures, etc.), leaving much of the roof unsupported; thus, there have been numerous roof falls in these return airways. The roof falls that have been encountered in attempts to travel these returns are high and, in some areas, very tight. In addition, there are some accumulations of water that are impassable in parts of these return air courses.

2. The return air courses described above have not been maintained or used to ventilate active workings since the time they were driven; these returns are impassable today due to the adverse conditions which exist in the areas under consideration. A survey of these entries has been completed and indicates that it would require 65 man-years to make the returns travelable. As a result of these adverse conditions, the air courses cannot be safely traveled for examination purposes on a weekly basis as required by the Act.

3. Petitioner proposes an alternate method for achieving the result contemplated by 30 CFR 75.305, which will at all times guarantee no less than the same protection afforded by such standard. This alternate method also eliminates the hazards which would be encountered if attempts were made to travel and also to rehabilitate every portion of the return air courses in the areas in question.

ALTERNATE METHOD

a. Despite the above-described conditions which exist in the return air courses in the areas in question, preparations have been made to install six (6) safe monitoring stations at which examinations for hazardous conditions can be conducted, as well as examinations for compliance with the mandatory health or safety standards. Air and methane readings will also be made at these monitoring stations to assure the air flow is in its proper course and usual volume.

b. Methane and air readings shall be made by a certified, competent person on a weekly basis, if not more frequently.

c. Methane will not be permitted to accumulate in the return air courses, as determined at the underground measuring stations, beyond legal limits.

d. Both access to and the measuring stations themselves will continue to be kept in safe condition.

e. A date board shall be located at each measuring station, and air quantity and methane readings shall be taken and recorded, including the initials of the certified person taking such readings, as well as the date and time the readings are taken.

f. Examinations will be made at each measuring station at least once each week.

g. All employees required to perform measurements at the underground stations will be certified for such work on the basis of state examinations.

Persons interested in this petition may request a hearing on the petition or furnish comments by February 4, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID TORBETT,
Acting Director,
Office of Hearings and Appeals.

DECEMBER 23, 1975.

[FR Doc.76-138 Filed 1-2-76;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Navy

NAVAL RESEARCH ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. I), notice is hereby given that the Naval Research Advisory Committee will hold a closed meeting on 29–30 January 1976 at the Naval Weapons Center, China Lake, California. The agenda will consist of matters which are classified in the interest of national security including various matters pertaining too the committee's general mission to advise on whether research and development efforts being conducted by the Department of the Navy are adequate in relation to the problems to be solved. The Secretary of the Navy for that reason has determined in writing that this meeting of the Naval Research Advisory Committee should be closed to the public because it is concerned with matters listed in section 552 (b) (1) of title 5, United States Code.

Dated: December 23, 1975.

H. B. ROBERTSON, JR.,
Rear Admiral, JAGC, U.S. Navy,
Judge Advocate General.

[FR Doc.76–85 Filed 1–2–76;8:45 am]

Office of the Secretary

DOD ADVISORY GROUP ON ELECTRON DEVICES

Notice of Advisory Committee Meeting

Working Group D (Mainly Laser Devices) of the DOD Advisory Group on Electron Devices (AGED) will meet in closed session at the Institute for Defense Analysis, Science and Technology Division, 400 Army-Navy Drive, Arlington, VA 22202 on 20 January 1976.

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

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

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

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

JANUARY 2, 1976.

[FR Doc.76–293 Filed 1–2–76;10:24 am]

DEPARTMENT OF AGRICULTURE

Forest Service

ROCK CREEK ADVISORY COMMITTEE

Notice of Meeting

The Rock Creek Advisory Committee will meet at 7:00 p.m. on Tuesday, January 20, 1976. Meeting place will be in Drummond, Montana, in the St. Michael's Catholic Church basement.

The purpose of this meeting is to receive status report on the Upper Rock Creek study by the Deerlodge National Forest and to review completed resource inventory reports for the Lower Rock Creek Planning Unit.

The meeting will be open to the public. Any member of the public who wishes to do so shall be permitted to file a written statement with the Committee before or after the meeting. To the exent that time permits, the Committee Chairman may permit interested persons to present oral statements at the meeting.

General participation by members of the public or questioning of Committee members or other participants shall not be permitted unless approved by the majority of Committee members.

Dated: December 22, 1975.

CHARLES B. TRIBE,
Multiple Use Coordinator,
Lolo National Forest.

[FR Doc.76–22 Filed 1–2–76;8:45 am]

BEARTRAP-DUTCHLER PLANNING UNIT

Notice of 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 Beartrap-Dutchler Planning Unit, Salmon National Forest, Idaho. The Forest Service report number is USDA–FS–DES (Adm) R4–76–9.

A draft environmental statement has been prepared on the proposed land use plan for the Beartrap-Dutchler Planning Unit in the Salmon National Forest, Lemhi County, Idaho. Approximately 169,596 acres are involved and have been divided into three management areas. The plans sets forth the allocation of land to various uses and activities; establishes objectives; and documents management direction, decisions, and coordination.

This draft environmental statement was transmitted to CEQ on December 23, 1975.

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

USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St. and Independence Ave. SW., Washington, D.C. 20250.
Regional Planning Office, USDA, Forest Service, Federal Building, Room 4403, 324–25th Street, Ogden, Utah 84401.
Forest Supervisor, Salmon National Forest, Forest Service Building, P.O. Box 729, Salmon, Idaho 83467.
District Forest Ranger, North Fork Ranger District, North Fork, Idaho 83466.

A limited number of single copies are available upon request to Forest Supervisor John L. Emerson, Salmon National Forest, P.O. Box 729, Salmon, Idaho 83467.

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 John L. Emerson, Salmon National Forest, P.O. Box 729, Salmon, Idaho 83467 by February 21, 1976, in order to be considered in the preparation of the final environmental statement.

Date: December 23, 1975.

DONALD A. SCHULTZ,
Acting Director,
Regional Planning and Budget.

[FR Doc.76–84 Filed 1–2–76;8:45 am]

Office of the Secretary

SUPERIOR NATIONAL FOREST

Transfer of Certain Lands

Correction

In FR Doc. 75–26173, appearing at page 45211, in the issue for Wednesday, October 1, 1975, in the third column, under the headings "St. Louis County, Fourth Principal Meridian", the fourth and fifth lines should read:

NE¼, SE¼NW¼, N½SE¼;
Sec. 3, lots 3 and 4, S½NW¼;

Rural Electrification Administration

SUNFLOWER ELECTRIC COOPERATIVE, INC.

Draft Environmental Impact Statement

Notice is hereby given that the Rural Electrification Administration has prepared a Draft Environmental Impact Statement in accordance with Section 102(2)(C) of the National Environmental Policy Act of 1969, in connection with a request for a loan guarantee from the

Rural Electrification Administration for Sunflower Electric Cooperative, Inc., 401 First National Bank Building, Hays, Kansas 67601 to finance a 50 megawatt combustion turbine at the Garden City Power Plant, Garden City, Kansas.

Additional information may be secured on request, submitted to Mr. Richard F. Richter, Assistant Administrator—Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. Comments are particularly invited 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 from which comments have not been requested specifically.

Copies of the REA Draft Environmental Impact Statement have been sent to various Federal, State, and local agencies, as outlined in the Council on Environmental Quality Guidelines. The Draft Environmental Impact Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C., Room 4310 at the borrower's address indicated above.

Comments concerning the environmental impact of the construction proposed should be addressed to Mr. Richter at the address given above. Comments must be received on or before March 5, 1976, to be considered in connection with the proposed action.

Final REA action with respect to this matter (including any release of funds) will be taken only after REA has reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 22d day of December, 1975.

DAVID H. ASKEGAARD,
Acting Administrator,
Rural Electrification Administration.

[FR Doc.76-100 Filed 1-2-76;8:45 am]

CAJUN ELECTRIC POWER COOPERATIVE, INC. NEW ROADS, LA.

Final Environmental Statement

Notice is hereby given that the Rural Electrification Administration has prepared a Final Environmental Statement in accordance with Section 102(2)(C) of the National Environmental Policy Act of 1969, in connection with a proposed loan application from Cajun Electric Power Cooperative, Inc., P.O. Box 578, New Roads, Louisiana 70760. This proposed loan application, together with funds from other sources, will provide for the construction of two 540 MW coal-fired generating units and related facilities to be located on the Mississippi River in Pointe Coupee Parish, approximately four miles northeast of New Roads, Louisiana.

Additional information may be secured on request, submitted to Mr. Richard F. Richter, Assistant Administrator-Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. The Final Environmental Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue, SW., Washington, D.C., Room 4322, or at Cajun Electric Power Cooperative, Inc., P.O. Box 578, New Roads, Louisiana 70760. Final action may be taken with respect to this matter after February 4, 1976.

Any loan which may be made pursuant to this proposed application will be subject to, and release of funds thereunder will be contingent upon, REA's reaching satisfactory conclusions with respect to environmental effects and Final REA action will be taken only after compliance with Environmental Statement procedures required by the National Environmental Statement procedures required by the National Environmental Policy Act of 1969.

Dated at Washington, D.C., this 19th day of December 1975.

DAVID H. ASKEGAARD,
Acting Administrator,
Rural Electrification Administration.

[FR Doc.76-171 Filed 1-2-76;8:45 am]

Soil Conservation Service

COTTONWOOD-WALNUT CREEK WATERSHED PROJECT, N.M.

Availability of Final Environmental Impact Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental impact statement (EIS) for the Cottonwood-Walnut Creek Watershed Project, Chaves and Eddy Counties, New Mexico, USDA-SCS-EIS-WS-(ADM)-74-2-(F)-NM.

The environmental impact statement concerns a plan for watershed protection, flood prevention, and recreation. The planned works of improvement include conservation land treatment and structural measures. The structural measures include eleven floodwater retarding structures, one multipurpose structure with flood detention capacity and recreation storage with associated recreation facilities, five floodwater diversions and channel work. The channel work involves construction of about 4.8 miles of new channel and about 4.9 miles of channel enlargement on the lower end of Cottonwood Creek, an existing natural channel with limited intermittent and ephemeral flow in the reach where channel work is planned. The recreation development will provide an estimated 63,970 visitor-days of use annually.

Cottonwood-Walnut Creek Watershed Project, New Mexico. Notice of Availability of Final Environmental Impact Statement.

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

A limited supply of the final statement is available to fill single copy requests at the following location.

Soil Conservation Service, USDA, 517 Gold Avenue, S.W., Albuquerque, New Mexico 87103.

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

Dated: December 23, 1975.

JOSEPH W. HAAS,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.76-12 Filed 1-2-76;8:45 am]

ELK TWOMILE CREEK WATERSHED PROJECT, W. VA.

Availability of Negative Declaration

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

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. James S. Bennett, State Conservationist, Soil Conservation Service, USDA, Federal Building, High Street, Morgantown, West Virginia 26505, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection and flood prevention. The remaining planned works of improvement as described in the Negative Declaration include conservation land treatment supplemented by four single-purpose floodwater retarding structures.

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

Soil Conservation Service, USDA, Federal Building High Street, Morgantown, West Virginia 26505

Requests for the Negative Declaration should be sent to the above address.

No administrative action on implementation of the proposal will be taken until January 20, 1976.

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

Dated: December 22, 1975.

JOSEPH W. HAAS,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.76-13 Filed 1-2-76;8:45 am]

OKATOMA CREEK WATERSHED PROJECT, MISS.

Availability of Final Environmental Impact Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental impact statement (EIS) for the Okatoma Creek Watershed Project, Smith, Simpson, Covington, Jones and Forrest Counties, Mississippi, USDA-SCS-EIS-WS-(ADM)-75-1-(F)-MS.

The EIS concerns a plan for watershed protection, flood prevention, and recreation. The planned works of improvement provide for conservation land treatment, 14 floodwater retarding structures, one multiple-purpose structure for flood prevention and recreation, basic recreation facilities, 53.7 miles of channel work (31.9 miles of channel clearing, 10.2 miles of channel clearing and shaping, 9.7 miles of channel enlargement and 1.9 miles of channel excavation or excavated floodway), and a levee system around the Collins Airport.

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

Okatoma Creek Watershed Project, Mississippi. Notice of Availability of Final Environmental Impact Statement.

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

Soil Conservation Service, USDA, Room 590 Milner Building, 310 S. Lamar Street, or P.O. Box 610, Jackson, Mississippi 39205.

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

Dated: December 22, 1975.

JOSEPH W. HAAS,
Deputy Administrator for Water Resources Soil Conservation Service.

[FR Doc.76-14 Filed 1-2-76;8:45 am]

SHAWNEE RESOURCE CONSERVATION AND DEVELOPMENT MEASURE NO. 578, BRIER CREEK FLOOD PREVENTION AND LAND DRAINAGE, ILL.

Availability of Negative Declaration

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, and § 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550), August 1, 1973; and § 650.8 (b)(3) of the Soil Conservation Service Guidelines (39 FR 19651), June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Brier Creek Flood Prevention and Land Drainage Measure, Saline County, Illinois.

The environmental assessment of this federal action indicates that the measure will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with it. As a result of these findings, Mr. Daniel E. Holmes, State Conservationist, Soil Conservation Service, USDA, Federal Building, 200 West Church Street, Champaign, Illinois 61820, has determined that the preparation and review of an environmental impact statement is not needed for this measure.

The measure concerns a plan for conservation land treatment, 2.5 miles of channel work on a previously manmodified intermittent channel, approximately 19 side inlet water control structures and selected environmental considerations.

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

Soil Conservation Service, USDA, 200 West Church Street, Champaign, Illinois 61820.

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

No administrative action on implementation of the proposal will be taken until 15 days after the date of this notice.

(Catalog of Federal Domestic-Assistance Program No. 10.901, National Archives Reference Service)

Dated: December 23, 1975.

NEIL F. BOGNER,
Acting Deputy Administrator for Field Services, Soil Conservation Service.

[FR Doc.76-21 Filed 1-2-76;8:45 am]

UPPER CHOPTANK RIVER WATERSHED PROJECT, DEL. AND MD.

Notice of Availability of Draft Environmental Impact Statement

Pursuant to Section 102(2)(C) of the National Environmental Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650.7(e) of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, has prepared a draft environmental impact statement for the Upper Choptank River Watershed Project, Kent County, Delaware, Caroline and Queen Anne's Counties, Maryland, USDA-SCS-EIS-WS-(ADM)-76-1-(D)-DE.

The environmental impact statement concerns a plan for watershed protection, flood prevention, and drainage. The planned works of improvement include conservation land treatment supplemented by channel work. The channel work remaining to be completed will involve clearing and excavation on 212 miles of existing channels to provide improved water management in a flatland watershed that is 43 percent agricultural cropland and grassland. Of the 212 miles of work proposed on existing streams or channels, 108 miles will involve those with only ephemeral flow, and 38 miles with intermittent flow. The balance involves either existing ponded or flowing water.

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

Soil Conservation Service, USDA, Treadway Towers, Suite 2-4, 9 E. Loockerman Street, Dover, Delaware 19901.

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

Comments concerning the proposed action or requests for additional information should be addressed to Otis D. Fincher, State Conservationist, Soil Conservation Service, Treadway Towers, Suite 2-4, 9 E. Loockerman Street, Dover, Delaware 19001.

Comments must be received on or before February 20, 1976 in order to be considered in the preparation of the final environmental impact statement.

Dated: December 24, 1975.

JOSEPH W. HAAS,
Deputy Administrator for Water Resources, Soil Conservation Service.

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

[FR Doc.76-143 Filed 1-2-76;8:45 am]

DEPARTMENT OF COMMERCE

Bureau of the Census

VOTING RIGHTS ACT AMENDMENTS OF 1975

Partial List of Determinations Pursuant to Voting Rights Act of 1965, as Amended

CROSS REFERENCE: For a document issued jointly by the Department of Commerce, Bureau of the Census, and the Department of Justice, see FR Doc. 76-185 appearing in the notices section of this issue under the Department of Justice.

Domestic and International Business Administration

TEXAS CHRISTIAN UNIVERSITY, ET AL.

Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of

scientific articles pursuant to Section 6 (c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before January 26, 1976.

Amended regulations issued under cited Act, (40 FR 12253 et seq. 15 CFR 701, 1975) prescribe the requirements applicable to comments.

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

Docket Number: 76–00218. Applicant: Texas Christian University, Chemistry Department, Fort Worth, Texas 76129. Article: Fourier Transformation Nuclear Magnetic Resonance Spectrometer Model JNM–FX–60. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for rapid proton and C–13 studies of CIDNP phenomena induced by the photochemical decomposition of dioxetanes and related materials, the determination of organic natural product structures using C–13 NMR. These will usually involve small amounts of materials and pose problems of line assignments which can only be resolved by using sophisticated experimental techniques. Application received by Commissioner of Customs: December 1, 1975.

Docket Number: 76–00220. Applicant: U.S. Environmental Protection Agency, Gulf Breeze Environmental Research Laboratory, Sabine Island, Gulf Breeze, Fla. 32561. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of biological materials, mainly fish and invertebrate tissues derived from experimental animals, exhibiting both normal and pathologic structure. The experiments to be conducted include experiments on the normal structure and physiological behavior of cells and tissues in regard to toxicant effect. In addition, variations in the behavior of cells and tissues under experimental pathological conditions will be studied. Application received by Commissioner of Customs: December 1, 1975.

Docket Number: 76–00221. Applicant: University of Miami, Coral Gables, Florida 33124. Article: Current Meter, Model RCM–4 with 30 minute timing plug. Manufacturer: Ivar Aanderaa, Norway. Intended use of article: The article is intended to be used in an experiment to distinguish between motions of the density surface due to internal waves and apparent motions of a temperature surface. This study has a significant bearing on the usual method of measuring internal waves by measuring the temperature field. Application received by Commissioner of Customs: December 1, 1975.

Docket Number: 76–00222. Applicant: Harvard University, Museum of Comparative Zoology, 26 Oxord Street, Cambridge, Mass. 02138. Article: Electron Microscope, Model EM 9S–2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for investigations of comparative morphology and embryology of both vertebrates and marine invertebrates. The materials that will be studied range from small but complex larvae of bivalve mollusks and bryozoans to specific tissues involved in respiratory and osmotic membranes of synbranchiform fishes.

Primary use of the article will be in the following projects: (1) comparative cytology and embryology of deuterostome invertebrates, (2) comparative life-histories of bivalve mollusks, and (3) comparative functional morphology of fish.

The article will also be used for instructing inexpecienced investigator in the use of electron microscope. Application received by Commissioner of Customs: December 1, 1975.

Docket Number: 76–00223. Applicant: Metropolitan Medical Center, 900 South 8th Street, Minneapolis, Minnesota 55405. Article: EMI Scanner System with Magnetic Tape System, Diagnostic Display Console and Data Transfer Module. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used to generate data regarding the brain and bony structures of the head. Clinical research on various neuro-abnormalities will be recorded and followed with the objective of increasing the diagnostic capacity of physicians in the area of the brain. In addition, the article will be used in the course Neuro-Radiology to thoroughly acquaint the student with the physical concept and principle of computerized axial tomography. Application received by Commissioner of Customs: December 1, 1975.

Docket Number: 76–00224. Applicant: Albany Medical Center Hospital, 47 New Scotland Avenue, Albany, New York 12208. Article: EMI Scanner System with Magnetic Tape System and Diagnostic Display Console. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used in two research projects relating to problems of hydrocephalus. The first hydrocephalus project is a study to determine the type and development of hydrocephalus following trauma to the head or nontraumatic subarachnoid hemorrhage and would involve weekly head scans following the bleeding incident for a period of about three months. The other hydrocephalus study will be carried out on children who have meningoceles in which it is anticipated that sequential EMI scanning might possibly classify these children into two groups, the first those with hydrocephalus and brain hypoplasia and the second those wtihout hydrocephalus. In a third project EMI scans will be done on tumor specimens obtained at either surgery or postmortem. It is also planned to utilize the EMI Scanner in residency training programs in Radiology, Neurology and Neurosurgery to teach individuals the value and usefulness of brain scanning in the diagnosis and treatment of intracranial disease. Application received by Commisioner of Customs: December 3, 1975.

Docket Number: 76—00225. Applicant: Smithsonian Institution. Astrophysical Observatory, 60 Garden Street, Cambridge, Mass. 02138. Article: Multiple Mirror Telescope Mount. Manufacturer: S.P.A. ——rni Ed Impianti Industriali, Italy. Intended use of article: The article is intended to be used as a major component of a large-ground-based astronomical telescope of new and unique concept utilizing six 72-inch mirrors. The mount system will support and position a telescope tube assembly (tube) and its associated optics. Application received by Commissioner of Customs: December 4, 1975.

Docket Number: 76–00226. Applicant: St. Vincent Charity Hospital, 2351 East 22nd Street, Cleveland, Ohio 44115. Article: Electron Microscope, Model EM 201C. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used in training of residents in pathology in which they will work intermittently with this instrumentation during their two years service in Anatomical Pathology. The objectives are to train these residents to add a new parameter to their studies in surgical pathology and autopsies. Application received by Commissioners of Customs: December 4, 1975.

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

RICHARD M. SEPPA,
Director,
Special Import Programs Division.

[FR Doc.76–131 Filed 1–2–76;8:45 am]

National Oceanic and Atmospheric Administration

SEA GRANT ADVISORY PANEL

Notice of Public Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C., Appendix I (Supp. III, 1973), notice is hereby given of a special meeting of the Sea Grant Advisory Panel on Tuesday, February 10, 1976. The meeting will commence at 9:00 a.m. in Room 6802, Department of Commerce. The meeting will be open to the public. Approximately 30 seats will be available to the public on a first-come, first served basis.

The agenda for the meeting will be as follows:

9:00 a.m.—Sea Grant Legislation.
2:00 p.m.—Review of New Criteria for Sea Grant College Designation.
5:00 p.m.—Adjourn.

Interested persons may submit written statements relevant to the Panel's areas of interest before or after the meeting or by mailing such statements to the Executive Secretary at the address below.

Inquiries regarding the Panel or the meeting may be directed to the Executive Secretary, A. G. Alexiou, National Oceanic and Atmospheric Administration (SG), Page Building 1, 3300 Whitehaven Street, NW., Washington, D.C. 20235, (Telephone: 202/634-4019).

Dated: December 30, 1975.

T. P. GLEITER,
Assistant Administrator for Administration, National Oceanic and Atmospheric Administration.

[FR Doc.76-137 Filed 1-2-76;8:45 am]

Office of the Secretary

[Dept. Admin. Order 217-14]

ENVIRONMENTAL POLLUTION CONTROL AT DEPARTMENT FACILITIES

Policies and Procedures

Section 1. Purpose.

.01 This order prescribes policies, procedures, and responsibilities for the implementation of Executive Order 11752, dated December 17, 1973, a copy of which is appended hereto. A copy of the Appendix is on file with the original of this document with the Office of the Federal Register.

.02 Executive Order 11752 requires the Federal government, with respect to the design, construction, management, operation and maintenance of Federal facilities, to provide leadership in the nationwide effort to protect and enhance the quality of our air, water and land resources through compliance with applicable standards for the prevention, control and abatement of environmental pollution, in full cooperation with State and local governments.

Section 2. Definition.

The term "facilities" includes the buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property used to carry out Departmental activities.

a. Where the facility is owned by the Federal government and under the jurisdiction of the Department, the Department is responsible for complying with the provisions of the Executive Order.

b. Where Departmental activities are conducted at a facility leased by the Department, the owner of the facility is responsible for complying with the provisions of the Executive Order unless there is a specific agreement to the contrary giving the Department lessee such responsibility.

Section 3. Responsibilities.

.01 The *Deputy Assistant Secretary for Environmental Affairs*, Office of the Assistant Secretary for Science and Technology, shall:

a. Coordinate the activities required by the Executive Order within the Department and between Department organizations and other Federal agencies and State and local governments.

b. Submit reports required by the Executive Order and by Section 7 of OMB Circular No. A-106 to the Director, Office of Management and Budget (OMB).

.02 *Heads of operating units*, with regard to facilities under their jurisdiction, shall, as provided in section 3 of the Executive Order:

a. Cooperate with Federal, interstate, State and local agencies in the prevention, abatement and control of environmental pollution. This includes consultation, as needed, with officials of such agencies concerning the best methods available to attain prescribed levels of control.

b. In accordance with guidelines issued by the Administrator, Environmental Protection Agency (EPA), provide Federal, interstate, State and local agencies with all required information which is not otherwise protected from disclosure.

c. Develop an abatement plan and schedule for meeting the standards set forth in section 4 of the Executive Order.

d. Submit by November 30, each year, to the Deputy Assistant Secretary for Environmental Affairs, a plan to provide for such improvement in the design, construction, management, operation and maintenance of existing facilities as may be necessary to meet applicable standards developed to implement section 4 of the Executive Order. These plans must also conform with the provisions of Department Administrative Order 216-6, "Statement on Proposed Federal Actions Affecting the Environment."

e. Insure that new facilities are designed, constructed, managed, operated and maintained in accordance with the requirements of section 4 of the Executive Order.

f. Accommodate in all budget requests for the design and construction of new facilities or for modification of existing facilities funds for such measures as may be necessary to meet applicable standards specified in section 4 of the Executive Order.

Section 4. Approving Exemptions.

.01 *Heads of operating units* shall identify, to the Deputy Assistant Secretary for Environmental Affairs, facilities or uses thereof which should be exempted from applicable standards specified in section 4 of the Executive Order. The reasons for such identification shall be explained in complete detail, on the basis that (a) it is in the interest of national security, or (b) it is an extraordinary case and is in the paramount interest of the United States, and (c) it is permissible under applicable Federal law.

.02 The *Deputy Assistant Secretary for Environmental Affairs*, upon receipt of relevant information, shall evaluate it and communicate his recommendation on the proposed exemption to the Secretary.

.03 The *Secretary* shall approve or disapprove the exemption based upon:

a. The analysis and recommendation of the Deputy Assistant Secretary for Environmental Affairs;

b. Consultation with the Administrator, EPA, in cases of approval; and

c. After approval of the Director, OMB, if the Administrator, EPA did not concur in an exemption, and the Administrator, EPA, is not the final determiner of an exemption under applicable Federal statute.

Effective date: December 1, 1975.

GUY W. CHAMBERLIN, Jr.,
Acting Assistant Secretary for Administration.

[FR Doc.76-134 Filed 1-2-76;8:45 am]

[Department Organization Order 25-5B]

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Organization

This order effective December 4, 1975, supersedes the materials appearing at 39 FR 17786 of May 20, 1974, 39 FR 26766 of July 23, 1974, 39 FR 43565 of December 16, 1974, and 40 FR 5553 of February 6, 1975.

SECTION 1. PURPOSE

.01 This order prescribes the organization and assignment of functions within the National Oceanic and Atmospheric Administration (NOAA). The scope of authority and functions of NOAA are set forth in Department Organization Order 25-5A.

.02 This revision incorporates all previously issued amendments. The functional statement of the Associate Administrator for Marine Resources has been revised to allow for the creation of an Office of Marine Minerals (Section 5.); it also substitutes the phrase "traffic management" for "transportation services" and adds the phrase "procurement and grants management" to the functional statement of the Administrative Operations Division under the Assistant Administrator for Administration (paragraph 8.01); retitles the Program Manager for Weather Modification as the Weather Modification Program Office (subparagraph 17.01d.); retitles the Program Manager for Marine Ecosystems Analysis as the Marine Ecosystems Analysis Program Office and more clearly defines its functions (subparagraph 17.01e.); and establishes the Outer Continental Shelf Environmental Assessment Program Office in the Environmental Research Laboratories (ERL) (subparagraph 17.01f).

SECTION 2. ORGANIZATION STRUCTURE

The organization structure and line of authority of NOAA shall be as depicted in the attached organization chart (Exhibit 1). A copy of the chart is on file with the original of this document with the Office of the Federal Register.

SECTION 3. OFFICE OF THE ADMINISTRATOR

.01 The *Administrator* of NOAA formulates policies and programs for achiev-

ing the objectives of NOAA and directs the execution of these programs.

.02 The *Deputy Administrator* assists the Administrator in formulating policies and in managing NOAA.

.03 The *Associate Administrator* assists the Administrator and the Deputy Administrator in formulating policies and programs and in managing NOAA.

.04 The *Executive Office* shall perform such services as will facilitate the handling of matters and execution of actions by the Administrator and other officials within the Office fo the Administrator.

.05 The *Naval Deputy to the Administrator* shall insure necessary coordination and joint planning with the Navy on oceanographic programs of mutual organizational interest.

SECTION 4. SPECIAL STAFF OFFICES

.01 The *Office of General Counsel* shall provide legal services for all components of NOAA and shall be responsible for the preparation or review of all legislative proposals emanating from any component of NOAA, for the expression of NOAA's views as to the merits of proposed or pending legislation, and for statements concerning pending legislation to be made before committees of Congress. These activities shall be carried out subject to the overall authority of the Department's General Counsel as provided in Department Organization Order 10–6.

.02 The *Office of Congressional Liaison* shall coordinate contacts with the Congress, except for matters relating to appropriations. These activities shall be carried out in coordination with and in recogniton of the responsbilities of the Departmental Office of Congressional Affairs.

.03 The *Office of International Affairs* shall recommend policies and plans for U.S. participation in international activities relating to NOAA's programs; coordinate NOAA's policies on treaties and international multilateral and bilateral agreements; prepare and coordinate positions for U.S. participation in international organizations and maintain liaison with those organizations providing protocol and secretariat functions, as required, for U.S. representatives; manage NOAA's international training program; and coordinate and advise on special programs for bilateral cooperation with foreign countries including U.S. AID programs. The office shall provide a broad overview of international fisheries affairs. The Office of International Affairs will work through the offices of the Associate Administrator and appropriate major line components on matters of substance.

.04 The *Office of Public Affairs* shall recommend objectives and policies relating to public affairs; plan and conduct an information and education program to insure that the public, Congress, user groups, and employees are properly informed of matters relating to NOAA's activities and environmental safety and conservation; and provide direction to all public affairs activities within NOAA. These activities shall be carried out in collaboration with the Departmental Office of Communications.

.05 The *Office of Ecology and Environmental Conservation* shall act as a central point to which ecological and environmental conservation interests can communicate their views on NOAA activities; act as a focal point for the review of all NOAA activities which impinge upon ecological and environmental conservation matters; review NOAA activities to insure full compliance with the purposes and provisions of Sections 102 and 103 of the National Environmental Policy Act of 1969; coordinate preparation, within NOAA, of environmental statement and comments required by Section 102 of the Act; and represent NOAA within the interagency councils of the Govrenment on matters that involve ecology or environmental quality within NOAA's assigned responsibilities.

SECTION 5. ASSOCIATE ADMINISTRATOR FOR MARINE RESOURCES

The Associate Administrator for Marine Resources shall maintain cognizance over and establish policy for NOAA's marine resources, marine environment management and protection, mapping, charting, and geodetic programs, as well as those programs closely related thereto. He shall not maintain cognizance over or establish policy for NOAA's real time marine environmental predictions (including observations related thereto) which are assigned to the Associate Administrator for Environmental Monitoring and Prediction, or the coastal zone management and marine sanctuaries programs which are assigned to the Assistant Administrator for Coastal Zone Management. As the primary program policy officer for marine resources, marine environment management and protection, mapping, charting, and geodetic programs, he shall:

Undertake long-range policy planning and analysis; recommend NOAA policy to the Administrator; and provide guidance on long-range goals and plans to NOAA's operating elements.

Assure development of plans and programs for adequate operational services and research and technology for meeting user requirements.

Maintain current projections of resources required to implement approved plans, and make recommendations on existing and future programs.

Monitor and evaluate assigned programs in terms of planned accomplishments, quality and degree of responsiveness to user needs; and recommend, as necessary, program curtailments, redirections, expansion and new program initiatives.

Discharge Federal coordinating functions assigned to Commerce under OMB Circular A–16 (National Geodetic Control and Related surveys), Federal coordination of marine mapping, charting and geodesy, and others as may be assigned by the Administrator.

Act as NOAA's focal point for coordination of marine affairs with the National Science Foundation; develop and coordinate NOAA's posture for relevant deliberations by the Committees of the Federal Council for Science and Technology and the Committees of the National Academies of Science and Engineering.

Develop NOAA policy and provide continuing direction an doverview of international fisheries affairs, including participation in negotiation within international forums, commissions, and agreements; provide the NOAA focal point for management and coordination of NOAA's responsibilities in assigned marine science bilateral international agreements including those for which NOAA is assigned lead U.S. agency functions.

Provide direct policy and program overview of programs in marine environmental protection, including those of major regional significance; act as NOAA's focal point in developing NOAA's posture in dealing with related programs of other agencies, including the required interagency coordination to assure that assigned programs are coordinated with related programs of other agencies.

Provide management and coordination for the manned undersea science and technology program and other special programs assigned by the Administrator.

Develop NOAA policy and provide management and coordination for Marine Minerals Programs; and act as NOAA's focal point in developing and coordinating these programs in relation to programs and requirements of other agencies, industry and other elements of the private sector.

SECTION 6. ASSOCIATE ADMINISTRATOR FOR ENVIRONMENTAL MONITORING AND PREDICTION

The Associate Administrator for Environmental Monitoring and Prediction shall maintain cognizance over and establish policy: for environmental satellite, meteorological, hydrologic, marine environmental services, climatological, upper atmospheric and space, geomagnetic and seismologial programs which entail monitoring and prediction of the environment; for activities in intentional and inadvertent environmental modification; and for aircraft resources. The marine environmental services program includes marine environmental observations necessary for the prediction of coastal zone and oceanic conditions and those required on a routine basis for the measurement of pollution and other ocean constituents. He shall also be the NOAA focal point for planning emergency readiness and preparedness against natural disasters. As the primary program policy officer for all activities indicated above, he shall:

Undertake long-range policy planning and analysis; recommend NOAA policy to the Administrator; and provide guidance on long-range goals and plans to NOAA's operating elements.

Assure the development of plans and programs for adequate research, tech-

nology and operational services for meeting user requirements. Maintain current projections of resources required to implement approved plans, and make recommendations on existing and future programs.

Monitor and evaluate assigned programs in terms of planned accomplishments, quality and degree of responsiveness to user needs; and recommend as necessary, program curtailments, redirections, expansions and new program initiatives.

Carry out Department of Commerce responsibilities under the Weather Modification Reporting Act, P.L. 92–205, 15 U.S.C. 330–330e.

Conduct or monitor studies of the economic, social, and legal ramifications of environmental modification and conduct or monitor studies of unwanted side effects.

Establish policy on the scheduling and utilization of Research Flight Facility aircraft in conjunction with the Director of the Environmental Research Laboratories: monitor the development of a plan for the modernization of the Research Flight Facility; and monitor the management and allocation of NOAA aircraft resources, including reviews of the adequacy of flying safety programs.

Provide management and coordination for the Global Atmospheric Research Program (GARP) of the World Weather Program, International Hydrologic Decade, the special foreign currency program and other special programs assigned by the Administrator.

Act as NOAA's focal point for coordination with the National Science Foundation; develop and coordinate NOAA's posture for relevant deliberations by the Committees of the Federal Council for Science and Technology; and participate in interagency and international coordination and negotiation to assure that assigned programs are coordinated with related programs of other agencies.

Act as NOAA's focal point for relevant coordination with Committees of the National Academy of Sciences and the National Academy of Engineering.

Discharge Federal coordinating functions assigned to Commerce under OMB Circular A–62 (Federal meteorological services), those assigned to NOAA for the World Weather Watch, the Global Atmospheric Research Program, the Integrated Global Ocean Station System, and others as may be assigned by the Administrator.

SECTION 7. ASSISTANT ADMINISTRATOR FOR COASTAL ZONE MANAGEMENT

The Assistant Administrator for Coastal Zone Management shall maintain cognizance over and establish policy for NOAA's coastal zone management and marine sanctuaries programs and other closely related programs. This shall not include NOAA's marine resources, marine environment management and protection, mapping, charting, or geodetic programs. As the primary program policy officer for coastal zone management and marine sanctuaries programs, he shall:

Serve as the focal point for the coordination with state, Federal and other governmental institutions concerned with the implementation of the Coastal Zone Management Act of 1972 (16 U.S.C. 1451–1464).

Develop policies and guidelines on a continuing basis to assist State and local governments in the effective management and, where possible, restoration and enhancement of the land and water resources of the coastal zone of the nation within the context of the coastal zone management program.

Administer and monitor annual grants to states in support of the development and administration of coastal zone management programs.

Administer and monitor annual grants to states in support of the acquisition, development and operation of estuarine sanctuaries.

Develop policies and guidelines and administer the marine sanctuaries program authorized under Title III of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1431–1434).

Develop NOAA policy, promulgate regulations, and implement procedures necessary for Federal review and approval of state coastal zone management programs and the execution of Federal consistency provisions which then come into force.

SECTION 8. ASSISTANT ADMINISTRATOR FOR ADMINISTRATION

The *Assistant Administrator for Administration* shall provide administrative management and support services for all components of NOAA except for elements of such services that appropriate components are directed to provide for themselves, exercise functional supervision over such decentralized services, and provide advice and guidance to the Administrator on the utilization of NOAA resources. To carry out his responsibilities, the Assistant Administrator shall have and direct the following units.

.01 The *Administrative Operations Division* shall perform the following functions: procurement and grants management; property and supply management; directives and paper work management; records and files management; space and facilities management; travel and traffic management; mail, messenger, and related office services; graphic services; safety; security; and processing of tort claims.

.02 The *Office of Management and Computer Systems* shall conduct studies and provide analytical assistance to develop or improve the organization and staffing structure and other management systems within NOAA; provide management staff services in the application of advanced management principles and techniques; carry out the NOAA committee and reports management functions; develop and maintain a central system for collecting, analyzing, presenting and disseminating information on program status and performance; develop systems for measuring productivity and performance; exercise overall management, planning and coordination of NOAA's automatic data processing and telecommunications needs and facilities, including serving as the focal point within NOAA for intra- and interagency matters, and the review and evaluation of proposals for automatic data processing and telecommunications requirements and systems; coordinate the Federal planning program for environmental telecommunications systems; and engage in research into advanced system concepts and apply or provide guidance in the application of these concepts. It shall provide systems analysis and programming support to NOAA's executive and administrative management functions and to other NOAA functions as requested, and shall operate and provide system and special software support for automatic data processing facilities for all NOAA components except where separate facilities are approved.

.03 The *Personnel Division* shall provide personnel management services by conducting recruitment, employment, classification and compensation, employee relations, labor relations, incentive awards, and career development activities for civilian personnel.

.04 The *Finance Division* shall provide centralized financial accounting for all components of NOAA, determine needs of managers for accounting data, and maintain a financial reporting system that will facilitate effective management of NOAA's financial resourecs.

.05 The *Radio Frequency Management Division* shall, as a Department-wide responsibility, coordinate the requirements and the management and use of radio frequencies by all organizations of the Department of Commerce.

.06 The *Northwest Administrative Service Office* shall provide administrative services responsive to the requirements of the National Marine Fisheries Service Northwest, Southwest, and Alaska Regions, the NOS Pacific Marine Center, and such other NOAA organizational units which can be accommodated. These services shall include personnel administration, finance, procurement and contracting, property management, motor vehicle pool operation, and office services.

SECTION 9. OFFICE OF SEA GRANT

The Office of Sea Grant shall provide support, primarily to institutions, for research, education, and advisory services aimed at assisting those who are interested in and responsible for the development, utilization, and management of the seas and the Great Lakes of the United States, including their resources, and shall manage NOAA's Marine Advisory Services to the user community.

SECTION 10. OFFICE OF PROGRAMS AND BUDGET

The Office of Programs and Budget shall provide NOAA management with overall program and budgetary control from program integration through budget execution. This Office shall be the focal point for contacts with the Office of the Secretary and the Office of Management and Budget on NOAA program and budgetary matters and shall guide the overall planning and budgetary functions

so as to assure the effective development, justification and presentation of NOAA programs and budgets. The Office shall provide advice to the Office of the Administrator and other NOAA officials on program and budgetary matters and perform the following specific functions:

Plan and manage the annual review of NOAA programs.

Consolidate and integrate program guidance developed by the primary program policy officers on the development of issue studies and related supporting documentation requested by the Office of the Secretary and OMB in conjunction with the program-budget cycle.

Formulate and interpret budgetary policies and procedures.

Analyze and aggregate NOAA budgetary requirements.

Develop and recommend fiscal plans to assure optimum use of available funds; and allocate and maintain burdgetary control of funds.

Review and report on execution of approved budgets and asspciated fiscal plans in close collaboration with the Assistant Administrator for Administration.

SECTION 11. DIRECTOR NOAA CORPS

The Director of the NOAA Corps shall develope plans for the efficient utilization of the NOAA commissioned officers corps; develop and implement policies and procedures for the recruitment, commissioning, and assignment of commissioned officers; and represent NOAA in interdepartmental activities having to do with the uniformed services.

SECTION 12. NATIONAL MARINE FISHERIES SERVICE

The National Marine Fisheries Service (NMFS) shall conduct an intergrated program of research and services related to the protection and rational use of living marine resources for their aesthetic, economic, and recreational value by the American peole. The Service shall administer programs to determine the consequences of the naturally varying environment and man's activities on living marine resources; to provide knowledge and services to foster their efficient and judicious use; and to achieve domestic and international management, use and protection of living marine resources. The Service shall be organized as set forth below.

.01 *Office of the Director.* The *Director* shall formulate and execute basic policies and manage the Service. He shall be immediately assisted by a Deputy Director.

.02 The *Office of Resource Research* shall plan, develop, and manage research programs designed to better understand living marine resources and the environmental quality essential for their existence. The Office's activities shall include: biological surveys designed to monitor, assess and predict abundance and availability of living marine resources; collection and documentation of scientific data for protecting access of U.S. citizens to living marine resources; development and interpretation of data for use by managers of resources; and major regional ecological studies where NMFS is assigned the leadership role. It shall also conduct research on the potential of aquaculture, the assessment and characterization of the living resources, and the improvement of fish detection and harvesting systems.

.03 The *Office of Resource Utilization* shall plan, develop, evaluate and manage programs: of economic and marketing research including demand and supply projections, cost benefit studies, and foreign trade analysis; of collection, analysis, compilation, and dissemination of fisheries statistical and market news information; of financial assistance to the fishing industry in the form of loans, mortgages, loan insurance, and subsidies; of microbiological, chemical, and technological research to enhance the quality and utilization of fisheries resources; of voluntary national inspection and certificaton of fishery products; to improve marketing practices and to alleviate extraordinary short term supply-demand imbalances; and of fishery extension services. The Office shall also be responsible for the management of national research programs in fishery products technology.

.04 The *Office of Resource Management* shall manage programs concerning: promulgation and enforcement of domestic and international regulations for the protection of marine fisheries and marine mammal resources of the United States; the Pribilof Islands fur seal harvest; the Columbia River Anadromous Fisheries Resources Enhancement; water resources development projects and fisheries environment protection; and State-Federal fisheries management. It shall plan, develop, and evaluate programs to improve the management of fisheries resources so as to achieve the appropriate allocation of these resources among competing users and to protect their environment; establish national guidelines for managing fisheries for biological, economic, and social purposes; provide a mechanism through legislation, coordination, and cooperation for State and the Federal Government to jointly manage resources within these guidelines; and administer a grant-in-aid program to improve the capability of the States to conduct coordinated fisheries research, development and construction programs so as to provide the biological, social, and economic information required for management of fisheries resources.

.05 The *Office of International Fisheries* shall be the focal point and have primary staff responsibility for all matters involving international affairs within the purview of the NMFS. This shall include: coordinating all NMFS inputs to other government agencies, industry, other interested constituencies, and foreign and international entities; overseeing the implementation throughout NMFS of NOAA policy decisions in the area of international affairs; responsibility for all international negotiations in which NMFS is involved; acquiring data and providing analysis regarding the status and impacts of foreign fishing efforts, and foreign industry, and governmental attitudes and policies regarding fishing; monitoring and coordinating activities with regard to the U.S. Fisheries Attache Program; and responsibility for the NMFS Foreign Translation Program.

.06 a. The *Field Structure* shall consist of the following organizational elements:

(1) *Five Regional Offices* as shown in Exhibit 2. Regional Offices shall act as representatives of the Director with State conservation agencies, recreational interests, the fishing industry, universities, and the general public. Regional Offices shall also plan, organize and manage regionalized conservation, management, and utilization programs within the geographical area of responsibility. They shall also provide regional input for national plans pertaining to research, utilization, and management programs. A copy of the Exhibit is on file with the original of this document with the Office of the Federal Register.

(2) *Fisheries, Research Centers,* and *Fisheries Utilization Research Centers* which shall report to the appropriate Associate Director at the headquarters of NMFS.

b. The *Southeast and Northeast Regions* shall provide their own administrative support except where it is determined to be more practical and advantageous to NOAA to have the services furnished by other NOAA components. They shall provide such services to other NOAA components as directed. The Northwest, Southwest and Alaska Regions shall obtain administrative support from the Northwest Administrative Service Office at Seattle, Washington. The Fisheries Research Centers and Fisheries Utilization Research Centers shall obtain administrative support from the nearest NMFS Regional Office, the Northwest Administrative Service Office or such NOAA components as is determined to be the most practical and feasible.

SECTION 13. NATIONAL OCEAN SURVEY

The National Ocean Survey (NOS) shall provide charts for the safety of marine and air navigation; provide a basic network of geodetic control; and provide basic data for engineering, scientific, commercial, industrial and defense needs, support the quest for more knowledge of our environment and undertake a program of marine technology development to observe, measure and chart oceanic phenomena and resources. In performance of these functions, it shall conduct surveys, investigations, analyses and research and technology development; and shall disseminate data in the fields of geodesy, gravity, astronomy, aeronautical charting, hydrography, oceanography, and marine technology. The NOS shall be organized as set forth below.

.01 *Office of the Director.* The *Director* shall formulate and execute basic policies and manage the NOS. He shall be immediately assisted by a Deputy Director.

.02 The *Office of National Geodetic Survey* shall fulfill national requirements for a system of geodetic control for precise gravimetric and global configuration and mensuration data. It shall establish and maintain a geodetic control network based on satellite observations; plan and direct geodetic, gravity, astronomic, earth movement and boundary surveys; make observations for variation of latitude and longitude; disseminate geodetic data; and conduct related research.

.03 The *Office of Fleet Operations* shall manage the NOAA fleet and the NOAA ship facilities in support of the NOAA marine program. It shall direct and monitor ship operating schedules and activities related to ship operations, repairs and maintenance of vessels, vessel complements, and special equipment and instrumentation unique to NOAA ships. The Office shall be responsive to overall NOAA fleet service requirements.

.04 The *Office of Marine Surveys and Maps* shall contribute to the safety of marine navigation through nautical charting and related publications, and seek added knowledge about the states and processes of the ocean. It shall plan and direct marine geophysical mapping and services, hydrographic and oceanographic surveys; analyze physical phenomena pertaining to the sea, including tide and current phenomena, the dynamic and physical properties of seawater and shoreline and bottom configuration as they affect seawave and current propagation and attenuation; operate a network of tide stations; compile survey data, including the compilation of nautical charts and marine geophysical maps; and conduct research. It shall also make studies and conduct photogrammetric surveys for coastal mapping, seaward boundaries and coastal evacuation maps.

.05 The *Office of Aeronautical Charting and Cartography* shall contribute to the safe navigation of air commerce and provide nautical and aeronautical charts for widespread use. It shall collect and evaluate air navigation information and compile aeronautical chart manuscripts; print and distribute nautical and aeronautical charts; maintain liaison with interests concerned with navigation regulations and information; and conduct research in support of these programs. The Office also shall print and distribute weather charts and related documents.

.06 The *Office of Marine Technology* shall act as the focus of the national effort for technology related to testing, evaluation and calibration of sensing systems for ocean use, and shall enhance the quality of such systems by the dissemination of operational results and technical information to the national oceanographic community. It shall serve NOAA with marine systems technology, ocean engineering, sensor systems, buoy systems, data automation systems and other technology functions as may be assigned, and shall assist with the design, development and procurement in these technical areas.

.07 The *Office of Program Development and Management* shall serve as the focal point for NOS planning, budgeting, and allocation and reprogramming of resources; provide executive and technical services in support of programs throughout the NOS; and provide executive management services to the Director.

.08 a. The *Field Structure* shall consist of the following organizational elements:

(1) The *Atlantic and Pacific Marine Centers* shall direct the operation of ocean-going survey ships; maintain ship bases at Norfolk, Miami, and Seattle; operate short facilities for processing oceanographic data and compiling photogrammetric survey data; and manage photogrammetric field units.

(2) The *Lake Survey Center* shall conduct surveys of the Great Lakes and their outflow rivers, Lake Champlain, New York State Barge Canal, and the Minnesota-Ontario Border Lakes. It shall plan and collect data relating to the Great Lakes including flood and storm protection, power generation, beach erosion, and shore structures as they apply to navigation.

(3) The *NOAA Data Buoy Office* and the *National Oceanographic Instrumentation Center* shall report to the Office of Marine Technology at the Headquarters of NOS.

b. The *Atlantic Marine Center* shall provide its own administrative support except where it is determined to be more practical and advantageous to NOAA to have the services furnished by other NOAA components. The Atlantic Marine Center shall provide such services to other NOAA components as directed. The Pacific Marine Center shall obtain its administrative support from the Northwest Administrative Service Office. All other NOS field units shall receive their administrative support from such NOAA components as is determined to be the most practical and feasible.

SECTION 14. NATIONAL WEATHER SERVICE

The National Weather Service (NWS) shall observe and report the weather, river, and ocean conditions of the United States and its possessions; issue forecasts and warnings of weather, flood and ocean conditions that affect the Nation's safety, welfare and economy; develop the National Meteorological, Hydrologic and Oceanic Service Systems; develop community preparedness programs; participate in international meteorological, hydrologic, oceanic and climatological activities, including exchange of data and forecasts; and provide forecasts for domestic and international aviation and for shipping on the high seas. The Service shall be organized as set forth below.

.01 *Office of the Director.* The *Director* shall formulate and execute basic policies and manage the service. He shall be immediately assisted by a Deputy Director.

.02 The *Office of Meteorology and Oceanography* shall have cognizance over the development of requirements, plans and procedures for operation of meterological and oceanic field services; and serve as the primary channel for coordinating NWS field services operations and for technical aspects of meteorological and oceanic programs.

.03 The *Office of Hydrology* shall have cognizance over the development of requirements, plans and procedures to provide river and flood forecasts and warnings, and water supply forecasts; conduct research to improve river and flood forecasts and warnings; and analyze and process hydrometeorological data for use in water resource planning and operational problems.

.04 The *Office of Technical Services* shall have cognizance over the development of policies and procedures for the acquisition and communication of oceanic, hydrological and meterological information; and the procurement, test and evaluation, installation and maintenance of all meteorological, hydrological, and oceanic equipment.

.05 The *Systems Development Office* shall plan, design, and develop systems to meet all meteorological, hydrological and oceanic service requirements of the NWS; develop and evaluate techniques and equipment; and translate research results into operationally suitable methods.

.06 The *National Meteorological Center* shall provide analyses of current weather conditions over the globe and depict the current and anticipated state of the atmosphere for general national and international uses; conduct development programs in numerical weather prediction; and lead in the extension and application of advanced techniques.

.07 The *Field Structure* shall consist of six regions as shown in Exhibit 3. A region shall consist of a Regional Office managed by a Regional Director, and field offices reporting to the Regional Director. A copy of the Exhibit is on file with the original of this document with the Office of the Federal Register.

a. Each region shall provide weather, river and oceanic services within its prescribed geographical area by issuing forecasts and warnings of weather, flood and oceanic conditions, and shall conduct operational and scientific meteorological, hydrological, oceanographic and climatological service programs as are assigned to it.

b. Regional Offices shall provide administrative and technical support for all NWS components in their respecti.e regions except where it is determined to be more practical and advantageous to NOAA to have the services furnished by other NOAA components. The Regional Offices shall provide such services to other NOAA components as directed.

SECTION 15. ENVIRONMENTAL SERVICE

The Environmental Data Service (EDS) shall acquire, process, archive, analyze, and disseminate worldwide environmental (solid earth, marine atmospheric, solar, and aeronomy) information, data, and products for use by commerce, industry, the scientific and engineering community, the general public and for Federal, State, and local governments; guide applied research per-

tinent to the improvement of such services; provide relevant World Data Center facilities; coordinate international exchange activities in oceanic climatological, geophysical, solar and aeronomy data; and provide editorial, publishing, library and related information services. The Service shall be organized as set forth below.

.01 *Office of the Director.* The *Director* shall formulate and execute basic policies and shall manage the Service.

.02 The *Environmental Science Information Center* shall develop policies for and provide editorial and publishing services to NOAA components; manage the central library system; provide functional guidance to NOAA libraries; and develop and implement automated scientific information systems for NOAA and external use.

.03 The *National Climatic Center* shall acquire, process, archive and disseminate climatological data and develop analytical and descriptive products to meet user requirements, and shall provide facilities for the World Data Center—A (Meteorology and Nuclear Radiation).

.04 The *National Oceanographic Data Center* shall acquire, process, archive, and disseminate oceanographic data and develop analytical and descriptive products to meet user requirements and provide facilities for the World Data Center—A (Oceanography).

.05 The *National Geophysical and Solar-Terrestrial Data Center* shall acquire, process, archive, evaluate and disseminate solid earth and marine geophysical data and ionospheric, solar and other space environment data; develop analytical, climatological and descriptive products to meet user requirements; and provide facilities for World Data Center—A (Geomagnetism, Gravity, Seismology and Solar-Terrestrial Physics).

.06 The *Center for Experiment Design and Data Analysis* shall provide service and support in data management and scientific analysis for large-scale environmental field research projects, and assist in the planning, design, and implementation of such projects to ensure that data needs are met.

.07 The *Center for Climatic and Environmental Assessment* shall assess the impact of climate and weather changes and other natural phenomena on national and international socioeconomic events through development of assessment programs, statistical models and new applications of historical data bases; track and verify global climatic changes and weather pattern fluctuations; and determine the probable relationships between climatic patterns and man-made accidents.

SECTION 16. NATIONAL ENVIRONMENTAL SATELLITE SERVICE

The National Environmental Satellite Service (NESS) shall provide observations of the environment by operating the National Environmental Satellite System; increase the utilization of satellite data in environmental services; and manage and coordinate all operational satellite programs within NOAA and certain research-oriented satellite activities with NASA and DOD. The Service shall be organized as set forth below.

.01 *Office of the Director.* The *Director* shall formulate and execute basic policies and manage the Service. He shall be immediately assisted by a Deputy Director.

.02 *The Office of Operations* shall provide data from environmental satellites and increase the value and the use of these data by operating the NOAA environmental satellite systems, including collecting, processing and analyzing data from operational and specified research and development satellites, and developing new and improved applications of satellite data. The *Data Acquisition Stations* shall report to the Office of Operations.

.03 The *Office of Systems Engineering* shall provide conceptual and detailed engineering to implement new or modified environmental satellite systems. It shall conduct design studies; specify, procure, install and check out ground equipment required for the environmental satellite systems; modify existing hardware to accommodate spacecraft changes; and originate development of new equipment when required.

.04 The *Office of Research* shall improve understanding of the environment through satellite data and provide new and improved satellite measurement techniques and applications.

.05 The *Office of Systems Integration* shall conduct definition studies, provide overall planning, arrange for the development of major elements and coordinate the integration and check out the environmental satellite system. It shall coordinate the efforts of other NESS offices, other NOAA services, other agencies, and industrial and other groups for the establishment of these capabilities; establish system objectives, performance, cost criteria, and interface standards; and provide assessments of system performance and requirements for new system capabilites.

SECTION 17. ENVIRONMENTAL RESEARCH LABORATORIES

The Environmental Research Laboratories (ERL) shall conduct an integrated program of research, fundamental technology development, and services relating to the oceans and inland waters, the lower and upper atmosphere and the space environment so as to increase understanding of man's geophysical environment and thus provide the scientific basis for improved services. The ERL shall be organized as set forth below.

.01 *Office of the Director.* a. The *Director* shall formulate and execute basic policies and manage ERL. He shall be immediately assisted by a Deputy Director.

b. The *Office of Programs* shall provide policy and management advice to the Director; lead and coordinate program planning activities, including program planning and budgetary requirements; coordinate ERL's activities with national and international scientific programs; review and evaluate current programs; develop a management information system; and provide related staff assistance to the Director.

c. The *Office of Research Support Services* shall provide administrative and technical services to all ERL components at Boulder, Colorado, and at other locations except as otherwise specified.

d. The *Weather Modification Program Office* shall have technical cognizance over laboratory and field work in experimental weather modification; and, in particular, shall have line management authority over the hurricane and cumulus research and the flight and instrumentation support activities.

e. The *Marine Ecosystems Analysis Program Office* shall plan, conduct and coordinate comprehensive programs of basic and applied research directed toward the solution of resource-use problems which involve the functioning, health and restoration of selected near-coastal marine ecosystems.

f. The *Outer Continental Shelf Environmental Assessment Program Office* shall plan and direct assessments of the primary environmental effects of energy development along broad areas of the Outer Continental Shelf of the United States. The Office shall be responsible for coordinating the research activities of Federal, state and private institutions involved in these assessments. The major program will be a series of environmental studies for the Bureau of Land Management of the Department of the Interior to prepare for oil exploration and development on the Outer Continental Shelf.

0.2 *Oceanographic Laboratories.* a. The Atlantic Oceanographic and Meteorological Laboratories shall conduct research toward a fuller understanding of the ocean basins and borders, of oceanic processes and of ocean-atmosphere interactions.

b. The Pacific Marine Environmental Laboratory shall conduct basic and applied research directed at achieving a comprehensive understanding of the environmental process at work in the coastal areas of the Pacific Northwest, as well as in selected areas of the open ocean. Emphasis shall be placed on investigations of the natural physical processes, and on monitoring and predicting the effects of man's activities in the regions on physical and associated biological processes.

.03 *Space and Aeronomy Laboratories.* a. The Space Environment Laboratory shall conduct research in the field of solar-terrestrial physics; develop techniques necessary for forecasting of solar disturbances and their subsequent effects on the earth environment; and provide environment monitoring of forecasts.

b. The Aeronomy Laboratory shall study the nature of and the physicial and chemical process controlling the ionosphere and exosphere of the earth and other planets. Theoretical, laboratory, ground-based, rocket and satellite studies are included.

c. The Wave Propagation Laboratory shall act as a focal point for the development of new methods for remote sensing of man's geophysical environment. Special emphasis shall be given to the propagation of sound waves and electromagnetic waves at millimeter, infrared and optical frequencies.

.04 *Atmospheric Laboratories.* a. The Atmospheric Physics and Chemistry Laboratory shall perform research on processes of cloud physics and precipitation and the chemical composition and nucleating substances in the lower atmosphere. The Laboratory is NOAA's major focus for design and conduct of laboratory and field experiments towards developing feasible methods of practical, beneficial weather modification.

b. The Air Resources Laboratories shall conduct research on the diffusion, transport, and dissipation of atmospheric contaminants, using laboratory and field experiments to develop methods for prediction and control of atmospheric pollution.

c. The Geophysical Fluid Dynamics Laboratory shall conduct investigations of the dynamics and physics of geophysical fluid systems to develop a theoretical basis, by mathematical modeling and computer simulation, for the behavior and properties of the atmosphere and the ocean.

d. The National Severe Storms Laboratory shall conduct studies of tornadoes, squall lines, thunderstorms and other severe local convective phenomena in order to achieve improved methods of forecasting, detecting and providing advance warning of their occurrence and severity.

.05 The *Great Lakes Environmental Research Laboratory* shall conduct research directed toward an understanding of the environmental processes in the Great Lakes and their watersheds. Emphasis shall be placed upon an interdisciplinary systems approach to the solving of problems in resource management and environmental services for that region.

GUY W. CHAMBERLIN, Jr.,
Acting Assistant Secretary for Administration.

[FR Doc.76-133 Filed 1-2-76;8:45 am]

[DEPARTMENT ORGANIZATION ORDER 25-7B]

OFFICE OF ENERGY PROGRAMS

Organization

SECTION 1. PURPOSE

This order prescribes the organization and assignment of functions within the Office of Energy Programs (OEP). The scope of authority and functions of OEP are set forth in Department Organization Order 25-7A.

SECTION 2. ORGANIZATION STRUCTURE

The principal organization structure and line of authority shall be as depicted in the attached organization chart. A copy of the chart is on file with the original of this document with the Office of the Federal Register.

SECTION 3. OFFICE OF THE DIRECTOR

.01 The *Director* shall formulate policies and programs and provide oversight and direction for all activities of the office.

.02 The *Deputy Director* shall be the principal assistant to the Director on formulation of policies and shall perform the functions of the Director in the latter's absence. The Deputy Director shall also arrange for staff support for the Department's Energy Working Group.

SECTION 4. ASSOCIATE DIRECTOR FOR ENERGY RESOURCES

The Associate Director for Energy Resources shall recommend policies and programs for the Department of Commerce and direct and manage all activities relating to the office's role in energy resources. The Associate Director also has primary Departmental responsibility on all matters related to the oil, gas and coal industries. As the chief policy officer for the office, the Associate Director shall be responsible for:

Maintaining a current overview of the main elements of energy supply and demand balance;

Identifying energy policy studies that need to be conducted;

Evaluating selected energy studies and analyses of other organizations;

Providing staff support for Commerce participation in committees which contribute to the formulation or execution of energy policy, such as, the Energy Resources Council, the Office of Export Administration's Hardship Committee and the National Power Survey;

Monitoring certain energy-related commodities to report to the Office of Export Administration regarding short supply export controls;

Preparing position papers and comments on energy-related programs and activities such as selected business and industrial programs;

Developing comments and presentations on energy-related testimony, legislation and other related subjects; and

Providing staff support for Departmental participation in energy-related task forces established to examine specific energy policy issues and problems pertinent to the U.S. business community.

SECTION 5. ASSOCIATE DIRECTOR FOR INDUSTRY PROGRAMS

The Associate Director for Industry Programs shall recommend policies and programs for, and direct and manage all activities of, the Business Awareness Division, the Industry/Association Programs Division, and the Technology Liaison Division.

.01 The *Business Awareness Division* shall work with business and industry to increase their awareness of, and to promote, energy conservation and efficiency; it shall provide an Executive Director and staff support for the National Industrial Energy Council (NIEC), and its subcouncils on Industry Programs, Program Development, and Business Awareness. The division shall carry out its responsibilities by:

a. Developing and evaluating approaches, methods, and programs to foster energy efficiency;

b. Coordinating, designing, developing, and producing such energy conservation/efficiency informational materials as films, brochures, and pamphlets for the business community;

c. Arranging and/or conducting seminars, meetings, and public appearances on energy conservation/efficiency;

d. Coordinating multiagency participation in energy conservation/efficiency trade shows and exhibits and directing the Department's participation in such shows and exhibits as a sole exhibitor;

e. Advising and counseling other Commerce organizations in the development and implementation of energy conservation programs;

f. Coordinating energy conservation activities with DIBA's Office of Field Operations and other Commerce organizations; and

g. Coordinating energy conservation awareness programs with other interested government agencies to insure that the business community has consistent goals in, and receives objective information on, energy conservation.

.02 The *Industry/Association Programs Division* shall: a. Establish and maintain liaison with key energy intensive industries and trade associations to implement energy management programs that will insure the efficient use by the business community of energy resources;

b. Establish reporting systems for energy management within the industrial and commercial sectors;

c. Insure, through the key identified industry associations, that the overall objectives of the Department's energy conservation programs for energy intensive industrial and business firms are met;

d. Provide a cohesive structure for managing and reporting on more efficient energy use within the business community; and

e. Support interagency energy conservation programs and manage those programs which may be established and operated by the Department in a lead agency role.

.03 The *Technology Liaison Division* shall: a. Advise the Director and Deputy, through the Associate Director for Industry Programs, on the technological ramifications of specific policy and/or program developments;

b. Provide liaison with other elements of the Department on technological aspects of energy programs;

c. Serve as the OEP point of contact on energy research and development matters;

d. As directed, develop and recommend programs to carry out selected Departmental energy policies; and

e. Conduct systems analyses, directly, by task force, contract, or other means

to identify the comparative advantages of alternative program proposals.

GUY W. CHAMBERLIN, JR.,
Acting Assistant Secretary for Administration.

[FR Doc.76-132 Filed 1-2-76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control

OCCUPATIONAL SAFETY AND HEALTH

Request for Information on Certain Chemical Agents

Section 20(a)(3) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 669(a)(3)) provides that the Secretary of Health, Education, and Welfare, on the basis of information available to him, shall develop criteria dealing with toxic materials which will describe exposure levels that are safe for various periods of employment. Section 22(c) of the Act authorizes the National Institute for Occupational Safety and Health (NIOSH) to develop recommended occupational safety and health standards and to perform all functions of th Secretary of Health, Education, and Welfare, under sections 20 and 21 of the Act. NIOSH is proposing to develop criteria documents containing recommended occupational health standards for the following substances:

Alkanes
Antimony Compounds
Asphalt Fumes
Benzoyl Peroxide
Cloroprene
Coal Tar Products (Including Coal Tar Pitch, Creosote, Indene)
Cresols (Including Cresylic Acid)
Ethylene Dibromide
Fluorocarbons (Including Dibromodifluoromethane)
Hydrogen Sulfide
Hydroquinone
Ketones
Methyl Silicate
Nitroglycerine/Ethylene Glycol Dinitrate
Oil Mists
o-Tolidine
Hydrazines
Polychlorinated Biphenyls
Polytetrafluoroethylene Decomposition Products
Portland Cement
Styrene
Thallium and Its Compounds
Tungsten and Its Compounds
Vanadium and Its Compounds
Vinyl Acetate; Vinylidene Chloride; Vinyl Bromide

Each criteria document will include among other items an evaluation of available information relative to the areas listed below.

Any person having information or data in any of the areas listed below, or in other areas considered relevant to the establishment of a safe and healthful occupational environment involving these substances is requested to submit such information, with accompanying documentation to the Acting Director, Division of Criteria Documentation and Standards Development, NIOSH, 5600 Fishers Lane, Park Building, Room 3-18, Rockville, MD 20852, on or before April 5, 1976.

1. Establishment of safe occupational environmental levels for such agents including levels for acute and chronic exposure to airborne concentrations of the chemical agents as well as safe practices concerning direct contact with such agents.

2. Establishment of biologic standards, i.e., the levels of such agents, metabolites, or other effects of exposure which may be present within man without his suffering ill effects taking into consideration (a) the correlation of airborne concentrations of, and extent of exposure to, such substances with effects on specific biologic systems of man such as the circulatory, respiratory, urinary, and nervous system, and (b) the analytical methods for determining the amount of the substance which may be present within man.

3. Engineering controls, including ventilation, environmental temperature, humidity, and housekeeping and sanitation procedures, with attention to the technological feasibility of such controls.

4. Specifications for the conditions under which personal protective devices should be required.

5. Methods, including instruments, for air sampling and sample analysis of the chemical agents and methods of measuring levels of exposure to the physical agents.

6. The need for medical examinations for workers exposed to such agents, the frequency of such examinations, and the specific diagnostic tests which should be used and the rationale of their selection.

7. Work practices or procedures which may be instituted for control of the workplace environment in normal operations and those which may be instituted when occupational environmental levels are temporarily exceeded or where peak concentrations of chemical agents in man are reached.

8. The types of records concerning occupational exposure to such agents that employers should be required to maintain.

9. Warning devices and labels which should be required for the prevention of occupational diseases and hazards caused by such agents.

All information received concerning these substances will be available for public inspection after the development of the respective criteria document.

Dated: December 24, 1975.

JOHN F. FINKLEA,
Director, National Institute for Occupational Safety and Health.

[FR Doc.76-16 Filed 1-2-76;8:45 am]

OCCUPATIONAL SAFETY AND HEALTH

Request for Information on Certain Chemical Agents

Section 20(a)(3) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 669(a)(3)) provides that the Secretary of Health, Education, and Welfare, on the basis of information available to him, shall develop criteria dealing with toxic materials which will describe exposure levels that are safe for various periods of employment. Section 22(c) of the Act, authorizes the National Institute for Occupational Safety and Health (NIOSH) to develop recommended occupational safety and health standards and to perform all functions of the Secretary of Health, Education, and Welfare, under sections 20 and 21 of the Act. NIOSH is proposing to develop criteria documents and recommended standards on the following substances for completion in 1978-79.

p-Dichlorobenzene
Ammonium Nitrate
Carbon Black
Dichloroacetylene
Cyclohexanols
Mercaptans
Furfuryl Alcohol
Magnesium and Its Compounds
Alkali Metal Hydroxides
Dialkyl Ethers
Isobutyl Alcohol; Amyl Alcohol
Bromine Pentafluoride
Phenothiazine
Iron and Its Compounds (Includes Rouge)
Diazomethane
Dibutyl Phosphate
Indium and Its Compounds
Acetaldehyde
Boron Compounds
Glycidyl Ethers
Chromium and Its Compounds (Excluding Chromium (VI))

Prior to finalizing plans for the development of these documents, the public is invited to submit comments, including suggestions for additions or deletions, with accompanying documentation to Acting Director, Division of Criteria Documentation and Standards Development, National Institute for Occupational Safety and Health, 5600 Fishers Lane, Park Building, Room 3-18, Rockville, MD 20852, on or before April 5, 1976.

NIOSH is anticipating making a final decision in May 1976 on the documents to be developed in 1978-79.

Dated: December 24, 1975.

JOHN F. FINKLEA,
Director, National Institute for Occupational Safety and Health.

[FR Doc.76-17 Filed 1-2-76;8:45 am]

Food and Drug Administration

PANEL ON REVIEW OF TOPICAL ANALGESICS

Notice of Meeting Cancellation

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), the Food and Drug Administration announced in a notice published in the FEDERAL REGISTER of December 17, 1975 (40 FR 58479), public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a)(1) and (2) of the act.

Notice is hereby given that the meeting of the Panel on Review of Topical Analgesics scheduled for January 13 and 14 is cancelled due to conflict with previously scheduled obligations of several panel members.

Dated: December 29, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.76-95 Filed 1-2-76;8:45 am]

Office of Education

SPECIFIC LEARNING DISABILITIES

Extension of Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in section 661 of the Education of the Handicapped Act (20 U.S.C. 1461), the U.S. Commissioner of Education has extended the January 15, 1976 closing date for receipt of applications for new specific learning disabilities model demonstration centers. This date was previously published in the FEDERAL REGISTER on November 25, 1975 at 40 FR 54501. The new closing date is February 20, 1976.

Applicants have requested an extension of the closing date because they require more time to coordinate the comprehensive planning design with other groups organizations, and agencies as specified in program regulations. Also there were unanticipated delays in clearance and printing of the application forms that shortened the time originally given to applicants to submit proposals. Therefore a new closing date of February 20, 1976 has been established for receipt of applications for new specific learning disabilities model demonstration centers. Applications must be received by the U.S. Office of Education Application Control Center on or before the aforementioned date.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Grants and Procurement Management Division, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Attention: 13.520 specific learning disabilities. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than February 17, 1976, as evidenced by the U.S. Postal Services postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

B. *Hand delivered applications.* An application to be hand delivered must be delivered to the U.S. Office of Education Application Control Center, Room 5773, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand Delivered applications will be accepted daily between the hours of 8:00 a.m. and 4:00 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted by the Application Control Center after 4:00 p.m. Washington, D.C. time on the closing date.

C. *Program information and forms.* Information and applications may be obtained from the Specific Learning Disabilities Program, Program Development Branch, Bureau of Education for the Handicapped, U.S. Office of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

D. *Application regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) and the program regulations (45 CFR Part 121j) published in the FEDERAL REGISTER on February 20, 1975 at 40 FR 7428.

(20 U.S.C. 1461)

(Catalog of Federal Domestic Assistance, No. 13.520 Specific Learning Disabilities)

Dated: December 29, 1975.

DUANE J. MATTHEIS,
Acting U.S. Commissioner of Education.

[FR Doc.76-172 Filed 1-2-76;8:45 am]

NATIONAL ADVISORY COUNCIL ON ETHNIC HERITAGE STUDIES

Notice of Public Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92-463), that a meeting of the National Advisory Council on Ethnic Heritage Studies will be held February 5 and 6, 1976, from 9:00 a.m. to 4:30 p.m. at Holiday Inn, 1111 Lakeside, Cleveland, Ohio.

The National Advisory Council on Ethnic Heritage Studies was established by Title IX of the Elementary and Secondary Education Act of 1965, as amended. The Council is governed by the provision of Part D of the General Education Provisions Act and of the Federal Advisory Committee Act (P.L. 92-463). The Council shall advise the Secretary, the Assistant Secretary for Education, and the Commissioner of Education concerning matters of general policy arising from the administration of programs in ethnic heritage studies. Functions may include determination of needs and objectives of programs in the field and provisions of support in the implementation nationally of program goals of ethnic heritage studies.

This meeting of the Council shall be open to the public. The meeting will be devoted to reports of the various committees, discussions of priorities in future ethnic studies, preliminary reports on projects as of the end of 1975, and strengths and weaknesses of 1976 proposals.

Records shall be kept of all Council proceedings and shall be available for public inspection at the Office of the Chief of the Ethnic Heritage Studies Branch, Division of International Education, located in Room 3919, ROB No. 3, 7th and D Streets, S.W., Washington, D.C.

Signed at Washington, D.C. on December 30, 1975.

WILLIAM H. MARTIN,
Chief, Ethnic Heritage Studies Branch.

[FR Doc.76-141 Filed 1-2-76;8:45 am]

NATIONAL ADVISORY COUNCIL ON BILINGUAL EDUCATION

Notice of Public Meeting

Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92-463) that a meeting of the National Advisory Council on Bilingual Education will be held on January 20-23, 1976. The Council will meet in Plaza del Sol, 600 N. 2nd Street, N.W., Albuquerque, New Mexico.

The National Advisory Council on Bilingual Education is established pursuant to Section 732(a) of the Bilingual Education Act (20 U.S.C. 880b) to advise the Secretary of Health, Education and Welfare and the Commissioner of Education concerning matters arising in the administration of the Bilingual Education Act.

The Council sessions shall be opened to the public. The Council will meet each day from 9:00 a.m. to 4:00 p.m. except on January 20, when the Council will hold subcommittee meetings between 2:00 p.m. and 4:00 p.m. only.

The proposed agenda for the Council meetings is:

A. January 20—meetings of the Budget and Hearings sub-committees;

B. January 21-22—public hearings;

C. January 23—regular business meeting.

The following procedures shall be observed during the public hearings:

1. Witnesses shall limit their appearances to twenty-five minutes: ten to fifteen minutes of formal presentation followed by ten to fifteen minutes of questioning from Council members;

2. Two or more persons from the same organization shall designate one person to speak for the group;

3. Witnesses should present a written synopsis of their oral presentation. Witnesses who do not provide such a synopsis shall be placed last on the agenda;

4. The written synopsis must be in English, although any witness may address the Council in his native language if he so desires;

5. All testimony will be tape-recorded.

Records shall be kept of all meetings of the Council and shall be available for public inspection in Room 421, Reporter's Building, 300 7th Street, S.W., Washington, D.C. 20202.

Signed at Washington, D.C. on December 30, 1975.

JOHN C. MOLINA,
Acting Director,
Office of Bilingual Education.

[FR Doc.76-254 Filed 1-2-76; 8:45 am]

Office of the Secretary

HEALTH RESOURCES ADMINISTRATION

Designation of Health Service Areas; Correction

Federal Register Document 75-2264, published as a notice in the FEDERAL REGISTER of September 2, 1975 (40 FR 40306-40315), contained a list of health service areas as designated under Section 1511 of the Public Health Service Act (Pub. L. 93-641). Inadvertently, a number of errors were made on the original list. Said notice is amended as follows:

1. On page 40306 the list of health service areas for the State of Alabama is amended to read as follows:

AREA 7

Insert "*Alabama*" as a sub-heading above "Russell"; under *Georgia*, delete "Russell"; insert "Baldwin" above Bibb.

2. On page 40306 the list of health service areas for the State of Alaska is amended to read as follows:

AREA 2

"ANTNA" is corrected to "AHTNA."

3. On page 40306 the list of health service areas for the State of Arizona is amended to read as follows:

AREA 1

"Maricopa" is corrected to "Maricopa County less a portion of the Papago Reservation."

"Pinal" is corrected to "Pinal County less a portion of the Papago Reservation."

"Gila" is corrected to "Gila County less a portion of the White Mountain Apache Reservation."

"Graham" is corrected to "San Carlos Apache Reservation portion of Graham County."

AREA 2

"Graham" is corrected to "Graham County less a portion of the San Carlos Apache Reservation."

After "Santa Cruz" insert "Papago Reservation portion of Pinal County," and "Papago Reservation portion of Maricopa County."

AREA 3

"Apache (parts of)" is corrected to "Apache County less a portion of the Navajo Reservation."

"Navajo (parts of)" is corrected to "Navajo County less a portion of the Navajo Reservation."

"Coconino (parts of)" is corrected to "Coconino County less a portion of the Navajo Reservation."

After the last entry insert "White Mountain Apache Reservation portion of Gila County," and "Hopi Reservation."

AREA 4

Delete "Area 4 is the geographic area comprised of a portion of the Navajo Nation:"

Under *Arizona*:

"Apache (parts of)" is corrected to "Navajo Reservation portion of Apache County."

"Coconino (parts of) is corrected to "Navajo Reservation portion of Coconino County."

"Navajo (parts of)" is corrected to "Navajo Reservation portion of Navajo County."

Under *New Mexico*:

"San Juan (parts of)" is corrected to "Navajo Reservation portion of San Juan County."

"McKinley (parts of)" is corrected to "Navajo Reservation portion of McKinley County."

Under *Utah*:

"San Juan (parts of)" is corrected to "Navajo Reservation portion of San Juan County."

4. On page 40307 the list of health service areas for the State of Connecticut is amended to read as follows:

AREA 2

"Namden" is corrected to "Hamden."

AREA 3

After "Woodstock" insert the following towns:

Colchester
Columbia
Coventry
Cromwell
East Hampton
Portland
Willington

AREA 4

Delete the following towns:

Colchester
Columbia
Coventry
Cromwell
East Hampton
Portland
Willington
New Hartford

AREA 5

"Chesire" is corrected to "Cheshire."

After "Woodbury" insert "New Hartford."

5. On page 40307 the list of health service areas for the State of Colorado is amended to read as follows: after the listing for the State of California, insert "*Colorado*" as a sub-heading above the listing for Area 1.

6. On page 40309 the list of health service areas for the State of Indiana is amended to read as follows: under "Indiana-Continued" delete "Area 6-continued" and insert "Area 2-continued."

AREA 6

"Carrol" is corrected to "Carroll."

7. On page 40311 the list of health service areas for the State of Michigan is amended to read as follows:

AREA 8

"Barago" is corrected to "Baraga."

8. On page 40311 the list of health service areas for the State of Minnesota is amended to read as follows:

AREA 1

North Dakota: "Grand Folks" is corrected to "Grand Forks."

AREA 3

North Dakota: "LaMoure" is corrected to "La Moure."

9. On page 40312 the list of health service areas for the State of New Mexico is amended to read as follows:

AREA 1

"McKinley (parts of)" is corrected to "McKinley County less a portion of the Navajo Reservation."

"San Juan (parts of)" is corrected to "San Juan County less a portion of the Navajo Reservation."

AREA 2

Under *New Mexico*:

"McKinley (parts of)" is corrected to "Navajo Reservation portion of McKinley County."

"San Juan (parts of)" is corrected to Navajo Reservation portion of San Juan County."

Under *Arizona*:

"Apache (parts of)" is corrected to "Navajo Reservation portion of Apache County."

"Navajo (parts of)" is corrected to "Navajo Reservation portion of Navajo County."

"Coconino (parts of)" is corrected to "Navajo Reservation portion of Coconino County."

Under *Utah*:

"San Juan (parts of)" is corrected to "Navajo Reservation portion of San Juan County."

10. On page 40313 the list of health service areas for the State of North Dakota is amended to read as follows:

AREA 3

Under *North Dakota:* "LaMoure" is corrected to "La Moure."

11. On page 40314 the list of health service areas for the State of Tennessee is amended to read as follows:

AREA 1

Under *Virginia:* insert "Cities: Bristol."

12. On page 40315 the list of health service areas for the State of Virginia is amended to read as follows:

AREA 3

Under *Cities:* delete "Bristol."

AREA 5

Under *Cities:* delete "Nansemond."

AREA 6

Under *Virginia:* insert "Cities: Bristol."

13. On page 40315 the list of health service areas for the State of Utah is amended to read as follows:

AREA 1

"Health Service Area numbered 1 is the geographic area comprised of all counties except parts of San Juan County, which is a portion of the Navajo Nation." is corrected to "Health Service Area numbered 1 is the geographic area

comprised of all counties except the Navajo Reservation portion of San Juan County"

AREA 2

Under *Utah:* "San Juan (parts of)" is corrected to "Navajo Reservation portion of San Juan County."

Under *Arizona:*

"Apache (parts of)" is corrected to Navajo Reservation portion of Apache County."

Navajo (parts of)" is corrected to "Navajo Reservation portion of Navajo County."

"Coconino (parts of)" is corrected to Navajo Reservation portion of Coconino County."

Under *New Mexico:*

"McKinley (parts of)" is corrected to "Navajo Reservation portion of McKinley County."

"San Juan (parts of)" is corrected to Navajo Reservation portion of San Juan County."

Dated: November 21, 1975.

THEODORE COOPER,
Assistant Secretary for Health.

Approved: December 24, 1975.

DAVID MATHEWS,
Secretary.

[FR Doc.76-38 Filed 1-2-75;8:45 am]

Public Health Service

HEALTH SERVICES ADMINISTRATION

Qualified Health Maintenance Organizations

On November 25, 1975, the first list of qualified health maintenance organizations was published in the FEDERAL REGISTER (40 FR 54606). Notice is hereby given, pursuant to 42 CFR 110.605, that in the month of November 1975, the following entities have been determined to be qualified health maintenance organizations under section 1310(d) of the Public Health Service Act (42 U.S.C. 300e-9(d)).

LIST OF QUALIFIED HEALTH MAINTENANCE ORGANIZATIONS (OPERATIONAL QUALIFIED HEALTH MAINTENANCE ORGANIZATIONS: 42 CFR 110.603(a))

Name, address, and service area	*Date of Qualification*
1. North Communities Health Plan, Inc., 1718 Sherman Ave., Evanston, Ill. 60201. The following communities located in the State of Illinois: E. Rogers Park, Evanston, Glencoe, Glenview, Golf, Kenilworth, Lincolnwood, Morton Grove, Niles, North Brook, North Field, Park Ridge, Skokie, W. Rogers Park, Wilmette, and Winnetka.	Nov. 11, 1975.
2. Penn Group Health Plan, Inc., IBM Bldg., Pittsburgh, Pa. 15222. Allegheny and western Westmoreland Counties.	Nov. 28, 1975.

Files containing detailed information regarding the qualified health maintenance organizations will be available for public inspection between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday, at the Office of the Administrator, Health Services Administration, Department of Health, Education, and Welfare, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852.

Questions about the review process or requests for information about qualified health maintenance organizations should be sent to the same office.

Dated: December 19, 1975.

ROBERT VAN HOEK,
Acting Administrator.

[FR Doc.76-104 Filed 1-2-76;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RADIO TECHNICAL COMMISSION FOR AERONAUTICS

Notice of Meeting

Notice is hereby given of a meeting of the Radio Technical Commission for Aeronautics (RTCA) Special Committee 126—Airborne OMEGA Receivers, which is being utilized as an advisory committee within the meaning of the Federal Advisory Committee Act, 5 U.S.C. Appendix I. It will be held January 22, 1976, in Conference Room 8B and C, FAA Headquarters Building, 800 Independence Avenue, S.W., Washington, D.C. 20591, commencing at 9:30 A.M. Agenda items include:

1. Approval of December 4, 1975, meeting Minutes, RTCA Paper No. 246-75/SC126-32.
2. Editorial work on Reports.

Meetings of Special Committee 126 are open to the public, subject to limitations of space available. Subject to time being available, any member of the public may present oral statements at the meeting, or may submit written statements to the RTCA Secretariat. Requests to receive additional information or to be heard should be made by contacting 1717 H Street, N.W., Washington, D.C. 20006, or telephone Area Code (202) 296-0484.

Issued in Washington on December 24, 1975.

HUGH E. WATERMAN,
Designated Officer.

[FR Doc. 76-90 Filed 1-2-76; 8:45 am]

Federal Highway Administration

HIGHWAY SAFETY PROGRAM

Delay in Apportionment of Highway Safety Funds

The purpose of this notice is to announce a delay in the apportionment of highway safety funds pursuant to 23 U.S.C. 402 for fiscal year 1977. Such apportionments have historically been made for each fiscal year before January 1 of the year in which such fiscal year begins. Highway safety authorizations for fiscal year 1977 have not yet been enacted, thereby creating a likelihood that the funds will not be apportioned by January 1, 1976. Apportionment will instead be made immediately upon enactment of such authorizations and completion of the necessary computations.

Issued on December 29, 1975.

NORBERT T. TIEMANN,
Federal Highway Administrator.

JAMES B. GREGORY,
National Highway Traffic Safety Administrator.

[FR Doc.75-35242 Filed 12-30-75;1:18 pm]

National Highway Traffic Safety Administration

HIGHWAY SAFETY PROGRAM

Delay in Apportionment of Highway Safety Funds

CROSS REFERENCE: For a document issued jointly by the Federal Highway Administration, Department of Transportation and the National Highway Traffic Safety Administration, Department of Transportation, see FR Document 75-35242 appearing elsewhere in the notices section of this issue.

[Docket No. IP 76-1; Notice 1]

CIMATTI LTD.

Petition for Exemption From Notice and Recall for Inconsequential Noncompliance

Cimmatti Ltd. of Danbury, Connecticut, has petitioned to be exempted from the notification and recall requirements of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1381 *et seq.*) for a noncompliance with 49 CFR 571.123, Federal Motor Vehicle Safety Standard No. 123, *Motorcycle Controls and Displays*, on the basis that the noncompliance is inconsequential as it relates to motor vehicle safety.

Petitioner has imported 1,250 motor-driven cycles from Italy whose headlamp upper-lower beam control and horn location does not conform to Standard No. 123. That standard requires the controls to be located on the left handlebar. These controls are located on the right handlebar of Cimatti cycles. Cimatti argues that "This noncompliance poses no danger. . . . We have had no reports of accident or consumer inability to operate this switch." Motor-driven cycles manufactured since June 1975 incorporate switches that are correctly located.

Interested persons are invited to submit written data, views, and arguments on the petition of Cimatti described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street SW., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date

indicated below will be considered. The application and supporting materials, and all comments received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice will be published in the FEDERAL REGISTER pursuant to the authority indicated below.

Comment closing date: February 19, 1976.

(Sec. 102, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1417); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on December 24, 1975.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

[FR Doc.76-40 Filed 1-2-76;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 28656]

FLYING TIGER TRANSPACIFIC RENEWAL CASE

Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on February 17, 1976, at 10:00 a.m. (local time), in Room 1003, Hearing Room C, Universal North Building, 1875 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge Arthur S. Present.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and four copies to the Judge of (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before January 30, 1976, and the other parties on or before February 10, 1976. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Operating Rights and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., December 24, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.76-65 Filed 1-2-76;8:45 am]

[Docket 27330]

DOMESTIC COMMON FARES INVESTIGATION

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in this proceeding will be held on January 27, 1976, at 10:00 a.m. (local time), in Room 1003C, Universal Building North, 1875 Connecticut Ave. NW., Washington, D.C., before the undersigned.

For information concerning the issues involved and other details, interested persons are referred to the prehearing conference report served September 2, 1975, and other documents in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., December 24, 1975.

[SEAL] HENRY WHITEHOUSE,
Administrative Law Judge.

[FR Doc.76-64 Filed 1-2-76;8:45 am]

[Docket 26494; Agreements CAB 25434, R-1 through R-3; CAB 25511, R-1 through R-3; CAB 25551, R-1 through R-5; CAB 25596; Order 75-12-143]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Passenger Fare Matters; Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 29th day of December, 1975.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers and other carriers embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreements were adopted at the Composite Passenger Traffic Conference held in Cannes, October/November 1974, or by mail vote, and affect fares in various world areas.

Agreement C.A.B. 25511 would amend fare levels and surcharge resolutions for travel within Traffic Conference 3 (Asia/Australia/Pacific Islands) to maintain fare levels adopted at the Freeport Conference (July/August 1975), which had increased fares by four percent; and at the same time to return the basic U.K. pound-specified fares to a nondirectional basis due to technical problems in implementing the Freeport agreement.[1] We will approve the agreement insofar as it directly affects air transportation as defined by the Act only to the extent it involves fares to Pago Pago, where the U.S. dollar selling prices would remain essentially unchanged.[2]

Agreement C.A.B. 25434 would increase most fares from Australia to points in the Pacific and the Western Hemisphere by 3.75 percent and 4 percent, respectively, because of increases in the price of fuel in Australia caused by the recent imposition of excise levies of approximately 3 Australian dollars per barrel. We will approve the increases inasmuch as they reflect increased costs to carriers operating from Australia and apply only to travel originating from that country.

Agreement C.A.B. 25551 would remove the present currency-related surcharge on fares from Finland to points in TC3, and would also clarify the language of several resolutions governing in-flight conditions of service without changing their substance. Agreement C.A.B. 25596 would common-rate Ahwaz with Abadan for North Atlantic travel.

The Board, acting pursuant to the Federal Aviation Act of 1958 and particularly sections 102, 204(a) and 412 thereof, does not find the following resolutions, incorporated in the agreements indicated, to be adverse to the public interest or in violation of the Act:

Agreement CAB	*IATA resolution*
25434:	
R-1	JT23(Mail 368) 003t, JT123 (Mail 764)003t.
R-2	JT31(Mail 294)022t.
R-3	300(Mail 458)022u.

[1] The Freeport agreement was approved by the Board in Order 75-9-100, September 26, 1975.

[2] Fares specified between Samoa and other Traffic Conference 3 points would not change, while fares constructed over Noumea would increase by less than one percent.

Agreement CAB	IATA No.	Title	Application
25511:			
R-1	003W	General Increases in Passenger Fares (Expedited) (Amending)	3.
R-2	022e	TC3 Special Rules for Sales of Passenger Air Transportation (Expedited) (Amending).	3.
R-3	022u	TC3 Special Rules for Sales of Passenger Air Transportation (Expedited) (Amending).	3.
25551:			
R-1	001mm	Special Escape for Currency Rules (Expedited) (New)	1;2;3.
R-2	022f	JT23/123 Special Rules for Sales of Passenger Air Transportation (Expedited) (Amending).	2/3;1/2/3.
R-3	050	(Mid-Atlantic) First-Class Conditions of Service (Expedited) (Amending).	1/2 Mid-Atlantic.
R-4	060	(North Atlantic) Economy-Class Conditions of Service (Expedited) (Amending).	1/2 North Atlantic.
R-5	060	(Mid-Atlantic) Economy-Class Conditions of Service (Expedited) (Amending).	1/2 Mid-Atlantic.
25596	003f	JT12 (North Atlantic) Normal and Special Fares Resolutions (Expedited) (Amending).	1/2 North Atlantic.

Accordingly, *it is ordered* That:

Agreements C.A.B. 25434, R-1 through R-3, C.A.B. 25511, R-1 through R-3, C.A.B. 25551, R-1 through R-5, and C.A.B. 25596, be and hereby are approved.

This order will be published in the Federal Register.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76-66 Filed 1-2-76;8:45 am]

[Docket 28655]

SEATTLE GATEWAY-JAPAN SERVICE INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on February 19, 1976, at 10:00 a.m. (local time), in Room 1003–A, North Universal Building, 1875 Connecticut Avenue NW., Washington, D.C., before Associate Chief Administrative Law Judge Ross I. Newmann.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and four copies to the Judge of (1) proposed statements of issues; (2) proposed stipulations; (3) proposed requests for information and for evidence; (4) statements of positions; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before January 29, 1976, and the other parties on or before February 11, 1976. The submissions of the other parties shall be limited to points on which they differ with the Bureau, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., December 24, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.76-63 Filed 1-2-76;8:45 am]

[Order 75-12-147; Docket 27573; Agreements C.A.B. 25171, 25185, 25202, R-1 through R-13, 25256, R-1 through R-9]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

North Atlantic Cargo Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 30th day of December, 1975.

In the matter of agreements adopted by the Joint Traffic Conferences of the International Air Transport Association relating to North Atlantic cargo rates.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Joint Traffic Conferences of the International Air Transport Association (IATA). The agreements propose cargo rates over the North Atlantic and over the Mid-Atlantic through September 30, 1977.

The major changes proposed in the North Atlantic agreement would eliminate minimum rates for cargo charters and replace the U.S.-Europe 30,000 kg. specific commodity rates with 10,000 kg. specific commodity rates. The minimum charges per consignment would be increased by two dollars to a level of $31. U.S.-Europe general cargo rates for 100 and 300 kg. shipments are proposed to be increased three cents per kilogram and 500 kg. shipments are proposed to be increased by five cents per kilogram. U.S.-Middle East general commodity rates are proposed to be increased by three cents per kilogram except the under -45 kg. and 45 kg. weightbreaks. U.S.-Africa general commodity rates are unchanged. With some exceptions specific commodity rates applicable to Europe and the Middle East are proposed to be increased by 5 cents per kilogram upon the effective date of this agreement and an additional 5 cents per kilogram increase is proposed to be implemented January 1, 1976. U.S.-Africa specific commodity rates would be increased three percent. Present pivot weights and minimum charges for containerized shipments are proposed to be adjusted upwards resulting in net increases in rates at the pivot weight ranging up to 5 percent while over-pivot rates would be decreased by approximately 8 percent. Presently effective general commodity high-weightbreak rates between the United States and Europe, established outside and independent of IATA, are contemplated to be canceled as a result of foreign government action. The estimated impact of the proposed agreement would be to increase minimum charges by 7 percent, general commodity rates by 2 percent, specific commodity rates by 6 percent, and containerized rates by 4 percent.[1]

Order 75-7-88, dated July 17, 1975, established dates for the submission of carrier justifications, comments and replies. Although the order called for carrier justifications to be submitted within fifteen days after the date of service of the order, Pan American was unable to comply with this date and finally submitted its justification on September 8, 1975. As a consequence, action on this agreement originally proposed by IATA to be placed into effect September 1, 1975, has been significantly delayed.

All three of the U.S. member carriers, National Airlines, Inc. (National), Pan American World Airways, Inc. (Pan American) and Trans World Airlines, Inc. (TWA) filed justifications in support of the agreement. Pan American and TWA urge its approval based upon their need for increased revenues to offset cost escalations; they contend that their composite rates of return will not exceed the Board's standards, and that the agreement conforms with the Board's policy statement issued prior to the start of the Nice conference. Seaboard World Airlines, Inc. (Seaboard), a non-IATA carrier, has submitted data, pursuant to Board request, indicating that the proposed agreement would provide very little basic earnings improvement.

National reports it is currently earning a 31.55 percent rate of return on investment (ROI) in total Atlantic scheduled combination cargo services. With the proposed rates in effect, it projects it would earn a 40.27 percent return. Even at a continuation of the present rates, National forecasts an increased ROI of 37.94 percent.

Based on their present transatlantic operating authority, Pan American and TWA project, for the year ending August 31, 1976, rates of return on cargo services at present rate levels of 10.84 percent and negative 4.7 percent, respectively. With the proposed rates in effect, Pan American anticipates it would earn 13.77 percent while TWA alleges it would realize a 2.8 percent return. Both carriers contend that the agreement, which increases specific commodity rates while providing lesser increases in general commodity rates, eliminates a number of specific commodity rates, and adopts a 10,000 kilogram specific commodity rate for goods tendered in containers, is in accord with the Board's policy statement. They assert that the 10,000 kilo specific commodity rate is cost-justified, meets individual shipper requirements, and eliminates undue diversion and malpractice abuses associated with presently effective higher weightbreaks. Both carriers indicate that the existing higher weightbreaks, including the 30,000 kilogram rates previously agreed to by IATA, are not cost-justified. TWA alleges that the proposed increase of $2 in minimum charge for shipments is cost-justified on the basis of ground handling costs alone. When capacity costs are added, the cost level exceeds the rate level by over $8 per shipment.

Seaboard, which like National has not experienced a change in route authority, as have Pan American and TWA, alleges that its rate of return of 4.17 percent in commercial operations for the year ended March 31, 1975 would decline in the forecast period to a negative 4.08 percent at the present rate levels and a negative 3.97 percent even under the proposed rates. Seaboard's projections assume that all of the currently effective high weightbreaks, except for the proposed 10,000 kilo specific commodity unitized high-weightbreak rate, are eliminated, and that present cargo charter-rate levels continue. Unlike Pan American and TWA, Seaboard's data include commercial charter operations.

Comments in opposition to the agreement were filed by Airborne Freight Corporation (Airborne), Members of the Air Freight Forwarders Association (AFFA), Emery Air Freight Corporation (Emery), the Puget Sound Traffic Association (PSTA), and Seaboard World Airlines, Inc. (Seaboard). The forwarder parties and Seaboard object to the intended removal by unilateral government action of the non-IATA high-weightbreak freight-all-kinds rates as contemplated by the agreement, and contend that the agreement fails to meet the Board's stated policy objectives. PSTA alleges that the presently available rates be-

[1] That portion of the Mid-Atlantic agreement which directly applies in air transportation to/from Puerto Rico and the Virgin Islands increases minimum charges by $3; increases westbound general commodity rates by from 3 to 5 percent and equates eastbound levels to westbound levels; increases specific commodity rates by 10 percent; and increases containerized rates by 5 percent.

tween Seattle and Europe are greater on a rate-per-mile basis than rates between New York and Europe and between San Francisco and Europe, and that the proposed agreement seeks to perpetuate this unjust discrimination. It is contended that this conflicts with the Board's policy established in *Agreements Adopted by IATA Relating to North Atlantic Cargo Rates*, Docket 20522, and that Seattle users of air freight transportation should be placed on an equal footing with their counterparts in New York and California.

Seaboard urges the Board to disapprove the agreement as not being in the public interest. Seaboard indicates it reluctantly urges this action despite the much-needed additional revenue (albeit small) which would result if approved. The negative aspects of the agreement, Seaboard contends, so far exceed its potential gain that disapproval is the only proper course of action. The elimination of existing 15,000 kilo and 30,000 kilo IATA weightbreaks and the absence of the 34,000 and 42,500 kilo non-IATA weightbreaks and the IATA minimum charter rates would not only result in increases in scheduled service rates, but also divert large-shipment traffic from scheduled to charter operations, the rates for which will be reduced. Seaboard contends that because large-shipment traffic constitutes over a third of its business, the proposed agreement is destructive insofar as the revenue gains proposed by both Pan American and TWA are unattainable because of the anticipated charter diversion. In addition, Seaboard contends that the IATA proposals will discourage containerization and discriminate against carriers utilizing modern, more efficient aircraft, and that specific commodity rates have not been adjusted to reasonable levels.

In answer to Seaboard's comments, both Pan American and TWA assert that: the proposed rates will cause little diversion to charter service; Seaboard's forecast is unrealistic; the incentive to containerize will not be diminished; there is no cost justification for high weightbreaks; and there is no statutory or other obligation to provide high-weightbreak discounts except as cost savings justify. Seaboard, Pan American contends, wants retention of IATA's minimum charter rates, which were set in relation to the 30,000 kilogram specific commodity rate; however, that relationship was upset by Seaboard's filing of 34,000 and 42,500 kilogram FAK rates which undercut the charter levels. Pan American asserts that Sebaoard desires a charter-rate floor which would undercut scheduled rates. Both Pan American and TWA state that the proposed package does meet the Board's objectives as cited in the policy statement, in that: the rates are more in line with the carrier costs; high-weightbreak rates are set at levels consistent with cost savings; the nominal increase in general commodity rates is warranted; it eliminates a number of specific commodity rates; and the increases to be applied to specific commodity rates are higher than those proposed for general cargo.

In response to the PSTA parties, Pan American alleges that the PSTA comparisons are so selective that they are misleading and do not indicate unjust discrimination against the Seattle shipper/consignee. Pan American asserts that Seattle general commodity shippers of 100 kilograms or less are in fact favored, on a mileage basis, over New York shippers. At a 500 kilogram rate the difference in favor of New York is so small that it cannot be characterized as unjustly discriminatory. The carrier states that while the proposed electronic specific commodity rate per mile from Seattle is 2.7 percent higher than from New York to Frankfurt, and 1.4 percent higher than from New York to Rome, it is lower than the New York-London rate per mile.[2]

Pan American suggests that cargo profitability should be judged on all-cargo service. All-cargo service, the carrier contends, moves the bulk of the volume, is the only service on which profitability can be established with any degree of certainty, and avoids the judgments necessarily involved in capacity-cost allocations for belly traffic in combination aircraft. Generally, the Board considers both freighter and belly operations in its disposition of IATA rate agreements, but places the greater weight on all-cargo operations. While we will rely primarily on the economics of freighter operations in our disposition of the instant agreement, we are greatly concerned with the methodology used by the carriers to reach combination-aircraft results, and expect to explore whether corrective action should be taken to assure more usable data for belly-freight operations. In our reliance on the all-cargo operations, however, for the reasons set forth below, the Board is unable to accept, absent adjustments, the freighter forecasts as submitted by the two combination carriers.

We are concerned with what appears to be an inordinately high rate of return for lower-deck cargo operations and a below-standard return projected for freighter operations. We recognize that, in part, the high returns for lower-deck compartments could result from cost and investment allocations. In reviewing the carrier submissions, we note that Pan American and TWA anticipate 32 percent and 52 percent of their total freight tonnage will be carried in lower-deck compartments of their combination aircraft, while their freighter would experience load factors of 57.2 and 57.5 percent, respectively, considerably below Seaboard's experienced load factor of 66.7 percent.

The distribution of revenue freight traffic as between all-cargo and combination aircraft reflects the combination carriers' options to schedule freighter service. For present purposes, we deem it appropriate to adjust the freighter load factors of the combination carriers to Seaboard's level.[3] The Board's upward adjustment of freighter load factors to Seaboard's historical experience, and the attendant revenue increases and traffic-service cost adjustments, has the effect of increasing Pan American's forecast rate of return to approximately 10 percent (compared with 2 percent originally forecast by the carrier) and improving TWA's return to a negative 11 percent (compared with a negative 21 percent). As the adjusted rates of return are, in composite, below the Board's guidelines, we conclude that the proposed increases are justified.

Seaboard's projections are based on market expectations which would increase scheduled-service rates pursuant to the agreement but reduce the scheduled-service traffic available because of diversion to low-cost cargo charters. Seaboard further projects virtually no growth in traffic and a 3 percentage point decline in load factors stemming from increased capacity. We are not persuaded by Seaboard's dire projections; nevertheless, based on Seaboard's historical results (4.17 percent ROI for the 12-month period ending March 31, 1975) as well as reported cost escalations, it appears that rate relief is warranted.

Although we will approve the agreement before us, our approval of the general commodity rate increases is conditioned upon the retention of the 34,000 and 42,500 kilogram weightbreaks currently on file to both France and Germany.[4] These high freight-all-kinds weightbreaks for containerized cargo, originally filed to Germany and later extended to France, were established outside the auspices of IATA and, despite the Board's reservations as to their level,[5] continue to remain outside the bailiwick of IATA. To date, the Government of France has not taken any adverse action against the existing tariffs, although the Government of the Federal Republic of Germany has taken steps to have the tariff removed.

The agreement was adopted on the assumption that the high FAK weightbreaks, although established outside of IATA, would be eliminated by government action. If this were to come to pass the transatlantic rate strucure would be completely out of accord with the Board's policy statement, wherein the Board indicated "that general commodity rates should be established at levels related to fully allocated costs. Higher weight-

[2] In a motion to file a late reply, PSTA cites the selectivity of Pan American, cites various anomalies in San Francisco rates vis-a-vis Seattle, and indicates willingness to accept some rate increases to achieve equity with New York.

[3] National Airlines does not operate freighter aircraft over the Atlantic.

[4] However, we will defer action on the charges for loading and unloading unit load devices set forth in Attachment C of Resolution 534a and will act upon the charges in the order dealing with composite matters and related ancillary charges.

[5] The rates at issue are being investigated. See Docket 27557.

breaks should be made available consistent with demonstrable cost savings." Absent the securing of an agreement along these lines the Board indicated that if "revenue increases can be demonstrated in selected areas, the increased revenues should be realized from increases on specific commodity rates—not from the general commodity rate." The agreement before us takes a little of each alternative, with results which are contrary to the intent of the statement. First, rather than make high weightbreaks available for the shipper of general commodities, the agreement would not only increase existing general commodity rates, but would have the effect of eliminating the only freight-all-kinds weightbreaks because of the contemplated action of governments. This is in direct contravention of the policy statement. Further, although the statement indicates a lesser reliance on specific commodity rates and increases only in specific commodity rates where revenue increases are required, the elimination of the high FAK weightbreaks would make the proposed 10,000 kilo specific commodity rate the lowest rate in the structure. We fail to see how the reliance on specific commodity rates could be reduced in these circumstances. In addition, despite the Board's admonitions to the contrary, the agreement would increase general cargo rates, albeit at a lesser level than those proposed for a majority of the specific commodity rates.

The agreement before us is considered regressive and the Board concludes that the approval is warranted only upon the continuation of the high freight-all-kinds weightbreaks to France and Germany. Our approval of the proposed increases in general commodity rates, container rates and minimum charges will be conditioned upon the reintroduction and maintenance of the previously filed FAK high-weightbreak rates. In this respect we would add that in the interest of stability the IATA carriers should seek to renegotiate certain portions of this agreement to incorporate very high freight-all-kinds weightbreaks.[6]

Our review of PSTA's comments, and the response by Pan American, indicates that there is some question as to the reasonableness of the rates proposed for Seattle *vis-a-vis* rates at New York, Los Angeles and San Francisco. While we note that the existing and proposed relationship of general commodity rates for Seattle *vis-a-vis* New York has some distortions, it is not clear that these differences are of such a magnitude as to necessitate definitive action by the Board to require adjustment. On the other hand, a comparison of the present and proposed relationship of specific commodity rates for Seattle *vis-a-vis* New York, and even Los Angeles and San Francisco, indicates problems of equity and reasonableness. In general it appears that the level of specific commodity rates, on a revenue-ton-mile basis, is significantly higher for Seattle than is the case for New York and the west coast cities.[7]

Our analyses indicates that we do not have before us a clear and adequate basis which, at this time, requires the corrective action taken by the Board in Docket 20522. However, considering the fact that the rate relationships are of long standing, the agreement will be approved for an interim period. Our continued approval is contingent upon the requirement that the carriers readdress themselves to the issue of rates to Seattle and to submit a new agreement to the Board for approval, within 90 days time, resolving the rate inequities.[8]

Finally, in acting on the agreements before us, we shall condition our approval of Resolution 022j, Rules for Sales of Cargo Air Transportation, to insure that currency-related surcharges from foreign points shall be applied only to the transatlantic portion of through rates constructed to interior U.S. points. We are also disposing of two IATA agreements on which action was deferred by Order 75–7–136.

The Board, acting pursuant to sections 102, 204(a), 404(b), 412 and 1002 of the Act, does not find the following resolutions, set forth in the agreements indicated, adverse to the public interest or in violation of the Act, provided that approval is subject to conditions set forth in ordering paragraph one below:

[6] In this connection we note that our action herein should not be construed as an acceptance of the levels of the high freight-all-kinds weightbreaks currently under investigation (See Order 75–3–66). The Board would be receptive to higher rate levels reflecting the costs of providing service.

[7] For example, on a rate-per-ton-mile basis, the Seattle shipper of a 200 kilogram shipment of athletic goods destined to London would be required to pay over 10 percent more than the New York shipper. On the other hand, shippers in Los Angeles and San Francisco would pay the equivalent of the New York rate on a rate-per-ton-mile basis.

[8] The disposition of PSTA's objections to the Pacific rate structure was deferred by Order.

Agreement CAB	IATA No.	Title	Application
25202:			
R–1	001c	Cargo Tie-In Resolution—North Atlantic	1/2 North Atlantic.
R–2	001ff	Special Emergency Escape Resolution for JT12 (North Atlantic) Agreement (New).	1/2 North Atlantic.
R–3	001v	North Atlantic Escape Resolution	1/2 North Atlantic.
R–4	002 I	Standard Revalidation Resolution North Atlantic	1/2 North Atlantic.
R–5	002 II	Standard Revalidation Resolution North Atlantic	1/2 North Atlantic.
R–6	022j	JT12 (North Atlantic) Rules for Sales of Cargo Air Transportation (Revalidating and Amending).	1/2 North Atlantic.
R–7	002ff	JT12 (North Atlantic) Special Rules for Sales of Cargo Air Transportation (New).	1/2 North Atlantic.
R–8	115m	Meeting Rates, Charges, and Practices—North Atlantic (Revalidating and Amending).	1/2 North Atlantic.
R–9	501	Minimum Charges for Cargo—North Atlantic (Revalidating and Amending).	1/2 North Atlantic.
R–10	534a	Charges for Bulk Unitization—North Atlantic (Revalidating and and Amending) (Except Attachment C).	1/2 North Atlantic.
R–11	554a	North Atlantic General Cargo Rates	1/2 North Atlantic.
R–12	590	Specific Commodity Rates Board (Revalidating and Amending)	1/2 North Atlantic.
R–13	590u	JT12 North Atlantic Specific Commodity Rates (Unitized) New	1/2.
2525L:			
R–1	001c	Cargo Tie-In Resolutions—Mid-Atlantic	1/2 Mid-Atlantic.
R–2	001z	Mid-Atlantic Escape Resolution—Cargo	1/2 Mid-Atlantic.
R–3	002	Standard Revalidation Resolution	1/2 Mid-Atlantic.
R–4	022jl	JT12 (Mid-Atlantic and South Atlantic) Special Rules for Sales of Cargo Air Transportation (New).	1/2 Mid-Atlantic and South Atlantic.
R–5	022k	JT12 (Mid-Atlantic) Special Rules for Sales of Cargo Air Transportation (Revalidating and Amending).	1/2 Mid-Atlantic.
R–6	501	Minimum Charges for Cargo Mid-Atlantic (Revalidating and Amending).	1/2 Mid-Atlantic.
R–7	534b	Charges for Bulk Unitization—Mid-Atlantic (Revalidating and Amending).	1/2 Mid-Atlantic.
R–8	554b	Mid-Atlantic General Cargo Rates	1/2 Mid-Atlantic.
R–9	590	Specific Commodity Rates Board (Revalidating and Amending)	1/2 Mid-Atlantic.

Accordingly, it is ordered that:

1. Agreement C.A.B. 25202, be and hereby is approved subject, where applicable, to conditions previously imposed by the Board and subject to the following conditions:

a. Tariffs implementing the proposed specific commodity rates may be filed for effect no earlier than 15 days after the date of service of this order.

b. Tariffs implementing increases in minimum charges for cargo (R–9), charges for bulk unitization (R–10) and general cargo rates (R–11) may not be filed until such time as tariffs are filed and implemented reestablishing the previous 34,000 kilogram and 42,500 kilogram, freight-all-kinds containerized weightbreaks to Europe. Upon the satisfaction, and maintenance of this condition by the direct carriers, tariffs implementing these portions of the agreement may be filed on not less than 15 days notice thereafter. This condition shall remain in force until such time as a new IATA agreement is approved by the Board or altered by further Board order.

c. Application of the surcharge under resolution 022j to constructed rates to/from nonspecified U.S. points shall apply only to the specified portion of the through constructed rate.

d. The carrier members of IATA are hereby ordered to address the issue of the reasonableness of rates to/from Seattle *vis-a-vis* New York, Los Angeles and San Francisco and, within a 90 day period from date of service of this order, to submit an agreement for Board approval resolving the existing rate anomalies.

2. Agreement C.A.B. 25256, be and hereby is approved subject, where applicable, to conditions previously imposed

by the Board. Tariffs implementing this agreement may be filed for effect no earlier than 15 days after the date of service of this order.

3. Agreement C.A.B. 25185, action on which was deferred by Order 75–7–136, be and hereby is approved. Tariffs implementing this agreement may be filed for effect no earlier than 15 days after the date of service of this order.

4. Agreement C.A.B. 25171, action on which was deferred by Order 75–7–136, be and hereby is disapproved; and

5. Action be and hereby is deferred with respect to Attachment C of Resolution 534a.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76–152 Filed 1–2–76;8:45 am]

[Order 75–12–145; Docket 25280; Agreements C.A.B. 24488, 24569]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 30th day of December, 1975.

In the matter of agreement adopted by the Joint Traffic Conferences of the International Air Transport Association relating to specific commodity rates.

By Order 75–1–46, January 13, 1975, the Board approved increases in North/Central Pacific specific commodity rates for electronic components adopted by the carrier members of the International Air Transport Association (IATA).[1] On January 28 and January 31, 1975, respectively, General Instrument Corporation (GIC) and the Western Electronics Manufacturers Association (WEMA)[2] filed petitions for reconsideration of the Board's order. The petitioners also requested the Board to stay the effectiveness of Order 75–1–46, pending action on the petitions for reconsideration and/or judicial review of the Board's decision. A consolidated answer opposing the petitions has been filed by The Flying Tiger Line Inc. (Tiger), Pan American World Airways, Inc. (Pan American) and Japan Air Lines Company, Ltd. (JAL). The Board granted a stay of effectiveness in Order 75–2–43, February 11, 1975.

Background. The present specific commodity rates for electronic parts were introduced during the North/Central Pacific open-rate period which began in October 1971 and continued through June 1974. The subject agreement (C.A.B. 24488) was concluded at the Ft. Lauderdale Conference following the Board's disapproval in Order 74–6–93, June 19, 1974, of earlier IATA agreements to establish electronic commodity rates. Those earlier agreements were disapproved on the basis that they represented little improvement over the then present rates in terms of structural anomalies involving preference and prejudice among competing markets.[3] The present agreement, C.A.B. 24488, consolidated the previous six commodity item numbers into one description under Item 4416 and increased the subject rates substantially. The same shippers which now request reconsideration of the Board's decision, had submitted objections to the agreement when it was originally filed. The agreement was approved on the basis that the new description and structure removed the undue preference and prejudice reflected in the present rates and that the proposed rate levels, which represented substantial increases over the present rates, were reasonable and justified. The Board carefully considered the shippers' contentions and, in its order approving the agreement, stated that it could not find that their assertions warranted disapproval of the increases.

The Petitions for Reconsideration. The petitioners generally assert, *inter alia*, that the findings in the Board's orders are not supported by substantial evidence and disregard the public interest; that the Board's own figures, published in Order 75–1–47 issued concurrently with Order 75–1–46, demonstrate that the proposed increases would produce an excessive rate of return for the U.S. North/Central Pacific carriers;[4] that the proposed commodity rates do not eliminate unjust discrimination because they have no rational pattern or taper; that none of the carriers provided any cost information to show that the proposed rate increases were cost-justified; that the cost of carrying electronic products is not accurately reflected by the carriers' average costs per revenue ton-mile (rtm), particularly the costs of only one carrier (Tiger) in one quarter (third quarter 1974) used by the Board;[5] and the Board's calculation of the average yield for the carriage of electronic equipment, under present rates, contains numerous errors in that it was based on an arithmetic average of yields in selected markets at the highest available weight-breaks. Finally, the petitioners state that, in the event the Board denies the petition, it should grant a stay pending judicial review of its decision.[6]

WEMA contends further that the Board erred in stating that the Bureau of Economic's "cost-based formula" in the *Domestic Air Freight Rate Investigation* (DAFRI), Docket 22859, could not be applied to this case because DAFRI is still pending and because it resulted from analyses of domestic operations and international costs are allegedly higher; on the contrary, WEMA states, the Board has on two occasions adopted the Bureau formula to suspend proposed domestic rate increases and, in any event, Tiger's reported international unit costs are lower than its domestic costs. WEMA further alleges that the Board considered only all-cargo costs and completely ignored the costs of combination aircraft which are allegedly lower; that the carriers have not supplied the data necessary for the Board to make an accurate comparison of the costs and yields involved in the carriage of electronic traffic; that even if one accepts the Board's findings that rate increases are necessary to cover average costs, the amount of increase authorized is excessive and unreasonable; that the Board erred in attaching any significance to the fact that the proposed electronic commodity rates are lower than the general cargo rates, because Pacific general commodity rates are actually premium rates which carry little traffic; and that the Board should have weighed the impact of these drastic increases on the ailing electronics industry against the "need" of the airlines for excessive profits.

Response of the Carriers. In opposition to the petition, the joint respondents contend that discounted specific commodity rates such as those at issue are, by their nature, discriminatory, since they are available to only a limited segment of the marketplace, and the Board has never found that a shipper, for whose advantage such preferential rates are filed, has a vested interest in maintaining these rates. The carriers also state that the Board has never declared that such discount rates, once filed, may be increased only upon showing of a cost justification for the increase; that the Board's order approving the protested increases is consistent with the Board's policy on discounted specific commodity

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[1] Commodity Items Nos. 4416, 4417, 4435, 4506, 9902 and 9903.

[2] The WEMA parties are: Signetics Corporation; Litronix, Inc.; Fairchild Camera and Instrument Corporation; Intel Corporation; National Semiconductor; Electronic Memories and Magnetics Corporation; Data General Corporation; Rockwell International; Intersil, Inc.; American Microsystems, Inc., RCA Corporation; and Hewlett-Packard Corp.

[3] Two previous IATA attempts to close the open-rate situation with respect to electronics commodity rates were disapproved for the same reason. See Orders 73X 8–124, August 24, 1973 and 72–6–138, June 29, 1972.

[4] It is alleged that Tiger will earn a 24.6 percent return on investment (ROI) under the proposal, while the U.S. carriers (Tiger, Pan American and Northwest) on a composite basis will earn a 13.6 percent ROI.

[5] The petitioners contend that, because of the favorable density and handling characteristics of electronic traffic, the rates for this traffic should not be compared to the average cost per rtm for all traffic.

[6] GIC reiterates its position that opportunity for comment is no substitute for an evidentiary hearing, citing *NACA v. CAB*, 436 F. 2d 185 (D.C. Cir. 1970) and 442 F 2d 862, 864 (D.C. Cir. 1971), and also requests that in the event the Board does not hold a hearing, it grant a stay because of the serious effect implementation of the rate increases would have on GIC in light of low profit margins in the electronics industry and competition from firms located in Mexico. WEMA suggests that, in the event its petition is denied, its members would be willing to post a bond representing the difference between the present and proposed rates, or that the carriers could hold this amount in escrow pending judicial review.

rates; and that the petitioners erroneously apply domestic ratemaking standards for general cargo rates to international specific commodity rates. It is alleged further that the findings in Order 75–1–46 are wholly consistent with those in Order 75–1–47, and merely reflect the Board's judgment that it is more appropriate to make up the revenue deficiency of the carriers from the electronics commodity rates than to further burden the general commodity shipper.[7] The carriers also object to application of the 12 percent domestic ROI standard in international ratemaking, based on alleged instability of many factors involved in international operations, but submit that, in any event, application of this standard should reflect the performance of the industry as a whole, rather than that of the most favorably situated carrier; and contend that the petitioners' estimate of the revenue improvement which would result from the subject agreement is overstated, and a more accurate assessment shows a composite ROI of 12.1 percent rather than 13.6 percent as indicated by the petitioners;[8] and that if the Board's unwarranted adjustments of the carriers' submissions are corrected, the composite ROI at the proposed electronic rates will fall below 10 percent.[9]

The carriers state further that the Board correctly concluded that the electronic rates are at levels below cost; that its use of Tiger's costs in this analysis was conservative since Tiger has lower costs than the other carriers; that the Board has used average unit costs in the past when considering rate increases; and that the relatively high average densities of the electronic traffic alleged by the petitioners would not result in cost savings in view of the weight-limited characteristics of transpacific cargo operations.[10] Finally, it is alleged that the petitioners have not made the requisite showing to support their request for a stay, and that the Act does not empower the Board to approve any sort of "escrow" or "bonding" arrangements such as those suggested by WEMA.

Answer of WEMA to Response of the Carriers. In a further document, submitted February 27, 1975, WEMA requests permission to file an otherwise unauthorized document in answer to certain points in the carriers' reply. WEMA's motion will be granted herein. WEMA argues that, contrary to the carriers' assertions, specific commodity rates must be cost justified and, even though it may be difficult to allocate costs to major specific commodities and markets, the Board is required to do so, citing *Payne v. Washington Metropolitan Area Transit Commission*, 415 F. 2d 901 (D.C. Cir., 1968). The shippers allege further that the carriers cannot simply rely on "value of service" considerations without making a showing as to such considerations; that specific commodity rates are not inherently discriminatory;[11] that the ratemaking standards of section 1002(e) of the Act apply to foreign rates and the Board, in Order 70–2–124, February 27, 1970, applied them to IATA rates; that the Board should rely on the return of Tiger as the only North/Central Pacific all-cargo carrier rather than rely on composite ROI figures as presented by the carriers, and must determine whether Pan American's high costs represent economical and efficient management as required by section 1002(e)(5) of the Act; that the carriers are not necessarily entitled to a full rate of return during the worst economic slump since the Great Depression; and that variations in yield between various markets must be justified on the basis of cost or other considerations, citing Docket 20522, *Agreements Adopted by IATA Relating to North Atlantic Cargo Rates*, Order 73–2–24, February 6, 1973. Finally, WEMA asserts that the drop-off in Tiger's load factor during the fourth quarter of 1974 raises the question whether the increase in capacity represented by introduction of B–747F service reflects economical and efficient management; that the carriers' calculations do not reflect the benefits of TWA's recent suspension of Pacific service; that the carriers challenge the Board's estimate of a 35 percent increase in the rates whereas the shippers estimate an increase of 48.7 percent and Tiger estimates 22 percent, and thus the Board does not have sufficient information to determine the impact of the proposed increase; and that the carriers' calculations which purport to demonstrate weight limitation of aircraft are not meaningful.

Findings. Upon full consideration of the petitions, the consolidated answer, and all other relevant factors, we will deny the petitions. The Board's approval of the agreement in issue was based on findings that the agreement represents an acceptable solution to the problem of removing the unjust discrimination present in the existing pattern of electronic commodity descriptions and rates; that the proposed rate levels are reasonable; that the carriers' costs have increased significantly in the recent period; that the present effective electronic parts rates are significantly below the carriers' costs of service; and that the Board's established policy of leaving to the carriers' initiative considerable flexibility in publishing specific commodity rates, while at the same time generally considering specific commodity rate increases as a source for increased yields when increased revenues are required, is justified.

The petitioners have not shown any of these findings to be in error. Their arguments that the proposed rates are unjustly discriminatory merely restate their previous allegations in this regard, which the Board previously found unconvincing.[12] Neither are we persuaded by the shippers' contentions that the rate increases are unreasonable and unjustified. Although Order 75–1–47 issued concurrently with the electronics order disapproved a general increase in all North/Central Pacific cargo rates on the basis that Tiger was then in an above-standard earnings position and that the three U.S. carriers would, with the increases, receive a composite return on investment (ROI) in excess of the Board's 12 percent standard, the Board estimated the U.S. carriers' composite ROI at only 7.8 percent under present rates. Thus, some yield improvement was required, and it was the Board's intention that this be accomplished through increases in low specific commodity rates such as the electronic rates, consistent with established Board policy.

Our review of more recent data reaffirms the conclusion that the carriers require revenue improvement. The decline in North/Central Pacific cargo profitability over the last two years is the result of a dramatic increase in operating costs which has not been matched by a corresponding increase in yields. For example, Tiger's overall Pacific unit cost per revenue ton-mile (rtm) increased 38.5 percent during the year ended March 31, 1975 over the previous 12 months, while overall yield increased only 25.6

[7] Order 75–1–47 disapproved a general increase in all North/Central Pacific rates on the basis that approval would place the U.S. carriers in an excess earnings position, but found that without any increase the carriers would earn an ROI of only 7.8 percent.

[8] The respondents assert that the petitioners erroneously apply the 30 percent share of traffic figure for electronics to total North/Central Pacific traffic when in fact it should be applied only to commercial freight traffic.

[9] The carriers specifically criticize the Board's adjustment of Tiger's traffic forecast, and its elimination of Pan American's anticipatory increases in fuel costs.

[10] Here the carriers have submitted an exhibit showing that at the average densities of electronics parts cited by the shippers, freighter aircraft reach their maximum weight long before maximum cubic capacity is attained on the critical Anchorage/Tokyo leg over which many transpacific flights are operated.

[11] WEMA cites *Revised Aggregate Rates Proposed by WTC Air Freight*, Order 73–2–61, February 14, 1973, which stated that "all shippers of the same commodity between the same points pay the same rates."

[12] As stated in Order 75–1–46, the proposed rates would remove the present discrimination inherent in anomalies such as conflicting and overlapping item descriptions, significant directional differentials unrelated to the costs of service or the movement of traffic, lower rates for more distant points, and wide variations in yields among competing markets; and nowhere have the petitioners shown that they would suffer undue preference or prejudice. We also note that Docket 20522, *Agreements Adopted by IATA Relating to North Atlantic Cargo Rates*, cited by the shippers, was directed to rate relationships involving North Atlantic transportation between gateway cities in the United States, and the Board specifically permitted yield variations and common-rating of foreign points to maintain historical relationships among European points in the transatlantic IATA rate structure. See, Order 74–4–7, April 2, 1974.

percent.[13] The increase in freight yield was 21.2 percent, and thus yields in scheduled freighter service have lagged behind costs even more than yields from other services.

The Board has also reviewed Tiger's load factor associated with its year ended March 31, 1975, ROI of 13.20 percent, and finds it consistent with the carrier's historical experience. In Order 75–1–47 the Board adjusted Tiger's traffic forecast upward to maintain the same load factor, 64.9 percent, experienced during the year ended September 30, 1973, the last 12 month period before the fuel crisis of late 1973 which resulted in substantial short-term declines in both traffic and capacity. Tiger experienced exactly this same 64.9 percent load factor during the year ended March 31, 1975, and the Board does not regard it as unreasonable.

Order 75–12–146, issued concurrently herewith, which deals with the new IATA North/Central Pacific rate structure proposed for effect through September 30, 1977, uses Tiger's experienced 64.9 percent load factor as a basis for adjustment of all three carriers' forecasts. As detailed in that order, the three carriers' composite ROI in scheduled freighter operations during the year ending September 30, 1976, at the adjusted load factor, is estimated at 7.18 percent under present rates, indicating a clear need for yield improvement. With the improved revenues flowing from the Ft. Lauderdale increases in electronics rates already approved but not yet effective, the carriers' return would be 11.98 percent, consistent with the Board's 12 percent guideline, and thus it does not appear that implementation of the electronic increases will produce excess earnings.[14]

It is apparent that if the present trend in revenue/cost relationships continues, the carriers' returns will continue to decline and preclude their earning a reasonable return over an extended period. The Board has established a 12 percent return as reasonable in domestic operations, and has applied it as a guideline in considering international rate agreements. The proposed increase in low specific commodity rates will not produce earnings above that level of profitability, and accordingly we cannot find it unreasonable. Thus, approval of the subject agreement is consistent with the Board's established rate policy of considering whether a particular rate structure will result in a reasonable rate of return to the carriers over an extended prospective period.[15] contrary to the contention of the shippers that our action merely represents a policy of guaranteeing the carriers a full rate of return during the present economic slump.

In approving the increased rates, the Board also stated that the present electronics rates are significantly below the carriers' average cost of service. While the shippers criticize the Board's comparison of electronic yields with average carrier costs, they have not presented any compelling reasons why this comparison, which the Board has applied in similar cases, is not valid.[16] Evaluation of rates on the basis of the carriers' average costs of service is a reasonable approach, and the petitioners' suggestion that the Board must make a precise allocation of costs in this case is contrary to established ratemaking principles.[17] Based on the information presently available, it is not possible for the Board to determine the precise costs relative to the transportation of this traffic.

It is evident from the record that the existing electronic commodity rates which, as noted above, reflect preference and prejudice among different markets,[18] have never had any basis in carrier costs. As stated in Order 75–1–46, the present rates, which were introduced during the open-rate period beginning in October 1971, resulted from the availability of empty backhaul capacity generated by one-way MAC operations during that period, as well as intervention by foreign governments. The unusual combination of circumstances which produced these low levels in the context of a "rate war" no longer exists, and there is no reason to delay further in raising the rates to the levels set for other commodities in line with current costs.

In this regard, the shippers have not shown that the costs of carrying electronics traffic differ significantly from those of carrying other cargo. Essentially, the shippers argue that the costs of carrying electronic traffic are lower than those of other cargo because of its high density and favorable handling characteristics. However, as stated in Order 75–1–46, there is no indication that electronic components are any denser or easier to handle than the general run of manufactured goods in the Pacific market. The petitioners contend that the alleged densities of electronic parts exceed the average for *general commodity traffic* moving under general cargo rates, but nowhere do they allege that electronic parts are any denser than other *specific commodity traffic*, which makes up the bulk of North/Central Pacific freight traffic. Moreover, the shippers' allegations that their traffic is unusually dense reflect average density estimates ranging widely from 12 to 40 lbs./cu. ft., are unsupported by any meaningful data, and apparently refer to dockside rather than stowed density which is the proper criterion for establishing the capacity costs for transporting the traffic.[19]

The shippers also criticize the Board's analysis of yields under the present electronic rates, but they have not shown any specific errors in the Board's findings, or any compelling reason why the Board's estimate is not valid. It is alleged that the Board's average-yield figure is understated because long-haul, low-yield, New York-Far East traffic is overstated; the average includes some rates no longer used; and the Board used Los Angeles-Far East mileages rather than San Francisco-Far East mileages which are shorter and would produce a higher yield, although San Francisco is a more important production area. We do not find these arguments convincing. The rates used to calculate average yield included all those specifically cited by the shippers in their initial com-

[13] Pan American and Northwest demonstrate similar results: cost increases of 31.9 and 35.0 percent, respectively, and yield increases of only 18.7 and 28.2 percent. Similarly, more recent data for the year ended June 30, 1975, exhibit the same trend when compared to results for the year ended June 30, 1974, Tiger, for example, experienced an overall unit cost increase of 34.4 percent but only a 25.5 percent yield increase.

[14] See Order 75–12–146, Appendix. The increase in Tiger and Northwest's electronics revenue was derived from the adjusted traffic forecasts, with electronics traffic at 30 percent of scheduled freighter traffic, and from the estimated yield improvement ($0.0655/rtm). Pan American's increased electronics revenue was stated in a document submitted by the carrier on October 14, 1975. While the shippers criticize the Board's estimate of the yields and increases in electronic commodity rates, their own revised estimates indicate increases of only $0.0567 or $0.0592/rtm compared to the Board's estimate of $0.0655. Thus the Board's estimates result in higher ROI figures than would result under the petitioners' figures.

[15] See, *General Passenger-Fare Investigation*, 32 C.A.B. 291, 328 (1960). We also note under section 1002(e) of the Act, the Board considers the needs, under honest, economical and efficient management, of all carriers in determining the reasonableness of rates. Indeed, it is doubtful whether a competitive air transport system could long survive under rates which meet only the needs of the low cost carrier. The Board has previously applied 1002(e) standards to section 412 agreements, and we do not believe it inappropriate to consider these standards in making our determination as to whether or not the subject agreement is adverse to the public interest. See, *IATA Agreements Relating to Transatlantic Fares*, Order 70–2–124, February 27, 1970, at page 21.

[16] See, *United Airlines, Inc. Specific Commodity Rates on Periodicals Floral Products, and Seafood*, Order 72–11–78, November 20, 1972.

[17] See, *State of New York* v. *United States*, 331 U.S. 284, 328 (1947); *Colorado Interstate Gas Co.* v. *FPC*, 324 U.S. 581, 589–590 (1945); *Association of American Publishers, Inc.* v. *Governors of U.S. Postal Service*, 458 F. 2d 768, 773 (D.C. Cir. 1973); and *Mississippi River Fuel Corp.* v. *FPC*, 163 F. 2d 433, 439 (D.C. Cir. 1947). In addition, *Payne* v. *Washington Metropolitan Area Transit Commission*, 415 F. 2d 901 (D.C. Cir. 1968), cited by WEMA, cannot be construed to support the shippers' contention that a precise allocation of costs must be made before the Board approves increases in specific commodity rates. *Payne* involved an appeal of a decision by the Washington Area Transit Commission that *reduced* promotional fares for suburban, charter and contract services were not unjustly discriminatory. The appellants contended that these services were being subsidized by the more profitable central city bus operations. The Court found that the Commission had not shown the proposed reductions to be warranted by cost savings or any other substantial reason, and remanded the case to the Commission for further inquiry.

[18] Cf. fn 12 *supra*.

[19] See, *Nonpriority Mail Rate Case*, Orders 70–4–9 and 70–4–10, April 2, 1970.

plaints; included both high-yield Tokyo and low-yield Southeast Asia traffic; and emphasized the highest available weight-breaks since the shippers themselves stated this is how most of the traffic moves. Accepting, *arguendo*, WEMA's estimate of average yield under all weight-breaks of 20.30 cents/rtm, this is still well below Tiger's average cost of 23.63 cents/rtm for the first quarter, 1975.[20]

It has long been the Board's policy that where yield improvement is required, as is the case in the North/Central Pacific, it should be accomplished through increases in low specific commodity rates. Very few commodity rates are directly related to costs, but are introduced as low promotional rates at levels predicated on value of service considerations, with the ostensible purpose of developing new traffic. Rates established on this basis should then be increased as the particular traffic is able to absorb a greater proportion of the carrier's total costs. Although the shippers argue that the proposed increase is excessive and claim that they are considering other means of moving their goods, nevertheless we are not convinced that the bulk of this traffic will be lost to scheduled air service, since the shippers themselves state "the alternate transportation facilities available to the electronic shippers would impose substantial penalties in costs in the form of longer shipping times, higher inventory costs, delays and disruptions in production schedules, etc." [21]

As stated in Order 72–11–78, November 20, 1972, specific commodity rates are inherently preferential.[22] In this regard, it is well established that discount fares and rates, which discriminate among different categories of traffic, and which would otherwise constitute unjust discrimination proscribed by the Federal Aviation Act, may be justified on the basis of such factors as costs or competition.[23] However, there is a significant question as to whether factors now exist which would justify these rates. Moreover, no shipper has a vested right to the continuation of a low specific commodity rate.[24]

As the Board stated in its policy statement issued prior to convening of the IATA worldwide cargo conference in Nice, low specific commodity rates as they exist today, continuing long after their usefulness in generating new traffic has passed, should be abandoned. By no stretch of the imagination do the Pacific electronic rates meet the criteria for truly promotional commodity rates which can develop new traffic in air transportation without diluting present earnings, since they move a significant portion (30 percent) of North/Central Pacific freight traffic and, although still preferred by low promotional levels, are apparently generating no new traffic.

The subject agreement would still afford the electronic shippers commodity rates which are set below the general cargo rate level, and although the petitioners allege that the present general rates are, in fact, too high, the level of North/Central Pacific general rates is not an issue in this case and will not be considered herein. Concurrent Order 75–12–146 disapproves increases proposed in general cargo, container, and commodity rates other than electronics, on the basis that carrier earnings will be adequate under present levels plus the increased electronics rates. There is no reason to increase other rates when the required revenue improvements can be accomplished through implementation of electronics rate increases approved many months ago but which never became effective. In any event, the Board cannot review the entire structure of general cargo rates, which it has already approved every time a shipper has a problem with changes in a particular specific commodity rate.

In sum, the petitioners have not presented facts sufficient to convince the Board that its previous findings were in error. For almost four years the electronics shippers have had the benefit of commodity rates which not only offered a significant reduction from the general cargo rates, but were also lower than almost all other specific commodity rates. As stated in Order 75–1–46, the electronics shippers have no inherent right to the lowest freight rates in the Pacific. Increases in the subject rates have been delayed for almost four years, while other rates used by smaller and less vocal shippers have been increased substantially. The electronics shippers would still receive the benefit of discounts, and there is no reason to delay further in raising the electronics rates to more compensatory levels in line with other North/Central Pacific commodity rates.

We will also affirm our decision in Order 75–1–46 to deny GIC's motion for an evidentiary hearing. As we noted in that order, the Board is not required by section 412 of the Federal Aviation Act to hold evidentiary hearings in connection with Board consideration of IATA agreements.[25] Moreover, we do not believe that the holding of an evidentiary hearing in this case would be either necessary or desirable. The shippers have had full opportunity to comment formally on the subject and raise their objections for the Board's consideration. Further, presently available data, including the information provided by the parties in their pleadings, provide an adequate basis for approving the subject agreement. Thus the holding of an evidentiary hearing in this case would merely result in an unwarranted delay in the implementation of the agreement, and an unnecessary expenditure of the time and resources of the Board and the parties.

Upon consideration of the matters presented, we will also deny the petitions of the shippers for a stay pending judicial review. The Board has in the past granted such stays, where it has found that it would be in the public interest to maintain the *status quo* until conclusion of a court proceeding.[26] We cannot make such a finding in this case. Our decision not to grant the stay requested reflects our careful consideration of well-established judicial criteria, including an assessment of the probability that the shippers will succeed on the merits in the judicial proceeding; an analysis of any harm which the shippers might suffer if the stay is denied, balanced against injury to the carriers should the stay be granted; and, most importantly, our determination of the course of action which will best serve the public interest.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 102, 204(a), 412 and 1002(j) thereof,

It is ordered that:

1. The petitions of General Instrument Corporation and the Western Electronics Manufacturer's Association for reconsideration of Order 75–1–46 be and hereby are denied;

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[20] Nor can the Board accept the petitioners' repeated contention that the Bureau of Economics' "cost-based formula" in *DAFRI* shows the present electronic rate levels to be adequate. As noted in Order 75–1–46, all the data presented in *DAFRI* by the Bureau reflect domestic operations only. Moreover, contrary to the shippers' contentions, data reported to the Board indicate that on an available-ton-mile basis, cargo costs are considerably higher for Pacific than for domestic service (with the exception of Pan American which has negligible domestic operations). The Bureau formula and the entire investigation, which is still pending, involve the complete revision of a domestic rate structure, where the Board has the power to prescribe rates, rather than consideration of increases in individual IATA commodity rates.

[21] As stated in Order 75–1–46, the proposed rate increases will have a minimal impact on the final selling price of each component, and will not affect the shippers' competitive positions.

[22] WEMA's citation of Order 73–2–61, *Revised Aggregate Freight Rates Propcsed by WTC Air Freight*, which stated that "all shippers of the same commodity between the same points pay the same rates," appears to be a gross misinterpretation of that order, which referred to specific commodity rates only to distinguish between the characteristics of specific commodity rates and WTC's proposed "shotgun" general cargo rates which were found unjustly discriminatory partly because "under the WTC proposal shippers of the same commodity may pay different rates depending upon their ability to tender at the same commodity may pay different rates depending upon their ability to tender at the same time other unrelated cargo." Order 73–2–61 did not consider the issue of whether specific commodity rates discriminate among different categories of traffic.

[23] See, *IATA Agreements Relating to Transatlantic Fares*, Order 70–2–124, February 27, 1970; *Revised Aggregate Freight Rates Proposed by WTC Air Freight*, Orders 73–2–61, February 14, 1973, and 73–4–34, April 6, 1973; and *Domestic Passenger-Fare Investigation* (Phase 5—Discount Fares), Order 72–12–18, December 5, 1972.

[24] See, *Southern Pac. Co.* v. *ICC*, 219 U.S. 433, 441(1911); *Atchinson T & SF Ry* v. *ICC*, 190 F. 591 594(1911); and *Atlantic Coast Line R. Co.* v. *Trammel*, 287 F. 741, 744(1923).

[25] See, *National Air Carrier Association v. C.A.B.*, 436 F 2d 185, 191 (C.A.D.C. 1970), and cases cited therein.

[26] See, *Alaska Service Investigation*, Order 72–1–94, January 26, 1972, at page 11.

2. The petitions of General Instrument Corporation and the Western Electronics Manufacturer's Association for a stay pending judicial review of this order be and hereby are denied;

3. The petition of General Instrument Corporation for reconsideration of the Board's denial of its motion for an evidentiary hearing in Docket 25280 be and hereby is denied; and

4. The motions of the Western Electronics Manufacturer's Association, The Flying Tiger Line Inc., Japan Air Lines, Company, Ltd., and Pan American World Airways, Inc. for leave to file otherwise unauthorized documents in Docket 25280 be and hereby are granted.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76-150 Filed 1-2-76;8:45 am]

CIVIL SERVICE COMMISSION

FEDERAL EMPLOYEES PAY COUNCIL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Federal Employees Pay Council will meet at 2:00 p.m. on Wednesday, January 21, 1976. This meeting will be held in room 5323 of the U.S. Civil Service Commission building, 1900 E Street, N.W., and will consist of continued discussions on future comparability adjustments for the statutory pay systems of the Federal Government, which are defined in section 5301 of title 5, United States Code.

The Chairman of the U.S. Civil Service Commission is responsible for the making of determinations under section 10(d) of the Federal Advisory Committee Act as to whether or not meetings of the Federal Employees Pay Council shall be open to the public. He has determined that this meeting will consist of exchanges of opinions and information which, if written, would fall within exemptions (2) or (5) of 5 U.S.C. 552(b). Therefore, this meeting will not be open to the public.

For the President's Agent.

RICHARD H. HALL,
Advisory Committee Management Officer for the President's Agent.

[FR Doc.76-148 Filed 1-2-76;8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COTTON AND MAN-MADE FIBER TEXTILE PRODUCTS FROM THE REPUBLIC OF CHINA

Import Control Levels

Correction

In FR Doc. 75-34722, appearing at page 59475 in the issue for Wednesday, December 24, 1975, make the following corrections in the table:

1. For the category "45/46/47", the 12 month level of restraint should read "13, 191, 486"/.

2. For the category "219*", the amount should read "dozen" and the 12 month restraint should read "4, 925, 555".

3. For the category "221*", the 12 months restraint level should read "3, 576, 597".

4. For the category "222", the 12 month restraint level should read "3, 562, 211".

COMMODITY FUTURES TRADING COMMISSION

ADVISORY COMMITTEE ON DEFINITION AND REGULATION OF MARKET INSTRUMENTS

Public Hearings and Meeting

Notice is hereby given, pursuant to Section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I., § 10(a), that the Commodity Futures Trading Commission Advisory Committee on Definition and Regulation of Market Instruments ("Advisory Committee on Market Instruments") will conduct a public hearing on January 21, 1976, at the Madison Hotel, 15th and M Streets NW., Washington, D.C., in Executive Chambers 1 and 2 beginning at 9:30 a.m. The Advisory Committee on Market Instruments was chartered to consider and submit reports and recommendations to the Commission on the following subjects:

(1) Appropriate standards to be utilized by the Commission in regulating forms of transactions that are subject to the Commodity Exchange Act, as amended, including consideration of such matters as:

(i) Appropriate standards to be utilized by the Commodity Futures Trading Commission regarding the definition of commodity futures contracts; and

(ii) Appropriate restrictions or prohibitions for options relating to commodity transactions and margin or leverage transactions subject to Section 217 of the CFTC Act.

(2) Responsibilities of the Commission over cash commodity markets. This will include consideration of such matters as:

(i) Contracts for forward delivery;

(ii) Cash market manipulations; and

(iii) Data and reporting needs for cash markets.

The Committee is seeking testimony on the following questions:

(1) To what extent and in what manner may and should the Commodity Futures Trading Commission exercises regulatory authority over cash commodity markets?

(2) Under what terms and conditions, if any, should the Commodity Futures Trading Commission allow the public offering and sale of "leverage contracts" or "margin contracts" involving gold or silver bullion or gold or silver bulk coins?

(3) Under what terms and conditions, if any, should the Commodity Futures Trading Commission allow the public offering and sale of commodity option contracts?

In addition to a public hearing to be conducted by the full Committee, the three subcommittees will conduct separate meetings open to the public.

The Subcommittee on Cash Commodity Markets will meet at the conclusion of the public hearing on January 21 in Executive Chambers 1 and 2 of the Madison Hotel. The Subcommittee will consider the preliminary report to the full committee on the extent to which, and the manner in which, the CFTC should implement its cash commodity market regulatory authority.

The Subcommittee on Futures, Forward and Leverage Contracts will meet at 9:00 a.m., January 22 in the Monticello Room of the Madison Hotel. The Subcommittee will continue discussion and consideration of the legal and economic distinctions among futures, forward and leverage contracts.

The Subcommittee on Commodity Options will meet at 1:00 p.m., January 22 in the Monticello Room of the Madison Hotel. The Subcommittee will continue discussion of the terms and conditions which should apply to the public offering and sale of options, should the CFTC decide to approve such transactions. The Subcommittee will also continue discussion of what additional considerations, if any, should apply to the public offering and sale within the United States of foreign commodity options.

All meetings are open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgement, facilitate the orderly conduct of business. Any member of the public that wishes to testify at the public hearing should write or call Mr. Edward J. Nowicki, Jr., Commodity Futures Trading Commission, 1120 Connecticut Avenue NW., Washington, D.C. 20036, telephone (202) 254-6575 by January 16, 1976. Any member of the public that wishes to file a written statement with the Committee should mail a copy of the statement to Mrs. Harrison, The Advisory Committee on Market Instruments, Commodity Futures Trading Commission, 1120 Connecticut Avenue NW., Washington, D.C. 20036, by January 16, 1976.

The Commission is maintaining a list of persons interested in the operations of this advisory committee and will mail notice of the meetings to those persons. Interested persons may have their names placed on this list by writing DeVan L. Shumway, Director, Office of Public Information, Commodity Futures Trading Commission, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

Dated: December 30, 1975.

WILLIAM T. BAGLEY,
Chairman, Commodity Futures Trading Commission.

[FR Doc.75-136 Filed 1-2-76;8:45 am]

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST 1976

Addition to Procurement List

Notice of proposed addition to Procurement List 1976, November 25, 1975 (40 FR 54742) was published in the FEDERAL REGISTER on September 8, 1975 (40 FR 41551).

Pursuant to the above notice the following commodity is added to the Procurement List:

Class 7530:	*Price*
Refill, Appointment Book (ES) 7530-00-497-1539.	$0.91 Each.

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76-129 Filed 1-2-76;8:45 am]

PROCUREMENT LIST 1976

Proposed Additions

Notice is hereby given pursuant to section 2(a)(2) of Pub. L. 92-28; 85 Stat. 79, of the proposed addition of the following commodities to Procurement List 1976, November 25, 1975 (40 FR 54742).

Class 7340:
Spoon, Picnic, Unplated, Plastic
7340-00-J19-1300
Flatware, Plastic
7340-00-205-3187 Knife
7340-00-205-3342 Fork
7340-00-170-8374 Spoon
Class 7360:
Flatware Set
7360-00-634-4800

Comments and views regarding these proposed additions may be filed with the Committee on or before February 4, 1976. Communications should be addressed to the Executive Director, Committee for Purchase from the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

This notice is automatically cancelled July 6, 1976.

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76-130 Filed 1-2-76;8:45 am]

PROCUREMENT LIST 1976

Establishments; Corrections

In FR Doc. 75-31726 appearing at page 54757 in the FEDERAL REGISTER of Tuesday, November 25, 1975, the following italicized changes should be made:

Repair and Maintenance of Adding Machines and Calculators
32 Old Slip
New York, New York (*SH*)
1515 Broadway
New York, New York (*SH*)

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76-128 Filed 1-2-76;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

[Petition No. CP-75-27]

OFFICE OF CITY ATTORNEY, LOS ANGELES, CALIF.

Denial of Petition To Ban Products Containing Fluorocarbons

The purpose of this notice is to announce the decision of the Consumer Product Safety Commission (CPSC or Commission) to deny the petition submitted by the Office of the Los Angeles City Attorney and members of the Los Angeles City Council (City of Los Angeles) to declare products containing certain fluorocarbon compounds to be "banned hazardous products" under section 8 of the Consumer Product Safety Act (15 U.S.C. 2057) (CPSA).

Section 10 of the CPSA (15 U.S.C. 2059) provides that any interested person may petition the CPSC to commence a proceeding for the issuance of a consumer product safety rule. This section also provides that if the Commission denies such a petition, it shall publish in the FEDERAL REGISTER its reasons for the denial.

On April 24, 1975, the City Attorney of Los Angeles, California, on behalf of the City Attorney's Office, and several Los Angeles City Council members, submitted a petition to the Commission requesting the initiation of a proceeding to declare as banned hazardous substances (1) certain fluorocarbon compounds used as aerosol propellants, and (2) certain refrigerants containing fluorocarbon compounds. Both banning requests were stated as being conditional on the absence of a "scientifically documented and explicit showing by proponents (1) that said fluorocarbon compounds are not hazardous to human health, or (2) that alternatives are not economically or technically feasible."

The City of Los Angeles petition under consideration here is very similar to another petition recently before the Commission filed by the Natural Resources Defense Council (NRDC) to ban certain fluorocarbon-containing products (Petition No. CP-75-8). The NRDC petition sought a ban on all aerosol products containing certain fluorocarbon compounds. However, unlike the present petition, the NRDC petition did not request that regulatory action be taken with respect to refrigerants containing fluorocarbons, and did not phrase the request in terms contingent upon proof that fluorocarbons were not hazardous or that alternatives to the use of fluorocarbons were not feasible.

The hazard alleged in both petitions is based on the premise that fluorocarbon compounds found in products under the Commission's jurisdiction are diffused into the stratosphere where they decompose chemically releasing free chlorine atoms when exposed to ultraviolet radiation from the sun. The free chlorine, it is further contended, reacts with ozone in the stratosphere, converting it to ordinary oxygen. This stratospheric ozone depletion, it is argued, will permit excessive ultraviolet radiation to reach the earth's surface resulting in human health hazards, principally consisting of an increase in the incidence of skin cancer.

The Commission, after carefully considering the NRDC petition and other available information pertinent to it, concluded that it should be denied because sufficient definitive information was not presently available. The detailed reasons for this decision were set forth in a notice published in the FEDERAL REGISTER on August 20, 1975 (40 FR 36419). Following an extensive discussion in that notice of the scope of the Commission's jurisdiction, as well as the factual basis upon which the petitioner relied, uncertainties in relevant available information, and the statutory findings necessary before the Commission could commence a rulemaking proceeding, and based primarily on the Report of the Task Force on Inadvertent Modification of the Stratosphere (a federal interagency study group (IMOS) formed in January, 1975), the Commission reached the following conclusion:

> Accordingly, based on information provided in the petition, the IMOS Report and other information available to the Commission, it is concluded that the Commission cannot at this time make the necessary preliminary finding that an "unreasonable risk of injury" is presented by aerosol products under the Commission's jurisdiction containing fluorocarbons. The information presently available is insufficient for the Commission to determine the correctness of the hypothesis of ozone depletion by fluorocarbons in the stratosphere, the basic phenomenon from which any risk of death, personal injury, or serious or frequent illness to humans could follow. Since the Commission is unable at the present time to determine the probability that any harm will result, it is clearly unable to balance this probability against the economics and other relevant factors, discussed above, to make its preliminary findings. Therefore, being unable to determine whether an "unreasonable risk of injury" is presented, the Commission, pursuant to section 10(d) of the CPSA, 15 U.S.C. 2059(d), must deny the petition. However, this denial is without prejudice to petitioner and others to re-petition at such time as more definitive information becomes available sufficient to permit the Commission to responsibly initiate rulemaking procedures. (40 FR 36419 at 36421)

As mentioned previously, the principal difference between the NRDC petition and the City of Los Angeles petition under consideration here are that the City of Los Angeles petition would include refrigerants in the product category to be regulated, and would condition the regulatory action on the absence of proof of a hazard or that alternatives are not feasible. The basic hypothesis of ozone depletion and consequent human health hazards, however, remains the same. Therefore, since, as recognized in the IMOS Report, and summarized in the NRDC denial notice, more definitive information is needed to fill in the gaps of existing knowledge, and since the Commission is aware of no new information sufficient to fill in these gaps, the Commission is still, at the present time, unable to find sufficient available information to warrant a preliminary determination that certain fluorocarbon compounds, whether found in aerosol con-

sumer products or in refrigeration systems, present an unreasonable risk of injury. Moreover, the fact that the City of Los Angeles petition is conditional in nature does not assist the petitioner's case because in instituting regulatory action under the CPSA the burden remains on the Commission to affirmatively establish the risk of injury.

Accordingly, for the foregoing reasons, and the reasons set forth in the notice of denial of the NRDC petition cited above, which is hereby incorporated by reference in this decision, the Commission, pursuant to section 10 of the Consumer Product Safety Act (15 U.S.C. 2059) gives notice that the City of Los Angeles petition is denied.

As in the case of the NRDC petition, this denial is without prejudice to petitioner and others to re-petition at such time as sufficiently definitive information becomes available to permit the Commission to take the requested action. Should such information become available, the Commission will take whatever action is deemed appropriate even if a petition has not been filed.

Dated: December 30, 1975.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc.76-92 Filed 1-2-76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[OPP 180062; FRL 475-4]

NEW HAMPSHIRE DIVISION OF PUBLIC HEALTH SERVICES

Crisis Exemption To Use DDT To Eradicate Bats

Pursuant to the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136), the Environmental Protection Agency (EPA) hereby gives notice that the New Hampshire Division of Public Health Services (hereafter referred to as "New Hampshire") has availed itself of a crisis exemption. New Hampshire used approximately two pounds of pesticide (50% DDT, 50% talc) in a private home located in Nashua, New Hampshire, to eradicate a colony of bats. This exemption is in accordance with, and subject to, the provisions of §§ 166.2, 166.8, and 166.9 of 40 CFR Part 166. These regulations concerning exemption of Federal and State agencies for the use of pesticides under emergency conditions were published in the FEDERAL REGISTER on December 3, 1973 (38 FR 33303). As required, New Hampshire has submitted in writing the following certified information regarding the crisis exemption.

According to New Hampshire, the emergency was created when a colony of bats, specifically *Myotis lucifugus*, took up residence in a private dwelling located in Nashua, New Hampshire. Incidents of this kind are relatively infrequent in New Hampshire, occurring perhaps 6–8 times a year, and generally may be solved by using the appropriate repellents and "bat proofing" methods. However, in this particular case, the only registered product, naphthalene, was utilized by a licensed exterminator, but was not successful in eliminating the bats. The homeowner took appropriate steps to seal the entrances and exits which might have been used by the bats.

There are no other pesticides currently registered for use in eradicating bats. The time element was so critical that there was no time to request a specific exemption. Furthermore, a rabid bat was found in the same vicinity during 1975. The family was advised by their physician to leave the home until the bats had been eliminated, since there was likelihood of exposure of young children to bat bites. Such bites would result in the necessity of administering rabies post-exposure prophylaxis, painful as well as dangerous where young children are involved. The use of repellents had increased the appearance of bats in the living space of the home, and because of the outside temperature, the bats would not leave the premises. It was felt that the only solution was to attempt to eradicate the entire colony.

On November 18, 1975, two pounds of the pesticide (50% DDT, 50% talc) was applied using a blow duster to wall voids at both entrances of the house. The dust was applied through wall openings, drilled for that purpose, and then sealed. The application was made by an exterminator licensed by the State of New Hampshire. The DDT dust was applied entirely within the confines of this specific dwelling. The family was advised not to occupy their home for at least 5 days. No adverse effects on man or the environment are anticipated.

The official file concerning this exemption is available for inspection in the Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M Street SW., Room E-315, Washington, D.C. 20460.

Dated: December 17, 1975.

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

[FR Doc.76-67 Filed 1-2-76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

FIXED SATELLITE ADVISORY COMMITTEE 1979 WORLD ADMINISTRATIVE RADIO CONFERENCE

Meeting

In further preparation for the 1979 World Administrative Radio Conference, a meeting of the Fixed Statellite Advisory Committee chaired by Raymond B. Crowell, will be held on Thursday, January 29, 1976, at 10 a.m., room 8210, located at 2025 M Street, NW., Washington, D.C.

The meeting will be opened to the public and any member of the public is invited to participate and present oral or written statements of relevance to the agenda upon recognition by the Chairman. Any such oral statements should be cleared with the Chairman at least one day prior to the meeting.

The meeting will be conducted in accordance with the following agenda:

1. Chairman's Opening Remarks.
2. Approval of Minutes of December 5 Meeting.
3. Report of Informal Task Group 1 (Allocations).
4. Discussion of Draft Allocation Table distributed early in January.
5. Approval of Preliminary Allocations Table for Submission to the Steering Committee.
6. Discussion and review of further work assignments.
7. Suggestions for matters to be covered at next meeting.
8. Date of next meeting.
9. Any other business.
10. Adjournment.

No part of this meeting will be concerned with matters which are within the exemptions of the Public Information Act, 5 U.S.C. 55s(b).

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

[FR Doc.76-124 Filed 1-2-76;8:45 am]

[FCC 75-1406]

USE OF TELEPHONE RECORDING DEVICES BY BROADCASTERS

Tariff Regulations

1. We have before us a letter dated March 18, 1975, and subsequent correspondence, from National Public Radio (NPR) requesting a ruling on the applicability to it of the "broadcast licensee" exception to the "beep tone" requirement.[1] NPR is the interconnected system, or network, of noncommercial public radio stations in the United States. It was created, is composed of, and is managed by licensees of noncommercial radio stations but is not a licensee itself. NPR provides broadcast programming material to its licensee owners. NPR states that if permitted to record without a "beep tone", it would voluntarily follow the notice requirements of § 73.1206 of the Commission's rules.[2]

2. Under the currently effective tariff provisions,[3] NPR is precluded from recording an interstate telephone call for broadcast purposes without the "beep tone" because it does not possess a broadcast license from this Commission. Also precluded under the tariff for the same reason are such independent broadcast networks as Mutual Broadcasting Company.

[1] Recording Devices, 38 FCC 2d 579 (1972).
[2] Section 73.1206 provides that a broadcast licensee prior to recording a telephone conversation for broadcast shall inform any party to the call that the conversation is being recorded for broadcast purposes.
[3] AT&T Tariff F.C.C. No. 263, § 2.6.4(D)(1)(a)(i)(1) and Tariff F.C.C. No. 259, § 2.7.4(D)(1)(a)(i)(1).

3. We imposed the "beep tone" requirement because telephone conversations should be free from unknown or unauthorized invasions of privacy. Use of Recording Devices, 11 F.C.C. 1033 (1948). Subsequently, we relaxed this requirement for licensed broadcast stations. (Note 1 above). We believed that the oral warning required in § 73.1206 would adequately preserve the underlying policy of the "beep tone" and at the same time improve the broadcast transmission quality of the conversation. The exception was limited to broadcast licensees because compliance with § 73.1206 could only be compelled of a licensee. This has led to an anomalous situation. When a licensee provides its own program material, it can take advantage of the exception; but when it seeks the program material from an outside source (e.g., as an affiliate of an independent broadcast network or through a cooperative effort with other licensees), it cannot avail itself of the exception unless that outside source is also a licensee.

4. It was not our intent to create this anomaly. When material to be recorded by entities such as NPR and Mutual is for broadcast purposes only, we see no reason why the broadcast exception should not be broadened to include these entities. Inasmuch as the conversations to be recorded are to be broadcast, each licensee which would use such material is obligated under Section 73.1206 to make sure that the oral warning has been given and each entity which does the recording would have to provide the warning if it wishes to have a marketable product. Thus, the underlying policy of the "beep tone" would be preserved.[1]

5. Accordingly, *it is ordered*, That the automatic tone warning requirements of our orders of November 26, 1947, May 20, 1948 (12 F.C.C. 1005 and 1008) and December 20, 1972 (38 F.C.C. 2d 579) are hereby amended to permit the recording without the "beep tone" of two-way telephone conversations made solely for the over the air use of a licensed broadcast station by a broadcast network or by a cooperative programming effort composed exclusively of Commission broadcast licensees.

6. *It is further ordered*, That the American Telephone and Telegraph Company shall amend its tariff regulations consistent with this Memorandum Opinion and Order after coordination with the Chief, Common Carrier Bureau, as to appropriate tariff language.

Adopted: December 18, 1975.

Released: December 29, 1975.

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

[FR Doc.76-127 Filed 1-2-76;8:45 am]

[1] If we discover that this broader exception is being abused, we will take appropriate remedial action, including the possibility of rescinding the exception, to preserve the underlying policy of the "beep tone" regulation.

WARC ADVISORY COMMITTEE FOR AMATEUR RADIO

Meeting Announcement

Date: January 20th, 1976.
Time: 9:15 a.m.
Location: Room 8210, 2025 M. Street, NW., Washington, D.C.
Agenda:

Chairmen's remarks,
Call of the agenda,
Review and approval of minutes, 12 Dec 75 meeting,
Reports on action items,
Review and discussion of a proposed frequency table for the Amateur Radio Service,
Reports of research by Task Force Chairmen,
Future FCC milestones for WARC,
Discussion of the ACAR report format,
Discussion of Committee operation and organization,
Review of action items pending,
Other business to be determined,
Adjournment.

Public participation: Meetings of the WARC Advisory Committee for Amateur Radio are open to the public. Persons not members of the committee who desire to make an oral presentation at scheduled meetings should coordinate their presentation with the Secretary, WARC Advisory Committee for Amateur Radio: Peter M. Hurd, 6425 Cygnet Drive, Alexandria, Virginia, 22307. Telephone: (202) 695-7219 or (703) 768-9535. Required information includes: Name, mailing address and telephone number of person making the presentation; outline of material to be presented; duration of presentation; audio/visual aids required. Written statements may also be submitted to the committee, and should be addressed to the Chairman, WARC Advisory Committee for Amateur Radio (Safety and Special), Room 5114, Federal Communications Commission, Washington, D.C. 20554.

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

[FR Doc.76-126 Filed 1-2-76;8:45 am]

WARC ADVISORY COMMITTEE FOR AMATEUR RADIO; STEERING COMMITTEE

Meeting Announcement

Date: Jan. 19, 1976.
Time: 1 p.m.-5 p.m.
Location: Room 752, 1919 M Street, NW., Washington, D.C.
Agenda:

Chairmen's remarks,
Call of the agenda,
Review and approval of minutes, 10 Dec. 75 meeting,
Reports on action items,
Review and discusison of a proposed frequency table for the Amateur Radio Service,
Reports of research by Task Force Chairmen,
Assignment of future task force research,
Discussion of the ACAR report format,
Committee operation and organization,
Review of action items,
Other business to be determined,
Adjournment.

Public participation. Meetings of the WARC Advisory Committee for Amateur Radio are open to the public. Persons not members of the committee who desire to make an oral presentation at scheduled meetings should coordinate their presentation with the Secretary, WARC Advisory Committee for Amateur Radio: Peter M. Hurd, 6425 Cygnet Drive, Alexandria, Virginia, 22307. Telephone: (202) 695-7219 or (703) 768-9535. Required information includes: Name, mailing address and telephone number of person making the presentation; outline of material to be presented; duration of presentation; audio/visual aids required. Written statements may also be submitted to the committee, and should be addressed to the Chairman, WARC Advisory Committee for Amateur Radio (Safety and Special), Room 5114, Federal Communications Commission, Washington, D.C. 20554.

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

[FR Doc.76-125 Filed 1-2-76;8:45 am]

FEDERAL MARITIME COMMISSION

PACIFIC COAST—AUSTRALASIAN TARIFF BUREAU

Notice of 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, La., San Juan, Puerto Rico, and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before January 15, 1976. 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:

F. Conger Fawcett, Esq.,
Graham & James,
One Maritime Plaza,
San Francisco, California 94111.

Agreement No. 50–32 is an application on behalf of the member lines of the Pacific Coast-Australasian Tariff Bureau (PCATB) to (1) further extend the conference's intermodal authority beyond December 15, 1975, and (2) permit any member line of the PCATB, pursuant to the formal action and authorization of the conference, to independently establish its own intermodal service, subject to certain notice requirements, in situations where the conference has not already acted collectively to establish an intermodal tariff.

By Order of the Federal Maritime Commission.

Dated: December 24, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–19 Filed 1–2–76;8:45 am]

[Independent Ocean Freight Forwarder License No. 1602]

TRANSPORTATION INTERNATIONAL LTD.

Order of Revocation

By letter dated November 20, 1975, Transportation International Ltd., 9687 West Allen Street, Rosemont, Illinois 60618, was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 1602 would be automatically revoked or suspended unless a valid surety bond was filed with the Commission on or before December 16, 1975.

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.9 of Federal Maritime Commission General Order 4, further provides that a license will be automatically revoked or suspended for failure of a licensee to maintain a valid bond on file.

Transportation International Ltd. has failed to furnish a valid surety bond.

By virture of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Revised) Section 5.01(c) (dated 6/30/75);

It is ordered, that Independent Ocean Freight Forwarder License No. 1602, issued to Transportation International Ltd., be returned to the Commission for cancellation.

It is further ordered, that Independent Ocean Freight Forwarder License No. 1602 be and is hereby revoked effective December 16, 1975.

It is further ordered, that a copy of this Order be published in the FEDERAL REGISTER and served upon Transportation International Ltd.

LEROY F. FULLER,
Director, Bureau of Certification and Licensing.

[FR Doc.76–20 Filed 1–2–76;8:45 am]

CITY OF ANCHORAGE AND TOTEM OCEAN TRAILER EXPRESS, INC.

Notice of 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 January 26, 1976. 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, N.W., Washington, D.C. 20036.

Agreement No. T–3130–1, between the City of Anchorage (City) and Totem Ocean Trailer Express, Inc., (Tote) modifies the parties' basic agreement providing for Tote's preferential use of the Petroleum Terminal and Terminal No. 1 at the Anchorage City Dock, a portion of the City's Transit Area "B", the south apron adjacent to the transit shed at Terminal 1, and certain trestles. Agreement No. T–3130 is presently the subject of Federal Maritime Commission Docket No. 75–35. The purpose of the modification is to reduce the period of time during which Tote has preferential berthing rights at the facility from 36 to 24 hours after a vessel's arrival and mooring at the Anchorage City Dock.

By Order of the Federal Maritime Commission.

Dated: December 30, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–165 Filed 1–2–76;8:45 am]

CITY OF LOS ANGELES AND MATSON TERMINALS, INC.

Notice of 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, N.W., 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 January 15, 1976. 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:

Burt Pines, Esquire, City Attorney, City of Los Angeles, P.O. Box 151, San Pedro, California 90733.

Agreement No. T–2356–1, between the City of Los Angeles (City) and Matson Terminals, Inc., (Matson) amends the parties' basic preferential berth assignment covering the use of approximately forty-five (45) acres and wharf area at Berths 207–9. The purpose of the modification is to extend the basic agreement's term for a period of six months or until such time as a new preferential berth assignment superseding Agreement No. T–2356 is approved by the Federal Maritime Commission and becomes effective, if such effective date occurs prior to August 1, 1976. As compensation during the extended term, Matson shall continue to pay at the rate set forth in the basic agreement as a credit against the amount of compensation due under the new preferential berth assignment that will succeed Agreement No. T–2356–1 provided that the new preferential berth assigned is approved by the Federal Maritime Commission.

By Order of the Federal Maritime Commission.

Dated: December 30, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-164 Filed 1-2-76;8:45 am]

PORT OF SAN FRANCISCO AND CALIFORNIA STEVEDORE AND BALLAST COMPANY

Notice of 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, N.W., 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 January 26, 1976. 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:

Mr. Edward L. David, Port of San Francisco, Ferry Building, San Francisco, California 94111.

Agreement No. T-2813-2, between Port of San Francisco and California Stevedore and Ballast Company (CS & B), modifies the basic agreement which provides for the ten-year operation by CS & B of a wharfinger facility and marine terminal at the Port of San Francisco, California. The purpose of the modification is to: (1) terminate occupancy of Piers 27 and 29 except for the Administration Building located thereon; (2) reduce the minimum guarantee of tariff charges; (3) modify the division of excess tariff charges; and (4) shift the liability for possessory interest tax exclusively to CS & B.

By order of the Federal Maritime Commission.

Dated: December 30, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-166 Filed 1-2-76;8:45 am]

PUERTO RICO MARITIME SHIPPING AUTHORITY AND MATSON NAVIGATION COMPANY

Notice of 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 January 26, 1976. 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:

E. J. Sheppard, Esquire, Morgan, Lewis & Bockius, 1800 M Street N.W., Washington, D.C. 20036.

Agreement No. DC-84, between the Puerto Rico Maritime Shipping Authority and Matson Navigation Company provides for a two-year discussion agreement between the parties. In particular, the parties agree to meet and exchange information and documents pertaining to environmental controls, federal regulations, technological developments, fuel and energy requirements, vessel and equipment operations, fiscal policies, and port developments.

By Order of the Federal Maritime Commission.

Dated: December 30, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-167 Filed 1-2-76;8:45 am]

STEAMSHIP OPERATORS INTERMODAL COMMITTEE

Notice of 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 January 26, 1976. 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:

John K. Cunningham, Executive Secretary, Steamship Operators Intermodal Committee, Atlantic Regional Committee, 67 Broad Street, New York, New York 10004.

Agreement 9735–8 would permit the Steamship Operators Intermodal Committee members to ". . . establish uniform free time practices and per diem charges to be applied by them for the use of containers and equipment during the period between their delivery to and redelivery from motor and rail carriers."

By Order of the Federal Maritime Commission.

Dated: December 30, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–163 Filed 1–2–76;8:45 am]

FEDERAL POWER COMMISSION

[Docket Nos. RP75–75 and AP76–5]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Tariff Filing

DECEMBER 29, 1975.

Take notice that Transcontinental Gas Pipe Line Corporation (Transco) on December 16, 1975, tendered for filing certain revised tariff sheets to its FPC Gas Tariff (First Revised Volume No. 1 and Original Volume No. 2 to become effective November 16, 1975, January 1, 1976 and February 1, 1976. Transco states that the principal purpose of the filing is to "track", in accordance with Article V of the "Agreement as to Rates" in Docket No. RP75–75, advance payments made by Transco and to adjust the settlement rates in such docket to reflect subsequent rate changes. Transco also states that the above agreement was certified to the Commission for its approval on December 4, 1975, and, therefore, that such filing is subject to the Commission's approval of the aforesaid agreement.

Transco states that the revised tariff sheets filed to be effective November 16, 1975, and January 1, 1976, reflect the settlement rates adjusted for rate changes filed in Docket No. BP72–99 implementing Transco's 1975–1976 curtailment plan and "tracking" rate decrease of 1.6¢ per Mcf for curtailment related credits and debits, respectively.

Transco states further that the revised tariff sheets filed to be effective February 1, 1976, reflect, on top of the settlement rates as adjusted, a "tracking" increase of 0.6¢ per Mcf as a result of inclusion in rate base of $27,833,016 which amount represents the net increase in advance payment amounts not previously reflected in rates.

The Company states that copies of the filing have been mailed to each of its jurisdictional customers and interested State Commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 8, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–169 Filed 1–2–76;8:45 am]

FEDERAL RESERVE SYSTEM

ALLEN BANCSHARES, INC.

Order Denying Formation of Bank Holding Company

Allen Bancshares, Inc., Allen, Oklahoma ("Applicant"), 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)) of formation of a bank holding company through acquisition of 90 per cent or more of the voting shares of Farmers State Bank, Allen, Oklahoma, Allen, Oklahoma ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and none has been received. The Board has considered the application in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is a nonoperating corporation organized under the laws of the State of Oklahoma for the purpose of becoming a bank holding company through the acquisition of shares of Bank.

Upon acquisition of Bank, Applicant would hold .05 per cent of total deposits in commercial banks in that State. Bank, with deposits of approximately $4.8 million,[1] is the fourth largest of 5 commercial banks in the relevant banking market[2] and holds 5.1 per cent of total deposits in commercial banks in the market. Inasmuch as this proposal represents merely a reorganization of existing ownership interests, the acquisition of Bank by Applicant would not have any significantly adverse effect upon either existing or potential competition within the relevant market.

The Board has indicated on previous occasions that it believes that a holding company should constitute a source of financial and managerial strength to its subsidiary bank(s), and that the Board will closely examine the condition of an applicant in each case with this consideration in mind. While the Board considers the managerial resources of Applicant and Bank to be adequate, the Board notes that Applicant would incur a sizable debt in connection with the proposed acquisition. Applicant proposes to service this debt over a 13-year period through dividends to be declared by Bank and the tax benefit to be derived from filing consolidated tax returns. In the Board's view, the debt servicing obligation to be incurred by Applicant would significantly limit Applicant's ability to meet unforeseen financial problems that might arise, and thereby potentially impair Bank's overall ability to continue to serve its community. Accordingly, the Board views the sizable acquisition debt to be incurred by Applicant as a significantly adverse factor in the consideration of the subject proposal and finds that the considerations relating to financial resources and future prospects weigh against approval of the application.

As indicated above, the proposed formation essentially involves the reorganization of the ownership interests of Bank. No significant changes in Bank's operations or in the services offered to customers of Bank are anticipated. Consequently, considerations relating to the convenience and needs of the community to be served lend no weight toward approval of the application.

On the basis of the circumstances concetrning this application, the Board concludes that the banking considerations involved in this proposal present adverse factors bearng upon the financial condition and future prospects of both Applicant and Bank. Such adverse factors are not outweighed by any procompetitive effects, managerial resources, or by benefits that would result in serving the convenience and needs of the community. Accordingly, it is the Board's judgment that approval of the application would not be in the public interest and that the application should be denied.

On the basis of the facts of record, the application is denied for the reasons summarized above.

By order of the Board of Governors,[3] effective December 23, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-25 Filed 1-2-76;8:45 am]

CAMERON BANCSHARES, INC.

Formation of Bank Holding Company

Cameron Bancshares, Inc., Cameron, Missouri, 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 80 percent or more of the voting shares of Cameron State Bank, Cameron, 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)).

Cameron Bancshares, Inc., Cameron, Missouri has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and section 225.4(b)(2) of the Board's Regulation Y, for permission to conduct a general insurance agency business. Notice of the application was published on July 25, 1975 in The Cameron Citizens Observer, a newspaper circulated in Cameron, Clinton County, Missouri.

Applicant states that the proposed subsidiary would engage in the activities of a general insurance agency business in a town with a population of less than 5,000. Such activities have been specified by the Board in section 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of section 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 21, 1976.

Board of Governors of the Federal Reserve System, December 22, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-29 Filed 1-2-76;8:45 am]

CHESTER INSURANCE AGENCY, INC.

Formation of Bank Holding Company

Chester Insurance Agency, Inc., Chester, Nebraska, 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 80 percent or more of the voting shares of State Bank of Chester, Chester, Nebraska. 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)).

Chester Insurance Agency, Inc., Chester, Nebraska, has also applied, pursuant to Section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and Section 225.4(b)(2) of the Board's Regulation Y, for permission to retain Chester Insurance Agency, Inc., Chester, Nebraska. Notice of the application was published on October 29, 1975, in The Chester Herald, a newspaper circulated in Chester, Nebraska.

Applicant states that the proposed subsidiary would engage in the activities of a general insurance agency located in a community of less than 5,000 population. Such activities have been specified by the Board in Section 225.4(a) of Regulation Y as permissbile for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of Section 225.4(b).

Interested persons may express their views on the question whether consum-

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[1] All banking data are as of June 30, 1975.

[2] The relevant banking market is approximated by Pontotoc County.

[3] Voting for this action: Vice Chairman Mitchell and Governors Holland, Wallich, Coldwell, and Jackson. Absent and not voting: Chairman Burns and Governor Bucher.

mation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submtited in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 22, 1976.

Board of Governors of the Federal Reserve System, December 23, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-30 Filed 1-2-76;8:45 am]

GALLATIN BANCSHARES, INC.

Order Approving Formation of Bank Holding Company

Gallatin Bancshares, Inc., Gallatin, Tennessee, 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)) of formation of a bank holding company through acquisition of 80 per cent of the voting shares of Bank of Gallatin, Gallatin, Tennessee ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired and none has been received. The application has been considered in light of the facts set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, a nonoperating corporation with no subsidiaries, was recently organized for the purpose of becoming a bank holding company through acquisition of shares of Bank (20.4 million in deposits).[1] Bank is the 122nd largest banking organization in Tennessee and holds 0.2 per cent of the total deposits held by commercial banks in the State. Bank competes in the Nashville banking market,[2] and is the 12th largest banking organization therein with approximately 0.64 per cent of the total deposits in commercial banks in the market. Since the subject proposal represents merely a restructuring of existing ownership interests of Bank, and in view of Bank's relative size in the market, consummation of the proposal herein would not eliminate existing or potential competition nor have an adverse effect on other banks in the area. Accordingly, from the facts of record, the Board regards competitive considerations as being consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant, which are dependent upon those same factors in Bank, are considered to be generally satisfactory, particularly in view of Applicant's commitment to inject $900,000 in additional equity capital into Bank and the commitment by Applicant's principal to personally support the additional capital injection. The Board has relied on these commitments and, based upon these and other facts of record, the Board concludes that considerations relating to banking factors are consistent with approval of the application. Although consummation of the proposal would have no immediate effect on the banking services offered by Bank, considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. It is the Board's judgment that consummation of the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (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 Atlanta pursuant to delegated authority.

By order of the Board of Governors,[3] effective December 24, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-26 Filed 1-2-76;8:45 am]

SOUTH DAKOTA BANCSHARES, INC.

Formation of Bank Holding Company; Correction

In FR document 75-33970 appearing at page 58513 of the issue for Wednesday, December 17, 1975, the comment period date on the last line of the second paragraph should read January 9, 1976.

Board of Governors of the Federal Reserve System, December 29, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary to the Board.

[FR Doc.76-27 Filed 1-2-76;8:45 am]

FIRST BANCSHARES OF FLORIDA, INC.

Order Conditionally Approving Acquisition of Bank

First Bancshares of Florida, Inc., Boca Raton, Florida, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 90 per cent of the voting shares of Vero Beach National Bank, Vero Beach, Florida ("Bank"), a proposed new bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board 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, the thirteenth largest banking organization in Florida, controls 14 banks with aggregate deposits of $486 million, representing approximately 2 percent of the total deposits in commercial banks in the State. (All banking data are as of June 30, 1975.) Since Bank is a proposed new bank, its acquisition would not increase the concentration of banking resources in Florida nor change Applicant's rank in the State.

Applicant is seeking to make its initial entry into the Indian River County banking market. All of the six banks in the market are subsidiaries of multibank holding companies, with the two largest banks controlling approximately 70 per cent of the deposits therein. Applicant's closest subsidiary bank is located about 15 miles south of Bank in a separate banking market. Since Bank is a new bank, consummation of the proposal would not eliminate any existing competition; nor does it appear from the record that consummation of the transaction would have an adverse effect on potential competition. On the other hand, Applicant's establishment of Bank should stimulate competition in the market by introducing an additional banking alternative to compete with the two largest organizations in the market. On the basis of the facts of record, the Board concludes that the competitive considerations of the transaction are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant and its subisdiary banks are regarded as generally satisfactory, particularly in view of Applicant's commitment to inject $500,000 as additional equity capital into one of its subsidiary banks, Sunrise American National Bank of Fort Lauderdale, Fort Lauderdale, Florida. Bank, as a proposed new bank, has no financial or operating history; however, its future prospects as a subsidiary of Applicant appear favorable. These considerations relating to banking factors are consistent with approval of the application. In regard to convenience and needs considerations, Applicant indicates that Bank will offer the maximum rates of interest on

[1] All banking data are as of December 31, 1974.

[2] The Nashville banking market is approximated by Davidson, Wilson, Rutherford, and Williamson Counties, the southern three-quarters of Robertson County, and all but the northernmost portion of Sumner County.

[3] Voting for this action: Vice Chairman Mitchell and Governors Holland, Wallich, Coldwell and Jackson. Absent and not voting: Chairman Burns and Governor Bucher.

savings deposits, as well as longer banking hours than are presently available in the area. Furthermore, Bank's formation and acquisition by Applicant will provide an alternative source of banking services for customers in the market. Accordingly, considerations relating to the convenience and needs of the community to be served lend some weight toward approval of the application. It is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved, conditioned upon the aforementioned injection of additional equity capital into Sunrise American National Bank of Fort Lauderdale within 120 days from the effective date of this Order.

On the basis of the record, the application is conditionally approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after that date and (c) Vero Beach National Bank shall be opened for business not later than six months after the effective date of this Order. Each of the periods described in (b) and (c) may be extended for good cause by the Board or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors,[1] effective December 9, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-31 Filed 1-2-76;8:45 am]

FIRST PENN CORP.

Order Approving 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)) of formation of a bank holding company through acquisition of an additional 50,929 shares of Penn Square Bank, N.A., Oklahoma City, Oklahoma ("Bank"). Upon consummation of the proposal, Applicant would own 80.4 per cent of the voting shares of Bank.[1]

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board 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, a recently formed corporation with no subsidiaries, was organized for the purpose of becoming a bank holding company through the acquisition of Bank (deposits of $34.3 million).[2] Bank is the 15th largest of 69 banks in the relevant banking market[3] and controls 1.1 per cent of the total commercial bank deposits therein. Upon consummation of the proposal, Applicant would control the 45th largest of 463 banks in Oklahoma, holding 0.36 per cent of total commercial bank deposits in the State. Since this proposal represents a corporate reorganization of the existing ownership of Bank, consummation of the proposal would not eliminate existing or potential competition, nor have an adverse effect on other area banks.

The financial and managerial resources and future prospects of Applicant, which are dependent on those of Bank, are considered to be generally satisfactory and consistent with approval of the application. The debt to be assumed by Applicant as a result of the proposal appears to be serviceable from the income to be derived from Bank without having an adverse effect on the financial condition of either Applicant or Bank. Accordingly, banking factors are regarded as being consistent with approval. Although consummation of the transaction would have no immediate effect on the area's banking needs, considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. It is the Board's judgment that consummation of the proposed transaction would be consistent with the public interest and that the application to acquire Bank should be approved.

On the basis of the record,[4] the application is approved for the reasons set forth above. The transaction shall not be made (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 Kansas City pursuant to delegated authority.

By order of the Board of Governors,[5] effective December 23, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-32 Filed 1-2-76;8:45 am]

MICHIGAN NATIONAL CORP.

Order Approving the Acquisition of a Bank

Michigan National Corporation, Bloomfield Hills, Michigan ("Applicant"), a bank holding company within the meaning of the Bank Holding Company Act, has applied for the 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 (less directors' qualifying shares) of the successor by merger to Commercial National Bank, Cassopolis, Michigan ("Bank"). The bank into which Cassopils Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Cassopolis 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 been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board 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, the second largest banking organization and bank holding company in Michigan, controls 15 banks with aggregate deposits of approximately $2.7 billion, representing about 9.4 percent of the total commercial bank deposits in the State.[1] Acquisition of Bank would increase Applicant's share of Statewide deposits by 0.16 of 1 percent and would not result in a significant increase in the concentration of banking resources in Michigan.

Bank holds deposits of $47.5 million and operates a total of eight offices, which are located in three banking markets. In the South Bend-Elkhart market, Bank holds 1.2 percent of the total deposits in commercial banks and ranks as the 12th largest of 17 banks; in the Cass County market, Bank holds 26.3 percent of total deposits, ranking as the largest of five banks operating therein; and in the St. Joseph County market, Bank holds 10.9 percent of deposits, ranking as the fourth largest of nine banks.[2] The office of one of Applicant's subsidiary banks nearest to an office of Bank is located 35 miles away.

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[1] Voting for this action: Vice Chairman Mitchell and Governors Bucher, Holland, Wallich, Coldwell and Jackson. Absent and not voting: Chairman Burns.

[1] On February 28, 1975, Applicant acquired 7.6 per cent of the shares of Bank.

[2] All banking data are as of June 30, 1975.

[3] The relevant banking market is approximated by the Oklahoma City SMSA which consists of Canadian, Cleveland, McClain, Oklahoma and Pottawatomie Counties.

[4] Dissenting Statement of Vice Chairman Mitchell filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Kansas City.

[5] Voting for this action: Governors Holland, Wallich, Coldwell, and Jackson. Voting against this action: Vice Chairman Mitchell. Absent and not voting: Chairman Burns and Governor Bucher.

[1] Unless otherwise indicated, all banking data are as of June 30, 1975, and reflect bank holding company formations and acquisitions aproved through November 30, 1975.

[2] The relevant geographic markets for purposes of analyzing the competitive effects of the proposed acquisition are described as follows: the South Bend-Elkhart market is approximately by the South Bend-Elkhart, Indiana RMA and some contiguous rural areas; the Cass County market is approximated by all of Cass County, Michigan excepting therefrom the southwest portion; and the St. Joseph County market is approximated by all of St. Joseph County, Michigan. Market data are as of December 31, 1974.

In view of the distances involved and the number of intervening banks, it appears that no meaningful competition presently exists between any of Applicant's subsidiary banks and Bank, nor is any such competition likely to develop in the foreseeable future. Therefore, the Board concludes that consummation of the proposal would not have any significant adverse effects on existing or potential competition in any relevant area and that the competitive considerations are consistent with approval of the application.

By its Order of May 27, 1975, the Board denied Applicant's earlier application to acquire Bank. At that time, Applicant proposed to incur a debt of approximately $6 million in order to finance the cash acquisition of Bank. The Board stated that the financial condition of Applicant and its subsidiaries appeared to be generally satisfactory; however, in the Board's view, for Applicant to incur such a sizeable debt at a time when certain of its subsidiaries were in need of capital was an inappropriate use of Applicant's resources. Since that time, Applicant has continued to show meaningful progress in strengthening the overall capital positions of the holding company and its subsidiaries. Moreover, the subject proposal does not involve any acquisition debt. Rather, Applicant proposes to purchase Banks' shares through the use of internally-generated funds. Considerations relating to the financial condition and managerial resources and future prospects of Applicant, its subsidiaries, and Bank are satisfactory and consistent with approval of the application.

Applicant proposes to broaden Bank's lending program to include additional forms of lending, improve its physical facilities, initiate Saturday banking hours, and provide trust services. It is the Board's view that public benefits in the form of greater convenience and expanded banking services will result from Applicant's proposed changes in Bank's services. Therefore, the considerations relating to the convenience and needs of the communities to be served lend weight toward approval of the application. Accordingly, it is the Board's judgment that consummation of the proposal to acquire Bank would be in the public interest and that the subject application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (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 Board of Governors,[3] effective December 22, 1975.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-33 Filed 1-2-76;8:45 am]

P.B.C., INC.

Formation of Bank Holding Company

P.B.C., Inc., Pine City, Minnesota, 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 48.93 percent or more of the voting shares of First National Bank of Pine City, Pine City, Minnesota. 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)).

P.B.C., Inc., Pine City, Minnesota, has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to retain voting shares of and continue the business of a general insurance agency. Notice of the application was published on December 5, 1975 in the Pine City Pioneer, a newspaper circulated in Pine City, Minnesota.

Applicant states that the proposed subsidiary would continue to engage in the business of a general insurance agency in a town with a population of less than 5,000. Such activities have been specified by the Board in section 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 21, 1976.

Board of Governors of the Federal Reserve System, December 22, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76—34 Filed 1-2-76;8:45 am]

[3] Voting for this action: Vice Chairman Mitchell and Governors Bucher, Holland, Wallich, Coldwell and Jackson. Absent and not voting: Chairman Burns.

POPULAR BANCSHARES CORP.

Order Denying Acquisition of Bank

Popular Bancshares Corporation, Miami, Florida, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. section 1842(a)(3)) to acquire 97.42 per cent of the voting shares of The Security State Bank of Pompano Beach, Pompano Beach, Florida ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and the views of the Comptroller of Florida in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the twenty-first largest banking organization in Florida, controls four banks with aggregate deposits of approximately $150 million, representing approximately 0.6 of 1 per cent of the total deposits in commercial banks in Florida.[1] Acquisition of Bank (deposits of $4.5 million) would increase Applicant's share of the total commercial bank deposits in the State by less than 0.1 of 1 per cent and would not significanly increase the concentration of banking resources in Florida.

Bank is the nineteenth largest of 23 banking organizations in the North Broward County banking market[2] and controls approximately 0.3 of 1 per cent of the total deposits in commercial banks in the market. Applicant's subsidiary bank closest to Bank is located approximately 40 miles south of Bank in a separate banking market, and there is no meaningful competition between any of Applicant's banking subsidiaries and Bank; nor does it appear likely that such competition would develop in the future in view of the distances involved. Ease of entry into the market would not be significantly diminished by the proposed acquisition since a number of other small banks would remain as potential entry points. Also, Bank's relatively small size precludes it from being considered as the potential lead bank of a holding company structure. Therefore, the Board concludes that consummation of the proposal would not have a significant adverse effect on existing or potential competition in any relevant area.

The overall financial condition of Applicant and its subsidiaries could be regarded as generally satisfactory after Applicant's plans to inject $750,000 of additional equity capital into its lead bank subsidiary have been consummated. The managerial resources of Applicant and

[1] All banking data are as of June 30, 1975, and reflect bank holding company formations and acquisitions approved through November 30, 1975.

[2] The North Broward County banking market is approximated by the northern two-thirds of Broward County lying north of the Dania Canal.

its subsidiaries are also regarded as generally satisfactory. Bank is relatively new, having been formed February 15, 1973, and has yet to establish profitable operations. It has, since its opening, experienced continuing management changes and a poor earnings record. It appears that additional equity capital and better management are needed. Applicant could provide Bank with the financial and managerial assistance needed to remedy its problems, but it appears the acquisition would divert Applicant's financial and managerial resources from current demands being made on those resources by Applicant's existing subsidiaries. Applicant is already obligated to contribute at least $750,000 in additional equity capital to its lead bank and, were this acquisition completed, additional commitments to inject capital would have to be met.[3] Therefore, it is the Board's view that the proposed acquisition under present circumstances would place too severe a drain on the financial and managerial resources of Applicant. Accordingly, the Board concludes that considerations relating to banking factors lend substantial weight for denial of the subject application.

In regard to considerations relating to the convenience and needs of the community to be served, it may be that Bank's affiliation with Applicant would result in some improvements in Bank's services. However, Applicant's inability to provide assistance without significantly adversely affecting its own financial and managerial resources and those of its existing subsidiary banks substantially negates any weight toward approval that convenience and needs factors might carry.

On the basis of all the circumstances concerning this application, the Board concludes that the banking considerations involved in this proposal present adverse factors bearing upon the financial condition and prospects of Applicant, its subisdiaries, and Bank. Such adverse factors are not outweighed by any other favorable considerations reflected in the record. Accordingly, it is the Board's judgment that approval of the application would not be in the public interest and that the application should be denied.

On the basis of the facts of record, the application is denied for the reasons summarized above.

[3] In addition to Applicant's obligation to add $750,000 additional equity capital into its lead bank, Applicant, if it consummates the proposed acquisition of Bank, would be required to add another $750,000 additional equity capital into its lead bank pursuant to a condition in the Certificate of Approval issued by the Comptroller of Florida relating to the proposed acquisition of Bank. Another condition of the aforementioned Certificate of Approval requires the addition of $750,000 equity capital into Bank.

By order of the Board of Governors,[4] effective December 23, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-35 Filed 1-2-75;8:45 am]

RIBANCO, INC.

Proposed Acquisition of Rising City Insurance Agency, Inc.

Ribanco, Inc., North Loup, Nebraska, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of Rising City Insurance Agency, Inc., Rising City, Nebraska. Notice of the application was published on October 30, 1975, in The Banner-Press, a newspaper circulated in David City, Nebraska.

Applicant states that the proposed subsidiary would engage in the activities of a general insurance agency business in a community having a population of less than 5,000 persons. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 22, 1976.

Board of Governors of the Federal Reserve System, December 23, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-36 Filed 1-2-76;8:45 am]

[4] Voting for this action: Vice Chairman Mitchell and Governors Holland, Wallich, Coldwell and Jackson. Absent and not voting: Chairman Burns and Governor Bucher.

TORONTO-DOMINION BANK

Order Approving Retention of The Toronto-Dominion Bank Trust Company

The Toronto-Dominion Bank, Toronto, Ontario, Canada, 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 retain 99.3 percent of the voting shares of The Toronto-Dominion Bank Trust Company, New York, New York ("Company"), a company that engages in the activities of a trust company, including the performance of services as paying agent, co-paying agent, transfer agent, custodian, registrar, dividend disbursing agent, depository, and related functions for public and private issuers of securities. Such activities have been determined by the Board to be closely related to banking [12 CFR 225.4(a)(4)].

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 23544 (1975)]. 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 (total deposits of $12.1 billion and total assets of $13.6 billion)[1] is chartered pursuant to the laws of Canada and maintains its corporate headquarters in Toronto, Ontario, Canada. In Canada, Applicant maintains 874 branch banking offices, as well as interests in various other affiliates. It also maintains international branch banking offices and affiliates overseas. In addition to Company, Applicant maintains a commercial banking susidiary,[2] two banking agencies,[3] and three representative offices [4] in the United States.

By Order dated May 20, 1971 [57 Federal Reserve *Bulletin* 534 (1971); 36 FR 9684 (1971)], the Board, pursuant to section 3(a)(1) of the Act [12 U.S.C. 1842(a)(1)], granted its approval for Applicant to become a bank holding company through the acquisition of 99.1 per cent of the voting shares of Toronto Dominion Bank of California, San Francisco, California, a *de novo* bank. The acquisition was consummated on June 28, 1971, and Applicant registered with the Board as a bank holding company on October 31, 1971. At the time of the Board's approval Order, Applicant owned Company, which was organized *de novo* on December 19,

[1] All banking data are as of October 31, 1975, unless otherwise indicated.

[2] Toronto Dominion Bank of California, San Francisco, California, with total deposits of $33 million, as September 30, 1975.

[3] One each in New York, New York, and San Francisco, California.

[4] One each in Chicago, Illinois; Houston, Texas; and Los Angeles, California.

1960, and whose shares were acquired by Applicant on that same date. The trust company activities of Company at that time included acting as paying agent or co-paying agent for municipalities and corporations; acting as transfer agent, custodian, registrar, dividend disbursing agent and depository in connection with securities issues and, related thereto, receiving funds for the payment of principal of, or interest or dividends on, securities, which funds are carried by Company until disbursed; and investing excess funds in "call" loans to brokers. Inasmuch as Company was considered to be a nonbanking subsidiary of Applicant, the Board required that Applicant apply to the Board within a period of two years from the date of the above-mentioned Order for approval to retain Company, pursuant to section 4(c)(8) of the Act and the regulations promulgated thereunder. Pursuant to section 4(a)(2) of the Act, the Board granted an extension of time to Applicant for the purpose of making its application.

Company (total deposits of $395,000 and total assets of $3 million) continues to engage in the limited trust activities described above, principally in connection with Canadian securities that are held in the United States. In addition, Company occasionally invests excess funds (received as income from its operations and the sale of capital investments) in participations in "call" loans made to brokers by Applicant's New York City Agency ("Agency"). These excess funds are derived principally from monies that Company receives from its corporate and municipal customers in order to meet their maturing interest and principal obligations on issues of which Company acts as trustee.

Under § 225.4(a)(4)(iii) of Regulation Y, a trust company in which a bank holding company has an interest may engage in making "call" loans to securities dealers or purchasing money market instruments such as certificates of deposit, commercial paper, government or municipal securities, and bankers' acceptances (such authorized loans and investments, however, may not be used as a method of channeling funds to nonbanking affiliates of the trust company). In the Board's judgment, Company's participation in brokers' "call" loans made by Applicant's New York Agency is a permissible method of investing its temporarily idle funds within the scope of § 225.4(a)(4)(iii) of Regulation Y.[5] It should be noted, however, that it would not be permissible for Company to participate in commercial loans made by Applicant's Agency.[6]

Inasmuch as Applicant has continuously owned Company since the latter's formation in December, 1960, this application merely represents Applicant's request to continue the trust company activities of Company that are permissible for a bank holding company pursuant to § 225.4(a)(4) of Regulation Y. Inasmuch as Applicant only proposes to continue to engage in activities previously engaged in for a number of years through Company, and as Applicant neither engaged in the past nor engages in the present in trust company activities in New York[7] (other than those for which it now seeks approval to retain), Applicant's acquisition of Company in 1960 did not eliminate any existing or potential competition and its continued retention of Company would not have any significantly adverse effects on either actual or potential competition. Furthermore, in view of the fact that Company would be offering only a limited type of financial service in the highly competitive New York financial markets, it does not appear that consummation of this proposal would result in any adverse effects such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices.

Approval of this application would allow Applicant to continue to engage in the permissible trust activities of Company and would enable Company to continue to provide a convenient and efficient source of trust services to those members of the public who are located in the United States and who hold Canadian securities.

Based upon the foregoing and other consideration reflected in the record, the Board has determined, in accordance with the provisions of section 4(c)(8) of the Act, that Applicant's retention of Company can reasonably be expected to produce benefits to the public that outweigh possible adverse effects. Accordingly, the application is hereby 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,[8] effective December 23, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-37 Filed 1-2-76;8:45 am]

CENTRAL MORTGAGE BANCSHARES, INC.

Proposed Acquisition of Cenco Insurance Company

Central Mortgage Bancshares, Inc., Warrensburg, Missouri, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of Cenco Insurance Company, Phoenix, Arizona. Notice of the application was published on November 11, 1975 in the Arizona Weekly Gazette, a newspaper of general circulation in Phoenix, Arizona, and on November 7, 1975 in The Daily-Journal, a newspaper circulated in Warrensburg, Missouri, and on November 11, 1975 in the Kansas City Star, a newspaper circulated in Kansas City, Missouri.

Applicant states that the proposed subsidiary would engage in the activities of underwriting, as reinsurer, credit life and accident and health insurance in connection with extensions of credit to customers of Applicant's subsidiary banks. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of

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basis, may be terminated or decreased at the request of either Agency or the broker. Agency accrues, collects, and remits, at the appropriate time, all participation interest owing to Company. Through the use of a blanket collateral agreement, Agency handles all aspects of the brokers' loans, including the custody of the loan collateral. Thus, Company, as a loan participant, merely has the role of a passive investor in these brokers' loans originated by Applicant's Agency. As of the fiscal year ending October 31, 1974, the daily average participation in "call" loans was $614,000 (18.19 per cent of Company's average funds), and fiscal year "call" loan revenue was $71,708.33 (34.82 per cent of total revenue).

[6] Canadian agencies have long been active in the New York market for "call" loans to securities dealers and brokers. "Call" loans have been very attractive to Canadian agencies because they can be terminated at any time and thus constitute an excellent source of dollar liquidity. Canadian agencies have, however, been making increasing use of alternative sources of United States dollar liquidity, notably the Federal funds and Eurodollar markets. They have, however, also been expanding their commercial loan activities including working capitil loans for the financing of a variety of short- and long-term capital expenditures and revolving credits for general purposes.

[7] Applicant's Agency has not been able to exercise fiduciary powers in New York because of specific prohibitions in New York law (N.Y. Bank. Law § 202-a). Since Applicant's acquisition of Company, however, New York has enacted provisions allowing for the establishment of branches of foreign banks in New York, and such branches may with the Superintendent's approval, exercise certain fiduciary powers (N.Y. Bank. Law § 201-b). Applicant cannot establish a branch, however, because of reciprocity requirements in New York law (N.Y. Bank. Law § 202-a).

[8] Voting for this action: Vice Chairman Mitchell and Governors Holland, Wallich, Coldwell, and Jackson. Absent and not voting: Chairman Burns and Governor Bucher.

[5] As its participations in Agency's brokers' "call" loans are presently structured, Company neither deals directly with the brokers nor do the brokers have knowledge of Company's participation in Agency's loans. Agency is advised by Company of the amount of funds that the latter would desire to invest in Agency's "call" loans and Company remits this amount to Agency, which then advises Company of the identity and terms of the loan that Company will participate in for a given period. Agency's brokers' loans, which are considered to be on a daily renewable

resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 28, 1976.

Board of Governors of the Federal Reserve System, December 29, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-93 Filed 1-2-76;8:45 am]

FIRST ARKANSAS BANKSTOCK CORP.

Notice of Request for Determination

Notice is hereby given that a request has been made to the Board of Governors of the Federal Reserve System, pursuant to the provisions of the Bank Holding Company Act of 1956, as amended (12 U.S.C. 1841 *et seq.*), and the Board's Regulation Y [12 CFR 225], by First Arkansas Bankstock Corporation ("FABCO"), Little Rock, Arkansas, for a determination that FABCO presently exercises a controlling influence over the management and policies of United Banks of Arkansas, Inc. ("United"), a registered bank holding company; and that through United, FABCO exercises a controlling influence over the management and policies of the First National Bank in Mena ("Bank"), Mena, Arkansas. FABCO further requests that the Board determine that FABCO has continuously exercised a controlling influence over United and Bank since prior to December 31, 1970.

An opportunity is hereby provided to interested persons for the filing of written comments and/or requests for hearing. Any such written comments or requests for hearing should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received on or before February 4, 1976. Any request for hearing should contain a statement of the nature of the requesting person's interest in the matter, his reasons for requesting a hearing, and a summary of the matters concerning which said person wishes to give testimony at such hearing. In the absence of a request for a hearing, the Board will proceed with consideration of the requested determination on the basis of documentary evidence filed in connection with the application.

Board of Governors of the Federal Reserve System, December 29, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-94 Filed 1-2-76;8:45 am]

GENERAL SERVICES ADMINISTRATION

ADMINISTRATOR, ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Administrator, Energy Research and Development Administration, to represent the consumer interests of the executive agencies of the Federal Government in proceedings before the Missouri Public Service Commission.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly scetions 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Administrator, Energy Research and Development Administration, to represent the consumer interests of the executive agencies of the Federal Government before the Missouri Public Service Commission in a rate increase proceeding involving the Kansas City Power and Light Company (Case No. 18433).

b. The Administrator, Energy Research and Development Administration, may redelegate this authority to any officer, official, or employee of the Energy Research and Development Administration.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

JACK ECKERD,
Administrator of General Services.

DEC. 19, 1975.

[FR Doc.76-86 Filed 1-2-76;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

MUSEUM ADVISORY PANEL

Notice of Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), notice is hereby given that a meeting of the Museum Advisory Panel to the National Council on the Arts will be held on January 19, 1975 from 10:00 a.m.-5:30 p.m. and on January 20, 1975 from 10:00 a.m.-4:00 p.m. in the fourteenth floor conference room of the Columbia Plaza Building, 2401 E St., N.W., Washington, D.C.

A portion of this meeting will be open to the public on January 19 from 10:00 a.m.-5:30 p.m. and on January 20 from 11:00 a.m.-4:00 p.m. on a space available basis. Accommodations are limited. On January 19, there will be a discussion of January 20 there will be planning disgeneral policy and planning and on January 20 there will be planning discussions.

The remaining sessions of this meeting on January 20 from 10:00 a.m.-11:00 a.m. are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of June 16, 1975, these sessions, which involve matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b), (4), (5), and (6) will not be open to the public.

Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6377.

ROBERT M. SIMS,
Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.76-140 Filed 1-2-76;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-313]

ARKANSAS POWER AND LIGHT CO.

Issuance of Amendment to Facility Operating License and Negative Declaration

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 8 to Facility Operating License No. DPR-51 issued to Arkansas Power and Light Company which revised Technical Specifications for operation of Arkansas Nuclear One, Unit 1, located in Pope County, Arkansas. The amendment is effective as of its date of issuance.

The amendment deletes limits on chemical concentration of substances discharged during operation of Arkansas Nuclear One, Unit 1, which are now covered by National Pollutant Discharge Elimination System (NPDES) Permit (No. AR 0001392) issued by the Environmental Protection Agency. The amendment does retain a limit on total quantities of chemicals discharged. In addition, the amendment incorporates changes; (1) in chemical monitoring re-

quirements; and (2) in administrative reporting requirements.

The applications for the amendment comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has prepared an environmental impact appraisal for the revised Technical Specifications and has concluded that an environmental impact statement for this particular action is not warranted because there will be no environmental impact attributable to the proposed action other than that which has already been predicted and described in the Commission's Final Environmental Statement for Arkansas Nuclear One, Unit 1, published in February 1973, and that a negative declaration to this effect is appropriate.

For further details with respect to this action, see (1) the applications for amendment dated July 8, 1975, September 26, 1975, and October 9, 1975, (2) Amendment No. 8 to License No. DPR–51, with Change No. 8, and (3) the Commission's Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Arkansas Polytechnic College, Russellville, Arkansas.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Rockville, Maryland, this 23rd day of December, 1975.

For the Nuclear Regulatory Commission.

B. J. YOUNGBLOOD,
Chief, Environmental Projects Branch 3, Division of Reactor Licensing.

[FR Doc.76–108 Filed 1–2–76;8:45 am]

[Docket No. 50–358]

CINCINNATI GAS AND ELECTRIC COMPANY, ET AL. (WILLIAM H. ZIMMER NUCLEAR POWER STATION, UNIT 1)

Hearing and Order Convening Special Prehearing Conference

The Atomic Safety and Licensing Board appointed by Order issued December 24, 1975, consisting of Glenn O. Bright, John R. Lyman and the undersigned, to conduct the evidentiary hearing has determined that a hearing should be held in this proceeding to consider the issues required to be determined. The Notice of Hearing Order herein provides that a later Order will be issued to designate the time and place for the commencement of the evidentiary hearing.

In further review of the petitions which have been filed and in an endeavor to procure additional specificity for the general allegations of interest and contentions and for other matters specified in the Rules, this Board has concluded to convene a special prehearing conference in accordance with § 2.751 (a) (10 CFR) of the Commission's Rules of Practice.

Wherefore *it is ordered* in accordance with the Atomic Energy Act, as amended, and the Rules of Practice of the Nuclear Regulatory Commission, the Notice of Hearing is issued to provide for the evidentiary hearing which will be convened to consider the issues that are required to be determined at a time and place to be designated by later Order.

In addition and in accordance with the Rules of Practice, particularly § 2.751(a) thereof, a special prehearing conference shall convene at 12:00 noon, local time, on Friday, January 23, 1976, at a place in Cincinnati, Ohio to be designated by a later Order, to give further consideration to the Petitions to Intervene filed in this proceeding. The parties are encouraged to confer and stipulate if possible respecting the interests and contentions presented in the petitions.

Dated at Bethesda, Maryland this 24th day of December 1975.

For the Atomic Safety and Licensing Board.

SAMUEL W. JENSCH,
Chairman.

[FR Doc.76–109 Filed 1–2–76;8:45 am]

[Docket No. 50–286]

CONSOLIDATED EDISON CO. OF NEW YORK, INC. POWER AUTHORITY OF THE STATE OF NEW YORK

Notice of Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 1 to Facility Operating License No. DPR–64 issued to Consolidated Edison Company of New York, Inc. (Consolidated Edison) which authorized the Power Authority of the State of New York (Authority) to acquire title to the Indian Point Nuclear Generating Unit No. 3, located in Westchester County, New York. The amendment is effective as of its date of issuance. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration. The Commission has determined that no environmental impact different from that assessed in the Final Environment Statement will be attributable to the issuance of the amendment.

By application dated April 25, 1975, Consolidated Edison and the Authority requested that any operating license issued for the Indian Point Nuclear Generating Unit No. 3 (Indian Point Unit 3) be amended to allow the Authority to purchase and acquire title to the facility. Notice of receipt of this application was published in the FEDERAL REGISTER on July 24, 1975 (40FR31044). Facility Operating License No. DPR-64 was issued to Consolidated Edison on December 12, 1975. The license authorizes fuel loading and subcritical testing of the Indian Point Unit 3, but at no time shall the reactor be made critical following fuel loading.

The requested change has been accomplished by amending the existing facility operating license. The amended license authorizes the Authority to own but not operate Indian Point Unit 3. Consolidated Edison retains responsibility for operation of the facility at the location described above with the same restriction on subcritical operation.

The Nuclear Regulatory Commission has reviewed the application and has determined that it complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has also determined that the ownership change of the license is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

By February 4, 1976, the licensees may file a request for a hearing and any person whose interest may be affected by the proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's "Rules of Practice" in CFR Section 2.714.

For further details concerning this proposed action, see the application for amendment to the license dated April 25, 1975 and the Commission's related Safety Evaluation dated December 24, 1975. Both documents are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, New York.

Dated at Bethesda, Maryland, this 24th day of December, 1975.

For the Nuclear Regulatory Commission.

D. B. VASSALLO,
Chief, Light Water Reactors, Project Branch 1–1, Division of Reactor Licensing.

[FR Doc.76–105 Filed 1–2–76;8:45 am]

[Docket Nos. 50–269, 50–270 and 50–287]

DUKE POWER CO.

Issuance of Amendments to Facility Operating Licenses

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments No. 16, 16, and 13 to Facility Operating Licenses No. DPR–38, DPR–47, and DPR–55, respectively, issued to Duke Power Company which revised Technical Specifications for operation of the Oconee Nuclear Station, Units 1, 2, and 3, located in Oconee County, South Carolina. The amendments are effective January 1, 1976.

These amendments revise the provisions in the Technical Specifications relating to Reporting Requirements.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments is not required since the amendments do not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendments dated January 15, 1975, (2) Amendments No. 16, 16, and 13 to Licenses No. DPR–38, DPR–47, and DPR–55, with Changes No. 26, 21, and 13, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Oconee County Library, 201 South Spring Street, Walhalla, South Carolina 29691.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 22nd day of December 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch No. 1, Division of Reactor Licensing.

[FR Doc.76–110 Filed 1–2–76;8:45 am]

[Docket No. 50–335]

FLORIDA POWER AND LIGHT CO. (ST. LUCIE PLANT UNIT NO. 1)

Order Extending Construction Completion Date

Florida Power and Light Company is the holder of Provisional Construction Permit No. CPPR–74 issued by the Commission on July 1, 1970 for construction of the St. Lucie Plant Unit No. 1, presently under construction on Florida Power and Light Company's site on Hutchinson Island about halfway between Ft. Pierce and Stuart on the east coast of Florida.

On November 5, 1975, Florida Power and Light filed a request for an extension of the completion date because (1) final stages of construction and testing necessary to complete the plant have taken more time than originally anticipated; (2) schedular delays have resulted from certain labor difficulties which were pointed out in the previous extension request. Labor productivity has continued to be lower than anticipated, and there has been a continuing shortage of qualified welders; and (3) slippages of electrical and mechanical equipment deliveries have occurred because of material shortages and demand in overseas markets. Such slippages have been particularly significant during the final stages of construction because of their impact on the scheduling and sequencing of system completion.

This action involves no significant hazards consideration; good cause has been shown for the delay; and the requested extension is for a reasonable period, the bases for which are set forth in a staff evaluation dated December 19, 1975.

It is hereby ordered, That the latest completion date for CPPR–74 is extended from December 31, 1975 to July 1, 1976.

For the Nuclear Regulatory Commission.

Date of Issuance: December 24, 1975.

OLAN D. PARR,
Acting Assistant Director for Light Water Reactors Group 1, Division of Reactor Licensing.

[FR Doc.76–111 Filed 1–2–76;8:45 am]

[Docket Nos. 50–424, 50–425 (CP Amendment)]

GEORGIA POWER CO. (ALVIN W. VOGTLE NUCLEAR PLANT, UNITS 1 AND 2)

Notice of Public Hearing

Please take notice that pursuant to the Atomic Energy Act of 1954, as amended, and the Commission's Regulations (10 CFR Part 50), a public, evidentiary hearing will be held before an Atomic Safety and Licensing Board (the Board) starting at 9:30 A.M., EST, on January 27, 1976 at the following location:

U.S. District Courtroom, 2nd Floor, U.S. Courthouse, 8th and Telfair Streets, Augusta, Georgia 30902.

The purpose of this public hearing, to be conducted in accordance with the Commission's Rules of Practice, is to consider certain proposed amendments [1] to the Applicant's construction permits, which the Applicant has already received, to build two pressurized water nuclear reactors to be known as the Alvin W. Vogtle Nuclear Plant, Units 1 and 2, near the Savannah River in Burke County Georgia, about 26 miles southeast of Augusta and 15 miles east of Waynesboro, Georgia.

If there are any requests from organizations or individuals to make limited appearance statements, pursuant to the Commission's Rules of Practice (10 CFR § 2.715(a)), these will be heard on the morning of January 27.

[1] See this Board's "Notice of Supplemental Hearing on Proposed Amendment to Construction Permits," dated Sept. 3, 1975, which was published in the FEDERAL REGISTER on Sept. 8, 1975 (40 FR 41569). See also this Board's "Prehearing Conference Order And Rulings on Contentions," issued December 1, 1975.

Interested members of the public are invited to attend the hearing.

It is so ordered.

Issued at Bethesda, Maryland, this 29th day of December, 1975.

For the Atomic Safety and Licensing Board.

THOMAS W. REILLY,
Chairman.

[FR Doc.76–112 Filed 1–2–76;8:45 am]

[Docket No. 50–321]

GEORGIA POWER CO. (EDWIN I. HATCH NUCLEAR POWER PLANT UNIT 1)

Negative Declaration Regarding Change to Technical Specifications

The U.S. Nuclear Regulatory Commission (the Commission) has reviewed the licensee's proposed change to the Appendix A Technical Specifications of Facility Operating License DPR–57. This change would authorize the Georgia Power Company to operate the Edwin I. Hatch Nuclear Plant Unit 1 with certain revisions to the present limiting conditions for operation specified in Appendix A of the referenced license. These revisions result from the implementation of the Acceptance Criteria for the Emergency Core Cooling System for Light Water Nuclear Power Reactors (ECCS) as specified in § 50.46 of Part 50 CFR. No revisions to the Environmental Technical Specifications (Appendix B) were required as a result of this proposed change.

The Commission's Division of Reactor Licensing has prepared an environmental impact appraisal for the proposed change to the Appendix A Technical Specifications for Facility Operating License DPR–57.

On the basis of the environmental impact appraisal presented in this document, we have concluded that an environmental impact statement for this particular action is not warranted because, pursuant to the Commission's regulations in 10 CFR Part 51 and the Council of Environmental Quality's Guidelines, 40 CFR 1500.6, the Commission has determined that this proposed change to the Appendix A Technical Specifications is not a major Federal action significantly affecting the quality of the human environment. The environmental impact appraisal is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555, and at the Appling County Public Library, Parker Street, Baxley, Georgia 31513. Dated at Rockville, Maryland, this 15th day of December 1975.

For the Nuclear Regulatory Commission.

GEORGE W. KNIGHTON,
Chief, Environmental Projects Branch No. 1, Division of Reactor Licensing.

[FR Doc.76–114 Filed 1–2–76;8:45 am]

[Docket No. 50-366]

GEORGIA POWER CO. OGLETHORPE ELECTRIC MEMBERSHIP CORP. (EDWIN I. HATCH NUCLEAR PLANT, UNIT 2)

Receipt of Application for Facility Operating License; Availability of Environmental Report; Opportunity for Hearing

Notice is hereby given that the Nuclear Regulatory Commission (the Commission) has received an application for facility operating license from Georgia Power Company and Oglethorpe Electric Membership Corporation (the applicants) to possess, use, and operate Edwin I. Hatch Nuclear Plant, Unit 2, a boiling water nuclear reactor (the facility), located on the applicants' site in Appling County, Georgia, at a steady-state power level of 2436 megawatts thermal.

The applicants have also filed an environmental report pursuant to the National Environmental Policy Act of 1969 and the regulations of the Commission in 10 CFR Part 51. The report which discusses environmental considerations related to the proposed operation of the facility is being made available at the Georgia State Clearinghouse, Office of Planning and Budget, 270 Washington Street S.W., Atlanta, Georgia 30334, and at the Altamaha Area Planning and Development Commission, P.O. Box 328, Baxley, Georgia 31513.

After the environmental report has been analyzed by the Commission's Director of Nuclear Reactor Regulation or his designee, a draft environmental statement will be prepared by the Commission's staff. Upon preparation of the draft environmental statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft statement, requesting comments from interested persons on the draft statement. The summary notice will also contain a statement to the effect that any comments of Federal agencies and State and local officials will be made available when received. The draft environmental statement will focus only on any matters which differ from those previously discussed in the final environmental statement prepared in connection with the issuance of the construction permit. Upon consideration of comments submitted with respect to the draft environmental statement, the regulatory staff will prepare a final environmental statement, the availability of which will be published in the FEDERAL REGISTER.

The Commission will consider the issuance of a facility operating license to Georgia Power Company and Oglethorpe Electric Membership Corporation which would authorize the applicants to possess, use, and operate the Edwin I. Hatch Nuclear Plant, Unit 2, in accordance with the provisions of the license and the technical specifications appended thereto, upon: (1) the completion of a favorable safety evaluation on the application by the Office of Nuclear Reactor Regulation; (2) the completion of the environmental review required by the Commission's regulations in 10 CFR Part 51; (3) the receipt of a report on the applicants' application for a facility operating license by the Advisory Committee on Reactor Safeguards; and (4) a finding by the Commission that the application for the facility license, as amended, complies with the requirements of the Atomic Energy Act of 1954, as amended (Act), and the Commission's regulations in 10 CFR Chapter 1. Construction of the facility was authorized by Construction Permit No. CPPR-90, issued by the Commission on December 27, 1972. Construction of the facility is anticipated to be completed by July 1, 1978.

Prior to issuance of any operating license, the Commission will inspect the facility to determine whether it has been constructed in accordance with the application, as amended, and the provisions of the Construction Permit. In addition, the license will not be issued until the Commission has made the findings reflecting its review of the application under the Act, which will be set forth in the proposed license, and has concluded that the issuance of the license will not be inimical to the common defense and security or to the health and safety of the public and that requirements of Sections 102(2) (A), (C), and (D) of the National Environmental Policy Act of 1969 have been met. Upon issuance of the license, the applicants will be required to execute an indemnity agreement as required by section 170 of the Act and 10 CFR Part 140 of the Commission's regulations.

On or before February 4, 1976, the applicants may file a request for a hearing, with respect to issuance of the facility operating license and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed within the time prescribed in this notice, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

A petition for leave to intervene must be filed under oath or affirmation in accordance with the provisions of 10 CFR Part 2, Section 2.714. As required in Section 2.714, a petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, or may be delivered to the Commission's Public Document Room 1717 H Street NW., Washington, D.C., by February 5, 1976. A copy of the petition and/or request should also be sent to the Executive Legal Director, United States Nuclear Regulatory Commission, Washington, D.C. 20555, and to George F. Trowbridge, Esq., Shaw, Pittman, Potts and Trowbridge, 910 17th Street NW., Washington, D.C. 20006, attorney for the applicants.

A petition for leave to intervene which is not timely will not be granted unless the Commission, the presiding officer, or the Atomic Safety and Licensing Board designated to rule on the petition determines that the petitioner has made a substantial showing of good cause for failure to file on time and after considering those factors specified in 10 CFR Part 2, §§ 2.714(a)(1)-(4) and 2.714(d).

For further details, see the application for the facility operating license, dated October 20, 1975, and the applicants' environmental report dated September 29, 1975, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Appling County Public Library, Parker Street, Baxley, Georgia 31513. As they become available, the following documents may be inspected at the above locations: (1) the safety evaluation report prepared by the Office of Nuclear Reactor Regulation; (2) the draft environmental statement; (3) the final environmental statement; (4) the report of the Advisory Committee on Reactor Safeguards on the application for facility operating license; (5) the proposed facility operating license; and (6) the technical specifications, which will be attached to the proposed facility operating license.

Copies of the proposed operating license and the ACRS report, when available, may be obtained by request to the Director, Division of Reactor Licensing, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Copies of the Office of Nuclear Reactor Regulation's safety evaluation and final environmental statement, when available, may be purchased at current rates, from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Bethesda, Maryland, this 23d day of December, 1975.

For the Nuclear Regulatory Commission.

KARL KNIEL, *Chief*
Light Water Reactors Branch 2–2, Division of Reactor Licensing.

[FR Doc.76–106 Filed 1–2–76;8:45 am]

[Docket No. 50–321]

GEORGIA POWER CO. OGLETHORPE ELECTRIC MEMBERSHIP CORP.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 27 to Facility Operating License No. DPR–57 issued to Georgia Power Company and Oglethorpe Electric Membership Corporation which revised Technical Specifications for operation of the Edwin I. Hatch Nuclear Plant, Unit 1, located in Appling County, Georgia. The amendment is effective as of its date of issuance.

The amendment authorizes operation of Hatch Unit 1 (1) with the lower core support bypass flow holes plugged, (2) using operating limits based on the General Electric Thermal Analysis Basis (GETAB), and (3) with modified operating limits based on an acceptable evaluation model that conforms with the requirements of Section 50.46 of 10 CFR Part 50 of the Commission's regulations.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with items (2) and (3) above was published in the FEDERAL REGISTER on August 26, 1975 (40 FR 37273). No request for a hearing or petition for leave to intervene has been filed following notice of the proposed action on items (2) and (3) above. Prior public notice of item (1) above is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the applications for amendment dated July 9, 1975, December 2, 1975, and December 8, 1975, and supplements thereto dated August 6, 1975, August 29, 1975, September 24, 1975, October 14, 1975, October 21, 1975, and December 10, 1975, (2) Amendment No. 27 to License No. DPR–57, with Change No. 26, (3) the Commission's concurrently issued related Safety Evaluation, and (4) the Commission's Negative Declaration dated December 15, 1975, (which is also being published in the FEDERAL REGISTER) and associated Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Appling County Public Library, Parker Street, Baxley, Georgia 31513.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 17th day of December, 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Reactor Licensing.

[FR Doc.76–113 Filed 1–2–76;8:45 am]

[Docket Nos. STN 50–498 and STN 50–499]

HOUSTON LIGHTING & POWER COMPANY, ET AL. (SOUTH TEXAS PROJECT, UNITS 1 AND 2)

Issuance of Construction Permits

Notice is hereby given that, pursuant to the Initial Decisions of the Atomic Safety and Licensing Board, dated August 8, 1975, and December 17, 1975, the Nuclear Regulatory Commission (the Commission) has issued Construction Permits Nos. CPPR–128 and CPPR–129 to the Houston Lighting & Power Company, the City Public Service Board of San Antonio, Central Power and Light Company, and the City of Austin for construction of two pressurized water nuclear reactors at the applicant's site in Matagorda County, Texas. The proposed reactors, known as the South Texas Project, Units 1 and 2 are each designed for a rated core power level of 3,800 megawatts thermal with a net electrical output of 1,250 megawatts.

The Initial Decisions are subject to review by an Atomic Safety and Licensing Appeal Board prior to their becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the Initial Decision may be reviewed by the Commission.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the construction permits. The application for the construction permits complies with the standards and requirements of the Act and the Commission's rules and regulations.

The construction permits are effective as of their date of issuance. The earliest date for the completion of Unit No. 1 is May 1, 1980, and the latest date for completion is May 31, 1982. The earliest date for completion of Unit No. 2 is October 1, 1981, and the latest date for completion is October 31, 1983. Each permit shall expire on the latest date for completion of the facility for which it is issued.

A copy of (1) the Initial Decisions, dated August 8, 1975, and December 17, 1975; (2) Construction Permits Nos. CPPR–128 and CPPR–129; (3) the report of the Advisory Committee on Reactor Safeguards, dated September 19, 1975, (4) the Office of Nuclear Reactor Regulation's Safety Evaluation Report dated August 1, 1975, and Supplement No. 1 thereto dated October 29, 1975; (5) the Preliminary Safety Analysis Report and amendments thereto; (6) the applicant's Environmental Report dated July 1, 1974, and supplements thereto; (7) the Draft Environmental Statement dated November 1974; and (8) the Final Environmental Statement dated March 1975 are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C., and the Matagorda County Courthouse, 1700 Seventh Street, Bay City, Texas. A copy of the construction permits may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Copies of the Safety Evaluation and Supplement No. 1 thereto (Document Nos. NUREG–75/075 and NUREG–75/075, Supplement No. 1) and the Final Environmental Statement (Document No. NUREG–75/019) may be purchased, at current rates, from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Bethesda, Maryland, this 22nd day of December, 1975.

For the Nuclear Regulatory Commission.

D. B. VASSALLO,
Chief, Light Water Reactors Project Branch 1–1, Division of Reactor Licensing.

[FR Doc.76–115 Filed 1–2–76;8:45 am]

[Docket Nos. 50–516, 50–517]

LONG ISLAND LIGHTING CO. (JAMESPORT NUCLEAR POWER STATION, UNITS 1 AND 2)

Notice of Reconstitution of Board

Dr. A. Dixon Callihan was a Member of the Atomic Safety and Licensing Board established to consider the above application. Because of other Board commitments, Dr. Callihan is unable to continue in his duties as a Member of this Board.

Accordingly, Mr. Ralph S. Decker, whose address is Route 1, Box 190 D, Cambridge, Maryland 21613, is appointed a Member of the Board. Reconstitution of the Board. Reconstitution of the Board in this manner is in accordance with the Rules of Practice of the Commission.

Dated at Bethesda, Maryland, this 23d day of December, 1975.

JAMES R. YORE,
Acting Chairman, Atomic Safety and Licensing Board Panel.

[FR Doc.76–116 Filed 1–2–76;8:45 am]

[Provisional Operating License No. DPR-21, Amdt. No. 12 Docket No. 50-254]

NORTHEAST NUCLEAR ENERGY CO. (MILLSTONE NUCLEAR POWER STATION, UNIT 1)

Negative Declaration

The U.S. Nuclear Regulatory Commission has considered, pursuant to 10 CFR Part 51, the issuance of changes to the Technical Specifications, Appendix A to the Part 50 Provisional Operating License DPR-21, that result from the incorporation of Environmental Technical Specifications as Appendix B to the License.

The Commission's Division of Reactor Licensing has prepared an environmental Impact Appraisal on the proposed action. On the basis of this appraisal, we have concluded that a detailed environmental impact statement for the proposed action is not warranted, because there will be no significant environmental impact attributable to the proposed action and the environmental effects will be within the scope of those already considered for the operation of the Station. The Environmental Impact Appraisal is available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. 20555, and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut 06385.

Dated at Bethesda, Maryland, this 17th day of December, 1975.

For the Nuclear Regulatory Commission.

G. DICKER,
Chief, Environmental Projects Branch 2, Division of Reactor Licensing.

[FR Doc.76-118 Filed 1-2-76;8:45 am]

[Docket No. 50-245]

NORTHEAST NUCLEAR ENERGY CO., ET AL.

Notice of Issuance of Amendment to Provisional Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 12 to Provisional Operating License No. DPR-21 issued to Northeast Nuclear Energy Company, The Hartford Electric Light Company, Western Massachusetts Electric Company, and Connecticut Light and Power Company, which revised Technical Specifications for operation of the Millstone Nuclear Power Station, Unit 1, located in Waterford, Connecticut. The amendment is effective as of its date of issuance.

The amendment incorporates the Environmental Technical Specifications into the Provisional Operating License as Appendix B. In addition, the Environmental Monitoring Program of the Radiological Technical Specifications (Appendix A) will be replaced by a more rigorous program in Appendix B.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated October 26, 1973, (2) Amendment No. 12 to License No. DPR-21, with Change No. 25, (3) the Commission's related Safety Evaluation, and (4) the Commission's Negative Declaration dated (which is also being published in the FEDERAL REGISTER) and associated Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut 06385.

A copy of items (2), (3), and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 19th day of December, 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Reactor Licensing.

[FR Doc.76-117 Filed 1-2-76;8:45 am]

[Docket No. 50-344]

PORTLAND GENERAL ELECTRIC CO., ET AL.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 2 to Facility Operating License No. NPF-1 issued to Portland General Electric Company, the City of Eugene, Oregon, Pacific Power and Light Company which revised Technical Specifications for operation of the Trojan Nuclear Plant, located on the left shore of the Columbia River in Columbia County, Oregon. The amendment is effective as of December 11, 1975.

The amendment allows performance of certain rod drop and flow coastdown tests which are required by the NRC staff to be performed during the pre-Startup phase of the Trojan Nuclear Plant.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5 (d) (4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated December 10, 1975, (2) Amendment No. 2 to License No. NPF-1 and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Columbia County Courthouse, Low Library, Circuit Court Room, St. Helens, Oregon 97501.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland this 23rd day of December, 1975.

For the Nuclear Regulatory Commission.

RAYMOND R. POWELL,
Acting Chief, Light Water Reactors Branch 1-2, Division of Reactor Licensing.

[FR Doc.76-119 Filed 1-2-76;8:45 am]

[Docket No. 50-267]

PUBLIC SERVICE CO. OF COLORADO

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 9 to Facility Operating License No. DPR-34 issued to Public Service Company of Colorado which revised Technical Specifications for operation of the Fort St. Vrain Nuclear Generating Station, located in Weld County, Colorado. The amendment is effective as of its date of issuance.

The amendment permits a reduction from 11,500 rpm to 8,800 rpm in the helium circulator high-speed trip when operating on water-driven Pelton turbines.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with this action was published in the Federal Register on Jan-

uary 8, 1975, (40 FR 1549). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated October 23, 1974, and revision dated October 23, 1975, (2) Amendment No. 9 to License No. DPR-34, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Greeley Public Library, City Complex Building, Greeley, Colorado 80631.

A copy of items (2) and (3) may be obtained upon request addressed to the United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Project Management.

Dated at Bethesda, Maryland, this 29th day of December, 1975.

For the Nuclear Regulatory Commission.

ROBERT A. CLARK,
Chief, Special Reactors Branch, Division of Project Management.

[FR Doc.76-120 Filed 1-2-76;8:45 am]

[Docket No. 50-206]

SOUTHERN CALIFORNIA EDISON CO. AND SAN DIEGO GAS AND ELECTRIC CO. (SAN ONOFRE NUCLEAR GENERATING STATION, UNIT 1)

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 17 to Facility Operating License No. DPR-13 issued to Southern California Edison Company which revised Technical Specifications for operation of the San Onofre Nuclear Generating Station, Unit 1, located near Camp Pendleton, San Diego County, California. The amendment is effective as of its date of issuance.

The amendment applies to administrative details, to definitions, and changes the environmental surveillance reporting from semi-annual to annual.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental statement, negative declaration, or environmental impact appraisal need not be prepared in connection with the issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated November 11, 1975, and (2) Amendment No. 17 to License No. DPR-13. Both of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and in the San Clemente Public Library, 233 Granada Street, San Clemente, California.

A copy of Amendment No. 17 may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C., 20555, Attention: Director, Division of Reactor Licensing.

Dated at Rockville, Maryland, this 19th day of December, 1975.

For the Nuclear Regulatory Commission.

B. J. YOUNGBLOOD,
Chief, Environmental Projects Branch 3, Division of Reactor Licensing.

[FR Doc.76-121 Filed 1-2-76;8:45 am]

[Docket No. 50-460]

WASHINGTON PUBLIC POWER SUPPLY SYSTEM (WASHINGTON PUBLIC POWER SUPPLY SYSTEM NUCLEAR POWER PROJECT NO. 1)

Issuance of Construction Permit

Notice is hereby given that, pursuant to the Initial Decision of the Atomic Safety and Licensing Board, dated December 22, 1975, the Nuclear Regulatory Commission (the Commission) has issued Construction Permit No. CPPR-134 to the Washington Public Power Supply System for construction of a pressurized water nuclear reactor at the applicant's site in Benton County, Washington. The proposed reactor, known as the Washington Public Power Supply System Nuclear Project No. 1 is designed for a rated power of 3600 megawatts thermal with a net electrical output of 1218 megawatts.

The Initial Decision is subject to review by an Atomic Safety and Licensing Appeal Board prior to its becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the Initial Decision may be reviewed by the Commission.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the construction permit.

The application for the construction permit complies with the standards and requirements of the Act and the Commission's rules and regulations.

The construction permit is effective as of its date of issuance. The earliest date for the completion of the facility is January 1, 1980, and the latest date for completion is January 1, 1982. The permit shall expire on the latest date for completion of the facility.

A copy of (1) the Initial Decision, dated December 22, 1975; (2) Construction Permit No. CPPR-134; (3) the report of the Advisory Committee on Reactor Safeguards dated June 11, 1975; (4) the Office of Nuclear Reactor Regulation's Safety Evaluation Report dated May 2, 1975, and supplements thereto dated June 2, 1975, and August 8, 1975, respectively; (5) the Preliminary Safety Analysis Report and amendments thereto; (6) the applicant's Environmental Report dated July 10, 1974, and supplements thereto; (7) the Draft Environmental Statement dated December 5, 1974; and (8) the Final Environmental Statement dated March 5, 1975, are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. and the Richland Public Library, Swift and Northgate Streets, Richland, Washington. A copy of the construction permit may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Copies of the Safety Evaluation and supplements thereto (Document No. NUREG-75/036, Supplement No. 1 and Supplement No. 2, respectively) and the Final Environmental Statement (Document No. NUREG-75/012) may be purchased, at current rates, from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Bethesda, Maryland, this 23d day of December, 1975.

For the Nuclear Regulatory Commission.

A. SCHWENCER,
Chief, Light Water Reactors Branch 2-3, Division of Reactor Licensing.

[FR Doc.76-122 Filed 1-2-76;8:45 am]

COMMISSION SEAL

Correction

In FR Doc. 75-33310, appearing at page 57722, in the issue for Thursday, December 11, 1975, beneath the authority citation which appears one paragraph below the replica of the official seal, and immediately above the paragraph numbered "(1)", insert the following:

USE OF THE SEAL OR REPLICAS

a. The use of the seal or replicas is restricted to the following:

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on December 29, 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

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education:

Women Students in Non-Traditional Vocational Training, OE–465 1–2, single-time, women students, Joan Turek.

Survey of the Secondary-Postsecondary Articulation, process in vocational education, OE–464, single-time, State advisory councils on vocational education, Lowry, R. L., 395–3772.

Title IX Technical Needs Assessment Questionnaire, OE–463 1–2, single-time, LEA's and IHE's, Sunderhauf, M. B., Lowry, R. L., 395–6140.

REVISIONS

FEDERAL RESERVE SYSTEM

Report of Negotiable Orders of Withdrawal (NOW) Accounts, R & S 48, monthly, depository institutions in New England, Hulett, D. T., 395–4730.

DEPARTMENT OF COMMERCE

Bureau of Census: Sampling questionnaire and Sample Person List, SIP–1, SIP–2, and SIP–3, single-time, facility administrators, Dick Eisinger, Maria Gonzales, 395–6140.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Center for Education Statistics: Fall Enrollment Survey and Compliance Report of Institutions of Higher Education, 1976, 2300–2.3, annually, colleges and universities, Joan Turek, Sunderhauf, M. B.

DEPARTMENT OF THE INTERIOR

Bureau of Outdoor Recreation: (Interview) St. Lawrence River Winter Recreation Survey, BOR 8–201, single-time, winter outdoor recreation, Lowry, R. L., 395–3772.

EXTENSIONS

DEPARTMENT OF THE INTERIOR

National Park Service: Park Visitation Survey, NPS10–157A, on occasion, park visitors, Marsha Traynham, 395–4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.76–144 Filed 1–2–76;8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on December 24, 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 reecived; 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

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service: School Breakfast Program Evaluation, FNS–1064, single-time, schools, Human Resources Division, Raynsford, R., 395–3532.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institute of Education: Rural School and Commodity Questionnaires, NIE 141, on occasion, community members, Joan Turek.

REVISIONS

ENVIRONMENTAL PROTECTION AGENCY

Summary Report of inventions and subagreements on Subcontracts, annually, recipients of EPA grants, Marsha Traynham, 395–4529.

Contractor's or Grantee's Invention Disclosure, EPA3340, on occasion, recipients of EPA grants, Marshal Traynham, 395–4529.

VETERANS ADMINISTRATION

Request to correspondent for identifying Info Re Veteran, FL 07–2, on occasion, Veterans and Beneficiaries, Harry B. Sheftel, 395–5870.

EXTENSIONS

DEPARTMENT OF COMMERCE

Bureau of Census: Annual Survey of Oil and Gas, MA 13K, MA 13–K–C, annually, operators of oil properties, Lowry, R. L., 395–3772.

DEPARTMENT OF TRANSPORTATION

Coast Guard: Masters Oath for New or Lost Document, and Declaration of New or Alternate Master, CG–1305, on occasion, documented vessels, Marsha Traynham, 395–4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc. 76–145 Filed 1–2–76; 8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on December 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

ENVIRONMENTAL PROTECTION AGENCY

Sulfur Content of Unleaded Gasoline, Quarterly, oil companies, Lowry, R. L., 395–3772.

DEPARTMENT OF COMMERCE

Bureau of Census:

(Travis Co., Texas) Census Employment Inquiry, DD 323, other (see SF–83), job applicants, Harry B. Sheftel, 395–5870.

National Longitudinal Surveys, Survey of Work Experience of Mature Women—1976 Questionnaire and Advance Letter, LGT 371, LGT–373, annually, women between ages 30–44, Strasser, A., 395–5867.

Maritime Administration:

Confidential Survey of Major U.S. Shippers, MA 805, single-time, exporters and importers, Strasser, A., 395–5867.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary:

Survey Questionnaire to Current and Former Students of Advance Schools, Inc., OS 61–75, single-time, students, Lowry, R. L., 395–3772.

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration:

Railroad Employee Assistance programs: Alcoholism and Drug Abuse, single-time, U.S. Railroads, Economics and

General Government Division, Strasser, A., 395-3451.

REVISIONS

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration:
Application for an Airman Certificate and/or Rating (airline transport pilot), FAA 8410-2, on occasion, airmen, Lowry, R. L., 395-3772.

Federal Highway Administration:
Supplemental Information—Trip Detail or Driver Rest, MCS 5, on occasion, Motor Carriers, Lowry, R. L., 395-3772.

EXTENSIONS

VETERANS' ADMINISTRATION

Daily Report of Workmen and Material, other (see SF-83), contractors, Caywood, D. P., 395-3443.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration: Shrimp Log Book—Shrimp Landings-U.S. Flag Vessels, 88-23, 88-24, monthly, U.S. Shrimp Boat Fleet, Marsha Traynham, 395-4529.

DEPARTMENT OF THE INTERIOR

Mining Enforcement and Safety Administration: Health and Safety Training (Plan and Individual Record), 5000-1, on occasion, mines, Marsha Traynham, 395-4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.76-146 Filed 1-2-76;8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on December 22, 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 the 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 SCIENCE FOUNDATION

Bilateral Cooperative Science Agreements: followup questionnaire, single-time, OIP supported scientists, Lowry, R. L., 395-3772.

GENERAL SERVICES ADMINISTRATION

Monthly Profit and Loss Statement, R3-1527, monthly, minority concessionaires, Lowry, R. L., 395-3772.

Report of Concessions Operations, R3-1463, monthly, minority concessionaires, Lowry, R. L., 395-3772.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Center for Education Statistics: Adult/Continuing Education: Noncredit Activities in Institutions of Higher Education, 1975-76, OE-2300-8, single-time, Institutions of Higher Education, Joan Turek.

National Institute of Education Safe School Study—Phases I and II, 142 A-F, monthly, school personnel, Joan Turek and George Hall.

Office of Human Development: Project Screening Questionnaire, single-time, directors of nutrition projects, Human Resources Division, Raynsford, R., 395-3532.

Health Resources Administration: Guidelines for Applications for HSA Designation and Grant, 1216, single-time, Health Systems Agencies, Lowry, R. L., 395-3772.

REVISIONS

VETERANS ADMINISTRATION

Letter Questionnaire to Veterans Regarding Quality of Service Rendered by Contact Personnel (at VA Regional Office), FL23-652, on occasion, veterans, Caywood, D. P., 395-3443.

DEPARTMENT OF AGRICULTURE

Agriculture Research Service: Request for Proposal for Exploratory Study of Food, consumption measurements, single-time, households, Lowry, R. L., 395-3772.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Center for Education Statistics: Employees in Institutions of Higher Education, 1976-77, OE 2300-3, annually, college and universities, Joan Turek.

EXTENSIONS

NATIONAL SCIENCE FOUNDATION

Industrial Panel on Science and Technology, on occasion, R. & D. performing companies, Marsha Traynham, 395-4529.

DEPARTMENT OF DEFENSE

Departmental and Other Claim for Exemption from Submission of Certified Cost or Pricing Data, DD 633-7, on occasion, suppliers, Marsha Traynham, 395-4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.76-147 Filed 1-2-76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-11949;
File No. SR-DSE-75-2]

DETROIT STOCK EXCHANGE

Self-Regulatory Organization; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on December 15, 1975, the above mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

Amendments to the DSE Constitution to effect changes in Officer designations and responsibilities.

STATEMENT OF BASIS AND PURPOSES

The basis and purpose of the foregoing proposed rule change is as follows:

The proposed amendments, were adopted and approved by the Governing Committee to update the present Government of the Exchange by providing for a full time paid President. It is anticipated that the proposed amendments will provide a more responsive leadership for the Exchange and a direct line of communications for the membership and the investing public.

The foregoing rule change has become effective, pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934. At any time within sixty days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before February 4, 1976.

For the Commission by the Division of Market Regulation pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 23, 1975.

[FR Doc.76-48 Filed 1-2-76;8:45 am]

[File No. 500-1]

GAC CORP. AND GAC PROPERTIES CREDIT INC.

Suspension of Trading

DECEMBER 24, 1975.

The common stock of GAC Corporation being traded on the New York Stock Exchange, Midwest Stock Exchange, Pacific Coast Stock Exchange, PBW Stock Exchange and Boston Stock Exchange, the voting preference $1.00 series stock of GAC Corporation being traded on the PBW Stock Exchange, the convertible preferred $1.06 cumulative stock of GAC Corporation being traded on the New York Stock Exchange and PBW Stock Exchange, the preferred $6.50 series cumulative stock of GAC Corporation being traded on the PBW Stock Exchange, the 5⅞% convertible subordinated debentures due 1994 of GAC Corporation being traded on the New York

Stock Exchange; the 11% senior debentures due 1977 of GAC Properties Credit Incorporated being traded on the New York Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of GAC Corporation and GAC Properties Credit Incorporated being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from December 29, 1975 through January 7, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-42 Filed 1-2-76;8:45 am]

[File No. 500-1]

GENERICS CORP. OF AMERICA

Suspension of Trading

DECEMBER 24, 1975.

The common stock of Generics Corporation of America being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934, the 6% convertible subordinated debentures due July 1983 and all other securities of Generics Corporation of America being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from December 28, 1975, through January 6, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-43 Filed 1-2-76;8:45 am]

[Administrative Proceeding File No. 3-4857; File No. 81-191]

MAGMETCO, INC.

Application and Opportunity for Hearing

DECEMBER 19, 1975.

Notice is hereby given that Magmetco, Inc. ("Applicant") has filed, as successor to Magnetic Metals Company ("Magnetic Metals"), an application pursuant to Section 12(h) of the Securities Exchange Act of 1934, as amended (the "1934 Act"), for a finding that an exemption from the requirement to file, pursuant to Sections 13 and 15(d) of the 1934 Act, a quarterly report on Form 10-Q for the quarter ended September 30, 1975, and an annual report on Form 10-K for the year ending December 31, 1975, would not be inconsistent with the public interest or the protection of investors.

Section 12(g) of the 1934 Act requires the registration of the equity securities of every issuer which is engaged in a business affecting interstate commerce, or whose securities are traded by use of the mails or any means or instrumentality of interstate commerce, and on the last day of the fiscal year has total assets exceeding $1 million and a class of equity securities held of record by 500 or more persons.

Sections 13 and 15(d) of the 1934 Act require that issuers of securities registered pursuant to Section 12 or that have filed a registration statement that has become effective pursuant to the Securities Act of 1933, must file certain periodic reports with the Commission for the protection of investors and to insure fair dealing in the security.

Section 12(h) of the 1934 Act empowers the Commission to exempt, in whole, or in part, any issuer or class of issuers from the provisions of Sections 12(g), 13, 14, or 15(d) of the 1934 Act, if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, income or assets of the issuer or otherwise, that such exemption is not inconsistent with the public interest or protection of investors.

The Applicant states in part that:

(1) Magnetic Metals (and Applicant, as successor corporation) is subject to the provisions of Section 15(d) of the 1934 Act and its common stock is registered pursuant to Section 12(g) of the 1934 Act.

(2) Prior to the merger of Magnetic Metals into Applicant, Applicant owned all of the issued and outstanding shares of Magnetic Metals preferred stock, and 580,935 shares (approximately 74%) of Magnetic Metals issued and outstanding common stock.

(3) A plan to merge Magnetic Metals into Applicant was submitted to the shareholders of Magnetic Metals at a special meeting held on June 25, 1975, and proxy soliciting materials containing detailed information, including financial statements, concerning Magnetic Metals and the terms of the merger were filed with the Commission and distributed to shareholders. The plan was approved by the shareholders of Magnetic Metals and the merger was consummated on September 4, 1975.

(4) Pursuant to the terms of the merger, the shares of Magnetic Metals common stock owned by persons other than Applicant have become the right to receive $6.50 a share in cash.

(5) There is no trading in Magnetic Metals common stock.

In the absence of an exemption, Applicant is required to file, pursuant to Sections 13 and 15(d) of the 1934 Act and the rules and regulations thereunder, a quarterly report on Form 10-Q for the quarter ended September 30, 1975, and an annual report on Form 10-K for the year ending December 31, 1975. Applicant believes that its request for an order exempting it from the provisions of Sections 13 and 15(d) of the 1934 Act, to the extent that these sections would require such reports to be filed, is appropriate in view of the fact that Magnetic Metals no longer exists as a corporation and there is no trading in its securities. Applicant believes that the time, effort and expense involved in the preparation of such reports would be disproportionate to the limited, if any, benefit to the public or the former security holders of Magnetic Metals.

For a more detailed statement of the information presented, all persons are referred to said application which is on file in the Commission's Public Reference Room at 1100 L St. NW., Washington, D.C.

Notice is further given that any interested person, not later than January 13, 1975, may submit to the Commission in writing his views or any substantial facts bearing on this application or the desirability of a hearing thereon. Any such communication or request should be addressed to: Secretary, Securities and Exchange Commission, 500 North Capitol Street NW., Washington, D.C. 20549, and should briefly state the nature of the interest, the reason for such request and the issues of fact and law raised by the application which he desires to controvert. At any time after said date, an order granting the application in whole or in part may be issued upon request or upon the Commission's own motion.

By the Commission.

SHIRLEY E. HOLLIS,
Assistant Secretary.

[FR Doc.76-44 Filed 1-2-76;8:45 am]

[Release No. 34-11951; File No. SR-NASD-75-8]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

Self-Regulatory Organization; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975) notice is hereby given that on December 15, 1975, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

A. STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

1. *Text of Modification.* The following is the full text of the proposed amendment to Sections 1(a)2 and 1(b)2 of Schedule G under Article XVIII of the By-laws of the National Association of Securities Dealers, Inc. Section 1(a)(2).

Designated Reporting Members shall transmit last sale reports for eligible

securities for all purchases and sales in such securities except transactions for less than a round-lot at the price recorded on the trade ticket exclusive of commissions, taxes, or other charges (provided however, that principal transactions which are effected at a price plus or minus a commission, commission equivalent, or differential shall be reported at the net price after addition or subtraction of the Commission, Commission equivalent, or differential) Section 1(b)(2).

Non-designated Reporting Members shall transmit last sale reports for eligible securities for all purchases and sales in such securities except transactions for less than a round-lot at the price recorded on the trade ticket exclusive of commissions, taxes, or other charges (provided however, that principal transactions which are effected at a price plus or minus a commission, commission equivalent, or differential shall be reported at the net price after addition or subtraction of the commission, commission equivalent, or differential.)

2. *Procedures of Self-Regulatory Organization.* The proposed rule change is an amendment to File No. SR–1 which was put into effect summarily pursuant to Section 19(b)(3)(B) of the Act until such time as the Commission takes action pursuant to Section 19(b)(2) of the Act.

On March 21, 1975, pursuant to Rule 15Aj–1 under the Act (17 CFR 240.15Aj–1), the NASD filed Amendatory and/or Supplementary Statement No. 3 to the NASD's March 1, 1975, Registration Statement which contained proposed Article XVIII of the NASD's By-Laws and Schedule G thereunder. Article XVIII and Schedule G govern the reporting by NASD members of over-the-counter transactions in listed securities to the Consolidated Tape. On June 4, 1975, the NASD amended such filing to incorporate certain changes in Schedule G.

The Commission treated the above-mentioned proposals as filed pursuant to Section 19(b) of the Act, as amended. On June 11, 1975, pursuant to Section 19(b)(3)(B) of the Act, the proposals were put into effect summarily effective June 16, 1975, until such time as the Commission, pursuant to Section 19(b)(2) of the Act, approved the proposals or instituted proceedings to determine whether such proposals should be disapproved. The proposals were announced in Securities Exchange Act Release No. 11461 (June 11, 1975), and published in the FEDERAL REGISTER on June 18, 1975 (40 FR 25730). The comment period was extended by the Commission on June 30 (Securities Exchange Act Release No. 11508), July 23 (Securities Exchange Act Release No. 11546) (40 FR 32000), and September 15, 1975, (Securities Exchange Act Release No. 11653) (40 FR 43284). The Commission specifically invited comment on that portion of the rule proposal relating to the proper method of reporting principal transactions to the Consolidated Tape in which a commission, commission equivalent, or differential has been charged.

The proposed rule change was adopted by the Board of Governors on November 21, 1975. Article XVIII of the NASD By-Laws authorizes the Board of Governors to adopt rules and procedures with respect to the manner of collecting and reporting last sale information to the Consolidated Tape. Article XVIII also gives the Board of Governors the power to alter, amend or modify such rules and procedures.

B. NASD's STATEMENT OF BASIS AND PURPOSE

1. *Purpose of Proposed Rule Change.* The amendments to Section 1(a)(a) and 1(b)(2) of Schedule G would provide that principal transactions be reported to the Consolidated Tape without taking into account the differential or commission in the reported price. These sections presently provide that principal transactions be reported to the Consolidated Tape after addition or subtraction of the differential or commission. Since the present requirements provide for the reporting to the Consolidated Tape of over-the-counter principal transactions in a different manner than stock exchange principal transactions are reported, the proposed rule change would eliminate the dissimilarities in reporting requirements. In addition, the NASD believes that the inclusion of the differential or commission in the reported price would negatively impair the industry's ability to engage in block positioning activity. The NASD believes that the economic benefits of block positioning are generated by the disposition of the block position and if this income were negatively impaired, it would remove the economic incentive for firms to engage in block positioning. If the block transactions were reported on the Consolidated Tape at the "net" price taking into account the differential or commission, the buyers in the market place would key their negotiations on the price reported on the Consolidated Tape and block positioners would be forced to negotiate from the "net" price.

2. *Basis Under the Act for Proposed Rule Change.* Under the provisions of Rule 17a–15 (17 CFR 240.17a–15) adopted by the Commission under Section 17 of the Securities Exchange Act of 1934 the NASD filed with the Securities and Exchange Commission a written plan meeting specified standards concerning the collection and dissemination by the NASD of information relating to over-the-counter transactions executed by its members in securities registered or admitted to unlisted trading privilege on an exchange. Article XVIII of the NASD By-Laws and Schedule G thereunder contains the rules and procedures necessary to carry out the NASD's responsibilities and duties under Rule 17a–15.

3. *Comments Received from the Members, Participants or Others on the Proposed Rule Change.* Article XVIII of the By-Laws gives the Board of Governors the power to adopt, alter, amend, supplement or modify the provisions of Schedule G and provides that Schedule G as adopted, altered, amended, supplemented or modified shall become effective as the Board of Governors shall prescribe unless disapproved by the Commission. The Commission has published Article XVIII and Schedule G for public comment and specifically invited comments on the issue of the proper method of reporting principal transactions to the Consolidated Tape.

In light of the above, comments of the membership were not solicited or received.

4. *Burden on Competition.* Because the proposed rule change would eliminate the differences in reporting requirements between over-the-counter principal transactions and stock exchange principal transactions reported in the Consolidated Tape, it is felt that there is no burden on competition imposed by the proposed rule change.

On or before February 9, 1976, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(a) by order approve such proposed rule change, or

(b) institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying at the Commission's Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before January 26, 1976.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 24, 1975.

[FR Doc.76–50 Filed 1–2–76;8:45 am]

NATIONAL MARKET ADVISORY BOARD

Notice of Meeting; Change of Location

This is to give notice pursuant to Section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I 10(a), that the National Market Advisory Board will conduct open meetings on January 19 and 20, 1976, at 500 North Capitol Street,

Washington, D.C., 20549, Room 776, beginning at 9:30 a.m. on January 19, and 8:30 a.m. on January 20. Initial notice of the meeting was published in the FEDERAL REGISTER on November 10, 1975, stating the location of the meeting to be Los Angeles, California.

The summarized agenda for the meeting is as follows:

1. Discussion of responsibilities given to the Board by the Securities and Exchange Commission in its announcement of the adoption of Rule 19c–1 (Securities Exchange Act Release Number 11942, December 19, 1975).

2. Discussion of such other matters as may be properly brought before the Board.

Further information may be obtained by writing Andrew P. Steffan, Director of Economic and Policy Research, Securities and Exchange Commission, Washington, D.C. 20549.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–51 Filed 1–2–76;8:45 am]

[SR–NYSE–75–8]

NEW YORK STOCK EXCHANGE, INC.

Order Disapproving Proposed Rule Change

DECEMBER 19, 1975.

The New York Stock Exchange, Inc. ("NYSE"), 11 Wall Street, New York, New York 10005, submitted on October 24, 1975, a proposed rule change (the "New NYSE Rule") under Rule 19b–4 to replace the NYSE's current Rule 394 which limits the ability of NYSE members to effect transactions otherwise than on an exchange.

Publication of the submission was made in the FEDERAL REGISTER on November 14, 1975 (40 FR 53085) [1] and interested persons were invited to submit written data, views and arguments concerning the submission by November 29, 1975.

The New NYSE Rule has been considered by the Commission in conjunction with its proceeding, initiated on September 2, 1975, and concluded today, under Section 19(c) of the Securities Exchange Act of 1934 (the "Act"), concerning rules of national securities exchanges which limit or condition the ability of members to effect transactions in securities listed or admitted to unlisted trading privileges on such exchanges otherwise than on such exchanges ("off-board trading rules").[2]

As a result of that proceeding, the Commission has adopted today Rule 19c–1 under the Act, which prohibits, after January 2, 1977, all off-board trading rules which impose, directly or indirectly, any requirements, limitations or restrictions on members of national securities exchanges with respect to the execution of agency orders over-the-counter with a third market maker or nonmember block positioner, and, after March 31, 1976 and until that date, permits exchanges to limit or condition each transaction only to the extent specified in that Rule.

In light of the adoption of Rule 19c–1, the Commission is unable to find that the New NYSE Rule is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular the requirements of Section 6 of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change referenced above be, and it hereby is, disapproved.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–45 Filed 1–2–76;8:45 am]

[SR–OCC–75–1]

OPTIONS CLEARING CORP.

Order Approving Proposed Rule Change

DECEMBER 23, 1975.

On October 29, 1975, The Options Clearing Corporation ("OCC") Chicago, Illinois, submitted proposed changes to OCC Rule 913(a) pursuant to Rule 19b–4 under the Securities Exchange Act of 1934, 15 U.S.C. 78(s) ("the Act").

In accordance with Section 19(b) of the Act and Rule 19b–4 thereunder, the rule change was published in the FEDERAL REGISTER (40 FR 52987, November 13, 1975) and the public was invited to comment thereon. Notice of the filing and an invitation for comments also appeared in the SEC Docket on November 25, 1975 (Securities Exchange Act Release No. 11810, November 7, 1975). No letters of comment were received.

As described in Securities Exchange Act Release No. 11810, the rule change eliminates the requirement that delivery advices issued by OCC to exercising and assigned Clearing Members provide the name and address of the other party to the exercise in cases where settlement is to be made through a correspondent clearing corporation and eliminates the requirement that copies of delivery advices be issued to such correspondent clearing corporations.

The Commission has reviewed the proposed rule change and finds that it is consistent with the requirements of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the rule change referenced above, be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–46 Filed 1–2–76;8:45 am]

[SR–PSE–75–7]

PACIFIC STOCK EXCHANGE

Order Approving Proposed Rule Change

DECEMBER 23, 1975.

On November 11, 1975, the Pacific Stock Exchange ("PSE"), 301 Pine Street, San Francisco, California 94104, filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Acts Amendments of 1975, and Rule 19b–4 thereunder, copies of a proposed rule change. The proposed rule change would (i) prohibit the imposition of floor brokerage with respect to round-lot limit orders executed through COMEX, the automatic execution system operated by the PSE, and (ii) expand the COMEX system to make executions through COMEX available for orders up to 300 shares.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 11828, (November 14, 1975)) and by publication in the FEDERAL REGISTER (40 FR 53638 (November 19, 1975)).

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of Section 6 of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change filed with the Commission on November 11, 1975, be, and it hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–47 Filed 1–2–76;8:45 am]

[Release No. 34–11950; File No. SR–MSE–75–7]

MIDWEST STOCK EXCHANGE, INC.

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94–29, 16 (June 4, 1975), notice is hereby given that on December 17, 1975 the above mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

[1] *See also* Securities Exchange Act Release No. 11815 (November 10, 1975).

[2] In initiating that proceeding, the Commission determined that such rules impose burdens on competition, and gave notice that it was considering abrogating or amending any such rule which did not appear to be necessary or appropriate in furtherance of the purposes of the Act. In conjunction with that proceeding, the Commission held oral hearings. On October 22, 1975, the NYSE introduced the New NYSE Rule in connection with its testimony at those hearings. *See* Securities and Exchange Commission File No. 4–180.

STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

"RULES AND PRACTICES FOR TRADING ON THE MIDWEST STOCK EXCHANGE"—REFERENCE

Specialists' Liability on Split Orders. 1. The Specialist is responsible for a fill if the stock trades through the limit while he is awaiting a report price from the house.

2. In the absence of a report the Specialists' responsibility on split orders ceases after the close of the second business day subsequent to the trade date of a New York Stock Exchange execution.

MIDWEST STOCK EXCHANGE'S STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

The purpose of the proposed rule change is to limit the liability of specialists on split orders when a timely report of the New York Stock Exchange execution price does not arrive. This policy would negate a specialist's burden of having to take an open-ended commitment on a split order and allow him to have a precise knowledge of his long and short positions.

The proposed rule change promotes just and equitable principles of trade. In the absence of a report the specialist's responsibility on split orders ceases after the close of the second business day subsequent to the trade date of a New York Stock Exchange execution. The proposed rule limits the specialist's obligation to fill the split order to a reasonable time and enables him to make a more accurate determination of his long or short positions.

Oral requests from the Midwest Stock Exchange floor membership for the proposed rule were received by members of the Executive Committee of the Board of Governors and the Committee on Floor Procedure of the Midwest Stock Exchange.

The Midwest Stock Exchange believes that the proposed rule change places no burdens on competition.

On or before February 9, 1976, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before February 4, 1976.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

DECEMBER 23, 1975.

[FR Doc.76-49 Filed 1-2-76;8:45 am]

[Release No. 19315]

ALABAMA POWER CO.

Notice of Proposed Transactions Related to Financing of Pollution Control Facilities

Notice is hereby given that Alabama Power Company ("Alabama"), 600 North 18th Street, Birmingham, Alabama 35291, an electric utility subsidiary company of The Southern Company, a registered holding company, has filed an application with this Commission designating Sections 6(b) and 9(a) of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50(a)(5) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Alabama states that in order to comply with prescribed air and water quality control standards of the State of Alabama, it has been and will be necessary to construct certain pollution control facilities. The filing relates to Alabama's proposal for its disposition and acquisition and the financing of its 60% undivided interest in pollution control facilities for use in connection with the Greene County Steam Plant ("Eutaw Project") and to the completion of transactions consummated pursuant to authority of this Commission (HCAR Nos. 18269 and 18289 dated January 30, 1974, and February 22, 1974, respectively) in respect of certain pollution control facilities at Alabama's Unit No. 5 at the Ernest C. Gaston Steam Plant ("Wilsonville Project"), located near the Town of Wilsonville, Alabama. It is intended that the Industrial Development Board of the City of Eutaw and of the Town of Wilsonville will issue their respective pollution control revenue bonds for the purpose of paying the costs of constructing and equipping pollution control facilities at said plants.

Alabama proposes to enter into an Installment Sale Agreement ("Eutaw Agreement") with the Eutaw Board which will provide for the acquisition, construction, installation, and equipping of the Eutaw Project by the Eutaw Board and the issuance by the Eutaw Board of Revenue Bonds in aggregate principal amount presently estimated not to exceed $11,000,000 to cover a portion of the Cost of Construction (as defined in the Eutaw Agreement) of the Eutaw Project. The proceeds of the sale of the Eutaw Revenue Bonds will be deposited by the Eutaw Board with the Trustee ("Eutaw Trustee") under an indenture to be entered into between the Eutaw Board and such Trustee ("Eutaw Indenture") pursuant to which the Eutaw Revenue Bonds are to be issued and secured. Such proceeds, other than accrued interest, will be applied to payment of the Cost of Construction of the Eutaw Project. The Eutaw Agreement also will provide for the sale of the Eutaw Project to Alabama, the payment by Alabama of the purchase price of the Eutaw Project in semi-annual installments over a term of years, and the assignment to the Trustee of the Eutaw Board's interest in, and of the moneys receivable by the Eutaw Board, under the Eutaw Agreement. The Eutaw Agreement will provide that the purchase price of the Eutaw Project payable by Alabama will be such amount, including interest thereon, as shall be sufficient (together with other moneys held by the Trustee under the Eutaw Indenture for that purpose) to pay the principal of and interest on the Eutaw Revenue Bonds as the same become due and payable. The Eutaw Agreement will also obligate Alabama to pay the fees and charges of the Trustee. The Eutaw Agreement will provide (a) that Alabama may at any time prepay the purchase price, including interest thereon, of the Eutaw Project, in whole or in part, such payment to be sufficient to redeem or purchase the outstanding Eutaw Revenue Bonds in the manner and to the extent provided in the Eutaw Indenture, including applicable premiums which will be 3% of the principal amount in the eleventh year and which will reduce by ½ of 1% each year thereafter and (b) that Alabama may prepay the purchase price of the Eutaw Project, including interest thereon, in whole at the option of Alabama without premium in certain situations. The Eutaw Revenue Bonds will mature in 30 years and will be entitled to the benefit of serial maturities and/or a mandatory redemption sinking fund calculated to retire not less than 25% of the aggregate principal amount of such bonds prior to maturity.

Alabama also proposes to enter into an amendment ("Wilsonville Amendment") to the Installment Sale Agreement dated as of February 1, 1974, between the Wilsonville Board and Alabama ("Wilsonville Agreement") pursuant to which the Wilsonville Board purchased the then existing portions of the Wilsonville Project, undertook to complete its construction, and agreed to sell the completed Wilsonville Project to Alabama for a purchase price payable in semiannual installments over a term of years. The Wilsonville Board issued its pollution control revenue bonds ("Wilsonville Original Bonds") in the aggregate principal amount of $19,600,000, then estimated to be sufficient to cover the Cost of Construction (as defined in the Wilsonville Agreement) of the Wilsonville Project.

The proceeds of the sale of the Wilsonville Original Bonds were deposited by the Wilsonville Board with the trustee ("Wilsonville Trustee") under an indenture entered into between the Wilsonville Board and the Wilsonville Trustee ("Wilsonville Indenture") pursuant to which the Wilsonville Original Bonds were issued and secured. Such proceeds have been applied to payment of the Cost of Construction of the Wilsonville Project. However, Alabama has determined that the total Cost of Construction of the Wilsonville Project will exceed the proceeds of the Wilsonville Original Bonds. Consequently, Alabama proposes to enter into the Wilsonville Amendment with the Wilsonville Board as required by the Wilsonville Agreement to provide for additional payments of purchase price for the Wilsonville Project sufficient (together with other moneys held by the Wilsonville Trustee under the Wilsonville Indenture) to pay the principal of and interest on up to $3,500,000 of Wilsonville Revenue Bonds as they become due and payable. Alabama will have options to prepay the additional purchase price on the terms and as provided in the Wilsonville Agreement. The Wilsonville Board and the Wilsonville Trustee will enter into a supplement ("Wilsonville Supplement") to the Wilsonville Indenture pursuant to which the Wilsonville Revenue Bonds will be issued and secured. The Wilsonville Supplement will provide for redemption provisions for the Wilsonville Revenue Bonds comparable to those provided for the Wilsonville Original Bonds. The Wilsonville Revenue Bonds will mature in not more than 30 years and will be entitled to the benefit of serial maturities and/or a mandatory redemption sinking fund calculated to retire not less than 25% of the aggregate principal amount of such bonds prior to maturity.

In order to obtain the benefit of a rating for the Eutaw Revenue Bonds equivalent to the rating enjoyed by the first mortgage bonds outstanding under its Indenture dated as of January 1, 1942, between Alabama and Chemical Bank, as Trustee ("Indenture Trustee"), as supplemented and amended ("Mortgage"), which rating Alabama has been advised may be thus attained, Alabama proposes to obtain the authentication of a new series of such first mortgage bonds ("Eutaw Collateral Bonds") under the Mortgage, as proposed to be supplemented by a further supplemental indenture ("Eutaw Supplemental Indenture"). To secure its obligations under the Eutaw Agreement, Alabama proposes to deliver to the Eutaw Trustee to be held as collateral the Eutaw Collateral Bonds in principal amount (not to exceed $11,000,000) equal to the principal amount of the Eutaw Revenue Bonds. The Eutaw Collateral Bonds will bear interest at a rate equal to the interest rate per annum to be borne by the Eutaw Revenue Bonds, will mature on the maturity date of the Eutaw Revenue Bonds, and will be nontransferable by the Eutaw Trustee. The Eutaw Supplemental Indenture will provide, however, that the obligation of Alabama to make payments with respect to the Eutaw Collateral Bonds will be satisfied to the extent that payments are made under the Eutaw Agreement sufficient to meet payments when due in respect of the Eutaw Revenue Bonds. The Eutaw Supplemental Indenture will provide that upon acceleration by the Eutaw Trustee of the principal amount of all outstanding Eutaw Revenue Bonds under the Eutaw Indenture, the Eutaw Trustee may demand the mandatory redemption of the Eutaw Collateral Bonds then held by it as collateral at a redemption price equal to the principal amount thereof plus accrued interest, if any, to the date fixed for redemption. The Eutaw Supplemental Indenture will also provide that upon the optional redemption of the Eutaw Revenue Bonds, in whole or in part, at any time after they have been outstanding for 10 years, an equal principal amount of the Eutaw Collateral Bonds will be redeemed at an initial premium of 3 percent declining by ½ percent every year.

In order to obtain the benefit of a rating for the Wlisonville Revenue Bonds equivalent to the rating enjoyed by the first mortgage bonds outstanding under the Mortgage, Alabama also proposes to obtain the authentication of a new series of such first mortgage bonds ("Wilsonville Collateral Bonds") under the Mortgage, as proposed to be supplemented by a further supplemental indenture ("Wilsonville Supplemental Indenture"). To further secure its obligations under the Wilsonville Agreement, including its additional obligations to be incurred pursuant to the Wilsonville Amendment, Alabama proposes to deliver the Wilsonville Collateral Bonds (in principal amount, not to exceed $3,500,000, equal to the principal amount of the Wilsonville Revenue Bonds to be issued by the Wilsonville Board) to the Wilsonville Trustee to be held as collateral. The Wilsonville Indenture requires that the Wilsonville Supplemental Indenture be of like tenor to the supplemental indenture providing for the collateral first mortgage bonds heretofore delivered to the Wilsonville Trustee. Consequently, the Wilsonville Collateral Bonds will have, when, as and interest is if payable thereon, a stated interest rate equal to the interest rate per annum to be borne by the Wilsonville Revenue Bonds, will mature on the maturity date of such bonds, and will be nontransferable by the Wilsonville Trustee. The Wilsonville Supplemental Indenture will provide, however, that until the Wilsonville Trustee shall have demanded mandatory redemption of the Wilsonville Collateral Bonds (as provided in the Wilsonville Indenture), no interest in respect of the Wilsonville Collateral Bonds shall accrue or become payable.

So long as no interest accrues or becomes payable in respect of the Wilsonville Collateral Bonds, there will be no interest accrual on Alabama's books or interest payments made by Alabama in respect of the Wilsonville Collateral Bonds. Consequently, Alabama and the Indenture Trustee agree that during such time there will be no "annual interest charges" in respect of the Wilsonville Collateral Bonds to be included in computing the "interest earnings requirement" restricting the amount of first mortgage bonds which may be issued and sold to the public in relation to Alabama's net earnings. The Wilsonville Indenture provides that upon acceleration by the Wilsonville Trustee of all revenue bonds outstanding under the Wilsonville Indenture, as amended, the Wilsonville Trustee may demand the mandatory redemption of all of Alabama's collateral first mortgage bonds then held by the Wilsonville Trustee as collateral at a redemption price equal to the principal amount thereof plus accrued interest, if any, to the date fixed for redemption.

Each of the Collateral Bonds will be issued on the basis of unfunded net property additions. Each of the Indentures will provide that, upon deposit with the Trustee thereunder of funds sufficient to pay or redeem all or any part of the respective Revenue Bonds, or upon direction to the Trustee thereunder by Alabama to so apply funds available therefor, or upon delivery of outstanding respective Revenue Bonds to the respective Trustee by or for the account of Alabama, the respective Trustee will be obligated to deliver to Alabama or for the account of Alabama, the respective Collateral Bonds then held as collateral in an aggregate principal amount equal to the aggregate principal amount of the respective Revenue Bonds for the payment or redemption of which such funds have been deposited or applied or which shall have been so delivered.

In order to comply with Alabama law, it will be necessary for Alabama to convey to the Eutaw Board the portion of the Eutaw Project as is now owned by Alabama ("Existing Facilities"), subject to the Mortgage. Under the Eutaw Agreement, Alabama will receive, out of the proceeds of the Eutaw Revenue Bonds, an amount equal to Alabama's original cost for the Existing Facilities. The Existing Facilities will thereupon become a part of the Eutaw Project which is to be provided by the Eutaw Board and which Alabama proposes to purchase as provided in the Eutaw Agreement. Such conveyance with respect to the Wilsonville Project was made at the time the Wilsonville Original Bonds were issued and no further such conveyance is now necessary.

It is contemplated that the Eutaw and Wilsonville Revenue Bonds will be sold by the Eutaw and Wilsonville Boards pursuant to separate arrangements with a group of underwriters represented by Smith, Barney & Co., Incorporated. In accordance with the laws of the State of Alabama, the interest rate to be borne by the respective Revenue Bonds will be fixed by the respective Boards. Alabama will not be party to the underwriting arrangements for such Revenue Bonds. Bond Counsel will issue opinions that interest on such Revenue Bonds will be exempt from Federal income taxation.

Alabama has been advised that the annual interest rates on obligations, the interest on which is tax exempt, historically have been and can be expected at the time of issue of the Revenue Bonds, to be 1½% to 2½% lower than the rates of obligations of like tenor and comparable quality, interest on which is fully subject to Federal income tax.

Alabama has requested an exception from the competitive bidding requirements of Rule 50 inasmuch as the Collateral Bonds are to be issued and pledged solely to secure Alabama's obligation to the respective Boards and no public offering by Alabama of such Collateral Bonds is to be made.

The application states that the fees and expenses in connection with the proposed disposition of the Existing Facilities and the acquisition of the Eutaw Project and in connection with the Wilsonville Amendment (as distinguished from and excluding fees and expenses in connection with the sale of the respective Revenue Bonds by the respective Boards payable out of the proceeds of such sale and in connection with the determination of the tax exempt status of the respective Revenue Bonds) will be filed by amendment. It is further stated that the issuance of collateral bonds and the incurring of the obligations under the respective Agreements by Alabama have been authorized by the Alabama Public Service Commission. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than January 16, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20 (a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-153 Filed 1-2-76;8:45 am]

[Rel. No. 9095]

ASTRON FUND, INC. AND FRANK RUSSELL CO., INC.

Notice of Filing of Application for Order Pursuant to Section 6(c) for Certain Exemptions From the Provisions of Sections 15(a), 16(a), 17(e), 30(a), 30(b) and 30(d) of the Act and Applicable Rules Thereunder and Pursuant to Section 17(d) of the Act and Rule 17d-1 for an Order Permitting Certain Proposed Transactions

Notice is hereby given that Astron Fund, Inc. ("Fund"), a closed-end investment company registered under the Investment Company Act of 1940 ("Act"), and Frank Russell Co., Inc. ("Russell"), 1100 One Washington Plaza, Tacoma, Washington 98402, a broker-dealer registered under the Securities Exchange Act of 1934 (Fund and Russell are collectively referred to herein as "Applicants"), filed an application on October 9, 1974, and amendments thereto on October 31, 1975, and December 22, 1975, for an order pursuant to Section 6(c) of the Act exempting Applicants to the extent requested from the provisions of Sections 15(a), 16(a), 17(e), 30(a), 30(b), and 30(d) of the Act and applicable rules thereunder and pursuant to Section 17(d) and Rule 17d-1 for an order permitting certain transactions. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

At a meeting held on April 26, 1974, Fund's shareholders approved a Plan of Liquidation and Dissolution ("Plan of Liquidation"), and pursuant to the provisions of the Plan of Liquidation, on June 1, 1974, Fund made an initial liquidating distribution amounting to approximately 83% of its then net assets. Fund states that as a result of such distribution, its net assets at October 31, 1974, were approximately $291,000.

Fund represents that it has retained, pursuant to the Plan of Liquidation, approximately 17% of its assets (on the date of the initial liquidating distribution) to enable Fund to continue to investigate and assert claims it may have against others for apparent misconduct in connection with the management of Fund's investment portfolio. Fund states, among other things, that from November, 1973 to March, 1974, a series of events occurred which suggest that Fund may have claims against one of its former officers and others, including the insurance company which has underwritten its fidelity bond, for losses on several portfolio transactions as a result of alleged or possible misconduct by the former officer and others. Fund states that it is presently not able to assess the merits of the potential claims, to estimate with certainty the amount of losses which might have been suffered or to estimate the amount or likelihood that Fund might ultimately recover.

Upon recovery by Fund of any amounts to which it is entitled or at such time as Fund's Board of Directors concludes that it is no longer reasonable to continue to pursue the claims, the remaining assets of Fund will be distributed to shareholders and Fund will be dissolved. Pending the final liquidating distribution, Fund's assets have been and will continue to be held in cash or Treasury bills.

In July 1975, Fund filed suit against the insurance company which underwrote its fidelity bond and which has thus far refused to honor Fund's Proofs of Loss. Fund has also instituted civil suits against a former officer, and certain issuers and others involved in the apparent misconduct relating to the management of Fund's investment portfolio. In view of Fund's pending litigation against the underwriter of its fidelity bond, Fund's directors have not elected to institute litigation at this time against Russell, which may or may not be liable to some extent for the apparent misconduct. However, Fund has secured and intends to continue to secure as long as is appropriate written agreements from Russell extending the time during which Fund may file suit against Russell. If Russell should at any time refuse to grant such an extension, Fund would immediately commence appropriate legal action to preserve its rights. In order to reduce the expenses of operating Fund until its claims have been recovered or abandoned and its assets distributed, Applicants have filed this application seeking certain exemptions from the Act.

Section 15(a) of the Act provides, in pertinent part, that it shall be unlawful for any person to serve or act as investment adviser to a registered investment company except pursuant to a written contract that has been approved by the vote of a majority of the outstanding voting securities of such registered company. Fund proposes to enter into an advisory agreement with Russell without shareholder approval, which would provide (a) that Russell will receive no compensation for acting as Fund's adviser and (b) that the agreement may be terminated at any time, on not more than 60 days written notice to Russell and without the payment of any penalty, by Fund's Board of Directors or by a vote of the majority of the outstanding voting securities of Fund. Fund is seeking relief from Section 15(a) to permit it to enter into such agreement without incurring the expense of holding a shareholders meeting to approve it.

Section 16(a) of the Act, in pertinent part, generally prohibits a person from serving as a director of a registered investment company unless he has been elected at an annual or special meeting of shareholders. Fund's Plan of Liquidation provides that the directors elected at Fund's April 26, 1974 meeting shall remain in office until Fund is dissolved and that the remaining directors are authorized to fill any vacancies which occur. The application states that such procedure conforms to the Washington corporation law applicable to a liquidation plan which shareholders have approved. Fund is requesting an exemption from Section 16(a) to the extent that it creates an obligation to convene an-

nually a meeting of shareholders to elect directors.

Section 17(d) and Rule 17d–1 taken together, as here pertinent, prohibit Russell, acting as principal, from effecting any transactions in which Fund is a joint or a joint and several participant absent a Commission order. Rule 17d–1 provides that in passing upon applications filed pursuant to its provisions for approval of transactions otherwise prohibited by Section 17(d), the Commission shall consider whether the participation of the registered investment company in the joint enterprise on the basis proposed is consistent with the provisions, policies and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

Section 17(e) prohibits Russell from accepting, in its capacity as agent, any compensation from any source for the purchase or sale of any property to or for Fund except in the course of Russell's business as an underwriter or broker.

Russell is requesting an order under Rule 17d–1 and relief from Section 17(e), to the extent such provisions may be applicable, in order to permit Russell (1) to continue to administer the dissolution of Fund and the prosecution of Fund's claims; (2) to be reimbursed by Fund, upon approval by Fund's Board of Directors, if Russell elects to seek such compensation, in an amount not to exceed its actual costs in providing administrative assistance, said costs to include its personnel expenses, but not to include any amount representing reimbursement for office space and facilities; and (3) to permit Russell to continue to serve as Fund's transfer agent and to continue to be compensated therefor in an amount not to exceed that provided for under the existing transfer agency agreement between Fund and Russell. Russell has waived payments for services for the period of November 1, 1974, through April 30, 1975. In addition, Fund undertakes in the application to develop a less expensive transfer agency relationship with Russell within 90 days after the application is granted by the Commission. Such new agreement would be made possible through the elimination of the requirement that financial and stockholder reports be mailed to shareholders.

Applicants represent that the participation of Fund and Russell in the described relationships is in the best interests of Fund and its shareholders and is consistent with the provisions, policies and purposes of the Act.

Sections 30(a), 30(b), and 30(d) of the Act and the rules thereunder generally require that registered investment companies prepare and file with the Commission and prepare and mail to their shareholders certain periodic reports and financial statements, some of which are required to include audited financial data.

In order to reduce expenses, Fund is seeking an exemption from such provisions. However, Fund has agreed to file with the Commission within 60 days following each six-month period commencing May 1, 1975, a report in letter form describing any material developments in the prosecution of Fund's claims and including a statement of assets and liabilities, a statement of operations, and a statement of changes in net assets (or their substantial equivalents), all of which will be unaudited but prepared in accordance with generally accepted accounting principles.

In support of such request, the application asserts that Fund's operations are now and will be limited, i.e., the holding of reserve funds in U.S. Treasury Bills; conducting business incidental to Fund's winding up; and pursuing claims. It is further stated that the expenditure of assets of Fund required for an audit and mailing in conformity with Section 30 and the applicable rules would far outweigh any benefits to Fund and its shareholders.

Section 6(c) of the Act provides, in part, that the Commission may conditionally or unconditionally exempt any person, security, or transaction from any provisions of the Act or of any rule or regulation under the Act, if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than January 19, 1976, at 5:30 p.m., submit to the Commission in writing a request for hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–154 Filed 1–2–76;8:45 am]

[Rel. No. 19312]

MIDDLE SOUTH UTILITIES, INC. AND MIDDLE SOUTH ENERGY, INC.

Notice of Proposed Issue and Sale of Common Stock by Subsidiary Company to Holding Company

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), a registered holding company, and Middle South Energy, Inc. ("MSEI"), 225 Baronne Street, New Orleans, Louisiana 70112, a subsidiary company of Middle South, have filed an application-declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6(a), 7, 9(a), 10, and 12(f) of the Act and Rules 43 and 50(a)(3) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

MSEI proposes to issue and sell to Middle South (the holder of all of the issued and outstanding shares of MSEI's common stock no par value per share), and Middle South proposes to acquire, 53,000 additional shares of MSEI's common stock, for an aggregate purchase price of $53,000,000 in cash. Middle South and MSEI believe it preferable for the additional common stock to be sold at times coinciding with MSEI's cash needs, which are primarily determined by the nature and pace of the construction work on its Grand Gulf Nuclear Electric Station near Vicksburg, Mississippi. Accordingly, the applicants-declarants request authority to consummate the proposed transactions at various times through December 31, 1976.

It is stated that no State commission, and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. It is further stated that no special or separate expenses are anticipated in connection with the issuance and sale of the common stock except legal fees estimated not to exceed $5,000.

Notice is further given that any interested person may, not later than January 19, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effec-

tive as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-155 Filed 1-2-76;8:45 am]

[Rel. No. 33-5657; File No. 20-2083A17, 20-2083A18, 20-2083A19]

PETCO OIL & GAS, INC.

Temporary Suspension Order and Notice of Opportunity for Hearing

In the matter of the following offering sheet(s) filed by Petco Oil & Gas, Inc.:

(File No. 20-2083A17) on July 17, 1975, covering non-producing working interests in the Petco Oil & Gas, Inc.-W. Nekuza #1.

(File No. 20-2083A18) on August 27, 1975, covering non-producing working interests in the Petco Oil & Gas, Inc.-South Tuskegee #1.

(File No. 20-2083A19) on September 11, 1975, covering non-producing working interests in the Petco Oil & Gas, Inc.-#2 C. H. Marley

Petco Oil & Gas, Inc., having filed the above offering sheets with the Securities and Exchange Commission pursuant to Regulation B of the General Rules and Regulations under the Securities Act of 1933, as amended, for the purpose of obtaining an exemption from registration with respect to a proposed public offering of securities as specified in said offering sheet; and

The Commission having reason to believe, after filing of the offering sheets that:

1. No exemption is available for this offering under Regulation B according to Rule 306(a)(ii) [17 CFR 230.306(a)(2)] because Petco Oil and Gas, Inc. was restrained and enjoined preliminarily on October 16, 1975, by the District Court of the State of Oklahoma, in and for the County of Oklahoma, from offering or selling securities in the form of fractional undivided working interests in oil and gas leases, without complying with Sections 201 and 301 of the Oklahoma Securities Act.

2. No exemption is available for this offering under Regulation B because the offering sheet used failed to comply with Rules 330(a) and 330(b) of Regulation B [17 CFR 230.330(a) and (b)] by failing to disclose that on October 16, 1975, Petco Oil and Gas, Inc., was restrained and enjoined preliminarily by the District Court of the State of Oklahoma in and for the County of Oklahoma from offering or selling securties within and from the State of Oklahoma, including securities in the form of fractional undivided working interests in oil and gas leases, without complying with Sections 201 and 301 of the Oklahoma Securities Act.

It is ordered, Pursuant to Rule 334(a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the exemption available pursuant to Regulation B under Section 3(b) of said Act with respect to said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon with respect to the objections hereinbefore enumerated.

It is further ordered, That each person, on whose behalf said offering sheet was filed, be, and hereby is, given notice that each such person is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from such a person within thirty days after the date of this order the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within thirty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

Notice is directed to Rule 336(b) which provides that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 22, 1975.

[FR Doc.76-156 Filed 1-2-76;8:45 am]

[Rel. No. 33-5657; File No. 20-2083A21, 20-2083A22]

PETCO OIL & GAS, INC.

Temporary Suspension Order and Notice of Opportunity for Hearing

In the matter of the following offering sheet(s) filed by Petco Oil & Gas, Inc.:

(File No. 20-2083A20) on September 29, 1975, covering non-producing working interests in the Petco Oil & Gas, Inc.-#19 Rockelman.

(File No. 20-2083A21) on October 3, 1975, covering non-producing working interests in the Petco Oil & Gas, Inc.-#20 Eck.

(File No. 20-2083A22) on October 3, 1975, covering non-producing working interests in the Petco Oil & Gas, Inc.-Petco #18 Victoria.

Petco Oil & Gas, Inc. having filed the above offering sheets with the Securities and Exchange Commission pursuant to Regulation B of the General Rules and Regulations under the Securities Act of 1933, as amended, for the purpose of obtaining an exemption from registration with respect to a proposed public offering of securities as specified in said offering sheet; and

The Commission having reason to believe, after filing of the offering sheets that:

1. No exemption is available for this offering under Regulation B according to Rule 306(a)(ii) [17 CFR 230.306(a)(2)] because Petco Oil & Gas, Inc. was restrained and enjoined preliminarily on October 16, 1975, by the District Court of the State of Oklahoma, in and for the County of Oklahoma, from offering or selling securities in the form of fractional undivided working interests in oil and gas leases, without complying with Sections 201 and 301 of the Oklahoma Securities Act.

2. No exemption is available for this offering under Regulation B because the offering sheet used failed to comply with Rules 330(a) and 330(b) of Regulation B [17 CFR 230.330 (a) and (b)] by misrepresenting the effect of an order entered on October 16, 1975, by the District Court of the State of Oklahoma in and for the County of Oklahoma which preliminarily enjoined Petco Oil & Gas, Inc. from offering or selling securities within and from the State of Oklahoma, including securities in the form of fractional undivided working interests in oil and gas leases, without complying with Sections 201 and 301 of the Oklahoma Securities Act.

It is ordered, Pursuant to Rule 334(a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the exemption available pursuant to Regulation B under Section 3(b) of said Act with respect to said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon with respect to the objections hereinbefore enumerated.

It is further ordered, That each person, on whose behalf said offering sheet was filed, be and hereby is, given notice that each such person is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from such a person within thirty days after the date of this order the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within thirty days after receipt of such requests; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

Notice is directed to Rule 336(b) which provides that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall re-

main in effect unless or until it is modified or vacated by the Commission.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

DECEMBER 22, 1975.

[FR Doc.76-157 Filed 1-2-76;8:45 am]

[Rel. No. 33-5659; File No. 20-1830A7]

SHAY OIL CO.

Temporary Suspension Order and Notice of Opportunity for Hearing

In the matter of the following offering sheet filed by Shay Oil Company:

(File No. 20-1830A7) on May 24, 1974, covering non-producing working interests in the Shay Oil Company—#1 Kimball—State Prospect.

Shay Oil Company having filed the above offering sheets with the Securities and Exchange Commission pursuant to Regulation B of the General Rules and Regulations under the Securities Act of 1933, as amended, for the purpose of obtaining an exemption from registration with respect to proposed public offering of securities as specified in said offering sheet; and

The Commission having reason to believe, after filing of the offering sheets that:

1. No exemption is available for this offering under Regulation B under the Securities Act of 1933 because the offeror failed to comply with Rule 318(a) [17 CFR 230.318(a)] by publishing and distributing written advertisements or other written communications which contained more than the information set forth by Rule 318(a) that may be used in connection with an offering of securities.

2. No exemption is available for this offering under Regulation B under the Securities Act of 1933 because the offeror failed to comply with Rule 318(b) [17 CFR 230.318(b)] by utilizing, in addition to the offering sheet, sales literature that does not conform to Rule 318(a) in connection with the offering of securities.

3. The offering was made in violation of the anti-fraud provisions of Section 17(a) of the Securities Act of 1933 and Section 10(b) of the Securities Exchange Act of 1934, and Rule 10b-5 thereunder, in that the offeror, while engaged in the offer and sale of fractional undivided interests in the #1 Kimball-State Prospect, directly and indirectly made use of the mails and means and instruments of transportation and communication in interstate comerce and of the means and instrumentalities of interstate commerce, and in such connection with such offer and sale made to prospective investors and purchasers untrue statements of material facts and omitted to state material facts necessary to make the statements made, in light of the circumstances under which they were made, not misleading, including but not limited to:

(a) On or about September 5, 1974, an investor was told that only 20% of the interests which were being offered were left, when in fact the offeror had sold at best only 66⅔% of the interests at that time.

(b) An investor was told that a $4750 investment representing 5% of the well plus $6000 in completion costs totalling an investment of $10,750 would return $2000 a month. There was no basis in fact to support the statement.

It is ordered, Pursuant to Rule 334(a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the exemption available pursuant to Regulation B under Section 3(b) of said Act with respect to said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon with respect to the objections hereinbefore enumerated.

It is further ordered, That each person, on whose behalf said offering sheet was filed, be, and hereby is, given notice that each such person is entitled to a hearing before the Commission, or an officer or officers of, and designated by the Commission, for the purpose of determining such matters; that upon receipt of a written request from such a person within thirty days after the date of this order the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within thirty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

Notice is directed to Rule 336(b) which provides that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modfiied or vacated by the Commission.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

DECEMBER 22, 1975.

[FR Doc.76-158; Filed 1-2-76;8:45 am]

[Rel. No. 33-5658; File No. 20-2107A3, 20-2107A6]

U.S. CRUDE OIL & GAS, INC.

Temporary Suspension Order and Notice of Opportunity for Hearing

In the matter of the following offering sheet(s) filed by U.S. Crude Oil & Gas, Inc.:

(File No. 20-2107A3) on August 5, 1975, covering non-producing working interests in the U.S. Crude Oil & Gas, Inc.-#1 Pratt.

(File No. 20-2107A6) on September 12, 19975, covering non-producing working interests in the U.S. Crude Oil & Gas, Inc.-#1 Chase Heirs.

U.S. Crude Oil & Gas, Inc. having filed the above offering sheets with the Securities and Exchange Commission pursuant to Regulation B of the General Rules and Regulations under the Securities Act of 1933, as amended, for the purpose of obtaining an exemption from registration with respect to proposed public offering of securities as specified in said offering sheet; and

The Commission having reason to believe, after filing of the offering sheets that:

1. No exemption is available for this offering under Regulation B according to Rule 306(a)(ii) [17 CFR 230.306(a)(2)] because Petco Oil & Gas, Inc., an affiliate of U.S. Crude Oil & Gas, Inc., was restrained and enjoined preliminarily on October 16, 1975, by the District Court of the State of Oklahoma, in and for the County of Oklahoma, from offering or selling securities in the form of fractional undivided working interests in oil and gas leases, without complying with Section 201 and 301 of Oklahoma Securities Act.

2. No exemption is available for this offering under Regulation B because the offering sheet used failed to comply with Rules 330(a) and 330(b) of Regulation B [17 CFR 230.330 (a) and (b)] by failing to disclose that on October 16, 1975, Petco Oil and Gas, Inc., an affiliate of U.S. Crude Oil & Gas, Inc., was restrained and enjoined preliminarily by the District Court of the State of Oklahoma in and for the County of Oklahoma from offering or selling securities within and from the State of Oklahoma, including securities in the form of fractional undivided working interests in oil and gas leases, without complying with Sections 201 and 301 of the Oklahoma Securities Act.

It is ordered, Pursuant to Rule 334(a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the exemption available pursuant to Regulation B under Section 3(b) of said Act with respect to said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon with respect to the objections hereinbefore enumerated.

It is further ordered, That each person, on whose behalf said offering sheet was filed, be, and hereby is, given notice that each such person is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from such a person within thirty days after the date of this order the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within thirty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

Notice is directed to Rule 336b) which provides that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall

remain in effect unless or until it is modified or vacated by the Commission.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 22, 1975.

[FR Doc.76-159 Filed 1-2-76;8:45 am]

SMALL BUSINESS ADMINISTRATION

MONTPELIER DISTRICT ADVISORY COUNCIL

Public Meeting

The Small Business Administration Montpelier District Advisory Council will hold a public meeting at 11:00 a.m., Wednesday, January 21, 1976, at the Holiday Inn, Waterbury, Vermont, to discuss such business as may be presented by members, staff of the Small Business Administration, and others attending. For further information, write or call David C. Emery, P.O. Box 605, Montpelier, Vermont 05602, (802) 832-4422.

Dated: December 23, 1975.

ANTHONY S. STASIO,
Chief Counsel for Advocacy, Small Business Administration.

[FR Doc.76-103 Filed 1-2-76;8:45 am]

[Declaration of Disaster Loan Area No. 1203]

ALASKA

Declaration of Disaster Loan Area

As a result of the President's declaration, I find that the City of Bethel in the State of Alaska, constitutes a disaster area because of damage resulting from a fire and freezing beginning about December 2, 1975. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on February 17, 1976, and for economic injury until the close of business on September 16, 1976, at:

Small Business Administration
District Office
Suite 200, Anchorage Legal Center
1016 West Sixth Avenue
Anchorage, Alaska 99501

or other locally announced locations.

Dated: December 23, 1975.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.76-142 Filed 1-2-76;8:45 am]

VETERANS ADMINISTRATION

STATION COMMITTEE ON EDUCATIONAL ALLOWANCES

Notice of Meeting

Notice is hereby given pursuant to Section V, Review Procedure and Hearing Rules, Station Committee on Educational Allowances that on January 28, 1976, at 9:30 a.m., the Montgomery, Alabama, Station Committee on Educational Allowances shall at 474 South Court Street, Montgomery, Alabama, conduct a hearing to determine whether Veterans Administration benefits to all eligible persons enrolled in Alverson-Draughon College, College Level, Huntsville, Alabama, shall be discontinued, as provided in 38 CFR 21.4134, because a requirement of law has been violated. All interested persons shall be permitted to attend, appear before, or file statements with the committee at that time and place.

Dated: December 23, 1975.

WILEY H. PARKMAN,
Director, VA Regional Office.

[FR Doc. 76-88 Filed 1-2-76;8:45 am]

STATION COMMITTEE ON EDUCATIONAL ALLOWANCES

Notice of Meeting

Notice is hereby given pursuant to Section V, Review Procedure and Hearing Rules, Station Committee on Educational Allowances, that on January 28, 1976, at 11:00 a.m., the Montgomery, Alabama, Station Committee on Educational Allowances shall at 474 South Court Street, Montgomery, Alabama, conduct a hearing to determine whether Veterans Administration benefits to all eligible persons enrolled in Alverson-Draughon College, Vocational Level, Huntsville, Alabama, shall be discontinued, as provided in 38 CFR 21.4134, because a requirement of law is not being met or a provision of the law has been violated. All interested persons shall be permitted to attend, appear before, or file statements with the Committee at that time and place.

Dated: December 23, 1975.

WILEY H. PARKMAN,
Director, VA Regional Office.

[FR Doc.76-89 Filed 1-2-76;8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

[TA-W-398]

BENZENOID ORGANICS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 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 Benzenoid Organics, Incorporated, Bellingham, Massachusetts (TA-W-398).

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 dyes used for textiles produced by Benzenoid Organics, Incorporated 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 January 12, 1976.

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., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-69 Filed 1-2-76;8:45 am]

[TA-W-396]

B. F. GOODRICH TIRE CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the United Rubber, Cork, Linoleum and Plastic Workers of America on behalf of the workers and former workers of B. F. Goodrich Tire Company, Commerce, California plant of The B. F. Goodrich Company, Akron, Ohio (TA-W-396).

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 bias-belted & radial passenger car tires, light heavy-duty truck tires and heavy-duty truck tires produced by B. F. Goodrich Tire Company 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 January 12, 1976.

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., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-70 Filed 1-2-76;8:45 am]

[TA-W-400]

BRISTOL KNITTING MILLS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Ladies' Garment Workers Union, on behalf of the workers and former workers of Bristol Knitting Mills, Inc., Cornwells Heights, Pennsylvania (TA-W-400).

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 children's and ladies' knitwear produced by Bristol Knitting Mills, 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 separtion 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 January 12, 1976.

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., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-71 Filed 1-2-76;8:45 am]

[TA-W-178]

CLUETT-PEABODY, INC.

Certification Regarding 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-178; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on September 26, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suits, sportcoats, and trousers at four J. Schoeneman plants located at Owings Mills and Cumberland, Maryland; Winchester and Chambersburg, Pennsylvania. During the course of the Department's investigation it was determined that J. Schoeneman also operates plants at Souderton, Pennsylvania; Newark, Delaware; and Wilmington, Delaware. J. Schoeneman is a division of Cluett, Peabody and Company, Inc., Troy, New York.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 47847) on October 10, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of J. Schoeneman, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, 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

Company-wide average annual employment at Schoeneman declined 4 percent in 1974 compared to 1973. In the first 10 months of 1975 employment declined 10 percent compared to the like period in 1974. In each of the first three quarters of 1974, employment declined 2 percent compared to the corresponding quarter in 1973. In the 4th quarter of 1974 employment declined 6 percent compared to the same quarter in 1973.

SALES OR PRODUCTION, OR BOTH HAVE DECREASED ABSOLUTELY

Company-wide annual sales at Schoeneman declined one percent in 1974 compared to 1973. Sales declined 24 percent in the first 9 months of 1975 compared to the same period in 1974.

Company-wide production of men's suit coats and sportcoats decreased 6 percent in 1974 compared to 1973. Production declined 26 percent in the first 9 months of 1975 compared to the same period in 1974. From the second quarter of 1974 through the third quarter of 1975, production of coats declined in every quarter when compared to the same quarter in the previous year.

Company-wide production of trousers increased 3 percent in 1974 compared 1973. Production declined 16 percent in the first 9 months of 1975 compared to the same period in 1974. From the fourth quarter of 1974 to the third quarter of 1975, production of men's trousers declined in every quarter compared to the same quarter in the previous year.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

Imports of men's and boys' suits have increased relative to domestic consumption and production in each year from 197 to 1973. After declining from 1973 to 1974 imports of men's and boys' suits increased 131 percent compared to the first 7 months of 1975 compared to the first 7 months of 1974.

Imports of men's boys' sportcoats increased their share of the domestic market each year from 1972 to 1974. The ratio of imports to domestic production and consumption increased from 17.1 percent and 14.6 percent respectively in

1972 to 22.3 percent and 18.2 percent respectively in 1974. The ratio of imports to domestic production increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1975.

Imports of men's and boys' tailored trousers decreased their relative share of domestic production and consumption from 25.7 percent and 20.5 percent in 1972 to 19.7 percent and 16.4 percent in 1974. In the first seven months of 1975 imports of men's and boys' tailored trousers increased 29 percent compared to the first seven months of 1974.

The evidence developed in the Department's investigation indicates that as prices of imported suits, sportcoats and trousers became more attractive, consumers in the U.S. switched from the domestic product to the imported product. The competitive pressure caused by lower-priced garments caused Schoeneman's sales to decline beginning in the 4th quarter of 1974 and continue to the present. As a result, Schoeneman has cutback production, laid off workers and reduced hours of work company-wide. The Cumberland plant was permanently closed in March 1975.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suits, sportcoats, and trousers produced at J. Schoeneman's plants contributed importantly to the total or partial separation of the workers at their seven plants. In accordance with the provisions of the Act, I make the following certification:

All workers, hourly, piecework, and salaried at the Owings Mills, Maryland plant; the Winchester, Virginia plant; the Chambersburg, Pennsylvania plant; the Cumberland, Maryland plant; the Souderton, Pennsylvania plant; the Newark, Delaware plant; and the Wilmington, Delaware plant of J. Schoeneman, who became totally or partially separated from employment on or after October 3, 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 5th day of December 1975.

JAMES F. TAYLOR,
Director,
Planning and Evaluation Staff.

[FR Doc.76-80 Filed 1-2-76;8:45 am]

[TA-W-182]

FRIEDMAN-MARKS CLOTHING CO.

Notice of Negative Determination Regarding 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-182; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America (AFL-CIO) on behalf of workers formerly producing men's suits and sportcoats at Friedman-Marks Clothing Company, Richmond, Virginia, a subsidiary of Rapid-American Corporation, New York, New York.

The notice of investigation was published in the Federal Register (40 FR 46370-46371) on October 7, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Rapid-American Corporation, customers of Friedman-Marks Clothing Company, industry analysts, the U.S. Department of Commerce, the U.S. International Trade Commission, 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 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 prdouction.

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

The average number of production workers at Friedman-Marks increased two percent in 1974 from 1973, and then declined 23 percent in the first quarter of 1975 compared to the like period of 1974. All production-related employment at Friedman-Marks was terminated by the end of March 1975. Average weekly hours for production workers declined ten percent in 1974 from 1973 and declined six percent in the first quarter of 1975 compared to the like period in 1974.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Production of suits and sportcoats at Friedman-Marks increased one percent in value in 1974 compared to 1973. All production operations at Friedman-Marks were terminated in January 1975.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

Imports of men's and boys' tailored suits increased their share of domestic consumption from 5.7 percent in 1971 to 9.5 percent in 1973. Imports declined absolutely and relatively compared to domestic production and consumption in 1974 from 1973.

The evidence developed by the Department's investigation of Friedman-Marks Clothing Company indicates that the closing of the firm followed a decision by officials of Rapid-American Corporation to reduce its number of establishments manufacturing suits and sportcoats in an attempt to improve the corporation's cash flow. Following its move to new and larger facilities in 1971 Friedman-Marks was unable to increase sales and production sufficiently to adequately utilize the firm's increased capacity. Thus, the closing of the Friedman-Marks plant was not due to declines in sales or production resulting from increased imports, but rather to an inability of Friedman-Marks to increase sales and production to the profitable levels anticipated when the firm expanded in 1971. A major customer of Friedman-Marks, accounting for approximately 40 percent of that firm's total sales in 1974, indicated that it had not reduced purchases from Friedman-Marks prior its closing, and with the closing of Friedman-Marks the customer shifted its purchases to other domestic manufacturers.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suits and sportcoats produced at Friedman-Marks Clothing Company did not contribute importantly to the total or partial separations of the workers at that firm.

Signed at Washington, D.C. this 4th day of December 1975.

JAMES F. TAYLOR,
Director,
Planning and Evaluation Staff.

[FR Doc.76-79 Filed 1-2-76;8:45 am]

[TA-W-395]

HARRIS CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the United Auto Workers on behalf of the workers and former workers of Sheet Fed Press Division of the Harris Corporation, Cleveland, Ohio (TA-W-395).

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 sheet fed off-set printing presses produced by Harris Corporation 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 January 12, 1976.

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., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc 76-72 Filed 1-2-76; 8:45 am]

[TA-W-401]

JAY KNITWEAR, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Ladies' Garment Workers Union, on behalf of the workers and former workers of Jay Knitwear, Inc., Philadelphia, Pennsylvania (TA-W-401).

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 men's, boys', and ladies' knit outerwear produced by Jay Knitwear, 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 January 12, 1976.

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., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-73 Filed 1-2-76;8:45 am]

[TA-W-403]

MBH CHEMICAL CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 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 MBH Chemical Corporation, a wholly-owned subsidiary of H. Reisman Corporation, Orange, New Jersey (TA-W-403).

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 chlorpromazine hydrochloride (sedative) produced by MBH Chemical Corporation, 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 of 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 January 12, 1976.

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 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-74 Filed 1-2-76;8:45 am]

[TA-W-185]

MICHAELS STERN AND CO., INC.

Certification Regarding 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-185; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on September 26, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers formerly producing men's suits, slacks and sportcoats at the Clinton Avenue and Hand Street, Rochester, and Penn Yan, New York plants of Michaels Stern and Company, Incorporated, Rochester, New York.

The Notice of Investigation was published in the FEDERAL REGISTER (40 FR 48417 and 48418) on October 15, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Michaels Stern, its customers, U.S. Department of Commerce, U.S. International Trade Commission, the National Cotton Council of America, industry analysts, 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

The average number of production workers at all three plants declined 9.2 percent from 1973 to 1974. Employment declined 37.1 percent in the first three quarters of 1975 compared to the first three quarters of 1974. Employment was terminated at the Hand St. plant in November, 1975.

Average weekly hours declined 3.9 percent from 1973 to 1974. In the first three quarters of 1975 average weekly hours declined 22.7 percent when compared to the first three quarters of 1974.

SALE OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Total unit sales declined 20.4 percent from 1973 to 1974. In the first eight months of 1975, total unit sales declined 32.9 percent compared to the first eight months of 1974. Unit sales of suits, slacks, and sportcoats declined 17.1 percent, 37.2 percent, and 51.7 percent respectively in the first eight months of 1975 compared to the like period in 1974.

Total production declined 19.3 percent from 1973 to 1974. In the first eight months of 1975, total production declined 61.1 percent compared to the first eight months of 1974. All production at the Hand St. plant was terminated on November 7, 1975.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

Imports of men's and boys' suits have increased relative to domestic consumption and production in each year from 1971 to 1973. While imports of men's and boys' suits fell slightly in 1974 compared to 1973 the ratios of imports to domestic production and consumption in 1974 of 9.9 percent and 9.0 percent respectively were well above the 1971–1973 average of 8.6 percent and 7.8 percent, respectively. In the first 7 months of 1975 imports of men's and boys' suits increased 131 percent compared to the first 7 months of 1974. The ratio of imports to domestic production increased from 7.7 percent in the first seven months of 1974 to 22.1 percent in the first seven months of 1975.

Imports of men's and boys' sportcoats increased their share of the domestic market each year from 1972 to 1974. The ratio of imports to domestic production and consumption increased from 17.1 percent and 14.6 percent respectively in 1972 to 22.3 percent and 18.2 respectively in 1972. The ratio of imports to domestic production increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1975.

Imports of men's and boys' tailored trousers decreased their relative share of domestic production and consumption from 25.7 percent and 20.5 percent in 1972 to 19.7 percent and 16.4 percent in 1974. In the first seven months of 1975 imports of men's and boys' tailored trousers increased 29 percent compared to the first seven months of 1974.

Major customers indicate that they are purchasing men's apparel from foreign sources because of intense price competition in the industry and in response to the switch of consumer of preferences from the traditional types of men's apparel to casual type apparel.

A survey being conducted by the Office of Trade Adjustment Assistance of major apparel distributors, including large U.S. chain stores, indicates to date that the ratio of purchases of imported tailored men's suits and sportcoats after remaining at about 15% in 1973 and 1974 increased from 13.4 percent in the first six months of 1974 to 16.5 percent in the first half of 1975.

Customers of Michaels Stern reduced purchases in favor of imports for reasons of style and price. Michaels Stern's sales declined throughout 1974 and 1975. This led to production cutbacks reduced hours of work, and finally, substantial layoffs beginning in the third quarter of 1974. Production was terminated at the Hand Street Plant on November 4, 1975.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with suits, slacks, and sportcoats produced at the Rochester and Penn Yan plants contributed importantly to the total or partial separation of the workers at those plants. In accordance with the provisions of the Act; I make the following certification:

All hourly, piecework, and salaried workers engaged in employment related to the production of suits, slacks, and sportcoats at the Clinton Avenue and Hand Street, Rochester, New York and Penn Yan, New York plants of Michaels Stern and Company, Incorporated who became totally or partially separated from employment on or after October 3, 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 8th day of December 1975.

GLORIA G. PRATT,
Director, Office of Foreign Economic Policy.

[FR Doc.76-81 Filed 1-2-76;8:45 am]

[TA-W-394]

PERFECT TEXTILE MILLS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 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 Perfect Textile Mills, Incorporated, Paterson, New Jersey (TA-W-394).

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 polyester for men's and ladies wear produced by Perfect Textile Mills, Incorporated 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 provision 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 January 12, 1976.

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 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-75 Filed 1-2-76;8:45 am]

[TA-W-399]

RUSSELL, BURDSALL & WARD, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 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 Russell Burdsall & Ward, Incorporated, Los Angeles, California, a division of Russell, Burdsall & Ward, Incorporated, Mentor, Ohio (TA-W-399).

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 iron and steel

nuts, bolts and cap screws produced by Russell, Burdsall & Ward, Incorporated 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 January 12, 1976.

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 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-76 Filed 1-2-76;8:45 am]

[TA-W-397]

SPORT FASHION, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 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 Sport Fashion, Incorporated, Nutley, New Jersey (TA-W-397).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as plrovided 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 women's and girls' blouses, skirts, slacks, and dresses produced by Sport Fashion, Incorporated, 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 January 12, 1976.

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., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-77 Filed 1-2-76;8:45 am]

[TA-W-402]

TRIANGLE KNITTING MILLS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Ladies' Garment Workers Union, on behalf of the workers and former workers of Triangle Knitting Mills, Inc., Pennsauken, New Jersey (TA-W-402).

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 men's and boys' sweaters produced by Triangle Knitting Mills, 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 January 12, 1976.

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., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-78 Filed 1-2-76;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Rule 19; Ex Parte No. 241; Amdt. 8, Exemption 63]

BESSEMER AND LAKE ERIE RAILROAD CO. ET AL.

Exemption Under Mandatory Car Service Rules

To: Bessemer and Lake Erie Railroad Company, Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees.

Upon further consideration of Exemption No. 63 issued February 12, 1974.

It is ordered, That, under authority vested in me by Car Service Rule 19, Exemption No. 63 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 be, and it is hereby, amended to *expire February 29, 1976.*

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-60 Filed 1-2-76;8:45 am]

[Rule 19; Ex Parte No. 241; Amdt. 11, Exemption 56]

ERIE LACKAWANNA RAILWAY CO., ET AL.

Exemption Under Mandatory Car Service Rules

To: Erie Lackawanna Railway Company, Thomas F. Patton and Ralph S. Tyler, Jr. Trustees; Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees.

Upon further consideration of Exemption No. 56 issued October 31, 1973.

It is ordered, That, under authority vested in me by Car Service Rule 19, Exemption No. 56 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 be, and it is hereby, amended to *expire February 29, 1976.*

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-58 Filed 1-2-76;8:45 am]

[Rule 19; Ex Parte No. 241; Amdt. 4, Exemption 93]

GRAND TRUNK WESTERN RAILROAD CO., ET AL.

Exemption Under Mandatory Car Service Rules

To: Grand Trunk Western Railroad Company, Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees.

Upon further consideration of Exemption No. 93 issued January 15, 1975.

It is ordered, That, under the authority vested in me by Car Service Rule 19, Exemption No. 93 to the Mandatory Car Services Rules ordered in Ex Parte No. 241, be, and it is hereby amended to *expire February 29, 1976.*

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-61 Filed 1-2-76;8:45 am]

[Ex Parte No. 241; Amdt. 2, Corrected Exemption No. 59]

ALL RAILROADS

Exemption Under Mandatory Car Service Rules

Upon further consideration of Corrected Exemption No. 59 issued December 28, 1973.

It is ordered, That, under authority vested in me by Car Service Rule 19, Corrected Exemption No. 59 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 be, and it is hereby, amended to *expire December 31, 1976.*

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-59 Filed 1-2-76;8:45 am]

[AB 7 (Sub-No. 20)]

CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD CO.

Abandonment Between Waukesha and Whitewater, in Waukesha, Jefferson, and Walworth Counties, Wisconsin

Present: Virginia Mae Brown, Commissioner, to whom the matter which is the subject of this order has been assigned for action thereon.

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 Waukesha, Jefferson and Walworth Counties, Wisc., on or before January 7, 1976 and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested persons.

Dated at Washington, D.C., this 16th day of December, 1975.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY ABANDONMENT BETWEEN WAUKESHA AND WHITEWATER, IN WAUKESHA, JEFFERSON, AND WALWORTH COUNTIES, WISCONSIN

The Interstate Commerce Commission hereby gives notice that by order dated December 16, 1975, it has been determined that the proposed abandonment of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company of a section of its branch extending 27.46 miles between Waukesha and Whitewater, Wisc., 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 traffic handled on the line is low and declining, consequently the environmental impacts attendant to the diversion of traffic from rail to motor carrier should be minimal. Additionally, the limited industrial development occurring in the area is located primarily at Waukesha and Whitewater which will continue to have rail service upon abandonment. Interest has been expressed toward State acquisition of the right-of-way for either trails use or development of an excursion train operation to the planned Old World Wisconsin Museum, a Wisconsin Bicentennial project.

Although the action could adversely affect a biological feature unique to the area and described as "remnant prairie," other such areas exist in the county and acquisition of the land corridor by the State could reduce the impact of the action.

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 202-343-7966.

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 January 22, 1976.

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.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-62 Filed 1-2-76;8:45 am]

[Notice No. 943]

ASSIGNMENT OF HEARINGS

DECEMBER 30, 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 95920 Sub 41, Santry Trucking Company, now assigned January 16, 1976, at St. Paul, Minn., is canceled and application dismissed.

F.D. 26115, Boston and Maine Corporation Trustees' Plan of Reorganization, now being assigned January 21, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-C-8516, Willard Richardson—Revocation of Certificate, now assigned January 14, 1975, *Lexington, Ky.*, is cancelled and reassigned to January 14, 1976, *Frankfort, Ky.*, Room 330, 3rd Floor, State Office Bldg.

MC 51146 Sub 413, Schneider Transport, Inc., now assigned January 29, 1975, at Washington, D.C., is postponed to February 5, 1976, at Washington, D.C., in a hearing room to be later designated.

MC-F-12530, Bush Motor Freight, Inc.—Purchase—Interocean Service Corp. and MC-F-12531, Crouch Freight Systems, Inc.—Pur. Por.—Interocean Service Corporation, now being assigned February 23, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 61592 Sub 358, Jenkins Truck Line, Inc., now being assigned February 25, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 123048 Sub 325, Diamond Transportation System, now being assigned February 26, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 51146 Sub 433, Schneider Transport, Inc., now being assigned March 2, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 123407 Sub 242, Sawyer Transport, Inc., now being assigned March 9, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 115331 Sub 387, Truck Transport, Incorporated, now assigned January 29, 1975, at Washington, D.C., is postponed to February 5, 1976, at Washington, D.C., in a hearing room to be later designated.

MC 116763 Sub 305, Carl Subler Trucking, Inc., now assigned January 29, 1975, at Washington, D.C., is postponed to February 5, 1976, at Washington, D.C., in a hearing room to be later designated.

MC 121060 Sub 33, Arrow Truck Lines, Inc., now assigned January 29, 1975, at Washington, D.C., is postponed to February 5, 1976, at Washington, D.C., in a hearing room to be later designated.

MC 128273 Sub 165, 170, Midwestern Distribution, Inc., now assigned January 29, 1975, at Washington, D.C., is postponed to February 5, 1976, at Washington, D.C., in a hearing room to be later designated.

MC-C-8775, Bobby R. Maness—Investigation of Operations, now being assigned February 24, 1976, at Memphis, Tenn.; (1 day) in a hearing room to be later designated.

MC 61592 Sub 363, Jenkins Truck Line, Inc., now being assigned February 25, 1976 (1 day), at Memphis, Tenn.; in a hearing room to be later designated.

MC 139306 Sub 5, Del R. Stanage and Joe R. Stanage d/b/a Stanage Transportation, now being assigned February 26, 1976 (2 days) at Memphis, Tenn.; in a hearing room to be later designated.

MC 113495 Sub 72, Gregory Heavy Haulers, Inc., now being assigned March 1, 1976 (2 days), at Memphis, Tenn.; in a hearing room to be later designated.

AB 3 Sub 5, Missouri Pacific Railroad Company Abandonment Between Marvell and Holly Grove, In Monroe and Philips Counties, Arkansas, now being assigned March 3, 1976 (2½ days), at Helena, Arkansas; in a hearing room to be later designated.

MC 133095 Sub 85, Texas-Continental Express, Inc., application dismissed.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-180 Filed 1-2-76;8:45 am]

BESSEMER AND LAKE ERIE RAILROAD COMPANY AND NORFOLK AND WESTERN RAILWAY COMPANY

Exemption Under Mandatory Car Service Rules

[Rule 19, Ex Parte 241, Amdt. 4 to Exemption 95]

Upon further consideration of Exemption No. 95 issued February 5, 1975.

It is ordered, That, under the authority vested in me by Car Service Rule 19, Exemption No. 95 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby amended to expire March 31, 1976.

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-179 Filed 1-2-76;8:45 am]

[Rule 19, Ex Parte 241, Amdt. 5 to Exemption 85]

CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY ET AL.

Exemption Under Mandatory Car Service Rules

Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Missouri Pacific Railroad Company, and Southern Railway Company.

Upon further consideration of Exemption No. 85 issued September 11, 1974.

It is ordered, That, under the authority vested in me by Car Service Rule 19, Exemption No. 85 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby amended to expire March 31, 1976.

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-177 Filed 1-2-76;8:45 am]

[Rule 19, Ex Parte 241, Amdt. 4 to Exemption 94]

DETROIT, TOLEDO AND IRONTON RAILROAD COMPANY AND PENN CENTRAL TRANSPORTATION COMPANY

Exemption Under Mandatory Car Service Rules

The Detroit, Toledo and Ironton Railroad Company and Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees.

Upon further consideration of Exemption No. 94 issued February 5, 1975.

It is ordered, That, under the authority vested in me by Car Service Rule 19, Exemption No. 94 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby amended to expire February 29, 1976.

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-178 Filed 1-2-76;8:45 am]

[Notice No. 151]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JANUARY 5, 1976.

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 January 26, 1976. 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-76229. By order of December 29, 1975, the Motor Carrier Board approved the transfer to Charles A. McCauley, Inc., New Bethlehem, Pa., of Certificates Nos. MC 115557 and MC 115557 Subs 2, 3, 4, 5, 7, 8, 9, 10, and 11, issued October 30, 1956, September 25, 1956, March 28, 1957, December 18, 1959, March 29, 1966, December 12, 1967, April 4, 1972, March 7, 1973, December 10, 1975, and August 12, 1975, respectively, to Charles A. McCauley, New Bethlehem, Pa., authorizing the transportation of various commodities from and to specified points in the United States. Henry M. Wick, Jr., Wick, Vuono & Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219, Attorney for Applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-181 Filed 1-2-76;8:45 am]

NORFOLK AND WESTERN RAILWAY COMPANY AND PENN CENTRAL TRANSPORTATION COMPANY

Exemption Under Mandatory Car Service Rules

[Rule 19, Ex Parte 241, Exemption No. 55; Amdt. 11]

Norfolk and Western Railway Company and Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees

Upon further consideration of Exemption No. 55 issued October 31, 1973.

It is ordered, That under authority vested in me by Car Service Rule 19, Exemption No. 55 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 be, and it is hereby, amended to expire February 29, 1976.

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-176 Filed 1-2-76;8:45 am]

federal register

MONDAY, JANUARY 5, 1976



PART II:

ENVIRONMENTAL PROTECTION AGENCY

■

ORGANIC CHEMICALS MANUFACTURING POINT SOURCE CATEGORY

Significant Organic Products Segment, Effluent Guidelines and Standards

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

[FRL 473-7]

PART 414—SIGNIFICANT ORGANIC PRODUCTS SEGMENT OF THE ORGANIC CHEMICALS MANUFACTURING POINT SOURCE CATEGORY

Notice of Interim Final Rulemaking

Notice is hereby given that effluent limitations guidelines for existing sources to be achieved by the application of best practicable control technology currently available as set forth in interim final form below are promulgated by the Environmental Protection Agency (EPA). On April 25, 1974, EPA promulgated a regulation adding Part 414 to Title 40 of the Code of Federal Regulations (39 FR 14676). That regulation with subsequent amendments established effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources for the major organic products segment of the organic chemicals manufacturing point source category.

The regulations set forth below will amend 40 CFR 414, organic chemicals manufacturing point source category, by adding 27 product-process segments and a new subcategory to the point source category. The regulations will be applicable to existing sources for the nonaqueous processes subcategory (Subcategory A); the processes with process water contact only as steam diluent, quench or vent gas absorbant subcategory (Subcategory B); the aqueous liquid phase reaction systems subcategory (Subcategory C); and the batch and semi-continuous processes subcategory (a new Subcategory D); of the organic chemical manufacturing point source category. These regulations are issued pursuant to sections 301, 304 (b) and (c), of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1311, 1314 (b) and (c), 86 Stat. 816 et seq.; P.L. 92-500) (the Act).

Simultaneously, the Agency is publishing in proposed form effluent limitations guidelines for existing sources to be achieved by the application of best available technology economically achievable and, standards of performance for new point sources.

(a) Legal authority

Section 301(b) of the Act requires the achievement by not later than July 1, 1977, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of the best practicable control technology currently available, as defined by the Administrator pursuant to section 304(b) of the Act. Section 301(b) also requires the achievement by not later than July 1, 1983, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of best available technology economically achievable which will result in reasonable further progress toward the national goal of eliminating the discharge of all pollutants, as determined in accordance with regulations issued by the Administrator pursuant to section 304(b) of the Act.

Section 304(b) of the Act requires the Administrator to publish regulations providing guidelines for effluent limitations setting forth the degree of effluent reduction attainable through the application of the best practicable control technology currently available and the degree of effluent reduction attainable through the application of the best control measures and practices achievable including treatment techniques, process and procedural innovations, operating methods and other alternatives. The regulation herein sets forth effluent limitations guidelines, pursuant to sections 301 and 304(b) of the Act, for the four subcategories, A through D of the organic chemical manufacturing point source category.

Section 304(c) of the Act requires the Administrator to issue to the States and appropriate water pollution control agencies information on the processes, procedures or operating methods which result in the elimination or reduction of the discharge of pollutants to implement standards of performance under section 306 of the Act. The "Development Document" referred to below provides information on such processes, procedures and operating methods.

(b) Summary and basis of interim final effluent limitations and guidelines.

(1) General methodology.

The point source category was first studied for the purpose of determining whether separate limitations are appropriate for different segments within the category. This analysis included a determination of whether differences in raw materials, products, manufacturing processes, age, size of plant, waste water constituents and other factors require development of separate limitations for different segments of the point source category. The raw waste characteristics for each such segment were then identified. This included an analysis of the source, flow and volume of water used in the process employed, the sources of waste waters and the constituents of the waste waters.

The control and treatment technologies existing within each segment were identified. This included an identification of each distinct control and treatment technology, including both in-plant and end-of-process technologies, which exists or is capable of being designed for each segment. It also included an identification of the effluent level resulting from the application of each of the technologies, in terms of the amount of constituents and the chemical, physical, and biological characteristics of pollutants. The problems, limitations and reliability of each treatment and control technology were also identified. In addition, the nonwater quality environmental impact, such as the effects of the application of such technologies upon other pollution problems, including air, solid waste, noise and radiation, were identified. The energy requirements of each control and treatment technology were determined as well as the cost of the application of such technologies.

The information outlined above was then evaluated in order to determine what levels of technology constitute the "best practicable control technology currently available." In identifying such technologies, various factors were considered. These included the total cost of application of technology in relation to the effluent reduction benefits to be achieved from such application, the age of equipment and facilities involved, the process employed, the engineering aspects of the application of various types of control techniques, process changes, nonwater quality environmental impact (including energy requirements) and other factors.

The data upon which the above analyses were performed included EPA NPDES permit applications, EPA sampling and inspections, consultant reports, and industry submissions.

(2) Summary of conclusions.

The organic chemicals industry is a highly complex and integrated industry in which there are 454 companies and 665 establishments manufacturing several thousand products. The industry is described for this purpose by the following Standard Industrial Classification Groups: (SIC) 2865, Cyclic Intermediates, Dyes, Organic Pigments and Coal Tar Crudes and (SIC) 2869, Industrial Organic Chemicals, not elsewhere classified. In these two classifications 260 product segments are identified, of which 40 product-process segments were covered in the Phase I regulations (40 CFR 414). Phase II regulations, for which interim final limitations guidelines are proposed herein, will amend 40 CFR 414 regulations to include 27 additional product-process segments and a new subcategory. These 27 product-processes were selected from data and information gathered by a contractor for the Agency on 55 product-processes investigated subsequent to the Phase I. The selection was made on the basis of economic and environmental impact. Twenty eight of the product-process segments initially investigated are not covered in the proposed regulations because initial analysis indicates that additional technical or economic analysis will be required to ascertain the appropriate regulations for these segments.

The effluent limitations proposed herein are based on a product-by-product determination within each of the four major subcategories of process types. This approach differs from the methodology for determining effluent limitations in the Phase I regulations promulgated April 25, 1974. The approach taken in Phase I involved the grouping of product-processes within each of the four major subcategories on the basis of similarities in process operaiton and thus similarities of raw waste loads. Long term or design effluent limits were derived by the application of an appropriate reduction factor or effluent concentration to the mean raw waste load for each group of product-processes. Effluent limitations for the daily maxi-

mum and 30 day maximum average were then derived by multiplying the mean of the subcategory by the appropriate variability factor. This approach is being modified to make the Phase I regulations consistent with those issued today in which the regulation applying to each product-process is determined individually. The Agency intends to propose revised Phase I regulations as soon as possible.

Those product-processes which are included in these interim final regulations are listed in Table I.

TABLE I

Subcategory A—Nonaqueous Processes

Significant Products and Processes

Products	*Processes*
BTX	Fractional distillation.
Cumene	Alkylation of benzene with propylene.
p-Xylene	Isomerization, crystallization and filtration of mixed xylenes.

Subcategory B—Processes With Process Water Contact Only As Steam Diluent, Quench or Vent Gas Absorbent

Significant Products and Processes

Products	*Processes*
Adiponitrile	Chlorination of butadiene.
Benzoic Acid and Benzaldehyde	Catalytic oxidation of toluene with air.
Chloromethanes	Chlorination of methyl chloride and methane mixture.
Diphenylamine	Deamination of aniline.
Hexamethylenediamine	Hydrogenation of adiponitrile.
Hexamethylenediamine	Ammonolysis of 1,6-hexanediol.
Maleic anhydride	Oxidation of benzene with hydrochloric acid.
Methyl ethyl ketone	Dehydrogenation of sec-butyl alcohol.
Phthalic anhydride	Oxidation of o-xylene.

Subcategory C—Aqueous Liquid-Phase Reaction Systems

Significant Products and Processes

Products	*Processes*
Ethyl acetate	Esterification of ethyl alcohol with acetic acid.
Acrylonitrile	Ammoxidation of propylene.
p-Aminophenol	Catalytic reduction of nitrobenzene.
Calcium stearate	Neutralization of stearic acid.
Hydrazine solutions	The Raschig process.
Isobutylene	Extraction from a mixture of C4 hydrocarbons.
Isopropanol	Hydrolysis of propylene carbohydrates.
Sec-butyl alcohol	Sulfonation and hydrolysis of mixed butylenes.

Subcategory D—Batch and Semi-Continuous Processes

Significant Products and Processes

Products	*Processes*
Citronellol and gernaiol	Citronella oil distillation.
Ionone and methylionone	Condensation and cyclization of citral.
Methyl salicylate	Esterification of salicylic acid with methanol.
o-Nitroaniline	Ammonolysis of o-nitrochlorobenzene.
p-Nitroaniline	Ammonolysis of p-nitrochlorobenzene.
Plasticizers	Condensation of phthalic anhydride.
Tannic acid	Extraction of natural vegetable matter.

The organic chemicals subcategories A, B, and C are characterized as continuously operated processes. Subcategory D is defined as those processes which are of a batch or semi-continuous nature. The following are descriptions for each major subcategory:

Nonaqueous Processes Subcategory: (Subcategory A)

These processes have minimal contact between water and reactants or products within the process. Water is not required as a reactant or diluent and is not formed as a reaction product. The only water usage stems from periodic washes of working fluids or catalyst hydration.

Processes With Process Water Contact Only as Steam Diluent, Quench or Vent Gas Absorbent Subcategory: (Subcategory B)

Process water usage is in the form of dilution steam, direct contact quench, or as an absorbent for reactor effluent gases. Reactions are all vapor-phase and carried out over solid catalysts. Most processes have an absorber coupled with steam stripping of chemicals for purification and recycle.

Aqueous Liquid-phase Reaction Systems Subcategory: (Subcategory C)

These are liquid-phase reactions where the catalyst is generally in aqueous media such as dissolved or emulsified mineral salt, or acid and caustic solutions. Continuous regeneration of catalyst system requires extensive water usage. Substantial removal of spent inorganic salt by-products may also be required. Working aqueous catalyst solution is normally corrosive. Additional process water is required in final purification or neutralization of products.

Batch and Semi-Continuous Processes Subcategory: (Subcategory D)

Processes are carried out in reaction kettles equipped with agitators, scrapers, reflux condensers, etc. depending on the nature of the operation. Many reactions are liquid-phase with aqueous catalyst systems. Reactants are transferred to batch reactors by gravity flow, pumping, or pressurization with air or inert gas. Much of the material handling is manual and there is limited use of automatic process control. Filter presses and centrifuges are commonly used to separate solid products from liquid. Where drying is required, air or vacuum ovens are used. Cleaning of noncontinuous production equipment constitutes a major source of process waste water.

The Agency has recently published amendments to four Phase I product-process segments in the FEDERAL REGISTER (August 15, 1975, 40 FR 34409). These amendments were based on the average of the best plants (raw waste loads below the median plant). In this announcement, the Agency indicated that Phase I regulations would be amended at a future date to reconsider the other product-process segment effluent limitations on a product-by-product basis. Additionally, the Agency also announced its intentions in this FEDERAL REGISTER Notice to propose at some future date the extention of the mean of the subcategories to those product-process segments which can logically be included in the descriptions and definitions of the subcategories.

The Phase II BPCTCA regulations for the BOD5 parameters were calculated in the following manner for the BOD5 pollutant parameters:

1. A reduction factor of 93% of raw waste load of BOD5 was used whenever the resultant effluent concentration of BOD5 was 20–30 mg/l.

2. If the resultant effluent concentration was less than 20 mg/l, a less stringent limit, 20 mg/l, was selected as the design basis.

3. If the resultant effluent concentration was greater than 30 mg/l the design basis was 30 mg/l BOD5 up to but not to exceed 99 percent reduction of the BOD5 raw waste load.

The values derived in this matter were considered long term design limitations. The limitations for a daily maximum and 30 day maximum average basis were established by multiplying the design limitation by the appropriate variability factor. Varability factors for the daily maximum and 30 day maximum average limitations are 3.9 and 2.1 respectively for BOD, COD and TSS limitations.

Derivation of the variability factors is discussed in the Development Document Section XIII and is summarized below. The choice of variability factors has been the focus of many comments from industry, and arguments by industry petitioners in the case of Union Carbide et. al. v. Train, No. 74–1459, etc., (the "Phase I" litigation) now pending before the United States Court of Appeals for the Fourth Circuit. Variability factors are used by the Agency to convert long term treatment plant performance data into regulations based on daily maxima and monthly averages, which regulations would reasonably take into account the irregular performance of treatment facilities. As noted in the FEDERAL REGIS-

TER announcement of August 15, 1975, (40 FR 34409) which proposed revisions to the regulations for the four Phase I product-processes, the Agency has reconsidered all the variability factors in light of the extensive criticisms offered by industry and a review of all available information.

Based upon data from 21 organic chemical, plastics and petrochemical plants, the variability factors of 2.1 and 3.9 (as opposed to 2.0 and 4.5) are used to establish Phase II regulations published today. The variability factors for the Phase I 1983 regulations were less than those for the 1977 regulations. The justification for this difference was the assumption that effluent which had passed through biological treatment and mixed media filtration would have a waste the variability of which would be tempered. This assumption may be correct but there are few data points in the organic chemical field to support it at the present time. There is even less factual support for the assertion by some commenters that by reducing the concentration of BOD entering a waste treatment system employing, for example, activated carbon, one actually enhances the range of variability in advanced treatement plant performance. The most reliable data base is the analysis of the variability of 21 comparable (for purposes of variability calculations) organic, plastic and petrochemical plants. This data source, commonly referred to as the "Cook Memo" is now to be used as the basis for the 1983 variability factors. Thus, instead of the 1.7 and 1.8 values for monthly average, and the 2.5 and 3.0 values for daily maxima, which were used in Phase I, the Agency has used values of 2.1 and 3.9 respectively. The use of these new values will increase the allowable discharges for all product-process for 1983. Of course, the Phase I regulations have been or will shortly be revised to make the variability factors used for Phase I new source and 1983 regulations consistent with those used for Phase II.

The Agency is conducting several studies with respect to the performance of carbon adsorption devices, and other approaches suitable for complying with the 1983 regulations. Included in these studies are analyses of variability in performance. There are also several private studies underway which should produce information in this area. The Agency will examine these results and may change the variability factors used in generating the 1983 regulations if this is appropriate. Indeed, consistent with the instruction of 33 U.S.C. Section 1311(d), the Agency attempts to review new information and modify regulations if appropriate on a continuous basis.

In determining the major pollutants and effectiveness of various treatment alternatives, the following pollutant parameters were evaluated: biochemical oxygen demand (BOD5), chemical oxygen demand (COD), total organic carbon (TOC), oil and grease, total suspended solids (TSS), phenols, pH, cyanide (CN), ammonia (NH3-N), total Kjeldahl nitrogen (TKN), zinc (Zn), copper (Cu), iron (Fe), chromium (Cr), and cadmium (Cd).

The following major pollutant parameters were limited for the best practicable control technology currently available: BOD5, TSS and pH. For the best available technology economically achievable, the COD pollutant parameter was included. The major pollutant parameters for new source performance standards are the same as for BPCTCA.

Other pollutants, such as total Kjeldahl nitrogen and ammonia nitrogen, phenols, cyanide and heavy metals were detected in significant concentrations in certain waste streams.

High concentrations of cyanide which could be inhibitory to biological systems were observed in waste streams from the manufacture of hexamethylenediamine, adiponitrile and acrylonitrile. Effluent limitations were established for this pollutant in these segments.

Heavy metals in significant concentrations were detected in the waste streams of the following product-process segments: adiponitrile (Cu, Fe, Cr), chloromethanes (Fe, Cr), hexamethylenediamine (Zn), maleic anhydride (Cd), hydrazine (Cd), and plasticizers (Cu). These metals could interfere with biological treatment systems when present in significant concentrations. Only for the plasticizers product-process was a limit established for total copper. Effluent limitations for heavy metals present in the effluents from other segments were not established, because the technology used to attain BPCTCA levels will reduce the concentration of these metals significantly.

Pollutant parameters for the organic chemical industry pertain to waste waters from process operations. Process waste water pollutants are proportional to the level of production and it was therefore possible to establish limitations and standards on the basis of production.

(c) Treatment and control technology.

Waste water treatment and control technologies have been studied for the industry to determine what is (a) the best practicable control technology currently available, (b) the best available technology economically achievable, and (c) the best available demonstrated control technology, processes, operating methods or other alternatives.

The best practicable control technology currently available (BPCTCA) has been identified in the organic chemicals manufacturing industry as biological waste treatment. This treatment consists of various combinations of biological processes: activated sludge, trickling filters, aerated lagoons, anaerobic and aerobic lagoons, and similar processes. The following model system was used for cost estimating purposes (it does not limit the BPCTCA solely to these processes): equalization with pH control and oil separation and activated sludge. Biological treatment does not preclude the use of equivalent chemical, physical, or in-process reduction of loads.

Best practicable control technology requires suitable disposal of the pollutants remvoed from waste waters in this industry. In most cases these are non-hazardous substances requiring only minimal custodial care. However, some constituents may be hazardous and may require special consideration. In order to insure long-term protection of the environment from these hazardous or harmful constituents, special consideration of disposal sites must be made. All landfill sites where such hazardous wastes are disposed should be selected so as to prevent migration of these contaminants to ground or surface waters. In cases where geologic conditions may not reasonably ensure this, adequate precautions (e.g., installation of impervious liners) should be taken to ensure long term protection to the environment from hazardous materials. Where appropriate, the location of hazardous materials disposal sites should be permanently recorded in the appropriate office of legal jurisdiction.

Capital and annual costs were computed for each product-process segment on the basis of the cost per pound of production and per 1000 gallons of waste water treated. Due to the complexity and degree of integration in this industry, it was necessary to make some simplifying assumptions in order to determine costs on a product by product basis. These assumptions are:

(1) that each product-process segment is a discrete plant whose process waste water is treated in a single end-of-process waste treatment system.

(2) that all waste waters are treated by the model end-of-process system regardless of alternate disposal techniques and in-process changes.

In some cases, costs appeared to be high due to diseconomies of scale such as with process segments with low waste water flow rates. For these situations, substantial reductions in costs per unit of production are realized in multi-product plant situations. In other situations high costs are apparently due to the extremely high concentrations and flows of waste water pollutants to the model system. For these cases, the need for cost saving in-process controls are apparent in addition to end-of-process treatment. Alternate disposal methods such as incineration or like processes are also commonly used for disposal of highly concentrated and difficult wastes. In any specific case, the manufacturer can best determine the most attractive economic alternatives for in-process controls and end-of-process treatment which will meet the limitations required.

The major nonwater quality consideration which may be associated with in-process control measures is the use of alternative means of ultimate disposal. As the process raw waste load (RWL) is reduced in volume, alternate disposal techniques may become feasible. Recent regulations are tending to limit the use of ocean discharge and deep-well injection because of the potential long-term detrimental effects associated with these disposal procedures. Therefore, these disposal methods are not considered to be viable alternatives at this time. Incineration is a viable alternative for concen-

trated waste streams. Associated air pollution and the need for auxiliary fuel, depending on the heating value of the waste, are considerations which must be evaluated on an individual basis for each use.

Other nonwater quality aspects, such as noise levels, will not be perceptibly affected. Most chemical plants generate fairly high noise levels (85–95 db) within the battery limits because of equipment such as pumps, compressors, steam jets, flare stacks, etc. Equipment associated with in-process or end-of-pipe control systems would not add significantly to these levels.

Energy requirements associated with treatment and control technologies are not significant when compared to the total energy requirements for this industry.

(d) Economic impact analysis.

Generally the costs of compliance are low and are not expected to significantly affect prices, profitability, industry production, or growth in the product-process segments covered by these guidelines. These costs range from $29 to 33 million annually for BPT by 1977 with an additional $12 to 22 million annually for BAT by 1983. In most cases, it is expected that these costs can be passed on to the consumer through price increases ranging from 0.03 to 24.9 percent for 1977 and from 0.03 to 26.9 percent by 1983. However, in four segments; isobutylene, isopropanol, methyl ethyl ketone, and secondary butanol, some producers will have to absorb these costs in their profit margins. It is not expected, however, that this will result in any plant closures, significant output changes, or impact on employment or communities.

An increase in imports to about $6 million in 1977 and $18 million in 1983 (in 1973 dollars and prices) is anticipated in the maleic anhydride from benzene segment resulting from the combination of abatement costs and changes in duty rate. Although difficult to evaluate in this study, impacts on industry growth attributable to pollution control requirements are expected to be minimal.

Executive Order 11821 (November 27, 1974) requires that major proposals for legislation and promulgation of regulations and rules by Agencies of the executive branch be accompanied by a statement certifying that the inflationary impact of the proposal has been evaluated.

OMB Circular A–107 (January 28, 1975) prescribes guidelines for the identification and evaluation of major proposals requiring preparation of inflationary impact certifications. The circular provides that during the interim period prior to final approval by OMB of criteria developed by each Agency, the Administrator is responsible for identifying those regulations which require evaluation and certification. The Administrator has directed that all regulatory actions which are likely to result in capital investment exceeding $100 million or annualized costs in excess of $50 million will require certification.

As the Agency's analysis of the potential economic impacts of these regulations indicates, the capital investment and annualized costs associated with compliance are estimated to exceed these amounts. Therefore the Agency has reviewed and identified the projected effect on prices and the economics of the industry as summarized above. Since the time of this analysis, the regulations referred above have been finalized and the required criteria are still met.

(e) Potential environmental benefits to be achieved.

The effluents from plants manufacturing significant organic products contain many hazardous substances in addition to the organic by-products listed above, and in addition to the oxygen consuming constituents regulated by BOD and COD parameters. The regulations covering the "Phase II" organics published today address a few of these pollutants, for several of the industrial product-process lines. As more information becomes available on both the severity of risk resulting from exposure to the pollutants in organic chemical plant waste streams, and the availability of reasonably priced technology which can be used to reduce the levels of these pollutants, additional substances and product lines will be covered by effluent limitation guidelines on those materials.

The dangerous substances dealt with in the regulations published today include cyanide and copper. As pointed out in Water Quality Criteria 1972, a report of the National Academy of Sciences and National Academy of Engineering, cyanide is one of the most acutely toxic substances investigated by aquatic scientists. As low a level as 10 parts per billion has been found to have lasting deleterious effects on game fish. Cyanide is a well-known toxicant to man, with concentrations in the low parts per million range shown to have adverse effects.

Copper is also a potent toxicant at low concentrations to aquatic life. One part per billion suppresses growth in some organisms. Twenty parts per billion in the water will cause oysters to turn green; less than a part per million causes death to shellfish and game fish.

While it is useful to review the toxicity information on individual pollutants, the waste streams from organic chemical plants contain many substances that create multiple stresses on the fish and other life trying to exist in the receiving waters, and introduce combinations of metals and chemicals into the raw water supplies used for drinking water, the synergetic effects of which have been little examined. The hazards which attach to discharges of wastewater effluent from organic chemical plants are heightened by the clustering of these plants on major rivers used as drinking water sources as well as major recreational areas. There are many plants covered by the regulations published today, for example, on the lower Mississippi River and stretches of the Ohio and Kanawha Rivers. Research conducted as long as 13 years ago revealed that raw water taken from the Kanawha River below organic chemical plants, as well as "finished water" which has passed from that source through common filters in water supply facilities designed to make water bacteriologically safe, cause cancer in test animals. Heuper and Payne, "Carcinogenic Effects of Adsorbates of Raw and Finished Water Supplies," 39 American Journal of Clinical Pathology pp. 475–481 (May, 1963). The adsorbates used in the experiments were taken from the vicinity of Nitro, West Virginia, "a short distance downstream from large chemical plants and rubber factories . . ." Effects noted in the test animals included leukemia, tumors of the lung, papilloma of the urinary tract, and spindle-cell sarcomas.

The presence of organic chemicals (products, by-products, intermediate chemicals and raw materials) in the nation's waters is a significant—in some scientists' views, the most significant—threat to human health. Many organic chemicals, including many product-processes covered by the "Phase I" and "Phase II" Organic Chemical regulations, are highly acutely toxic to people and aquatic life, cause cancer in test animals and man, bring about first generation birth deformities or alter genetic patterns abnormally. A majority of those product-processes regulated by the Phases I and II of the Organics Chemicals Manufacturing Point Source Category are listed in the Departmnet of Health, Education, and Welfare's Toxic Substances List (1974 ED.).

Recent disclosures that many synthetic organic chemicals are present in the drinking water supplies of this country have resulted in increased Congressional and Agency concern that the problem initially may have been grossly underestimated. Following hearings on proposed safe drinking water legislation, the House of Representatives Committee on Interstate and Foreign Commerce stated:

> It must be noted that more than 12,000 chemical compounds are now being used commercially, not counting additional variants and fractions. About 500 new chemical compounds are added each year. Many of these will find their way into the Nation's drinking water supplies. H. Rep. No. 93–1185, (92nd Cong., Second Sess., 1975).

EPA has conducted several recent surveys of contamination of drinking water by organic chemicals. It recently discovered, for example, that at least 187 organic compounds are present in one or more of randomly selected water supplies. Suspect Carcinogens in Water Supplies, April, 1975. As that report states, "This list will undoubtedly grow as work continues in the analysis of drinking waters and as analytical techniques are improved for the concentration, separation, identification and measurement of organic compounds in drinking water." Id., p. 1. With few exceptions, all the organic compounds found in drinking water are also found in the effluent of organic chemical plants regulated by Phases I and II. Many synthetic organics have their origins only in the effluent of organic chemical plants.

While the Agency has the authority to require public water supplies to reduce the quantities of organic chemicals in the water provided to the public for drinking purposes, it has found that the costs associated with reductions of the quantities of organics in raw drinking water at the water supplier stage, and the financial burdens on communities, are substantial. Many commenters on proposed drinking water regulations, under the Safe Drinking Water Act, P.L. 93-523, 88 Stat. 1660, have protested directly placing the pollution abatement burden on the public sector, while the main cause of the problem, industrial sources of the chemicals, are required to reduce only BOD and TSS loadings prior to 1983. It is more difficult to remove troublesome organics from raw drinking water supplies because the constituent organics are in low concentrations, the presence of any one organic is hard to predict, and monitoring costs for detection of a changing number of synthetic chemicals may be extreme. On the other hand, the operator of an organic chemical plant is able to deal with a predictable number of synthetic products and by-products in high enough concentrations to make treatment effective. Moreover, it is more equitable to ask the party who introduces a pollutant to remove it, rather than placing that burden on downstream users. For these reasons the Agency has relied to a great extent on equitable, industry-wide, technology-based standards to achieve significant public health benefits.

The pollution parameters chosen for reference in the Phase I and Phase II Organics regulations do not specifically deal with the toxic effluent; rather, the more conventional BOD, TSS and COD parameters are addressed. This was done because the effluent limitations guidelines are technology-based regulations in which these familiar parameters more accurately reflect the proper operation of treatment systems considered in the preparation of the regulations. Nevertheless, by using methods such as activated sludge, mixed media filtration and carbon adsorption, large percentages and quantities of toxic synthetic organic materials are removed.

Examples follow of products expressly regulated under Phase II which have troublesome public health implications. As noted above, there are many by-products produced in manufacturing organic chemicals, and these by-products often have toxic properties. While the Agency has considered the general benefits to be achieved by constructing treatment facilities and reducing the combined waste flows resulting from organic chemicals manufacturing, it is impractical to attempt to list the by-products and their properties individually. The representative products listed below follow the order in which they appear in this notice.

1. Cumene p-Xylene, and adiponitrile are listed in The Toxic Substances List (TSL), 1974 ed., published by the Department of Health, Education, and Welfare.

2. Benzoic acid is also on the TSL, and in addition to having high acute toxicity, produces skin effects.

3. Maleic Anhydride is a carcinogen. The United States Occupational Standard as a time weighted average is 0.25 ppm.

4. Phthalic anhydride and acrylonitrile are on the TSL, and occupational exposure standards have been set.

5. Hydrazine causes neoplastic effects (causes new growth of different or abnormal tissues, or a tumor).

6. Isopropanol, butyl alcohol, citronellol, ionone, methyl salicylate and nitroaniline are all highly toxic and all on the TSL.

7. Tannic acid has neoplastic properties.

The report entitled "Development Document for Interim Final Effluent Limitations and New Source Performance Standards for the Significant Organic Products Segment of the Organic Chemicals Manufacturing Point Source Category" details the analysis undertaken in support of the interim final regulation set forth herein and is available for inspection in the EPA Public Information Reference Unit, Room 2922, (EPA Library), Waterside Mall, 401 M St., SW., Washington, D.C. 20460, at all EPA regional offices, and at State water pollution control offices. A supplementary analysis prepared for EPA of the possible economic effects of the regulation is also available for inspection at these locations. Copies of both of these documents are being sent to persons or institutions affected by the proposed regulation or who have placed themselves on a mailing list for this purpose (see EPA's Advance Notice of Public Review Procedures, 38 F.R. 21202, August 6, 1973). An additional limited number of copies of both reports are available. Persons wishing to obtain a copy may write the Environmental Protection Agency, Effluent Guidelines Division, Washington, D.C. 20460, Attention: Distribution Officer, WH-452.

When this regulation is promulgated in final rather than interim form, revised copies of the Development Document will be available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the economic analysis document will be available through the National Technical Information Service, Springfield, VA 22151.

(f) Summary of public participation.

Prior to this publication, the agencies and groups listed below were consulted and given an opportunity to participate in the development of effluent limitations, guidelines and standards proposed for the organic chemicals manufacturing category. All participating agencies have been informed of project developments. An initial draft of the Development Document was sent to all participants and comments were solicited on that report. The following are the principal agencies and groups consulted: (1) Effluent Standards and Water Quality Information Advisory Committee (established under section 515 of the Act); (2) all State and U.S. Territory Pollution Control Agencies; (3) New England Interstate Water Pollution Control Commission; (4) Ohio River Valley Sanitation Commission; (5) Delaware River Basin Commission; (6) The American Society of Civil Engineers; (7) The American Society of Mechanical Engineers; (8) Hudson River Sloop Restoration, Inc.; (9) The Conservation Foundation; (10) Environmental Defense Fund; (11) National Resources Defense Fund, Inc.; (12) National Resources Defense Council; (13) Water Pollution Control Federation; (14) The National Wildlife Federation; (15) The New York Scientists Committee for Public Information; (16) Department of Interior; (17) Department of Commerce; (18) Water Resources Council; (19) Department of Treasury; (20) Department of Defense; (21) Atomic Energy Commission; (22) Department of Health, Education, and Welfare; (23) Manufacturing Chemists Association; and (24) Synthetic Organic Chemical Manufacturers Association.

The following responded with comments:

Allied Chemical Corporation; American Dye Manufacturers Institute, Inc.; American Institute of Chemical Engineers, South Texas Section; Department of Defense; Fatty Acids Producers Council; Federal Energy Administration; Department of Interior; Effluent Standards and Water Quality Information Advisory Committee; Kraftco Corporation; New York Department of Environmental Conservation; North Carolina Department of Natural and Economic Resources; Manufacturing Chemists Association; Texas Water Quality Board; Union Carbide Corporation; and U.S. Water Resources Council; United States Department of Commerce.

The primary issues raised in the development of the interim final effluent limitations guidelines and standards of performance and the treatment of these issues herein are as follows:

(1) A common criticism was that Phase II raw waste load data does not support the subcategorization due to variations from sampling, testing, process and variations between product-processes segments.

The subcategorization of the organic chemicals manufacturing industry is considered adequate on the basis of the following observations of Phase I and Phase II raw waste load data:

a. Raw waste load data for continuously operated processes are significantly different from those data from batch and semi-continuous processes.

b. Major subcategories have provided a basic framework for classifying over 260 major product-process segments. Moreover, the Agency has modified its methodology in deriving effluent limitations for those product-process segments for which sufficient data is presently available by adopting the product-by-product determination of effluent limitations. This change recognizes variations in raw waste loads among product-process segments and accounts for them.

(2) EPA's BOD5 raw waste load data obtained by use of adapted seed procedure are in error and consistently lower than BOD5 data obtained by the use of an acclimated seed procedure.

An in-depth study has been completed for four Phase I product-processes: methyl amines, oxo chemicals, ethylene oxide and ethylene glycol. Selection of these segments was made on the basis that the industry suggested that the BOD5 raw waste load data might have been in error due to nonacclimation of the biological seed in the analyses by the contractor of waste waters from these processes. The EPA contractor used a seed adapted to certain organic chemicals. Twenty-four sets of data were obtained from raw waste loads from the four product-processes at several locations. Statistical analysis of the 24 data sets received from the industry revealed that there was no measurable difference for 15 sets. For eight data sets a measurable difference was indicated with the acclimated seed data higher than the nonacclimated seed for 6 data sets and the reverse being true for 2 data sets. One set had insufficient data points for statistical analysis.

Only in the case of methyl amines could a reliable difference be ascribed to the use of acclimated seed data, and the regulations applicable to that product-process have been modified.

It was concluded that the adapted seed procedure used by EPA's contractor is a technically sound and reasonable procedure.

(3) The "building block" approach in applying regulations for organic chemicals to permits is inadequate since the industry has not been completely studied.

Phase I and II industry studies have covered a significant portion of the industry's production capacity. Other segments which would apply to point sources such as from nonprocess waste waters or others should also be considered in preparing permits. The Agency intends to publish regulations in the future which are applicable to product-process segments not described presently by Phase I or Phase II segments. Therefore the building block approach aided by the inference of these limitations continues to be the most logical system.

(4) Organic chemicals regulations should be considered only as general guidelines and serve as a basis for negotiating permits on a plant-by-plant basis.

Effluent limitations for the organic chemical industry segments are required by statutory and regulatory requirements to be uniform and nationally applicable and not subject to area or regional variation except as they may be made more stringent to attain water quality requirements.

(5) Effluent limitations should be expressed as a range of values for industry segments rather than single number values. Some product-process segments within subcategory groups that are below the mean value may not be able to achieve the required reductions of BOD5.

The BOD5 reductions for each of these subcategory groups are within the range of achievable reductions of exemplary BPCTCA treatment processes. Also, the spread in raw waste load values among product-processes has been eliminated by the establishment of effluent limitations on a product-by-product basis for the described product-process segments. Further, the statutory basis for these regulations requires that plants achieve, at a minimum, the level represented by the average of the best.

(6) Phase I and II segments may only represent 50 percent of the industry's effluent although 90–95 percent of the production capacity is covered.

The exact quantity of the overall industry effluent covered by these regulations is not known. However, the many segments of the industry not covered by these regulations are known to constitute a smaller share of the industry production capacity. It is believed that essentially all of the point source discharges are regulated to some extent by Phase I and Phase II segments. As a result, regulation of a portion of the discharge will require treatment of substantially all of the discharge at a point source. Further, as stated before, EPA intends to extend coverage of these regulations to all of the industry.

(7) Daily composite sample data of exemplary biological plants produces an average value of 87 percent reduction BOD5 although long term historical data shows an average of 93 percent BOD5 removal for exemplary biological waste treatment systems. Effluent reductions based upon historical data (93% BOD5 removal) are inequitable.

EPA uses the best data available to it and considers that long term data is more reliable than short term samples. The Agency has translated long term averages into realistic daily and monthly limitations by use of variability factors.

(8) Concentrations associated with TSS limits are not uniformly achievable.

The average of exemplary plants for TSS agrees well with TSS limits.

(9) Removal efficiency data for BOD5 in the New Source Performance Standards (BADCT) are based upon laboratory filtration studies of BPCTCA effluents. Stated efficiencies may not be achievable since data does not represent demonstrated technology.

Since plants visited by the contractor did not have filtration systems in operation, operating data was not available. However, the incremental 17 percent BOD5 reduction which is required by end-of-process filtration is within the range of values for other industries which employ filtration equipment and is confirmed by laboratory studies on waste streams from biological waste treatment plants in this industry. BOD5 reductions are by no means limited to end-of-process filtration systems. Other methods of achieving the incremental 17 percent BOD5 reduction are also applicable for new sources.

(10) Reductions of BOD5 and COD via activated carbon for BATEA cannot be uniformly achieved in all segments of the organic chemical industry since amenability to carbon adsorption varies for organic chemical compounds.

The model treatment system which was adopted for BATEA (1983 standard) is biological treatment combined with carbon adsorption systems. Carbon adsorption was selected for its unique capability to selectively remove high molecular weight refractory organic compounds. Biological and carbon systems are complementary in that refractory organic compounds which are not removed by biological treatment are removed by carbon adsorption and low molecular weight organic compounds which may not be well removed by carbon are usually removed in the biological treatment system. Recent data obtained by the Agency from ten plants of this industrial type confirm the selected models technical feasibility.

The Agency is subject to an order of the United States District Court for the District of Columbia entered in Natural Resources Defense Council v Train et. al. (Cv. No. 1609–73) which requires the promulgation of regulations for this industry category at this time. This order also requires that such regulations become effective immediately upon publication. In addition, it is necessary to promulgate regulations establishing limitations on the discharge of pollutants from point sources in this category so that the process of issuing permits to individual dischargers under section 402 of the Act is not delayed.

It is not practicable to develop and publish regulations for this category in proposed form, to provide a 30 day comment period, and to make any necessary revisions in light of the comments received, within the time constraints imposed by the court order referred to above. Accordingly, the Agency has determined pursuant to 5 USC § 553(b) that notice and comment on the interim final regulations would be impracticable and contrary to the public interest. Good cause is also found for these regulations to become effective immediately upon publication. There is continuing Agency review of all of these product-processes.

Interested persons are encouraged to submit written comments. Comments should be submitted in triplicate to the Environmental Protection Agency, 401 M St. S.W., Washington, D.C. 20460. Attention: Distribution Officer, WH–552. Comments on all aspects of the regulation are solicited. In the event comments are in the nature of criticism as to the adequacy of data which are available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data are essential to the amendment or modification of the regulation. In the event comments address the approach taken by the Agency in establishing an effluent limitation or guideline EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301 and 304(b) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2922, (EPA Library) Waterside Mall, 401 M St., S.W., Washington, D.C. 20460. A copy of preliminary draft contractor reports, the Development Document and economic study referred to above, and certain supplementary materials supporting the study of the industry concerned will also be maintained at this location for public review and copying. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

All comments received on or before February 4, 1976, will be considered. Steps previously taken by the Environmental Protection Agency to facilitate public response within this time period are outlined in the advance notice concerning public review procedures published on August 6, 1973 (38 FR 21202). In the event that the final regulation differs substantially from the interim final regulation set forth herein the Agency will consider petitions for reconsideration of any permits issued in accordance with these interim final regulations.

In consideration of the foregoing, 40 CFR Part 414 is revised as set forth below.

Dated: December 15, 1975.

RUSSELL E. TRAIN,
Administrator.

Subpart A—Nonaqueous Processes Subcategory

Sec.
414.50 Applicability; description of the nonaqueous processes subcategory.
414.51 Specialized definitions.
414.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart B—Processes With Process Water Contact Only as Steam Diluent, Quench or Vent Gas Absorbent Subcategory

Sec.
414.60 Applicability; description of the processes with process water contact only as steam diluent, quench or vent gas absorbent subcategory.
414.61 Specialized definitions.
414.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart C—Aqueous Liquid-Phase Reaction Systems Subcategory

Sec.
414.70 Applicability; description of the aqueous liquid-phase reaction systems subcategory.
414.71 Specialized definitions.
414.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart D—Batch and Semi-Continuous Processes Subcategory

Sec.
414.80 Applicability; description of the batch and semi-continuous processes subcategory.
414.81 Specialized definitions.
414.82 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart A—Nonaqueous Processes Subcategory

§ 414.50 Applicability; description of the nonaqueous processes subcategory.

The provisions of this subpart are applicable to discharges of process waste water resulting from the manufacture of the following products:

Products	*Process descriptions*
BTX aromatics	Fractional distillation.
Cumene	Alkylation of benzene with propylene.
P-xylene	Isomerization, crystallization and filtration of mixed xylenes.

§ 414.51 Specialized definitions.

For the purpose of this subpart:

(a) The general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

§ 414.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cumene by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

(1) There shall be no discharge of process waste water pollutants to navigable waters.

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacturing of p-xylene by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.0035	0.0019
TSS	0.0052	0.0028
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.0035	0.0019
TSS	0.0052	0.0028
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of benzene, toluene and xylene (BTX) by fractional distillation by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.0039	0.0021
TSS	0.0055	0.0029
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.0039	0.0021
TSS	0.0055	0.0029
pH	Within the range 6.0 to 9.0.	

Subpart B—Processes With Process Water Contact Only as Steam Diluent, Quench or Vent Gas Absorbent Subcategory

§ 414.60 Applicability; description of the processes with process water contact only as steam diluent, quench or vent gas absorbent subcategory.

The provisions of this subpart are applicable to discharges of process waste water resulting from the manufacture of the following products:

Products	*Processes*
Chloromethanes	Chlorination of methyl chloride and methane mixture.
Diphenylamine	Deamination of aniline.
Phthalic anhydride	Oxidation of o-xylene.
Hexamethylenediamine	Hydrogenation of adiponitrile.
Hexamethylenediamine	Ammonolysis of 1, 6 hexanediol.
Methyl ethyl ketone	Dehydrogenation of sec-butyl alcohol.
Adiponitrile	Chlorination of butadiene.
Benzoic acid and benzaldehyde.	Catalytic oxidation of toluene and air.
Maleic anhydride	Oxidation of benzene.

§ 414.61 Specialized definitions.

For the purpose of this subpart:

(a) The general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

§ 414.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of chloromethanes by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.22	0.12
TSS	0.33	0.18
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.22	0.12
TSS	0.33	0.18
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of diphenylamine by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.041	0.021
TSS	0.062	0.033
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.041	0.021
TSS	0.062	0.033
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of phthalic anhydride (oxidation of o-xylene) by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.046	0.025
TSS	0.069	0.038
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.046	0.025
TSS	0.069	0.038
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of hexamethylenediamine (from adiponitrile) by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.16	0.084
TSS	0.12	0.063
Cyanide	0.0010	0.00050
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.16	0.084
TSS	0.12	0.063
Cyanide	0.0010	0.00050
pH	Within the range 6.0 to 9.0.	

(e) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of hexamethylenediamine (from hexanediol) by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.16g	0.084
TSS	0.13	0.069
Cyanide	0.0011	0.00055
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.16	0.084
TSS	0.13	0.069
Cyanide	0.0011	0.00055
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of methyl ethyl ketone by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.16	0.082
TSS	0.16	0.082
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.16	0.082
TSS	0.16	0.082
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of adiponitrile by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.1	0.61
TSS	1.1	0.61
Cyanide	0.0098	0.0049
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.1	0.61
TSS	1.1	0.61
Cyanide	0.0098	0.0049
pH	Within the range 6.0 to 9.0.	

(h) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of benzoic acid and benzaldehyde, by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.0	0.55
TSS	0.33	0.18
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.0	0.55
TSS	0.33	0.18
pH	Within the range 6.0 to 9.0.	

(i) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of maleic anhydride by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	4.2	2.3
TSS	0.27	0.15
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	4.2	2.3
TSS	0.27	0.15
pH	Within the range 6.0 to 9.0.	

Subpart C—Aqueous Liquid-Phase Reaction Systems Subcategory

§ 414.70 Applicability; description of the aqueous liquid-phase reaction systems subcategory.

The provisions of this subpart are applicable to discharges of process waste water resulting from the manufacture of the following products:

Ethyl acetate	Esterification of ethyl-alcohol with acetic acid.
Isopropanol	Hydrolysis of propylene.
Calcium stearate	Neutralization of stearic acid.
Hydrazine Solutions.	Raschig process.
Isobutylene	Extraction from BTX hydrocarbon mixture.
Sec-Butyl alcohol	Sulfonation and hydrolysis of mixed butylenes.
Acrylonitrile	Ammoxidation of propylene.
p-Aminophenol	Catalytic reduction of nitrobenzene.

§ 414.71 Specialized definitions.

For the purpose of this subpart:

(a) The general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

§ 414.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of ethyl acetate by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.10	0.055
TSS	0.16	0.082
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.10	0.055
TSS	0.16	0.082
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of isopropanol by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.27	0.15
TSS	0.29	0.16
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.27	0.15
TSS	0.29	0.16
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of calcium stearate by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	4.2	2.3
TSS	6.3	3.4
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	4.2	2.3
TSS	6.3	3.4
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of hydrazine solutions by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.5	1.3
TSS	3.5	1.9
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	2.5	1.3
TSS	3.5	1.9
pH	Within the range 6.0 to 9.0.	

(e) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of isobutylene by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.4	1.3
TSS	2.4	1.3
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	2.4	1.3
TSS	2.4	1.3
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of sec-butyl alcohol by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.55	0.29
TSS	0.074	0.040
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.55	0.29
TSS	0.074	0.040
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of acrylonitrile by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.6	0.82
TSS	0.51	0.27
Cyanide	0.0045	0.0022
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.6	0.82
TSS	0.51	0.27
Cyanide	0.0045	0.0022
pH	Within the range 6.0 to 9.0.	

(h) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of p-aminophenol by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.6	0.88
TSS	1.5	0.80
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.6	0.88
TSS	1.5	0.80
pH	Within the range 6.0 to 9.0.	

Subpart D—Batch and Semi-Continuous Processes Subcategory

§ 414.80 Applicability; description of the batch and semi-continuous process subcategory.

The provisions of this subpart are applicable to discharges of process waste water resulting from the manufacture of the following products:

o-Nitroaniline	Ammonolysis of o-nitro chlorobenzene.
p-Nitroaniline	Ammonolysis of p-nitro chlorobenzene.
Ionone and methylionone.	Condensation and cyclization of Citral.
Methyl salicylate	Esterification of salicylic acid with methanol.
Citronellol and Geraniol.	Citronella oil distillation.
Plasticizers	Condensation of phthalic anhydride.
Tannic acid	Extraction of natural vegetable matter.

§ 414.81 Specialized definitions.

For the purpose of this subpart:

(a) The general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

§ 414.82 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such funndamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of o-nitroaniline by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	21	12
TSS	31	17
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	21	12
TSS	31	17
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of p-nitroaniline by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	3.5	1.7
TSS	4.6	2.5
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	3.5	1.7
TSS	4.6	2.5
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of ionone and methylionone by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.1	0.59
TSS	1.1	0.59
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.1	0.59
TSS	1.1	0.59
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of methyl salicylate by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.87	0.46
TSS	0.19	0.11
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.87	0.46
TSS	0.19	0.11
pH	Within the range 6.0 to 9.0.	

(e) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of citronellol and geraniol by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.2	1.3
TSS	1.2	0.66
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	2.2	1.3
TSS	1.2	0.63
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of plasticizers by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	2.1	1.2
TSS	0.076	0.041
Total Copper	0.00065	0.00032
pH	Within the range 6.0 to 9.0.	----------
(English units) lb/1,000 lb of product		
BOD_5	2.1	1.2
TSS	0.076	0.041
Total Copper	0.00065	0.00032
pH	Within the range 6.0 to 9.0.	----------

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of tannic acid by a point source after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	6.0	3.2
TSS	1.2	0.63
pH	Within the range 6.0 to 9.0.	----------
(English units) lb/1,000 lb of product		
BOD_5	6.0	3.2
TSS	1.2	0.63
pH	Within the range 6.0 to 9.0.	----------

[FR Doc.76-1 Filed 1-2-76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 414]

[FRL 473-8]

SIGNIFICANT ORGANIC PRODUCTS SEGMENT OF THE ORGANIC CHEMICALS MANUFACTURING POINT SOURCE CATEGORY

Proposed Effluent Guidelines and Standards

Notice is hereby given that effluent limitations for existing sources, standards of performance for new sources, pretreatment standards for new sources, and pretreatment standards for existing sources, set forth below are proposed by the Environmental Protection Agency (EPA). On April 25, 1974, EPA promulgated a regulation adding Part 414 to Chapter 40 of the Code of Federal Regulations (39 FR 14676). That regulation with subsequent amendments established effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources for the major organic products segment of the organic chemicals manufacturing point source category. The regulation proposed below will amend 40 CFR 414—organic chemicals manufacturing point source category by adding §§ 414.53, 414.54, 414.55 and 414.56 to the nonaqueous processes subcategory (Subcategory A); §§ 414.63, 414.64, 414.65 and 414.66 to the processes with process water contact only as steam diluent, quench or vent gas absorbent subcategory (Subcategory B); §§ 414.73, 414.74, 414.75 and 414.76 to the aqueous liquid-phase reaction systems subcategory (Subcategory C); and §§ 414.83, 414.84, 414.85 and 414.86 to the batch and semi-continuous processes subcategory (Subcategory D, a new subcategory). These additions are made pursuant to sections 306(b) and 307 (b) and (c) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1316(b) and 1317 (b) and (c), 86 Stat. 816 et seq.; P.L. 92-500) (the Act). Simultaneously, with this proposed rulemaking, EPA is promulgating interim final regulations which establish the appropriate subparts.

(a) Legal authority.

Section 301(b) of the Act requires the achievement by not later than July 1, 1977, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of the best practicable control technology currently available, as defined by the Administrator pursuant to section 304(b) of the Act. Section 301(b) also requires the achievement by not later than July 1, 1983, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of best available technology economically achievable which will result in reasonable further progress toward the national goal of eliminating the discharge of all pollutants, as determined in accordance with regulations issued by the Administrator pursuant to section 304(b) of the Act.

Section 304(b) of the Act requires the Administrator to publish regulations providing guidelines for effluent limitations setting forth the degree of effluent reduction attainable through the application of the best practicable control technology currently available and the degree of effluent reduction attainable through the application of the best control measures and practices achievable including treatment techniques, process and procedural innovations, operating methods and other alternatives. The regulation herein sets forth effluent limitations guidelines, pursuant to sections 301 and 304(b) of the Act, for the nonaqueous processes subcategory (Subcategory A); the processes with process water contact only as steam diluent, quench or vent gas absorbent subcategory (Subcategory B); the aqueous liquid-phase reaction systems subcategory (Subcategory C); and the batch and semi-continuous processes subcategory (Subcategory D); of the organic chemical manufacturing point source category.

Section 304(c) of the Act requires the Administrator to issue to the States and appropriate water pollution control agencies information on the processes, procedures or operating methods which result in the elimination or reduction of the discharge of pollutants to implement standards of performance under section 306 of the Act. The "Development Document" referred to below provides information on such processes, procedures and operating methods.

Section 306 of the Act requires the achievement by new sources of a Federal standard of performance providing for the control of the discharge of pollutants which reflects the greatest degree of effluent reduction which the Administrator determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants.

Section 306(b)(1)(B) of the Act requires the Administrator to propose regulations establishing Federal standards of performance for categories of new sources included in a list published pursuant to section 306(b)(1)(A) of the Act. The Administrator published in the FEDERAL REGISTER of January 16, 1973, (38 FR 1624) a list of 27 source categories, including the organic chemicals manufacturing category. The regulations proposed herein set forth the standards of performance applicable to new sources for the subcategories noted above.

Section 307(c) of the Act requires the Administrator to promulgate pretreatment standards for new sources at the same time that standards of performance for new sources are promulgated pursuant to section 306. Sections 414.56, 414.66, 414.76 and 414.86 provide pretreatment standards for new sources within the above noted subcategories. Section 307(b) of the Act requires the establishment of pretreatment standards for pollutants introduced into publicly owned treatment works pursuant to 40 CFR Part 128. Sections 414.54, 414.64, 414.74 and 414.84 provide proposed pretreatment standards for existing sources within the above noted subcategories. These proposed pretreatment standards do not limit the release of BOD5 and it is recognized that some additional regulation of certain biochemical oxygen demanding (or COD) materials may be necessary in any final promulgation of these regulations.

(b) Summary and basis of proposed standards of performance for new sources.

The general methodology and summary of conclusions are discussed in considerable detail in the preamble of the interim final regulations promulgated today. The information contained in the preamble to the interim final regulation is incorporated herein by reference.

Questions were raised during the public comment period on the proposed general pretreatment standard (40 CFR Part 128) about the propriety of applying a standard based upon best practicable control technology currently available to all plants subject to pretreatment standards. In general, EPA believes the analysis supporting the effluent limitations guidelines is adequate to make a determination regarding the application of those standards to users of publicly owned treatment works. However, to ensure that those standards are appropriate in all cases, EPA now seeks additional comments focusing upon the application of effluent limitations guidelines to users of publicly owned treatment works.

The report entitled "Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Significant Organic Products Segment of the Organic Chemicals Manufacturing Point Source Category" details the analysis undertaken in support of the regulation being proposed herein and is available for inspection at the EPA Public Information Reference Unit, Room 2922, (EPA Library) Waterside Mall, 401 M St., S.W., Washington, D.C. 20460, at all EPA regional offices, and at State water pollution control offices. A supplementary analysis prepared for EPA of the possible economic impact of the proposed regulation is also available for inspection at these locations. Copies of both of these documents are being sent to persons or institutions affected by the proposed regulation or who have placed themselves on a mailing list for this purpose (see EPA's Advance Notice of Public Review Procedures, 38 FR 21202, August 6, 1973). An additional limited number of copies of both reports are available. Persons wishing to obtain a copy may write the Environmental Protection Agency, Effluent Guidelines Division, Washington, D.C. 20460. Attention: Distribution Officer, WH-552.

When this regulation is promulgated, revised copies of the Development Document will be available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the Economic Analysis will be available through the National Technical Information Service, Springfield, Virginia 22151.

(c) Summary of public participation.

A full listing of participants and discussion of comments and responses is included in the preamble of the interim

final regulation for the significant organic product segment of the organic chemicals manufacturing point source category being simultaneously promulgated by EPA and are incorporated herein by reference.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the Environmental Protection Agency, 401 M St., S.W., Washington, D.C. 20460, Attention: Distribution Officer, WH–552. Comments on all aspects of the proposed regulation are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which are available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data are essential to the development of the regulations. In the event comments address the approach taken by the Agency in establishing a standard of performance or pretreatment standard, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 306 and 307(b) and (c) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2992, (EPA Library), Waterside Mall, 401 M Street, S.W., Washington, D.C. A copy of preliminary draft contractor reports, the Development Document and economic study referred to above, and certain supplementary materials supporting the study of the industry concerned will also be maintained at this location for public review and copying. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

All comments received on or before February 4, 1976, will be considered. Steps previously taken by the Environmental Protection Agency to facilitate public response within this time period are outlined in the advance notice concerning public review procedures published on August 6, 1973 (38 FR 21202).

Dated: December 15, 1975.

RUSSELL E. TRAIN,
Administrator.

It is proposed to revise Part 414 to read as follows.

PART 414—SIGNIFICANT ORGANIC PRODUCTS SEGMENT OF THE ORGANIC CHEMICALS MANUFACTURING POINT SOURCE CATEGORY

Subpart A—Nonaqueous Processes Subcategory

Sec.

414.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
414.54 Pretreatment standards for existing sources.
414.55 Standards of performance for new sources.
414.56 Pretreatment standards for new sources.

Subpart B—Processes With Process Water Contact Only as Steam Diluent, Quench or Vent Gas Absorbent Subcategory

414.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
414.64 Pretreatment standards for existing sources.
414.65 Standards of performance for new sources.
414.66 Pretreatment standards for new sources.

Subpart C—Aqueous Liquid-Phase Reaction Systems Subcategory

Sec.

414.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
414.74 Pretreatment standards for existing sources.
414.75 Standards of performance for new sources.
414.76 Pretreatment standards for new sources.

Subpart D—Batch and Semi-Continuous Processes Subcategory

Sec.

414.83 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
414.84 Pretreatment standards for existing sources.
414.85 Standards of performance for new sources.
414.86 Pretreatment standards for new sources.

Subpart A—Nonaqueous Processes Subcategory

§ 414.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged by a point source from the manufacture of cumene subject to the provisions of this subpart after application of the best available technology economically achievable.

(1) There shall be no discharge of process waste water pollutants to navigable waters.

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of p-xylene by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.0086	0.0047
BOD5	0.0018	0.00093
TSS	0.0026	0.0014
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.0086	0.0047
BOD5	0.0018	0.00093
TSS	0.0026	0.0014
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of benzene, toluene, xylene (BTX) by fractional distillation by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.016	0.0089
BOD5	0.0018	0.00099
TSS	0.0026	0.0015
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.016	0.0089
BOD5	0.0018	0.00099
TSS	0.0026	0.0015
pH	Within the range 6.0 to 9.0.	

§ 414.54 Pretreatment standard for existing sources.

The pretreatment standard under section 307(b) of the Act for a source within the nonaqueous processes subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of

pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of cumene shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of p-xylene shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of benzene, toluene, xylene (BYX) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

§ 414.55 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cumene by a new source subject to the provisions of this paragraph:

(1) There shall be no discharge of process waste water pollutants to navigable waters.

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by the paragraph which may be discharged from the manufacture of p-xylene by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	0.0029	0.0016
TSS	0.0026	0.0015
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	0.0029	0.0016
TSS	0.0026	0.0015
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of benzene, toluene and xylene (BTX) by fractional distillation by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	0.0032	0.0018
TSS	0.0028	0.0015
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	0.0032	0.0018
TSS	0.0028	0.0015
pH	Within the range 6.0 to 9.0.	

§ 414.56 Pretreatment standards for new sources.

The pretreatment standard under section 307(b) of the Act for a source within the nonaqueous processes subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR, Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of cumene shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of p-xylene shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of benzene, toluene, xylene (BYX) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

Subpart B—Processes With Process Water Contact Only as Steam Diluent, Quench or Vent Gas Absorbent Subcategory

§ 414.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties controlled by this paragraph, which may be discharged from the manufacture of chloromethanes by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.55	0.29
BOD5	0.11	0.059
TSS	0.17	0.086
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.55	0.29
BOD5	0.11	0.059
TSS	0.17	0.086
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties controlled by this paragraph, which, may be discharged from the manufacture of diphenylamine by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.10	0.055
BOD5	0.021	0.011
TSS	0.031	0.017
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.10	0.055
BOD5	0.021	0.011
TSS	0.031	0.017
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of phthalic anhydride, (oxidation of o-xylene) by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.22	0.11
BOD5	0.023	0.012
TSS	0.035	0.018
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.22	0.11
BOD5	0.023	0.012
TSS	0.035	0.018
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacturer of hexmethylenediamine (from adiponitrile) by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	6.6	3.5
BOD5	0.039	0.021
TSS	0.059	0.032
Cyanide	0.00050	0.00025
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	6.6	3.5
BOD5	0.039	0.021
TSS	0.059	0.032
Cyanide	0.00050	0.00025
pH	Within the range 6.0 to 9.0.	

(e) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of hexamethylenediamine (from hexanediol) by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	3.7	2.0
BOD5	0.043	0.0023
TSS	0.062	0.033
Cyanide	0.00055	0.00022
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	3.7	2.0
BOD5	0.043	0.0023
TSS	0.062	0.033
Cyanide	0.00055	0.00022
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of methyl ethyl ketone by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.67	0.36
BOD5	0.051	0.027
TSS	0.078	0.042
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.67	0.36
BOD5	0.051	0.027
TSS	0.078	0.042
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of adiponitrile by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	42	22
BOD5	0.39	0.21
TSS	0.55	0.30
Cyanide	0.0049	0.0024
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	42	22
BOD5	0.39	0.21
TSS	0.55	0.30
Cyanide	0.0049	0.0024
pH	Within the range 6.0 to 9.0.	

(h) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of benzoic acid and benzaldehyde by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	16	8.5
BOD5	0.11	0.059
TSS	0.17	0.086
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	16	8.5
BOD5	0.11	0.059
TSS	0.17	0.086
pH	Within the range 6.0 to 9.0.	

(i) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of maleic anhydride by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	90	48
BOD5	0.47	0.25
TSS	0.13	0.074
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	90	48
BOD5	0.47	0.25
TSS	0.13	0.074
pH	Within the range 6.0 to 9.0.	

§ 414.64 Pretreatment standards for existing sources.

The pretreatment standard under section 307(b) of the Act for a source within the processes with process water contact only as the steam diluent, quench or vent gas absorbent subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of chlorobenzene shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of chloromethanes shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of diphenylamine shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(d) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manfacture of phthalic anhydride, (oxidation of naphthalene or oxidation of o-xylene) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(e) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of hexmethylenediamine (from adiponitrile) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(f) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of hexamethylenediamine (from hexanediol) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(g) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of methyl ethyl ketone shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(h) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of adiponitrile shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(i) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of benzoic acid and benzaldehyde shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(j) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of maleic anhydride shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

§ 414.65 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of chloromethanes by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.18	0.098
TSS	0.16	0.089
pH	W thin the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.18	0.098
TSS	0.16	0.089
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of diphenylamine by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.033	0.018
TSS	0.031	0.017
pH	Within the range 6.0 to 9.0	
(English units) lb/1,000 lb of product		
BOD5	0.033	0.018
TSS	0.031	0.017
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of phthalic anhydride (oxidation of o-xylene) by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.039	0.021
TSS	0.035	0.019
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.039	0.021
TSS	0.035	0.019
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of hexamethylenediamine (from adiponitrile) by a new point source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.013	0.009
TSS	0.059	0.032
Cyanide	0.0010	0.00050
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.13	0.069
TSS	0.059	0.032
Cyanide	0.0010	0.00050
pH	Within the range 6.0 to 9.0.	

(e) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of hexamethylenediamine (from hexanediol) by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.13	0.069
TSS	0.065	0.034
Cyanide	0.0011	0.00055
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.13	0.069
TSS	0.065	0.034
Cyanide	0.0011	0.00055
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of methyl ethyl ketone by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.12	0.068
TSS	0.078	0.042
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.12	0.068
TSS	0.078	0.042
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or properties, controlled by this paragraph, which may be discharged from the manufacture of adiponitrile by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.95	0.50
TSS	0.55	0.29
Cyanide	0.0098	0.0049
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.95	0.50
TSS	0.55	0.29
Cyanide	0.0098	0.0049
pH	Within the range 6.0 to 9.0.	

(h) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of benzoic acid and benzaldehyde by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.87	0.46
TSS	0.16	0.089
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.87	0.46
TSS	0.16	0.089
pH	Within the range 6.0 to 9.0.	

(i) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of maleic anhydride by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	3.5	1.9
TSS	0.14	0.074
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	3.5	1.9
TSS	0.14	0.074
pH	Within the range 6.0 to 9.0.	

§ 414.66 Pretreatment standards for new sources.

The pretreatment standard under section 307(b) of the Act for a source within the processes with process water contact only as the steam diluent, quench or vent gas absorbent subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of chloromethanes shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of diphenylamine shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of phthalic anhydride, (oxidation of oxylene) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(d) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of hexmethylenediamine (from adiponitrile) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(e) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of hexamethylenediamine (from hexanediol) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(f) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of methyl ethyl ketone shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(g) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of adiponitrile shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(h) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of benzoic acid and benzaldehyde shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(i) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of maleic anhydride shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

Subpart C—Aqueous Liquid-Phase Reaction Systems Subcategory

§ 414.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of ethyl acetate by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.25	0.14
BOD	0.051	0.027
TSS	0.078	0.042
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.25	0.14
BOD	0.051	0.027
TSS	0.078	0.042
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of isopropanol by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.94	0.50
BOD5	0.098	0.052
TSS	0.14	0.080
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.94	0.50
BOD5	0.098	0.052
TSS	0.14	0.080
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of calcium stearate by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	11.0	5.7
BOD5	2.1	1.1
TSS	3.1	1.7
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	11.0	5.7
BOD5	2.1	1.1
TSS	3.1	1.7
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of hydrazine solutions by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	36	19
BOD5	1.2	0.63
TSS	1.8	0.94
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	36	19
BOD5	1.2	0.63
TSS	1.8	0.94
pH	Within the range 6.0 to 9.0.	

(e) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of isobutylene by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	20	11
BOD5	0.78	0.42
TSS	1.2	0.63
pN	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	20	11
BOD5	0.78	0.42
TSS	1.2	0.63
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of sec-butyl alcohol by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	12	6.5
BOD5	0.062	0.034
TSS	0.038	0.200
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	12	6.5
BOD5	0.062	0.034
TSS	0.038	0.020
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of acrylonitrile by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	42	22
BOD5	0.18	0.095
TSS	0.26	0.14
Cyanide	0.0022	0.0011
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	42	22
BOD5	0.18	0.095
TSS	0.26	0.14
Cyanide	0.0022	0.0011
pH	Within the range 6.0 to 9.0.	

(h) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of p-aminophenol by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	23	13
BOD5	0.51	0.27
TSS	0.74	0.40
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	23	13
BOD5	0.51	0.27
TSS	0.74	0.40
pH	Within the range 6.0 to 9.0.	

§ 414.74 Pretreatment standards for existing sources.

The pretreatment standard under section 307(b) of the Act for a source within the aqueous liquid-phase reaction systems subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of ethyl acetate shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of isopropanol shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of calcium stearate shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(d) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of hydrazine solutions shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(e) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of isobutylene shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(f) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of sec-butyl alcohol shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(g) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of acrylonitrile shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(h) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of p-aminophenol shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

§ 414.75 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of ethyl acetate by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.087	0.046
TSS	0.078	0.042
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.087	0.046
TSS	0.078	0.042
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of isopropanol by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.33	0.12
TSS	0.15	0.080
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.22	0.12
TSS	0.15	0.080
pH	Within the range 6.0 to 9.0.	

(c) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of calcium stearate by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	3.5	1.9
TSS	3.1	1.7
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	3.5	1.9
TSS	3.1	1.7
pH	Within the range 6.0 to 9.0.	

(d) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of hydrazine solutions by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.1	1.1
TSS	1.8	0.94
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	2.1	1.1
TSS	1.8	0.94
pH	Within the range 6.0 to 9.0.	

(e) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of isobutylene by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.0	1.1
TSS	1.2	0.63
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	2.0	1.1
TSS	1.2	0.63
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of secbutyl alcohol by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.47	0.25
TSS	0.037	0.020
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.47	0.25
TSS	0.037	0.020
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of acrylonitrile by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.2	0.67
TSS	0.26	0.14
Cyanide	0.0045	0.0022
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.2	0.67
TSS	0.26	0.14
Cyanide	0.0045	0.0022
pH	Within the range 6.0 to 9.0.	

(h) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of p-aminophenol by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.4	0.74
TSS	0.74	0.38
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.4	0.74
TSS	0.74	0.38
pH	Within the range 6.0 to 9.0.	

§ 414.76 Pretreatment standards for new sources.

The pretreatment standard under section 307(b) of the Act for a source within the aqueous liquid-phase reaction systems subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of ethyl acetate shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of isopropanol shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of calcium stearate shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(d) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of hydrazine solutions shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(e) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of isobutylene shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(f) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of sec-butyl alcohol shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(g) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of acrylonitrile shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(h) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of *p*-aminophenol shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

Subpart D—Batch and Semi-Continuous Processes Subcategory

§ 414.83 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of *o*-nitroaniline by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	50	27
BOD5	11	5.7
TSS	16	8.5
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	50	27
BOD5	11	5.7
TSS	16	8.5
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of p-nitroaniline by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	25	13
BOD5	2.6	0.82
TSS	2.3	1.2
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	25	13
BOD5	1.6	0.82
TSS	2.3	1.2
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of ionone and methylionone by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	30	16
BOD5	0.36	0.20
TSS	0.55	0.30
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	30	16
BOD5	0.36	0.20
TSS	0.55	0.30
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of methyl salicylate by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	30	16
BOD5	0.094	0.050
TSS	0.10	0.054
pH	Within the range 6.0 to 9.0.	

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(English units) lb/1,000 lb of product		
COD	30	16
BOD5	0.094	0.050
TSS	0.10	0.054
pH	Within the range 6.0 to 9.0.	

(e) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of citronellol and geraniol by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	34	16
BOD5	0.39	0.21
TSS	0.59	0.32
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	34	16
BOD5	0.39	0.21
TSS	0.59	0.32
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of plasticizers (condensation of phthalic anhydride) by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	27	14
BOD5	0.21	0.11
TSS	0.038	0.021
Total Copper	0.00032	0.00016
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	27	14
BOD5	0.21	0.011
TSS	0.038	0.021
Total Copper	0.00032	0.00016
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of tannic acid, by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	335	180
BOD5	0.66	0.36
TSS	0.60	0.32
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	335	180
BOD5	0.66	0.36
TSS	0.60	0.32
pH	Within the range 6.0 to 9.0.	

§ 414.84 Pretreatment standards for existing sources.

The pretreatment standard under section 307(b) of the Act for a source within the batch and semi-continuous processes subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of o-nitroaniline shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of p-nitroaniline shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of ionone and methylionone shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(d) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of methyl salicylate shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(e) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of citronellol and geraniol shall (from adiponitrile) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(f) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of plasticizers (condensation of phthalic anhydride) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(g) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of tannic acid shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

§ 414.85 Standards of performance for new sources.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of o-nitroaniline by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD 5	17	9.4
TSS	16	8.4
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD 5	17	9.4
TSS	16	8.4
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of p-nitroaniline by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD 5	2.5	1.4
TSS	2.2	1.3
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD 5	2.5	1.4
TSS	2.2	1.3
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of ionone and methylionone by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.87	0.48
TSS	0.55	0.29
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.87	0.48
TSS	0.55	0.29
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of methyl salicylate by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.71	0.39
TSS	0.10	0.055
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.71	0.39
TSS	0.10	0.055
pH	Within the range 6.0 to 9.0.	

(e) The following limitations establish the quantity or quality of pollutants or pollutant properties controlled by this paragraph, which may be discharged from the manufacture of citronellol and geraniol by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.9	1.0
TSS	0.59	0.32
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.9	1.0
TSS	0.59	0.32
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manfacture of plasticizers (condensation of phthalic anhydride) by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.7	0.94
TSS	0.038	0.021
Total Copper	0.00065	0.00032
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.7	0.94
TSS	0.038	0.021
Total Copper	0.00065	0.00032
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of tannic acid by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	4.9	2.6
TSS	0.59	0.32
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	4.9	2.6
TSS	0.59	0.32
pH	Within the range 6.0 to 9.0.	

§ 414.86 Pretreatment standards for new sources.

The pretreatment standard under section 307(b) of the Act for a source within the batch and semi-continuous processes subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of o-nitroaniline shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of p-nitroaniline shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of ionone and methylionone shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(d) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of methyl salicylate shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(e) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of citronellol and geraniol shall (from adiponitrile) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(f) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of plasticizers (condensation of phthalic anhydride) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(g) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of tannic acid shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

[FR Doc.76-2 Filed 1-2-75;8:45 am]

federal register

MONDAY, JANUARY 5, 1976



PART III:

DEPARTMENT OF LABOR

Employment Standards Administration

■

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions, Modifications and Supersedeas Decisions; Index

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138), and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

MODIFICATIONS AND SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the orginal General Wage Determination Decision.

MODIFICATIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State.

Indiana:		
IN75–2131		Dec. 19, 1975.
Iowa:		
IA75–4170		Oct. 31, 1975.
Texas:		
TX75–4003; TX75–4006; TX75–4011;	TX75–4004; TX75–4010; TX75–4159.	Jan. 17, 1975.
TX75–4164; TX75–4168.	TX75–4167;	Oct. 24, 1975.
TX75–4188		Nov. 21, 1975.
Virginia:		
AM–9320		May 19, 1972.
AP–406; AP–407		July 28, 1972.
MD75–3100		Sept. 26, 1975.
Washington, D.C.:		
DC75–3099		Do.

SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State. Supersedeas Decision numbers are in parentheses following the numbers of the decision being superseded.

California:		
CA75–5085(CA75–5151); CA75–5086(CA75–5152).		July 25, 1975.
Tennessee:		
AR–4046(TN76–1001)		Jan. 3, 1974.

Signed at Washington, D.C., this 24th day of December 1975.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

MODIFICATIONS P. 1

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #IA75-4170 - Mod. #2 (40 FR 50870 - October 31, 1975) Black Hawk County (City of Waterloo & abutting municipalities), Iowa					
Change:					
Heavy & Highway Construction:					
Carpenters & piledrivermen	$7.75	.38			
DECISION #TX75-4003 - Mod. #1 (40 FR 3158 - January 17, 1975) Bailey, Cochran, Crosby, Floyd, Garza, Hale, Hockley, Lamb, Lubbock, Lynn, Terry & Yoakum Counties, Texas					
Change:					
Fence builders	$2.30				
Laborers	2.30				
Incidental Paving & Utilities & Site Preparation:					
Asphalt shoveler	2.30				
Laborer, common	2.30				
Power equipment operators:					
Broom or sweeper operator	2.30				
Truck drivers:					
Single axle, light	2.30				
Tandem axle or semitrailer	2.30				
DECISION #TX75-4004 - Mod. #1 (40 FR 3160 - January 17, 1975) Bee, Kleberg, Nueces & San Patricio Counties, Texas					
Change:					
Laborers	2.30				

MODIFICATIONS P. 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX75-4006 - Mod. #1 (40 FR 3163 - January 17, 1975) Crane, Ector, Loving, Midland, Pecos, Reeves, Upton & Winkler Counties, Texas					
Change:					
Laborers	$2.30				
Truck drivers	2.30				
Incidental Paving & Utilities & Site Preparation:					
Form builder helper (structures)	2.30				
Laborer, common	2.30				
Power equipment operators:					
Roller, steel wheel (other-flat wheel or tamping)	2.30				
Roller, pneumatic (self-propelled)	2.30				
Truck drivers:					
Single axle, light	2.30				
Single axle, heavy	2.30				
Tandem axle or semitrailer	2.30				
Weighman (truck scales)	2.30				
DECISION #TX75-4010 - Mod. #1 (40 FR 3172 - January 17, 1975) Dimmit, Jim Hogg, LaSalle, Maverick, Webb, Zapata & Zavala Counties, Texas					
Change:					
Laborers:					
Laborers	2.30				
Asphalt rakers	2.30				
Truck drivers	2.30				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX75-4011 - Mod. #1 (40 FR 3173 - January 17, 1975) Hood, Johnson, Palo Pinto, Parker & Wise Counties, Texas					
Change:					
Laborers:					
Laborers	$2.30				
Truck drivers	2.30				
Incidental Paving & Utilities & Site Preparation:					
Laborer, common	2.30				
Reinforcing steel setter (paving)	2.30				
DECISION #TX75-4159 - Mod. #2 (40 FR 48872 - October 17, 1975) Statewide Texas (excluding Dallas-Fort Worth Regional Airport)					
Change:					
Laborer, common:					
Zone 4	2.30				
Zone 5	2.30				
Pipelayer helper:					
Zone 4	2.30				
DECISION #TX75-4164 - Mod. #2 (40 FR 49969 - October 24, 1975) Bexar County, Texas					
Change:					
Truck drivers	2.30				
Incidental Paving & Utilities & Site Preparation:					
Laborer, common	2.30				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX75-4167 - Mod. #2 (40 FR 49958 - October 24, 1975) Cameron, Hidalgo, Starr & Willacy Counties, Texas					
Change:					
Laborers:					
Common laborers	$2.30				
Mason tenders	2.30				
Pipelayers (concrete & clay)	2.30				
Roofers:					
Kettlemen	2.30				
Soft floor layers	2.30				
Terrazzo workers' helpers	2.30				
Tile setters' helpers	2.30				
Truck drivers	2.30				
DECISION #TX75-4168 - Mod. #1 (40 FR 49959 - October 24, 1975) Cameron, Hidalgo, Starr & Willacy Counties, Texas					
Change:					
Laborers:					
Common laborers	2.30				
Mason tenders	2.30				
Pipelayers (concrete & clay)	2.30				
Roofers:					
Kettlemen	2.30				
Soft floor layers	2.30				
Terrazzo workers' helpers	2.30				
Tile setters' helpers	2.30				
Truck drivers	2.30				
DECISION #TX75-4188 - Mod. #2 (40 FR 54390 - November 21, 1975) Wichita County, Texas					
Change:					
Truck drivers	$2.30				

MODIFICATIONS P. 5

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #AM-9320 - Mod. #2 (37 FR 10267 - May 19, 1972) Augusta County, Virginia					
Change:					
Laborers	$ 2.30				
Truck drivers	2.30				
DECISION #AP-406 - Mod. #2 (37 FR 15234 - July 28, 1972) Clarke, Frederick, Rockingham, Shenandoah and Warren Counties, Virginia					
Change:					
Laborers	2.30				
Mason tenders	2.30				
Plumbers' helpers	2.30				
Truck drivers	2.30				
DECISION #AP-407 - Mod. #1 (37 FR 15235 - July 28, 1972) James City and York Counties, Virginia					
Change:					
Truck drivers	2.30				
DECISION #MD75-3100 - Mod. #4 (40 FR 44447 - September 26, 1975) Montgomery and Prince Georges Counties, Maryland, Arlington and Fairfax Counties, the City of Alexandria and Dulles International Airport, Virginia					
Change:					
Electricians	$10.50	.65	1% + .80	--	.10

MODIFICATIONS P. 6

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #DC75-3099 - Mod. #4 (40 FR 44449 - September 26, 1975) Washington, D. C.					
Change:					
Building and Heavy Construction: Electricians	$10.50	.65	1% + .80		.10

DECISION NO. TN75-2131 - Mod. #1
(40 FR 59137 - December 19, 1975)
Allen, Bartholomew, Benton,
Dearborn, Delaware, Grant,
Marion, Monroe, Tippecanoe,
Vanderburgh, & Vigo Counties,
Indiana

Change: Truck drivers: Bartholomew, Dearborn, Delaware, Grant, & Monroe Cos.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP 1	$ 7.45	12.50a	13.00a	b	
GROUP 2	7.50	12.50a	13.00a	b	
GROUP 3	7.55	12.50a	13.00a	b	
GROUP 4	7.60	12.50a	13.00a	b	
GROUP 5	7.65	12.50a	13.00a	b	
GROUP 6	7.70	12.50a	13.00a	b	
GROUP 7	7.80	12.50a	13.00a	b	
GROUP 8	7.85	12.50a	13.00a	b	
GROUP 9	7.90	12.50a	13.00a	b	
GROUP 10	7.95	12.50a	13.00a	b	
GROUP 11	8.10	12.50a	13.00a	b	

CLASSIFICATIONS

GROUP 1: Drivers on single axle, lowboy helper or flagman, drivers on air compressors and welding machines including those pulled by cars, pick-up trucks, tractors, fork-lifts, dumpsters

GROUP 2: Drivers on Mixer Trucks 2 yards

GROUP 3: Mechanic Helpers and Greasers

GROUP 4: Drivers on Batch Trucks wet or dry 3 batches or under

GROUP 5: Drivers on Tandem Axle Trucks (including Dog-Legs), Drivers on Oil Distributors Drivers on Mixers Trucks 3 yards, Winch Trucks

GROUP 6: Drivers on Single axle, semi-trucks, Drivers on batch trucks wet or dry or dry over 3 batches, Drivers on pavement breakers

GROUP 7: Drivers on Tandem-Axle semi-trucks, Drivers on trac-o-trucks, Euclids, Tournapull when pulling other than self-loading equipment up to and including 10 yards, Drivers on mixer trucks 4 yards, Mechanics

GROUP 8: Drivers on Tri-axle Trucks

GROUP 9: Drivers on Low-Boy, Drivers on Tandem, Tandem Axle Semi-trucks

GROUP 10: Drivers on Trac-O-Trucks, Euclids, Tournapulls when pulling other than self-loading equipment 11 yards to and including 16 yards, Drivers on mixer trucks above 4 yards

GROUP 11: Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equipment over 16 yards, Helicopter pilot

FOOTNOTES:
a. Per Week per employee
b. 1 week paid vacation after 1 year service, 2 weeks after 3 years, and 3 weeks after 10 years.

SUPERSEDEAS DECISION

STATE: California

COUNTIES: Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, Eldorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Plumas, Placer, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba Counties, California

DECISION NUMBER: CA75-5151

DATE: Date of Publication

Supersedes Decision No. CA75-5085 dated July 25, 1975, in 40 FR 31457

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction and dreding.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$ 12.15	.90	.87	$ 1.07	.06
BOILERMAKERS	10.85	.65	1.00	.50	.02
BRICKLAYERS; Stonemasons:					
Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, Siskiyou, Solano, Sonoma and Trinity Counties	10.02	.90	.58	1.00	
Alameda and Contra Costa Counties	11.15	.95	.95		.20
Fresno, Kings, Madera, Mariposa, and Merced Counties	9.77	.48	1.00		
Butte, Colusa, Eldorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo and Yuba Cos.	10.65	.73	.92		.22
Monterey and Santa Cruz Counties	10.75	.93	1.10	.75	
San Benito and Santa Clara Counties	10.15	.85	.95		.15
Alpine, Amador, Calaveras, San Joaquin, Stanislaus and Tuolumne Counties	10.30	.55	.60	1.00	
Tulare County	9.30	.70	1.00		.07
BRICK TENDERS:					
Alpine, Amador, Eldorado, Nevada, Placer, Sacramento, Sierra and Yolo Counties	8.80	.80	1.40		
Alameda and Contra Costa Counties	7.70	.55	.95		
Marin County	6.90	.65	.50	.65	
Napa County	5.90	.65	1.35	.80	
San Benito, Santa Clara and Santa Cruz Counties	8.61	.70	.90		
Lassen, Modoc, Shasta, Siskiyou, Tehama and Trinity Counties	5.65	.65	1.35	.80	
Stanislaus and Tuolumne Counties	5.75	.65	1.35	.80	
San Francisco and San Mateo Counties	10.00	.65	.80		
Fresno, Kings, Madera and Tulare Counties	8.60	.80	1.40		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS:					
Carpenters	$ 10.70	$ .74	$ 1.26	$ .75	.04
Hardwood floor layers; Power saw operator; Saw filers; Shinglers	10.85	.74	1.26	.75	.04
Steel scaffold erectors and/or steel shoring erectors	11.20	.74	1.26	.75	.04
Millwrights	10.83	.72	1.26	.75	.04
Piledrivermen, bridge, wharf and Dock builders	9.46	1.02	1.35	1.25	.05
CEMENT MASONS:	9.71	1.02	1.35	1.25	.05
Cement Masons	9.71	1.02	1.35	1.25	.05
Mastic; Magnesite; All comp. masons	10.97	.74	1.26	.75	.07
Men working from swinging or slip form scaffolds					
DRYWALL INSTALLERS					
ELECTRICIANS:					
Alameda County					
Electricians	11.41	.70	1% + .50		.03
Cable Splicers	12.84	.70	1% + .50		.03
Amador, Colusa, Sacramento, Sutter, Yolo, Yuba and those portions of Alpine, El Dorado, Nevada, Placer and Sierra Counties West of the Main Sierra Mountain Watershed					
Electricians	11.34	.60	1% + .75		.045
Cable Splicers	12.47	.60	1% + .75		.045
Tunnel:					
Electricians	11.47	.60	1% + .75		.045
Cable Splicers	12.60	.60	1% + .75		.045
Lake Tahoe Area					
Electricians	10.34	.53	1% + .55		.03
Cable Splicers	11.37	.53	1% + .55		.03
Butte, Glenn, Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama and Trinity Counties					
Electricians	11.07	.75	1% + .505		.02
Cable Splicers	12.18	.75	1% + .505		.02

ELECTRICIANS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Tunnel:					
Electricians; Cable Splicers' Helpers	$ 10.33	.60	1% + .40		.005
Cable Splicers	11.37	.60	1% + .40		.005
Calaveras and San Joaquin Cos.					
Electricians; Technicians	11.00	.78	1% + .89		1%
Cable Splicers	12.38	.78	1% + .89		1%
Contra Costa County					
Electricians	11.95	.70	1% + .50		
Cable Splicers	13.20	.70	1% + .50		
Del Norte and Humboldt Counties					
Electricians	9.50	.47	1% + 1.35		.02
Cable Splicers	10.26	.47	1% + 1.35		.02
Fresno, Kings, Madera and Tulare Counties					
Electricians	11.01	.60	1% + .95		.05
Cable Splicers	11.41	.60	1% + .95		.05
Lake, Marin, Mendocino and Sonoma Counties					
Electricians	11.25	.61	1% + .30		.02
Cable Splicers	12.38	.61	1% + .30		.02
Mariposa, Merced, Stanislaus and Tuolumne Counties					
Electricians	9.83	.62	1%		1%
Cable Splicers	10.81	.62	1%		1%
Monterey County					
Electricians	12.60	.60	1%		.01
Cable Splicers	13.92	.60	1%		.01
Napa and Solano Counties					
Electricians	9.67	.58	1% + .60		.04
Cable Splicers	10.17	.58	1% + .60		.04
San Benito, Santa Clara and Santa Cruz Counties					
Electricians	12.10	.62	1% + .60		.05
Cable Splicers	13.61	.62	1% + .60		.05
San Francisco County					
Electricians	10.67	.705	1% + .50		.04
Cable Splicers	12.00	.705	1% + .50		.04
San Mateo County					
Electricians	10.55	.69	1% + .35		.03

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELEVATOR CONSTRUCTORS	$ 10.70	.445	$ .29	3% + a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3% + a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS:					
Alameda, Contra Costa, Lake, Marin, Mendocino (Southern half of County from North of Ft. Bragg), Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, (S.W. from E. to Fairfield) and Sonoma Counties	9.135	.60	.83		.01
IRONWORKERS:					
Fence Erectors	9.34	.93	1.65	$ 1.10	.03
Reinforcing	10.23	.93	1.65	1.10	.03
Ornamental; Structural	10.23	.93	1.65	1.10	.03
LATHERS:					
Alameda and Contra Costa Counties	9.81	.74	.715		.025
Butte, Colusa, Glenn, Humboldt, Lake, (That portion of County from Lakeport up to County Line) Nevada, Placer, Plumas, Shasta, Sierra, Tehama and Trinity Cos.	10.10	.48	.50		.01
Calaveras and San Joaquin Cos.	9.90	.58	.55		.01
Lake (from City of Lakeport down to County Line), Marin, Mendocino and Sonoma Counties	8.14	.40	.45	1.00	1/8%
Monterey and Santa Cruz Counties	10.37	.58	.50	.95	.01
Napa and Solano Counties	8.88	.65	.40		.01
San Francisco and N. 1/2 of San Mateo County	10.98	.46	.65	1.00	.01
San Benito and Santa Clara Cos.	10.14	.73	.75		
Fresno County	10.33	.35	.45		
Mariposa, Merced, Stanislaus and Tuolumne Counties	9.75				.01
Amador, El Dorado, Sacramento and Yolo Counties	8.40	.40	.95	1.00	
Southern Half of San Mateo Co.	10.03	.32	1.00		

LINE CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Contra Costa County					
Groundmen	$ 8.96	.70	1% + .50		
Line Equipment Operators	10.75	.70	1% + .50		
Linemen	11.95	.70	1% + .50		
Cable Splicers	13.20	.70	1% + .50		
Del Norte, Modoc and Siskiyou Counties					
Tree trimmer helper; Groundman	7.12	.35	1%	.10	1/2%
Head groundman; Headgroundman (Chipper); Powdermen; Jackhammermen	7.56	.35	1%	.10	1/2%
Line equipment men	8.65	.35	1%	.10	1/2%
Linemen Polesprayer; Heavy line equipment men; Certified lineman; Welder	10.04	.35	1%	.10	1/2%
Tree trimmer	9.06	.35	1%	.10	1/2%
Cable splicer; Leadman; Pole sprayer	11.12	.35	1%	.10	1/2%
Fresno, Kings, Madera and Tulare Counties					
Line equipment operators	9.86	.50	1% + .70		.05
Linemen	9.86	.50	1% + .70		.05
Cable splicers	10.26	.50	1% + .70		.05
Mariposa, Merced, Stanislaus and Tuolumne Counties					
Linemen	9.83	.62	1%		1%
Cable Splicers	10.81	.62	1%		1%
Monterey County					
Groundmen	9.46	.60	1%		.01
Linemen; Technicians	12.61	.60	1%		.01
Cable Splicers	13.93	.60	1%		.01
Napa and Solano Counties					
Linemen	9.67	.58	1% + .60		.03
Cable Splicers	10.17	.58	1% + .60		.03
Alameda County					
Groundmen	8.56	.70	1% + .50		.03
Linemen	11.41	.70	1% + .50		.03
Line Equipment Operators	10.27	.70	1% + .50		.03
Cable Splicers	12.24	.70	1% + .50		.03

LINE CONSTRUCTION: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Amador, Colusa, Sacramento, Sutter, Yolo, Yuba and those portions of Alpine, El Dorado, Nevada, Placer and Sierra Counties West of the Main Sierra Mountain Watershed					
Groundmen	$ 9.07	.60	1% + .75		.045
Linemen	11.34	.60	1% + .75		.045
Cable Splicers	12.47	.60	1% + .75		.045
Humboldt County					
Groundmen	7.60	.47	1% + 1.35		.01
Linemen	9.50	.47	1% + 1.35		.01
Cable Splicers	10.26	.47	1% + 1.35		.01
San Francisco County					
Groundmen	9.07	.705	1% + .50		.04
Linemen	10.67	.705	1% + .50		.04
Cable Splicers	12.00	.705	1% + .50		.04
MARBLE SETTERS	9.26	.81	.51	1.03	
PAINTERS:					
Alpine, Amador, Calaveras and San Joaquin Counties					
Brush	8.72	.70	1.45	1.00	
Spray; Sheetrock taper; Swingstage; Scaffold, sandblaster; Structural steel	9.12	.70	1.45	1.00	
Fresno, Kings, Madera and Tulare Counties					
Brush; Tapers	10.22	.40	.20		
Spray; Structural steel	10.47	.40	.20		
Monterey, San Benito, San Mateo, Santa Clara and Santa Cruz Counties (excluding portions of Counties in the Lake Tahoe Area)					
Brush	10.40	.79	.90	.80	.03
Spray	10.65	.79	.90	.80	.03
Tapers	10.95	.79	.90	.80	.03
Lake Tahoe Area					
Brush	10.50	.70	.20		
Spray; Structural steel; Tapers	10.75	.70	.20		
Lake, Marin, Mendocino, San Francisco and Sonoma Counties					
Brush	10.15	.79	.90	.80	.03
Spray	10.40	.79	.90	.80	.03
Tapers	11.10	.79	.90	.80	.03

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Lassen County (that portion that lies Eastward of Hwy. #395, Northward to and including Honey Lake)					
Brush	$ 10.50	.70	.20		
Spray; Structural steel; Tapers	10.75	.70	.20		
Alameda, Contra Costa, El Dorado, Napa, Nevada, Placer, Sacramento, Sierra, Solano and Yolo Counties (excluding portions of Counties in the Lake Tahoe Area)					
Brush	10.30	.79	.90	.80	.03
Spray	10.55	.79	.90	.80	.03
Tapers	11.10	.79	.90	.80	.03
PAINTERS:					
Parking Lot Striping Work and/or Highway Markers:					
Fresno, Kings and Tulare Cos.					
Traffic delineating device applicator	6.82	.40	.20	b	
Wheel stop installer; Traffic surface sandblaster; Striper; Traffic surface protective coating applicator	6.43	.40	.20	b	
Helper (Traffic surface sandblaster; Wheel stop installer, traffic surface protective coating applicator, striper)	5.43	.40	.20	b	
Remaining Counties:					
Traffic delineating device applicator; Traffic surface protective coating applicator; Wheel stop installer; Traffic surface sandblaster	6.82	.35	.20	b	
Helper (Traffic surface sandblaster; Wheel stop installer, protective coating applicator)	6.32	.35	.20	b	
Striper	7.92	.35	.20	b	
Striper, helper	6.82	.35	.20	b	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLASTERERS:					
Alameda and Contra Costa Cos.	$ 10.10	.745	$ 1.05		.03
Butte, Colusa, Glenn, Lassen (South eastern half of Lassen County), Plumas, Sierra, Sutter and Yuba Counties	9.79	.56	1.00		
Monterey County	10.60	.71	.35		.01
Fresno, Kings, Madera and Tulare Counties	8.24	.66	1.00	.75	.01
El Dorado, Nevada, Placer, Sacramento and Yolo Counties	9.79	.56	1.00		
San Francisco County	11.42	.63	1.00		.03
San Mateo County	7.72	.48	.90	$ 1.50	.025
Del Norte, Humboldt, Lassen, (North western half of Lassen County), Marin, Modoc, Napa, Shasta, Siskiyou, Solano, Sonoma, Tehama and Trinity Cos.	8.65	.63	.50	1.00	.01
Mariposa, Merced, Stanislaus and Tuolumne Counties	8.50	.70	1.25	1.00	
PLASTERERS' TENDERS:					
Alameda and Contra Costa Cos.	8.87	.60	1.10		
Fresno, Kings and Madera Cos.	8.65	.80	1.40		
Napa County	7.95	.80		.90	
Alpine, Amador, El Dorado, Nevada, Placer, Sacramento, Sierra and Yolo Counties	7.455	.455	1.40	.80	
Calaveras and San Joaquin Cos.	8.43	.80	1.40	.90	
Monterey County	8.40	.80	1.40		
PLUMBERS					
Alameda County	13.10	.83	1.55		.12
Contra Costa County	12.72	.90	1.72		.20
Del Norte and Humboldt Counties	10.83	.61	1.12	1.06	.05
PLUMBERS; Steamfitters:					
Amador (Northern half of County) Sacramento, Yolo, El Dorado, Nevada, Placer and Sierra Counties (excluding Lake Tahoe Area)	12.58	.92	1.35		.11
Lake Tahoe Area	10.99	.58	.60	1.95	.10
Marin, Mendocino, San Francisco, and Sonoma Counties	11.015	$1.70	1.15	1.11	.15

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLUMBERS; Steamfitters: (Cont'd)					
San Benito and Santa Clara Cos.	$ 13.03	$ .82	$ 1.65		.14
San Mateo County	11.04	.95	1.65	$ 1.20	.25
Alpine, Amador (Southern portion of County), Butte, Calaveras, Colusa, Fresno, Glenn, Kings, Lassen, Madera, Mariposa, Merced, Modoc, Monterey, Plumas, San Joaquin, Santa Cruz, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne and Yuba Counties	12.10	1.15	1.74		.10
Lake, Napa and Solano Counties	11.85	.77	1.40		.12
ROOFERS:					
Alameda and Contra Costa Cos.					
Roofers	10.19	.92	1.10	.60	.04
Mastic workers; Kettlemen (2 Kettles w/o pumps)	10.44	.92	1.10	.60	.04
Bitumastic; Enamelers; Pipe-wrappers; Coal tar built up	11.19	.92	1.10	.60	.04
Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus and Tuolumne Counties					
Roofers (slate, tile composition and built up)	10.29	.85	.55		
Felt machine operator	10.44	.85	.55		
Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity and Yuba Counties					
Roofers	10.14	.95	.40		
Fresno, Kings, Madera and Tulare Counties					
Roofers	9.45	.50	.50		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS: (Cont'd)					
Lake, Marin, Mendocino, Napa, Solano and Sonoma Counties					
Roofers	$ 9.63	.65	$ 1.10	$ 1.43	.04
Mastic workers; Kettlemen (2 Kettles w/o pumps)	9.88	.65	1.10	1.43	.04
Bitumastic; Enamelers; Pipe-wrappers; Coal tar pitch	10.63	.65	1.10	1.43	.04
Del Norte and Humboldt Counties					
Roofers	9.32	.40	.75	.35	
Monterey and Santa Cruz Counties					
Roofers	8.65	.60	.60	1.00	
San Francisco and San Mateo Cos.					
Roofers	10.23	.50	1.10	.95	.04
Mastic workers and kettlemen (2 kettles) without pumps	10.48	.50	1.10	.95	.04
Bitumastic; Enamelers; Pipe-wrappers; Coal tar	11.23	.50	1.10	.95	.04
Amador, Sacramento and Yolo Cos.					
Roofers (slate, tile and composition)	9.36	.82	1.10	1.00	.04
Enameler and pitch	10.36	.82	1.10	1.00	.04
San Benito and Santa Clara Cos.					
Roofers; Kettlemen (1 kettle)	8.51	.61	1.03		
SHEET METAL WORKERS:					
Alameda, Contra Costa, Napa and Solano Counties	10.84	.60	1.60	12%	.04
Alpine, Calaveras and San Joaquin Counties	7.62	.36	.95	1.40	
Amador, Butte, Colusa, El Dorado, Glenn, Lassen, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo and Yuba Counties	8.46	.48	1.20	12%	.08
Fresno, Kings, Madera and Tulare Counties	8.05	.38	.69	.80	.07
Mariposa, Merced, Stanislaus and Tuolumne Counties	8.83	.36	.60		.03
Monterey, San Benito, Santa Cla Clara and Santa Cruz Counties	9.45	.48	1.555	.945	
Del Norte, Humboldt, Lake, Marin, Mendocino, San Francisco, Sonoma and Trinity Counties	10.86	.48	1.20		10%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SHEET METAL WORKERS: (Cont'd)					
San Mateo County	$ 11.76	.48	$ 1.61		.12
Modoc and Siskiyou Counties	8.67	.42	.34		.005
SOFT FLOOR LAYERS:					
Alpine, Amador, Butte, Calaveras, Colusa, Glenn, Lassen (excluding Honey Lake Area), Merced, (east of San Joaquin River), Plumas, San Joaquin, Shasta, Sacramento, Stanislaus, Sutter, Tehama, Trinity, Tuolumne, Yolo and Yuba Counties and those portions of El Dorado, Nevada, Placer and Sierra Counties (excluding Lake Tahoe Area)	9.44	.64	1.00	$ 1.00	.09
Honey Lake Area and Lake Tahoe Area	9.55	.70	.20		
SPRINKLER FITTERS:					
Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma Counties	14.56	.50	.80		.09
Remaining Counties	13.72	.50	.80		.08
STEAMFITTERS:					
Alameda and Contra Costa Cos.	10.065	.75	1.25		.12
Del Norte and Humboldt Counties	11.13	.61	1.12	1.06	.05
TERRAZZO WORKERS:					
Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, Siskiyou, Solano, Sonoma and Trinity Counties	8.78	.85	.58	1.00	
Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo and Yuba Counties	10.65	.73	.92		.22

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TILE SETTERS:					
Alameda, Butte, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Marin, Mendocino, Modoc, Napa, Nevada, Plumas, Placer, Sacramento, San Benito, San Francisco, San Mateo, Santa Clara, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Yolo and Yuba Counties	$ 10.10	.78	.90	.90	.025
Alpine, Amador, Calaveras, San Joaquin, Stanislaus and Tuolumne Counties	9.17	.55	.30	1.00	
Fresno, Kings, Madera, Mariposa, Merced and Tulare Counties	8.97	.40	.35		
Monterey and Santa Cruz Cos.	9.72	.845	.73	.87	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Employer contributes 4% of basic hourly rate for over 5 years' service, and 2% of basic hourly rate for 6 months to 5 years as Vacation Pay Credit. Six Paid Holidays: A through F.

b. Employer contributes $.17 per hour to Holiday Fund plus $.10 per hour to Vacation Fund in 1st year of employment; $.30 per hour after 1 year, but less than 5 years' service; $.40 per hour after 5 years, but less than 10 years' service and $.50 per hour after 10 years' service.

DECISION NO. CA75-5151

POWER EQUIPMENT OPERATORS: DREDGING SCHEDULE I CLAMSHELL AND DIPPER DREDGING (New Construction)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1					
Bargeman; Deckhand; Fireman; Oiler					
Area 1	$7.76	.85*	1.37	.60	.14
Area 2	8.42	.85*	1.37	.60	.14
Area 3	8.67	.85*	1.37	.60	.14
Area 4	8.92	.85*	1.37	.60	.14
Group 2					
Deck Engineers; Deck Mate					
Area 1	9.23	.85*	1.37	.60	.14
Area 2	9.89	.85*	1.37	.60	.14
Area 3	10.14	.85*	1.37	.60	.14
Area 4	10.39	.85*	1.37	.60	.14
Group 3					
Welder; Mechanic Welder; Watch Engineer					
Area 1	9.59	.85*	1.37	.60	.14
Area 2	10.25	.85*	1.37	.60	.14
Area 3	10.50	.85*	1.37	.60	.14
Area 4	10.75	.85*	1.37	.60	.14
Group 4					
Clamshell Operator (up to and including 7 cu. yds. m.r.c.) (Long Boom Pay)					
Area 1	10.23	.85*	1.37	.60	.14
Area 2	10.89	.85*	1.37	.60	.14
Area 3	11.14	.85*	1.37	.60	.14
Area 4	11.39	.85*	1.37	.60	.14
Group 4-A					
Clamshell Operator (Over 7 cu. yds. m.r.c.) (Long Boom Pay)					
Area 1	11.20	.85*	1.37	.60	.14
Area 2	11.86	.85*	1.37	.60	.14
Area 3	12.11	.85*	1.37	.60	.14
Area 4	12.36	.85*	1.37	.60	.14

DECISION NO. CA75-5151

POWER EQUIPMENT OPERATORS (Cont'd) DREDGING SCHEDULE II HYDRAULIC SUCTION DREDGING AND ALL OTHER CLAMSHELL AND DIPPER DREDGING	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group A-1					
Bargeman; Deckhand; Leveehand; Fireman; Oiler					
Area 1	$7.74	.85*	1.37	.60	.14
Area 2	8.40	.85*	1.37	.60	.14
Area 3	8.65	.85*	1.37	.60	.14
Area 4	8.90	.85*	1.37	.60	.14
Group A-2					
Winchman (stern winch on dredge); Deckmate; Deck Engineer					
Area 1	8.59	.85*	1.37	.60	.14
Area 2	9.25	.85*	1.37	.60	.14
Area 3	9.50	.85*	1.37	.60	.14
Area 4	9.75	.85*	1.37	.60	.14
Group A-3					
Watch Engineer; Welder; Welder Mechanic					
Area 1	9.18	.85*	1.37	.60	.14
Area 2	9.84	.85*	1.37	.60	.14
Area 3	10.09	.85*	1.37	.60	.14
Area 4	10.34	.85*	1.37	.60	.14
Group A-4					
Leverman; Clamshell Operator					
Area 1	9.94	.85*	1.37	.60	.14
Area 2	10.60	.85*	1.37	.60	.14
Area 3	10.85	.85*	1.37	.60	.14
Area 4	11.10	.85*	1.37	.60	.14

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Tow Boats (Dredging): Work on self-propelled vessels (except skiffs powered by outboard motors) engaged in towing and shifting of barges, vessels and water born craft or in the transportation by water of personnel, materials, equipment and supplies					
Deckhand/Mechanic					
Area 1	$ 9.01	.64	$ 1.36	$ 1.05	
Area 2	9.51	.64	1.36	1.05	
Area 3	9.76	.64	1.36	1.05	
Area 4	10.01	.64	1.36	1.05	
Deckhand/Mechanic (Continuous Service Vessels)					
Area 1	8.13	.64	1.24	1.00	
Area 2	8.63	.64	1.24	1.00	
Area 3	8.88	.64	1.24	1.00	
Area 4	9.13	.64	1.24	1.00	
Operator/Mechanic; Watch Engineer					
Area 1	10.03	.57	1.36	1.00	
Area 2	10.53	.57	1.36	1.00	
Area 3	10.78	.57	1.36	1.00	
Area 4	11.03	.57	1.36	1.00	
Operator/Mechanic; Watch Engineer (Continuous Service Vessels)					
Area 1	9.03	.57	1.36	1.00	
Area 2	9.53	.57	1.36	1.00	
Area 3	9.78	.57	1.36	1.00	
Area 4	10.03	.57	1.36	1.00	

POWER EQUIPMENT OPERATORS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Building and Heavy Construction Tow Boats (Dredging): Work on self-propelled vessels (except skiffs powered by outboard motors) engaged in towing and shifting of barges, vessels and water borne craft or in the transportation by water of personnel, materials, equipment and supplies					
Deckhands					
Area 1	$ 7.15	.52	.84	1.00	
Area 2	7.68	.52	.84	1.00	
Area 3	7.93	.52	.84	1.00	
Area 4	8.18	.52	.84	1.00	
Boat Operators	8.00	.45	.93	1.00	

FOOTNOTES:
Four Centers designated: City Halls of Oakland, San Francisco, Sacramento and Stockton, California.

Area 1 - Up to 20 road miles from said Centers.
Area 2 - More than 20 road miles to and including 30 road miles from said Centers.
Area 3 - Outside of 30 road miles from said Centers.
Area 4 - An area extending 25 road miles from shoreline of Lake Tahoe.

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
BULK CEMENT SPREADER (w/wo auger, under 4 yds. water level); Bus or manhaul driver, Concrete pump machine; Concrete pump truck (when flat rack truck is used appropriate flat rack rate shall apply); Dump (under 4 yds. water level); Dumpcrete truck (under 4 yds. water level); Dumpster (under 4 yds. water level); Escort or pilot car driver; Nipper truck (when flat rack truck is used appropriate flat rack rate shall apply); Pickups; Skids (debris box, under 4 yds. water level); Team drivers; Trucks (dry pre-batch concrete mix, under 4 yds. water level); Helpers; Warehousemen	$ 7.795	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, 4 yds. and under 6 yds. water level); Dump (4 yds. & under 6 yds. water level); Dumpcrete (4 yds. & under 6 yds. water level); Dumpster (4 yds. & under 6 yds. water level); Skids (debris box, 4 yds. & under 6 yds. water level); Single unit flat rack (2 axle unit) Industrial Lift Truck (Mechanical Tailgate) Trucks (dry pre-batch concrete mix, 4 yds. & under 6 yds. water level)	7.89	1.195	.65	1.00	
JETTING TRUCK & WATER TRUCK (under 2,500 gals.)	7.905	1.195	.65	1.00	
LIFT JITNEYS, Fork lift	7.925	1.195	.65	1.00	
TRANSIT MIX, AGITATOR (under 6 yds.)	7.945	1.195	.65	1.00	
TRUCK REPAIRMAN HELPER	7.965	1.195	.65	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
VACUUM TRUCK (UNDER 3,500 gals)	$ 7.975	1.195	.65	1.00	
SCISSOR TRUCK; Single unit flat rack (3 axle unit); Industrial Lift Truck (Mechanical Tailgate); Small rubber tired tractor (when used within teamsters' jurisdiction)	7.99	1.195	.65	1.00	
JETTING TRUCK & WATER TRUCK (2,500 gals. under 4,000 gals.)	8.005	1.195	.65	1.00	
COMBINATION WINCH TRUCK WITH HOIST; Transit mix, agitator (6 yds. & under 8 yds.)	8.045	1.195	.65	1.00	
VACUUM TRUCK (3,500 gals. & under 5,500 gals.)	8.055	1.195	.65	1.00	
RUBBER-TIRED MUCK CAR (not self-loaded)	8.065	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, 6 yds. & under 8 yds. water level) Dump (6 yds. & under 8 yds. water level); Dumpcrete (6 yds. & under 8 yds. water level); Dumpster (6 yds. & under 8 yds. water level); Skids (debris box, 6 yds. & under 8 yds. water level); Trucks (dry pre-batch concrete mix, 6 yds. & under 8 yds. water level)	8.09	1.195	.65	1.00	
A-FRAME, WINCH TRUCKS; Buggymobile Hydro-lift, Swedish crane type (jetting); Jetting & water truck (4,000 gals. & under 5,000 gals.); Rubber tired jumbo	8.105	1.195	.65	1.00	
HEAVY DUTY TRANSPORT (high bed)	8.11	1.195	.65	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROSS HYSTER and SIMILAR STRADDLE CARRIER	$8.135	1.195	.65	1.00	
TRANSIT MIX AGITATOR (8 yds. through 10 yds.)	8.145	1.195	.65	1.00	
VACUUM TRUCK (5,500 gals. and under 7,500 gals.)	8.155	1.195	.65	1.00	
JETTING TRUCK and WATER TRUCK (5,000 gals. & under 7,000 gals.)	8.205	1.195	.65	1.00	
TRANSIT MIX AGITATOR (over 10 yds. through 12 yds.)	8.245	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, 8 yds. and incl. 12 yds. water level); Dump (8 yds. and incl. 12 yds. water level); Dumpcrete (8 yds. and incl. 12 yds. water level); Self-propelled street sweeper with self-contained refuse bin; Skids (debris box, 8 yds. and incl. 12 yds. water level); Snow go and/or snow plow; Truck (dry pre-batch concrete mix, 8 yds. and incl. 12 yds. water level); Dumpster (8 yds. and incl. 12 yds. water level)	8.33	1.195	.65	1.00	
HEAVY DUTY TRANSPORT (gooseneck lowbed)	8.34	1.195	.65	1.00	
TRANSIT MIX AGITATOR (over 12 yds. through 14 yds.)	8.345	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 12 yds. and incl. 18 yds. water level); Dump (over 12 yds. and incl. 18 yds. water level); Dumpcrete (over 12 yds. and incl. 18 yds. water level); Dumpster (over 12 yds. and incl. 18 yds. water level); Skids (debris box, over 12 yds. and incl. 18 yds. water level); Trucks (dry pre-batch concrete mix, over 12 yds. and incl. 18 yds. water level)	8.37	1.195	.65	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
P. B. OR SIMILAR TYPE SELF-LOADING TRUCK	$ 8.43	1.195	.65	1.00	
TRUCK REPAIRMAN	8.465	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 18 yds. & incl. 24 yds. water level); Combination dump & dump trailer; Dump (over 18 yds. & incl. 24 yds. water level); Dumpcrete (over 18 yds. & incl. 24 yds. water level); Dumpster (over 18 yds. & incl. 24 yds. water level); Skid (debris box, over 18 yds. & incl. 24 yds. water level); Transit mix agitator (over 14 yds. through 16 yds.); Trucks (dry pre-batch concrete mix, over 17 yds. & incl. 24 yds. water level)	8.475	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 24 yds. & incl. 35 yds. water level); Dump (over 24 yds. & incl. 35 yds. water level); Dumpcrete (over 24 yds. & incl. 35 yds. water level); Dumpster (over 24 yds. & incl. 35 yds. water level); DW 10's, 20's, 21's & other similar cat type, Terra Cobra, LeTourneaupuls, Tournorocker, Euclid & similar type equipment when pulling Aqua/Pak or water tank trailers & fuel and/or grease tank trailers or other misc. trailers; Skids (debris box, over 24 yds. & incl. 35 yds. water level); Truck (dry pre-batch concrete mix, over 24 yds. & incl. 35 yds. water level)	8.53	1.195	.65	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BULK CEMENT SPREADER (w/wo auger, over 35 yds. & incl. 50 yds. water level); Dump (over 35 yds. & incl. 50 yds. water level); Dumpcrete (over 35 yds. & incl. 50 yds. water level); Dumpster (over 35 yds. & incl. 50 yds. water level); Skids (debris box, over 35 yds. & incl. 50 yds. water level); Trucks (dry pre-batch concrete mix, over 35 yds. & incl. 50 yds. water level)	$ 8.68	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 50 yds. & under 65 yds. water level); Dump (over 50 yds. & under 65 yds. water level); Dumpcrete (over 50 yds. & under 65 yds. water level); Dumpster (over 50 yds. & under 65 yds. water level); Helicopter pilot (when transporting men or materials); Skids (debris box, over 50 yds. & under 65 yds. water level); Trucks (dry pre-batch concrete mix, over 50 yds. & under 65 yds. water level)	8.83	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 65 yds. & incl. 80 yds. water level); Dump (65 yds. & incl. 80 yds. water level); Dumpcrete (65 yds. & incl. 80 yds. water level); Dumpster (65 yds. & incl. 80 yds. water level); Skids (debris box, 65 yds. & incl. 80 yds. water level); Trucks (dry pre-batch concrete mix, 65 yds. & incl. 80 yds. water level)	8.98	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 80 yds. & incl. 95 yds. water level); Dump (over 80 yds. & incl. 95 yds. water level); Dumpcrete (over 80 yds. & incl. 95 yds. water level); Dumpster (over 80 yds. & incl. 95 yds. water level);					

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Skids (debris box, over 80 yds. & incl. 95 yds. water level); Trucks (dry pre-batch concrete mix, over 80 yds. & incl. 95 yds. water level)	$9.13	1.195	.65	1.00	

LABORERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1 :	$ 7.785	.80	$ 1.40	.90	.10
GROUP 1(a):	8.01	.80	1.40	.90	.10
GROUP 1(b):	7.835	.80	1.40	.90	.10
GROUP 1(c):	8.335	.80	1.40	.90	.10
GROUP 1(d):	7.985	.80	1.40	.90	.10
GROUP 2 :	7.635	.80	1.40	.90	.10
GROUP 3 :	7.535	.80	1.40	.90	.10
LABORERS (Gunnite)					
GROUP 1: Nozzleman (incl. Gunman; Potman); Rodman; Groundman	8.245	.80	1.40	.90	.10
GROUP 2: Reboundman	7.655	.80	1.40	.90	.10
GROUP 3: General Laborer	7.535	.80	1.40	.90	.10
LABORERS (Tunnel & Shaft Work)					
GROUP 1:	8.195	.80	1.40	.90	.10
GROUP 2:	7.915	.80	1.40	.90	.10
GROUP 3:	7.745	.80	1.40	.90	.10
GROUP 4:	7.635	.80	1.40	.90	.10
LABORERS (Wrecking Work)					
GROUP 1:	7.785	.80	1.40	.90	.10
GROUP 2:	7.635	.80	1.40	.90	.10
GROUP 3:	7.535	.80	1.40	.90	.10
POWER EQUIPMENT OPERATORS (Piledriving)					
GROUP 1 :	8.38	$1.07*	1.78	.80	.24
GROUP 1(a):	8.71	1.07*	1.78	.80	.24
GROUP 1(b):	8.86	1.07*	1.78	.80	.24
GROUP 2 :	9.49	1.07*	1.78	.80	.24
GROUP 2(a):	9.70	1.07*	1.78	.80	.24
GROUP 3 :	10.00	1.07*	1.78	.80	.24
GROUP 3(a):	10.38	1.07*	1.78	.80	.24
GROUP 4 :	10.93	1.07*	1.78	.80	.24
GROUP 5 :	11.08	1.07*	1.78	.80	.24

*Includes $.20 per hour to Pensioned Health & Welfare Fund.

LABORERS

GROUP 1: Asphalt ironers and rakers; Barko, wacker and similar type tampers; Buggymobile; Chainsaw, faller, logloader and bucker; Compactors of all types; Concrete and magnesite mixer 1/2 yd. and under; Concrete pan work; Concrete saw; Concrete sander; Cribber and/or shoring; Cut granite curb setter; Form raisers; slip forms; Green cutters, Headerboardmen, hubsetters, aligners; Jackhammer Ops.; Jacking of pipe over 12 in.; Jackson and similar type compactors; Kettlemen, potmen and men applying asphalt, lay-Kold, creosote, lime, caustic and similar type materials; Lagging, sheeting, whaling, bracing, trench-jacking, hand-guided lagging hammer; Magnesite, epoxyresin, fiberglass, and mastic workers (wet or dry); Pavement breakers and spaders, incl. tool grinder; Pipelayers, caulkers, banders, pipewrappers, conduit layers, plastic pipelayers; Post hole diggers - air, gas and electric; Power broom sweepers; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap-stonepaver and rock-slinger, incl. placing of sacked concrete and/or sand (wet or dry); Rotary scarifier, multiple head concrete chipper; Davis Trencher - 300 or similar type (and all small trenchers); Roto and ditch witch; Rototiller; Sandblasters, potman, gunman, nozzleman; Signalling and rigging; Tank cleaners; Tree climbers; Vibra-screed - bull float in connection with laborers' work; Vibrators; Dri-pak-it machine; High pressures blow pipe (1 1/2" or over, 100 lbs. pressure or over); Hydro seeder and similar type; Laser beam in connection with laborers' work

GROUP 1(a): Joy drill Model TWM-2A; Gardener-Denver Model DH143 and similar type drills; Track drillers; Jack Leg drillers; Diamond drillers; Wagon drillers; Mechanical drillers - all types regardless of type or method of power; Multiple unit drills; Blasters and powdermen; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High scalers (incl. drilling of same); Tree topper; Bit grinder

GROUP 1(b): Burning and Welding

GROUP 1(c): Laborers on general construction work on or in bell hole footings and shaft

GROUP 1(d): Contra Costa County Only: Pipelayers, Caulkers, Banders, Pipewrappers, Conduit Layers and Plastic pipelayers; Pressure pipe tester, no joint pipe & stripping of same, incl. repair of voids, Precast manhole setters, cast in place, manhole form setters

GROUP 2: Asphalt Shovelers; Cement dumpers and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chuteman; Concrete chipping and grinding; Concrete Laborers (wet or dry); Driller's helper; Chuck Tender; Nipper; Guinea Chaser (Stakeman); Grout Crew; High Pressure Nozzleman, adductors; Hydraulic Monitor (over 100 lbs. pressure); Loading and unloading, carrying and handling of all rods and materials for use in reinforcing concrete

LABORERS (Cont'd)

construction; Pittsburgh Chipper, and similar type brush shredders; Sloper; Singlefoot, hand held, pneumatic tamper; All pneumatic, air, gas, and electric tools; Jacking of pipe under 12 in.

GROUP 3: All cleanup work of debris, grounds and buildings incl. but not limited to street cleaners; Cleaning and washing windows; Construction Laborers incl. bridge and general laborers; Dumpman, load spotter; Fire watcher; Street cleaners; Gardeners, horticultural and landscape laborers; Jetting; Limbers; Brush loaders; Pilers, Maintenance landscape laborers on new construction; Maintenance, repair trackmen and road beds; Streetcar and railroad construction track laborers; Temporary air and water lines, Victaulic or similar; Tool room attendant; Fence erectors; Guardrail erectors; Pavement markers (button setters)

LABORERS (Tunnel and Shaft Work)

GROUP 1: Diamond Driller; Groundmen; Gunite or Shotcrete Nozzlemen; Rodmen; Shaft Work and Raise (below actual or excavated ground level)

GROUP 2: Bit Grinder; Blaster, Drillers, Powdermen-heading; Cherry Pickermen - where car is lifted; Concrete Finisher in Tunnel; Concrete Screed man; Grout Pumpman and Potman; Gunite and Shotcrete Gunmen and Potmen; Headermen; High Pressure Nozzleman; Miners - Tunnel, including top and bottom man on shaft and raise work; Nipper Nozzleman on slick line; Sandblaster-potman (work assignment interchangeable) Steel Form Raisers and Setters; Timberman, Retimberman - wood or steel or substitute materials therefore; Tugger

GROUP 3: Cabletender; Chucktender; Powderman-primer house; Vibratormen, Pavement Breakers

GROUP 4: Bull Gang - Muckers, Trackmen; Concrete Crew - includes rodding and spreading; Dumpmen (any method); Grout Crew; Reboundmen; Swamper

LABORERS (Wrecking Work)

GROUP 1: Skilled wrecker (Removing and salvaging of sash, windows, doors, plumbing and electric fixtures

GROUP 2: Semi-skilled wrecker (Salvaging of other building materials)

GROUP 3: General laborer (Includes all cleanup work, loading, lumber, loading and burning of debris)

POWER EQUIPMENT OPERATORS
(Piledriving)

GROUP 1: Assistant to Engineer (Fireman, Oiler, Deckhand)

GROUP 1-A: Compressor Operator

GROUP 1-B: Truck Crane Oiler

GROUP 2: Tugger Hoist (hoisting material only)

GROUP 2-A Compressor operator (2-7); Generator (100 K. W. or over); Pump (2-7); Welding Machine (2-7) powered other than by electricity)

GROUP 3: Deck Engineer; Fork Lift; A-Frame; Self-propelled Boom Type Lifting Device

GROUP 3-A: Heavy Duty Repairman and/or Welder

GROUP 4: Operating Engineer in lieu of Assistant to Engineer tending boiler or compressor attached to crane piledriver; Operator of Piledriving Rigs, Skid or Floating and Derrick Barges; Operator of diesel or gasoline powered crane piledriver (w/o boiler) up to and incl. 1 cu. yd.; Truck Crane (up to and incl. 25 tons hoisting material only)

GROUP 5: Operator of Diesel or Gasoline powered Crane Piledriver without boiler, over 1 cu. yd.; Operator of Crane (w/steam, flash boiler, pump or compressor attached); Operator of steam powered Crawler or Universal type driver (Raymond or similar type); Truck Crane (over 25 tons hoisting material or performing piledriving work)

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments				
			H & W	Pensions	Vacation	App. Tr.	Others
	AREA 1	AREA 2					
GROUP 1 :	$ 8.30	$ 9.70	$ 1.07*	$ 1.78	.80	.24	
GROUP 2 :	8.65	10.05	1.07*	1.78	.80	.24	
GROUP 3 :	8.86	10.26	1.07*	1.78	.80	.24	
GROUP 4 :	9.41	10.81	1.07*	1.78	.80	.24	
GROUP 5 :	9.62	11.02	1.07*	1.78	.80	.24	
GROUP 6 :	9.77	11.17	1.07*	1.78	.80	.24	
GROUP 7 :	9.92	11.32	1.07*	1.78	.80	.24	
GROUP 8 :	10.32	11.72	1.07*	1.78	.80	.24	
GROUP 9 :	10.54	11.94	1.07*	1.78	.80	.24	
GROUP 10 :	10.74	12.14	1.07*	1.78	.80	.24	
GROUP 10-A:	10.85	12.25	1.07*	1.78	.80	.24	
GROUP 11 :	11.02	12.42	1.07*	1.78	.80	.24	
GROUP 11-A:	12.09	13.49	1.07*	1.78	.80	.24	
GROUP 11-B:	12.37	13.77	1.07*	1.78	.80	.24	
GROUP 11-C:	12.66	14.06	1.07*	1.78	.80	.24	

* Includes $.20 per hour to Pensioned Health and Welfare Fund.

POWER EQUIPMENT OPERATORS (AREAS I & II)
(Except Piledriving and Steel Erection)

GROUP 1: Assistants to Engineers (Brakeman; Fireman; Heavy Duty Repairman Helper; Oiler; Deckhand; Signalman; Switchman; Tar Pot Fireman); Partsman (Heavy Duty Repair shop parts room)

GROUP 2: Compressor Op.; Concrete Mixer (up to and incl. 1 yd.); Conveyor Belt Operator (tunnel); Fireman Hot Plant; Hydraulic; Monitor; Mechanical Conveyor (handling building materials); Mixer Box Op. (concrete plant); Pump Operator; Spreader Boxman (with screeds); Tar Pot Fireman (power agitated)

GROUP 3: Box Operator (bunker); Helicopter Radioman (signalman); Motorman; Locomotive; Oiler; Rodman or Chainman; Ross Carrier (construction job site); Rotomist Operator; Screedman (except asphaltic concrete paving); Self-propelled, automatically applied concrete curing machine (on streets, highways, airports and canals); Trenching Machine (Maximum digging capacity 3 ft. depth); Tugger Hoist, single drum; Truck Crane Oiler

GROUP 4: Ballast Jack Tamper; Ballast Regulator; Ballast Tamper Multi-purpose; Boxman (asphalt plant); Elevator Op. (inside); Fork Lift or Lumber Stacker (construction job site); Line Master; Lubrication and Service Engineer (mobile and grease rack); Material Hoist (1 drum); Shuttlecar; Tie Spacer; Towermobile

GROUP 5: Compressor Op. (2 to 7); Concrete Mixers (over 1 yd.); Concrete Pumps or Pumpcrete Guns; Generators (100 K.W. or over); Grouting Machine; Press-weld (air-operated); Pumps (2 to 7); Welding Machines (powered other than by electricity) (2 to 7)

GROUP 6: BLH Lima Road Pactor or similar; Boom Truck or Dual Purpose A-Frame Truck; Concrete Batch Plants (wet or dry); Concrete Saws (self-propelled unit) on streets, highways, airports and canals; Drilling and Boring Machinery, vertical and horizontal (not to apply to waterliners, wagon drills or jack-hammers); Gradesetter, Grade Checker (mechanical or otherwise); Highline Cableway Signalman; Locomotives (steam or over 30 tons) Maginnis Internal Full Slab Vibrator (on airports, highways, canals and warehouses); Mechanical Finishers (concrete) (Clary, Johnson, Bidwell Bridge Deck or similar types); Mechanical Burm, Curb and/or Curb and Gutter Machine, concrete or asphalt; Portable Crusher; Post Driver (M-1500 and similar); Power Jumbo Operator (setting slip forms, etc. in tunnels); Roller; Screedman (Barber-Greene and similar) (asphaltic concrete paving); Self-propelled Compactor (single engine); Self-propelled Pipeline Wrapping Machine, Perault, CRC, or similar types); Slip Forms Pumps (lifting device for concrete forms); Small Rubber Tired Tractors; Surface Heater

GROUP 7: Concrete Conveyor or Concrete Pump, Truck or Equipment mounted (boom length to apply); Concrete Conveyor, building site; Deck Engineers; Dual Drum Mixer; Fuller Kenyon Pump and similar types; Gantry Rider (or similar); Hydra-Hammer (or similar); Instrument Man; Material Hoist (2 or more drums); Mechanical Finishers or Spreader Machine (asphalt, Barber-Greene and similar; Mine or Shaft Hoist; Mixermobile; Pavement Breaker with or without Compressor Combination; Pavement Breaker, Truck mounted with Compressor Combination; Pipe Bending Machine (pipelines only); Pipe Cleaning Machine (tractor propelled and supported); Pipe Wrapping Machine (tractor propelled and supported); Refrigeration Plant; Roller Operator (finish asphalt); Self-propelled boom type lifting device (center mount) (10 tons or less M.R.C); Self-propelled Elevating Grade Plane; Slusher Op.; Small Tractor (with boom) Soil Tester; Truck type Loader

GROUP 8: Amor-Coater (or similar); Asphalt Plant Engineer; Cast-in-place Pipe Laying Machine; Combination Slusher and Motor Op.; Concrete Batch Plant (multiple units); Dozer; Heading Shield Op.; Heavy Duty Repairman and/or Welder; Ken Seal Machine (or similar); Kolman Loader; Loader (up to 2 yds.); Mechanical Trench Shield; Portable Crushing and Screening Plants; Push Cat; Rubber Tired Earth-moving Equipment (up to and incl. 45 cu. yds. "struck" m.r.c., Euclids, T-Pulls, DW-10, 20, 21, and similar; Rubber Tired Dozer; Self-propelled Compactor with Dozer; Sheepfoot; Timber Skidder (Rubber tired or similar equipment); Tractor drawn Scraper; Tractor Trenching Machine; Tri-Batch Paver; Tunnel Mole Boring Machine; Welder; Woods-mixer (and other similar Pugmill equipment)

GROUP 9: Canal Finger Drain Digger; Chicago Boom; Combination Mixer and Compressor (gunite); Combination Slurry Mixer and/or Cleaner; Highline Cableway (5 tons and under); Lull Hi-Lift or similar (20 ft. or over); Mucking Machine (rubber tire, rail or track type); Tractor (with boom) (D-6 or larger and similar)

GROUP 10: Boom-type Backfilling Machine; Bridge Crane; Cary-Lift (or similar); Chemical Grouting Machine; Chief of Party; Combination Backhoe and Loader (up to and incl. 1/2 cu. yd. m.r.c.); Derrick (2 ops. required when swing engine remote from hoist); Derrick Barges (except excavation work); Do-Mor Loader; Adams Elegrader; Elevating Grader; Heavy Duty Rotary Drill Rig (incl. Caisson foundation work and Robbins type drills); Koehring Skooper (or similar); Lift Slab Machine (Vagtborg and similar types); Loader (2 yds. up to and incl. 4 yds.); Locomotive (over 100 tons) (single or multiple units); Multiple Engine Earthmoving Machine (Euclids, Dozers, etc.) (no tandem scraper); Pre-Stress Wire Wrapping Machine; Reservoir-Debris Tug (self-propelled floating); Rubber-tired Scraper, Self-loading(Paddle wheels, etc.); Shuttle Car (reclaim station); Single Engine Scraper over 45 yds.; Soil Stabilizer (P & H or equal); Sub-grader (Gurries or other automatic type); Tractor, Compressor Drill Combination; Track laying type earth moving machine (single engine with tandem scrapers); Train loading station; Vacuum Cooling Plant; Whirley Crane (up to and incl. 25 tons)

GROUP 10-A: Backhoe (hydraulic) (up to and incl. 1 cu. yd. m.r.c.); Backhoe (cable) (up to and incl. 1 cu. yd. m.r.c.); Combination Backhoe and Loader over 1/2 cu. yd. m.r.c.); Continuous Flight Tie Back Auger (up to and incl. 1 cu. yd.) (crane attached); Cranes (not over 25 tons, hammerhead and gantry); Grade-alls (up to and incl. 1 cu. yd.); Power Shovels, Clamshells, Draglines, (up to and incl. 1 cu. yd. m.r.c.); Power Blade (single engine); Self-propelled Boom-type Lifting Device (center mount) (over 10 tons); Self-propelled Boom-type Lifting Device (center mount) (over 15 tons)

GROUP 11: Automatic Concrete Slip Form Paver; Automatic Railroad Car Dumper; Canal Finger Drain Backfiller; Canal Trimmer; Canal Trimmer w/ ditching attachments; Cranes (over 25 tons up to and incl. 125 tons); Continuous Flight Tie Back Auger over 1 cu. yd. (incl. crane); Drott Travelift 650-A-1 or similar (45 tons or over); Highline Cableway (Over 5 tons); Loader (over 4 yds., up to and incl. 12 cu. yds.); Power Blade (multi-engine); Power Shovels, Clamshells, Draglines, Backhoes, Grade-alls (over 1 yd. and up to and incl. 7 cu. yds. m.r.c.); Rubber-tired earth moving machines (multiple propulsion power units and two or more scrapers) (up to and incl. 75 cu. yds. "struck" m.r.c.); Self-propelled Compactor (with multiple propulsion power units); Single engine Rubber-tired Earthmoving Machines (with tandem scrapers); Slip Form Paver (concrete or asphalt); Tandem Cats; Tower Cranes Mobile; Trencher (pulling attached shield); Universal Liebher and Tower Cranes (and similar types); Wheel Excavator (up to and incl. 750 cu. yd. per hour); Whirley Crane (over 25 tons

GROUP 11-A: Band Wagons (in conjunction with Wheel Excavator); Cranes (over 125 tons); Loader (over 12 cu. yds.; up to and incl. 18 cu. yds.); Power Shovels and Draglines (over 7 cu. yds., m.r.c.); Rubber Tired Multi-Purpose Earth Moving Machines (2 units over 75 cu. yds. "struck" m.r.c.); Wheel excavator (over 750 cu. yds. per hour)

GROUP 11-B: Loader (over 18 cu. yds.)

GROUP 11-C: Operator of Helicopter (when used in erection work); Remote controlled earthmoving equipment

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS

**AREA 2: All areas not included within Area 1 as defined below.

*AREA 1: All areas included in the description defined below which is based upon township and range lines of Areas 1 and 2.

Commencing in the Pacific Ocean on the extension of the Southerly line of Township 19S.
Thence Easterly along the Southerly line of Township 19S, crossing the Mt. Diablo meridian to the S.W. corner of township 19S, range 6E, Mt. Daiblo base line and meridian,
Thence Southerly to the S.W. corner of township 20S, range 6E,
Thence Easterly to the S.W. corner of township 20S, range 13E,
Thence Southerly to the S.W. corner of township 21S, range 13E,
Thence Easterly to the S.W. corner of township 21S, range 17E,
Thence Southerly to the S.W. corner of township 22S, range 17E,
Thence Easterly to the S.E. corner of township 22S, range 17E,
Thence Southerly to the S.W. corner of township 23S, range 18E,
Thence Easterly to the S.E. corner of township 23S, range 18E,
Thence Southerly to the S.W. corner of township 24S, range 19E, falling on the Southerly line of Kings County, thence Easterly along the Southerly boundary of Kings
County and the Southerly boundary of Tulare County, to the S.E. corner of township 24S, range 29E,
Thence Northerly to the N.E. corner of township 21S, range 29E,
Thence Westerly to the N.W. corner of township 21S, range 29E,
Thence Northerly to the N.E. corner of township 13S, range 28E,
Thence Westerly to the N.W. corner of township 13S, range 28E,
Thence Northerly to the N.E. corner of township 11S, range 27E,
Thence Westerly to the N.W. corner of township 11S, range 27E,
Thence Northerly to the N.E. corner of township 10S, range 26E,
Thence Westerly to the N.W. corner of township 10S, range 26E,
Thence Northerly to the N.E. corner of township 9S, range 25E,
Thence Westerly to the N.W. corner of township 9S, range 25E,
Thence Northerly to the N.E. corner of township 8S, range 24E,
Thence Westerly to the N.W. corner of township 8S, range 24E,
Thence Northerly to the N.E. corner of township 6S, range 23E,
Thence Westerly to the S.E. corner of township 5S, range 19E,
Thence Northerly to the N.E. corner of township 5S, range 19E,
Thence Westerly to the N.W. corner of township 5S, range 19E,
Thence Northerly to the N.E. corner of township 3S, range 18E,
Thence Westerly to the N.W. corner of township 3S, range 18E,
Thence Northerly to the N.E. corner of township 2S, range 17E,
Thence Westerly to the N.W. corner of township 2S, range 17E,
Thence Northerly crosing the Mt. Diablo baseline to the N.E. corner of township 2N, range 16E,
Thence Westerly to the N.W. corner of township 2N, range 16E,
Thence Northerly to the N.E. corner of township 3N, range 15E,
Thence Westerly to the N.W. corner of township 3N, range 15E,
Thence Northerly to the N.E. corner of township 4N, range 14E,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (cont'd)

*Area 1 (cont'd):
Thence Westerly to the N.W. corner of township 4N, range 14E,
Thence Northerly to the N.E. corner of township 5N, range 13E,
Thence Westerly to the N.W. corner of township 5N, range 13E,
Thence Northerly to the N.E. corner of township 10N, range 12E,
Thence Easterly to the S.E. corner of township 11N, range 14E,
Thence Northerly to the N.E. corner of township 11N, range 14E,
Thence Westerly to the N.E. corner of township 11N, range 10E,
Thence Northerly to the N.E. corner of township 15N, range 10E,
Thence Easterly to the S.E. cotner of township 16N, range 11E,
Thence Northerly to the N.E. corner of township 16N, range 11E,
Thence Easterly to the S.E. corner of township 17N, range 14E,
Thence Southerly to the S.W. corner of township 14N, range 15E,
Thence Easterly to the S.E. corner of township 14N, range 15E,
Thence Southerly to the S.W. corner of township 13N, range 16E,
Thence Easterly to the S.E. corner of township 13N, range 16E,
Thence Southerly to the S.W. corner of township 12N, range 17E,
Thence Easterly along the Southern line of township 12N to the Eastern boundary of the state of California,
Thence Northwesterly, thence Northerly along the Eastern baundary of the state of California to the N.E. corner of township 17N, range 18E,
Thence Westerly to the N.W. corner of township 17N, range 11E,
Thence Northerly to the N.E. corner of township 20N, range 10E,
Thence Westerly to the N.W. corner of township 20N, range 10E,
Thence Northerly to the N.E. corner of township 21N, range 9E,
Thence Westerly to the N.W. corner of township 21N, range 9E,
Thence Northerly to the N.E. corner of township 22N, range 8E,
Thence Westerly to the N.W. corner of township 22N, range 8E,
Thence Northerly to the S.W. corner of township 27N, range 8E,
Thence Easterly to the S.E. corner of township 27N, range 8E,
Thence Northerly to the N.E. corner of township 28N, range 8E,
Thence Westerly to the N.W. corner of township 28N, range 7E,
Thence Northerly to the N.E. corner ot township 30N, range 6E,
Thence Westerly to the N.W. corner of township 30N, range 1E,
Thence Northerly along the Mt. Diablo meridian to the N.E. corner of township 34N, range 1W,
Thence Westerly to the N.W. corner of township 34N, range 6W,
Thence Southerly to the N.E. corner of township 32N. range 7W,
Thence Westerly to the N.W. corner of township 32N, range 7W,
Thence Southerly to the S.W. corner of township 30N, range 7W,
Thence Easterly to the S.E. corner of township 30N, range 7W,
Thence Southerly to the S.W. corner of township 16N, range 6W,
Thence Easterly to the S.E. corner of township 16N, range 6W,
Thence Southerly to the S.W. corner of township 14N, range 5W,
Thence Westerly to the S.E. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 14N, range 7W,
Thence Westerly to the N.W. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 15N, range 8W,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (cont'd)

*Area 1 (cont'd)
Thence Westerly to the S.E. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 16N, range 12W,
Thence Westerly to the N.W. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 18N, range 13W,
Thence Westerly to the N.W. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 18N, range 14W,
Thence Easterly to the S.E. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 16N, range 13W,
Thence Westerly to the N.W. corner of township 15N, range 14W,
Thence Southerly to the S.W. corner of township 14N, range 14W,
Thence Easterly to the S.E. corner of township 14N, range 14W,
Thence Southerly to the S.W. corner of township 13N, range 13W,
Thence Easterly to the S.E. corner of township 13N, range 13W,
Thence Southerly to the S.W. corner of township 11N, range 12W,
Thence Easterly to the S.E. corner of township 11N, range 12W,
Thence Southerly along the Eastern line of range 12W to the Pacific Ocean excluding that portion of Northern California within Santa Clara County included within the following line:
Commencing at the N.W. corner of township 6S, range 3E, Mt. Diablo baseline and Meridian:
Thence in a Southerly direction to the S.W. corner of township 7S, range 3E,
Thence in a Easterly direction to the S.E. corner of township 7S, range 4E,
Thence in a Northerly direction to the N.E. corner of township 6S, range 4E,
Thence in a Westerly direction to the N.W. corner of township 6S, range 3E, to the point of beginning which portion is a part of Area 2.
Area 1 also includes that portion of Northern California within the following lines:
Commencing in the Pacific Ocean on an extension of the Southerly line of township 2N, Humboldt baseline and meridian:
Thence Easterly along the Southerly line of township 2N to the S.W. corner of township 2N, range 1W,
Thence Southerly to the S.W. corner of township 1N, range 1W,
Thence Easterly along the Humboldt baseline to the S.W. corner of township 1N, range 2E,
Thence Southerly to the S.W. corner of township 2S, range 2E,
Thence Easterly to the S.E corner of township 2S, range 2E,
Thence Southerly to the S.W. corner of township 4S, range 3E,
Thence Easterly to the S.E. corner of township 4S, range 3E,
Thence Northerly to the N.E. corner of township 2S, range 3E,
Thence Westerly to the N.W. corner of township 2S, range 3E,
Thence Northerly crossing the Humboldt baseline to the S.W. corner of township 1N, range 3E,
Thence Easterly along the Humboldt baseline to the S.E. corner of township 1N, range 3E,
Thence Northerly to the N.E. corner of township 9N, range 3E,
Thence Westerly to the N.W. corner of township 9N, range 2E,
Thence Northerly to the N.E. corner of township 10N, 1E,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (Cont'd)

*Area 1: (Cont'd)
Thence Westerly along the Northerly line to township 10N, into the Pacific Ocean.
Area 1 also includes that portion of Northern California included within the following line:
Commencing at the Northerly boundary of the State of California at the N.W. corner of township 48N, range 7W, Mt. Diablo baseline and meridian:
Thence Southerly to the S.W. corner of township 44N, range 7W,
Thence Easterly to the S.E. corner of township 44N, range 7W,
Thence Southerly to the S.W. corner of township 43N, range 6W,
Thence Easterly to the S.E. corner of township 43N, range 5W,
Thence Northerly to the N.E. corner of township 48N, range 5W, on the Northerly boundary of the State of California,
Thence Westerly along the Northerly boundary of the State of California to the point of beginning.

SUPERSEDEAS DECISION

STATE: California

COUNTIES: Alameda, Alpine, Amador, Calaveras, Contra Costa, Del Norte, Eldorado, Fresno, Humboldt, Marin, Mariposa, Merced, Monterey, Napa, Nevada, Placer, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Solano, Sonoma, Sutter, Tehama, Tuolumne, Yolo and Yuba

DECISION NUMBER: CA75-5152

DATE: Date of Publication

Supersedes Decision No. CA75-5086 dated July 25, 1975, in 40 FR 31474

DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$12.15	.90	.87	1.07	.06
BOILERMAKERS	10.85	.65	1.00	.50	.02
BRICKLAYERS; Stonemasons:					
Del Norte, Humboldt, Marin, Napa, San Francisco, San Mateo, Solano and Sonoma Counties	10.02	.90	.58	1.00	
Alameda and Contra Costa Cos.	11.15	.95	.95		.20
Fresno, Mariposa and Merced Cos.	9.77	.48	1.00		
El Dorado, Nevada, Placer, Sacramento, Shasta, Sutter, Tehama, Yolo and Yuba Counties	10.65	.73	.92		.22
Monterey and Santa Cruz Counties	10.75	.93	1.10	.75	
San Benito and Santa Clara Cos.	10.15	.85	.95		.15
Alpine, Amador, Calaveras, San Joaquin and Tuolumne Counties	10.30	.55	.60	1.00	
BRICK TENDERS:					
Alameda and Contra Costa Cos.	7.70	.55	.95		.10
Marin County	6.90	.65	.50	.65	
Napa County	5.90	.65	1.35	.80	
San Benito, Santa Clara and Santa Cruz Counties	8.61	.70	.90		
San Francisco and San Mateo Cos.	10.00	.50	.65		
Shasta and Tehama Counties	5.65	.65	1.35	.80	
Alpine, Amador, El Dorado, Nevada, Placer, Sacramento and Yolo Counties	8.80	.80	1.40		
Fresno County	8.60	.80	1.40		
CARPENTERS:					
Carpenters	10.70	.74	1.26	.75	.04
Hardwood Floor Layers; Power Saw Operators; Saw Filers; Shinglers; Steel Scaffold Erectors and/or Steel Shoring Erectors	10.85	.74	1.26	.75	.04
Millwrights	11.20	.74	1.26	.75	.04
Piledrivermen, bridge, wharf and dock builders	10.83	.72	1.26	.75	.04

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CEMENT MASONS:					
Cement Masons	$9.46	1.02	1.35	1.25	.05
Mastic; Magnesite; All Composition Masons	9.71	1.02	1.35	1.25	.05
Men Working from swinging or slip form scaffolds	9.71	1.02	1.35	1.25	.05
DRYWALL INSTALLERS	10.97	.74	1.26	.75	.07
ELECTRICIANS:					
Alameda County					
Electricians	11.41	.70	1%+.50		.03
Cable Splicers	12.84	.70	1%+.50		.03
Amador, Sacramento, Sutter, Yolo, Yuba and those portions of Alpine, El Dorado, Nevada and Placer Counties West of the Main Sierra Mountain Watershed					
Electricians	11.34	.60	1%+.75		.045
Cable Splicers	12.47	.60	1%+.75		.045
Lake Tahoe Area					
Electricians	10.34	.53	1%+.55		.03
Cable Splicers	11.37	.53	1%+.55		.03
Shasta and Tehama Counties					
Electricians (Family residences limited to 3 stories)	7.08	.60	1%+.40		.005
Electricians (4 stories):					
Electricians	11.07	.75	1%+.505		.02
Cable Splicers	12.18	.75	1%+.505		.02
Calaveras and San Joaquin Cos.					
Electricians	11.00	.78	1%+.89		1%
Cable Splicers	12.38	.78	1%+.89		1%
Contra Costa County					
Electricians	11.95	.70	1%+.50		
Cable Splicers	13.20	.70	1%+.50		
Del Norte and Humboldt Counties					
Electricians	9.50	.47	1%+1.35		.02
Cable Splicers	10.26	.47	1%+1.35		.02

DECISION NO. CA75-5152

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS: (Cont'd)					
Fresno County					
Electricians (Family residences, not to exceed 2 stories)	$7.75	.60	1%+.95		.05
Electricians (3-4 stories):					
Electricians	10.01	.60	1%+.95		.05
Cable Splicers	11.41	.60	1%+.95		.05
Marin and Sonoma Counties					
Electricians	11.25	.61	1%+.30		.02
Cable Splicers	12.38	.61	1%+.30		.02
Mariposa, Merced and Tuolumne Counties					
Electricians	9.83	.62	1%		1%
Cable Splicers	10.81	.62	1%		1%
Monterey County					
Electricians	12.60	.60	1%		.01
Cable Splicers	13.92	.60	1%		.01
Napa and Solano Counties					
Electricians	9.67	.58	1%+.60		.04
Cable Splicers	10.17	.58	1%+.60		.04
San Benito, Santa Clara and Santa Cruz Counties					
Electricians	12.10	.62	1%+.60		.05
Cable Splicers	13.61	.62	1%+.60		.05
San Francisco County					
Electricians	10.67	.705	1%+.50		.04
Cable Splicers	12.00	.705	1%+.50		.04
San Mateo County					
Electricians	10.55	.69	1%+.35		.03
ELEVATOR CONSTRUCTORS	10.70	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS:					
Alameda, Contra Costs, Marin, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, (SW from E of Fairfield), Sonoma Counties	9.135	.60	.83		.01

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
IRONWORKERS:					
Fence Erectors	$9.34	.93	1.65	1.10	.03
Reinforcing	10.23	.93	1.65	1.10	.03
Ornamental; Structural	10.23	.93	1.65	1.10	.03
LATHERS:					
Alameda and Contra Costa Cos.	9.81	.74	.715		.025
Humboldt, Nevada, Placer, Shasta and Tehama Counties	10.10	.48	.50		.01
Amador, El Dorado, Sacramento and Yolo Counties	8.40	.40	.95	1.00	
Calaveras and San Joaquin Cos.	9.90	.58	.55		.01
Marin and Sonoma Counties	8.14	.40	.45	1.00	1/8%
Monterey and Santa Cruz Counties	10.37	.58	.50	.95	.01
Napa and Solano Counties	8.88	.65	.40		.01
San Francisco and N 1/2 of San Mateo County	10.98	.46	.65	1.00	.01
San Benito and Santa Clara Cos.	10.14	.73	.75		
Fresno County	10.33	.35	.45		
Mariposa, Merced and Tuolumne Counties	9.75				.01
Southern half of San Mateo Co.	10.03	.32	1.00		
PAINTERS:					
Alpine, Amador, Calaveras and San Joaquin Counties					
Brush	8.72	.70	1.45	1.00	
Spray; Sheetrock Tapers; Swing Stage; Scaffold; Sandblaster; Structural Steel	9.12	.70	1.45	1.00	
Fresno County					
Brush; Tapers	10.22	.40	.20		
Spray; Structural Steel	10.47	.40	.20		
Monterey, San Benito, San Mateo, Santa Clara and Santa Cruz Cos. (excluding portions of the Lake Tahoe Area)					
Brush	10.40	.79	.90	.80	.03
Spray	10.65	.79	.90	.80	.03
Tapers	10.95	.79	.90	.80	.03

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Lake Tahoe Area					
Brush	$10.50	.70	.20		
Spray; Structural Steel; Tapers	10.75	.70	.20		
Marin, San Francisco and Sonoma Counties					
Brush	10.15	.79	.90	.80	.03
Spray	10.40	.79	.90	.80	.03
Tapers	11.10	.79	.90	.80	.03
Alameda, Contra Costa, El Dorado Napa, Nevada, Placer, Sacramento, Solano and Yolo Counties (excluding portions of Counties in the Lake Tahoe Area)					
Brush	10.30	.79	.90	.80	.03
Spray	10.55	.79	.90	.80	.03
Tapers	11.10	.79	.90	.80	.03
PLASTERERS:					
Alameda and Contra Costa Counties	10.10	.745	1.05		.03
Sutter and Yuba Counties	9.79	.56	1.00		
Fresno County	8.24	.66	1.00	.75	.01
Monterey County	10.60	.71	.35		.01
El Dorado, Nevada, Placer, Sacramento, and Yolo Counties	9.79	.56	1.00		
San Francisco County	11.42	.63	1.00		.03
San Mateo County	7.72	.48	.90	1.50	.025
Del Norte, Humboldt, Marin, Napa, Shasta, Solano, Sonoma and Tehama Counties	8.65	.63	.50	1.00	.01
Mariposa, Merced and Tuolumne Counties	8.50	.70	1.25	1.00	
PLASTERERS' TENDERS:					
Alameda and Contra Costa Counties	8.87	.60	1.10		
Fresno County	8.65	.80	1.40		
Marin County	6.66	.65	.65	1.00	
Napa County	7.95	.80		.90	
Alpine, Amador, El Dorado, Nevada, Placer, Sacramento and Yolo Counties	7.455	.455	1.40	.80	
Calaveras and San Joaquin Cos.	8.43	.80	1.40	.90	

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLASTERERS' TENDERS: (Cont'd)					
Monterey County	$8.40	.80	1.40		
PLUMBERS:					
Alameda County	13.10	.83	1.55		.12
Contra Costa County	12.72	.90	1.72		.20
Del Norte and Humboldt Counties	10.83	.61	1.12	1.06	.05
PLUMBERS; Steamfitters:					
Amador (Northen half of County), El Dorado, Sacramento, Yolo, Nevada, Placer (excluding Lake Tahoe Area)	12.58	.92	1.35		.11
Lake Tahoe Area	10.99	.58	.60	1.95	.10
Marin, San Francisco and Sonoma Counties	11.015	1.70	1.15	1.11	.15
San Benito and Santa Clara Cos.	13.03	.82	1.65		.14
San Mateo County	11.04	.95	1.65	1.20	.25
Alpine, Amador (Southern portion of County), Calaveras, Fresno, Mariposa, Merced, Monterey, San Joaquin, Santa Cruz, Shasta, Sutter, Tehama, Tuolumne and Yuba Counties	12.10	1.15	1.74		.10
Napa and Solano Counties	11.85	.77	1.40		.12
ROOFERS:					
Alameda and Contra Costa Counties					
Roofers	10.19	.92	1.10	.60	.04
Mastic workers; Kettlemen (2 kettles w/o pumps)	10.44	.92	1.10	.60	.04
Bitumastic; Enamelers; Pipe-wrapper; Coal tar built up	11.19	.92	1.10	.60	.04
Alpine, Calaveras, Mariposa, Merced, San Joaquin and Tuolumne Counties					
Roofers (slate, tile composition and built up)	10.29	.85	.55		
Felt Machine Operator	10.44	.85	.55		
El Dorado, Placer, Shasta, Sutter and Yuba Counties					
Roofers	10.14	.95	.40		

DECISION NO. CA75-5152

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS: (Cont'd)					
Fresno County					
Roofers	$9.45	.50	.50		
Marin, Napa, Solano and Sonoma Counties					
Roofers	9.63	.65	1.10	1.43	.04
Mastic workers; Kettlemen (2 kettles w/o pump)	9.88	.65	1.10	1.43	.04
Bitumastic; Enamelers; Pipe-wrappers; Coal Tar Pitch	10.63	.65	1.10	1.43	.04
Del Norte and Humboldt Counties					
Roofers	9.32	.40	.75	.35	
Monterey and Santa Cruz Counties					
Roofers	8.65	.60	.60	1.00	
San Francisco and San Mateo Cos.					
Roofers	10.23	.50	1.10	.95	.04
Mastic workers and Kettlemen(2 kettles) without pumps)	10.48	.50	1.10	.95	.04
Bitumastic; Enamelers; Pipe-wrappers;; Coal tar	11.23	.50	1.10	.95	.04
Amador, Sacramento and Yolo Cos.					
Roofers	9.36	.82	1.10	1.00	.04
Enamelers and Pitch	10.36	.82	1.10	1.00	.04
San Benito and Santa Clara Cos.					
Roofers; Kettlemen (1 kettle)	8.51	.61	1.03		
SHEET METAL WORKERS:					
Alameda, Contra Costa, Napa and Solano Counties	10.84	1.60	1.40	12%	.04
Alpine, Calaveras and San Joaquin Counties	7.62	.36	.95	1.40	
Amador, El Dorado, Nevada, Placer, Sacramento, Shasta, Sutter, Tehama, Yolo and Yuba Counties	8.46	.48	1.20	12%	.08
Fresno County	8.05	.38	.69	.80	.07
Mariposa, Merced and Tuolumne Counties	8.83	.36	.60	-	.03
Monterey, San Benito, Santa Clara and Santa Cruz Counties	9.45	.48	1.555	.945	
San Mateo County	11.76	.48	1.61	-	.12
Del Norte, Humboldt, Marin, San Francisco and Sonoma Counties	10.86	.48	1.20		10%

DECISION NO. CA75-5152

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SOFT FLOOR LAYERS:					
Alpine, Amador, Calaveras, Merced (East of the San Joaquin River), San Joaquin, Shasta, Sacramento, Sutter, Tehama, Tuolumne, Yolo and Yuba Counties; and those portions of El Dorado, Nevada and Placer Counties (excluding Lake Tahoe Area)	$9.44	.64	1.00	1.00	.09
Lake Tahoe Area	9.55	.70	.20		
SPRINKLER FITTERS:					
Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma Counties	14.56	.50	.80		.09
Remaining Counties	13.72	.50	.80		.08
STEAMFITTERS:					
Alameda and Contra Costa Counties	10.065	.75	1.25		.12
Del Norte and Humboldt Counties	11.13	.61	1.12	1.06	.05
TERRAZZO WORKERS:					
Alameda, Contra Costa, Del Norte, Humboldt, Marin, Napa, San Francisco, San Mateo, Solano and Sonoma Counties	8.78	.85	.58	1.00	
El Dorado, Nevada, Placer, Sacramento, Shasta, Sutter, Tehama, Yolo and Yuba Counties	10.65	.73	.92		.22
TILE SETTERS:					
Alameda, Contra Costa, Del Norte, El Dorado, Humboldt, Marin, Napa, Nevada, Placer, Sacramento, San Benito, San Francisco, San Mateo, Santa Clara, Shasta, Solano, Sonoma, Sutter, Tehama, Yolo and Yuba Counties	10.10	.78	.90	.90	.025
Alpine, Amador, Calaveras, San Joaquin and Tuolumne Counties	9.17	.55	.30	1.00	
Fresno, Mariposa and Merced Cos.	8.97	.40	.35		
Monterey and Santa Cruz Counties	9.72	.845	.73	.87	

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTE:

a. Employer contributes 4% of basic hourly rate for over 5 years' service and 2% of basic hourly rate for 6 months to 5 years as Vacation Pay Credit. Six Paid Holidays: A through F.

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BULK CEMENT SPREADER (w/wo auger, under 4 yds. water level); Bus or manhaul driver, Concrete pump machine; Concrete pump truck (when flat rack truck is used appropriate flat rack rate shall apply); Dump (under 4 yds. water level); Dumpcrete truck (under 4 yds. water level); Dumpster (under 4 yds. water level); Escort or pilot car driver; Nipper truck (when flat rack truck is used appropriate flat rack rate shall apply); Pickups; Skids (debris box, under 4 yds. water level); Team drivers; Trucks (dry pre-batch concrete mix, under 4 yds. water level); Helpers; Warehousemen	$ 7.795	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, 4 yds. and under 6 yds. water level); Dump (4 yds. & under 6 yds. water level); Dumpcrete (4 yds. & under 6 yds. water level); Dumpster (4 yds. & under 6 yds. water level); Skids (debris box, 4 yds. & under 6 yds. water level); Single unit flat rack (2 axle unit) Industrial Lift Truck (Mechanical Tailgate) Trucks (dry pre-batch concrete mix, 4 yds. & under 6 yds. water level)	7.89	1.195	.65	1.00	
JETTING TRUCK & WATER TRUCK (under 2,500 gals.)	7.905	1.195	.65	1.00	
LIFT JITNEYS, Fork lift	7.925	1.195	.65	1.00	
TRANSIT MIX, AGITATOR (under 6 yds.)	7.945	1.195	.65	1.00	
TRUCK REPAIRMAN HELPER	7.965	1.195	.65	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
VACUUM TRUCK (UNDER 3,500 gals)	$ 7.975	1.195	.65	1.00	
SCISSOR TRUCK; Single unit flat rack (3 axle unit); Industrial Lift Truck (Mechanical Tailgate); Small rubber tired tractor (when used within teamsters' jurisdiction)	7.99	1.195	.65	1.00	
JETTING TRUCK & WATER TRUCK (2,500 gals. under 4,000 gals.)	8.005	1.195	.65	1.00	
COMBINATION WINCH TRUCK WITH HOIST; Transit mix, agitator (6 yds. & under 8 yds.)	8.045	1.195	.65	1.00	
VACUUM TRUCK (3,500 gals. & under 5,500 gals.)	8.055	1.195	.65	1.00	
RUBBER-TIRED MUCK CAR (not self-loaded)	8.065	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, 6 yds. & under 8 yds. water level) Dump (6 yds. & under 8 yds. water level); Dumpcrete (6 yds. & under 8 yds. water level); Dumpster (6 yds. & under 8 yds. water level); Skids (debris box, 6 yds. & under 8 yds. water level); Trucks (dry pre-batch concrete mix, 6 yds. & under 8 yds. water level)	8.09	1.195	.65	1.00	
A-FRAME, WINCH TRUCKS; Buggymobile Hydro-lift, Swedish crane type (jetting); Jetting & water truck (4,000 gals. & under 5,000 gals.); Rubber tired jumbo	8.105	1.195	.65	1.00	
HEAVY DUTY TRANSPORT (high bed)	8.11	1.195	.65	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROSS HYSTER and SIMILAR STRADDLE CARRIER	$8.135	1.195	.65	1.00	
TRANSIT MIX AGITATOR (8 yds. through 10 yds.)	8.145	1.195	.65	1.00	
VACUUM TRUCK (5,500 gals. and under 7,500 gals.)	8.155	1.195	.65	1.00	
JETTING TRUCK and WATER TRUCK (5,000 gals. & under 7,000 gals.)	8.205	1.195	.65	1.00	
TRANSIT MIX AGITATOR (over 10 yds. through 12 yds.)	8.245	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, 8 yds. and incl. 12 yds. water level); Dump (8 yds. and incl. 12 yds. water level); Dumpcrete (8 yds. and incl. 12 yds. water level); Self-propelled street sweeper with self-contained refuse bin; Skids (debris box, 8 yds. and incl. 12 yds. water level); Snow go and/or snow plow; Truck (dry pre-batch concrete mix, 8 yds. and incl. 12 yds. water level); Dumpster (8 yds. and incl. 12 yds. water level)	8.33	1.195	.65	1.00	
HEAVY DUTY TRANSPORT (gooseneck lowbed)	8.34	1.195	.65	1.00	
TRANSIT MIX AGITATOR (over 12 yds. through 14 yds.)	8.345	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 12 yds. and incl. 18 yds. water level); Dump (over 12 yds. and incl. 18 yds. water level); Dumpcrete (over 12 yds. and incl. 18 yds. water level); Dumpster (over 12 yds. and incl. 18 yds. water level); Skids (debris box, over 12 yds. and incl. 18 yds. water level); Trucks (dry pre-batch concrete mix, over 12 yds. and incl. 18 yds. water level)	8.37	1.195	.65	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
P. B. OR SIMILAR TYPE SELF-LOADING TRUCK	$ 8.43	1.195	.65	1.00	
TRUCK REPAIRMAN	8.465	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 18 yds. & incl. 24 yds. water level); Combination dump & dump trailer; Dump (over 18 yds. & incl. 24 yds. water level); Dumpcrete (over 18 yds. & incl. 24 yds. water level); Dumpster (over 18 yds. & incl. 24 yds. water level); Skid (debris box, over 18 yds. & incl. 24 yds. water level); Transit mix agitator (over 14 yds. through 16 yds.); Trucks (dry pre-batch concrete mix, over 17 yds. & incl. 24 yds. water level)	8.475	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 24 yds. & incl. 35 yds. water level); Dump (over 24 yds. & incl. 35 yds. water level); Dumpcrete (over 24 yds. & incl. 35 yds. water level); Dumpster (over 24 yds. & incl. 35 yds. water level); DW 10's, 20's, 21's & other similar cat type, Terra Cobra, LeTourneau-puls, Tournorocker, Euclid & similar type equipment when pulling Aqua/Pak or water tank trailers & fuel and/or grease tank trailers or other misc. trailers; Skids (debris box, over 24 yds. & incl. 35 yds. water level); Truck (dry pre-batch concrete mix, over 24 yds. & incl. 35 yds. water level)	8.53	1.195	.65	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BULK CEMENT SPREADER (w/wo auger, over 35 yds. & incl. 50 yds. water level); Dump (over 35 yds. & incl. 50 yds. water level); Dumpcrete (over 35 yds. & incl. 50 yds. water level); Dumpster (over 35 yds. & incl. 50 yds. water level); Skids (debris box, over 35 yds. & incl. 50 yds. water level); Trucks (dry pre-batch concrete mix, over 35 yds. & incl. 50 yds. water level)	$ 8.68	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 50 yds. & under 65 yds. water level); Dump (over 50 yds. & under 65 yds. water level); Dumpcrete (over 50 yds. & under 65 yds. water level); Dumpster (over 50 yds. & under 65 yds. water level); Helicopter pilot (when transporting men or materials); Skids (debris box, over 50 yds. & under 65 yds. water level); Trucks (dry pre-batch concrete mix, over 50 yds. & under 65 yds. water level)	8.83	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 65 yds. & incl. 80 yds. water level); Dump (65 yds. & incl. 80 yds. water level); Dumpcrete (65 yds. & incl. 80 yds. water level); Dumpster (65 yds. & incl. 80 yds. water level); Skids (debris box, 65 yds. & incl. 80 yds. water level); Trucks (dry pre-batch concrete mix, 65 yds. & incl. 80 yds. water level)	8.98	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 80 yds. & incl. 95 yds. water level); Dump (over 80 yds. & incl. 95 yds. water level); Dumpcrete (over 80 yds. & incl. 95 yds. water level); Dumpster (over 80 yds. & incl. 95 yds. water level);					

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Skids (debris box, over 80 yds. & incl. 95 yds. water level); Trucks (dry pre-batch concrete mix, over 80 yds. & incl. 95 yds. water level)	$9.13	1.195	.65	1.00	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS					
Group 1:	$7.785	.80	1.40	.90	.10
Group 1(a):	8.01	.80	1.40	.90	.10
Group 1(b):	7.835	.80	1.40	.90	.10
Group 1(c):	8.335	.80	1.40	.90	.10
Group 1(d):	7.985	.80	1.40	.90	.10
Group 2:	7.635	.80	1.40	.90	.10
Group 3:	7.535	.80	1.40	.90	.10
LABORERS (Gunite)					
Group 1:	8.245	.80	1.40	.90	.10
Group 2:	7.655	.80	1.40	.90	.10
Group 3:	7.535	.80	1.40	.90	.10

LABORERS

GROUP 1: Asphalt ironers and rakers; Barko, wacker and similar type tampers; Buggymobile; Chainsaw, faller, logloader and bucker; Compactors of all types; Concrete and magnesite mixer 1/2 yd. and under; Concrete pan work; Concrete saw; Concrete sander; Cribber and/or shoring; Cut granite curb setter; Form raisers; slip forms; Green cutters, Headerboardmen, hubsetters, aligners; Jackhammer Ops.; Jacking of pipe over 12 in.; Jackson and similar type compactors; Kettlemen, potmen and men applying asphalt, lay-Kold, creosote, lime, caustic and similar type materials; Lagging, sheeting, whaling, bracing, trench-jacking, hand-guided lagging hammer; Magnesite, epoxyresin, fiberglass, and mastic workers (wet or dry); Pavement breakers and spaders, incl. tool grinder; Pipelayers, caulkers, banders, pipewrappers, conduit layers, plastic pipelayers; Post hole diggers - air, gas and electric; Power broom sweepers; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap-stonepaver and rock-slinger, incl. placing of sacked concrete and/or sand (wet or dry); Rotary scarifier, multiple head concrete chipper; Davis Trencher - 300 or similar type (and all small trenchers); Roto and ditch witch; Rototiller; Sandblasters, potman, gunman, nozzleman; Signalling and rigging; Tank cleaners; Tree climbers; Vibra-screed - bull float in connection with laborers' work; Vibrators; Dri-pak-it machine; High pressures blow pipe (1 1/2" or over, 100 lbs. pressure or over); Hydro seeder and similar type; Laser beam in connection with laborers' work

GROUP 1(a): Joy drill Model TWM-2A; Gardener-Denver Model DH143 and similar type drills; Track drillers; Jack Leg drillers; Diamond drillers; Wagon drillers; Mechanical drillers - all types regardless of type or method of power; Multiple unit drills; Blasters and powdermen; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High scalers (incl. drilling of same); Tree topper; Bit grinder

GROUP 1(b): Burning and Welding

GROUP 1(c): Laborers on general construction work on or in bell hole footings and shaft

GROUP 1(d): Contra Costa County Only: Pipelayers, Caulkers, Banders, Pipewrappers, Conduit Layers and Plastic pipelayers; Pressure pipe tester, no joint pipe & stripping of same, incl. repair of voids, Precast manhole setters, cast in place, manhole form setters

GROUP 2: Asphalt Shovelers; Cement dumpers and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chuteman; Concrete chipping and grinding; Concrete Laborers (wet or dry); Driller's helper; Chuck Tender; Nipper; Guinea Chaser (Stakeman); Grout Crew; High Pressure Nozzleman, adductors; Hydraulic Monitor (over 100 lbs. pressure); Loading and unloading, carrying and handling of all rods and materials for use in reinforcing concrete

LABORERS (Cont'd)

construction; Pittsburgh Chipper, and similar type brush shredders; Sloper; Singlefoot, hand held, pneumatic tamper; All pneumatic, air, gas, and electric tools; Jacking of pipe under 12 in.

GROUP 3: All cleanup work of debris, grounds and buildings incl. but not limited to street cleaners; Cleaning and washing windows; Construction laborers incl. bridge and general laborers; Dumpman, load spotter; Fire watcher; Street cleaners; Gardeners, horticultural and landscape laborers; Jetting; Limbers; Brush loaders; Pilers, maintenance landscape laborers on new construction; Maintenance, repair trackmen and road beds; Streetcar and railroad construction track laborers; Temporary air and water lines, Victaulic or similar; Tool room attendant; Fence erectors; Guardrail erectors; Pavement markers (button setters)

LABORERS (Gunite)

GROUP 1: Nozzleman (incl. Gunman, Potman); Rodmen; Groundman

GROUP 2: Reboundman

GROUP 3: General laborers

	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (Except Piledriving and Steel Erection)	AREA 1	AREA 2				
Group 1:	$8.30	$9.70	$1.07*	$1.78	.80	.24
Group 2:	8.65	10.05	1.07*	1.78	.80	.24
Group 3:	8.86	10.26	1.07*	1.78	.80	.24
Group 4:	9.41	10.81	1.07*	1.78	.80	.24
Group 5:	9.62	11.02	1.07*	1.78	.80	.24
Group 6:	9.77	11.17	1.07*	1.78	.80	.24
Group 7:	9.92	11.32	1.07*	1.78	.80	.24
Group 8:	10.32	11.72	1.07*	1.78	.80	.24
Group 9:	10.54	11.94	1.07*	1.78	.80	.24
Group 10:	10.74	12.14	1.07*	1.78	.80	.24
Group 10-A:	10.85	12.25	1.07*	1.78	.80	.24
Group 11:	11.02	12.42	1.07*	1.78	.80	.24
Group 11-A:	12.09	13.49	1.07*	1.78	.80	.24
Group 11-B:	12.37	13.77	1.07*	1.78	.80	.24
Group 11-C:	12.66	14.06	1.07*	1.78	.80	.24

*Includes $.20 per hour to Pensioned Health and Welfare Fund.

POWER EQUIPMENT OPERATORS (AREAS I & II)
(Except Piledriving and Steel Erection)

GROUP 1: Assistants to Engineers (Brakeman; Fireman; Heavy Duty Repairman Helper; Oiler; Deckhand; Signalman; Switchman; Tar Pot Fireman); Partsman (Heavy Duty Repair shop parts room)

GROUP 2: Compressor Op.; Concrete Mixer (up to and incl. 1 yd.); Conveyor Belt Operator (tunnel); Fireman Hot Plant; Hydraulic; Monitor; Mechanical Conveyor (handling building materials); Mixer Box Op. (concrete plant); Pump Operator; Spreader Boxman (with screeds); Tar Pot Fireman (power agitated)

GROUP 3: Box Operator (bunker); Helicopter Radioman (signalman); Motorman; Locomotive; Oiler; Rodman or Chainman; Ross Carrier (construction job site); Rotomist Operator; Screedman (except asphaltic concrete paving); Self-propelled, automatically applied concrete curing machine (on streets, highways, airports and canals); Trenching Machine (Maximum digging capacity 3 ft. depth); Tugger Hoist, single drum; Truck Crane Oiler

GROUP 4: Ballast Jack Tamper; Ballast Regulator; Ballast Tamper Multi-purpose; Boxman (asphalt plant); Elevator Op. (inside); Fork Lift or Lumber Stacker (construction job site); Line Master; Lubrication and Service Engineer (mobile and grease rack); Material Hoist (1 drum); Shuttlecar; Tie Spacer; Towermobile

GROUP 5: Compressor Op. (2 to 7); Concrete Mixers (over 1 yd.); Concrete Pumps or Pumpcrete Guns; Generators (100 K.W. or over); Grouting Machine; Press-weld (air-operated); Pumps (2 to 7); Welding Machines (powered other than by electricity) (2 to 7)

GROUP 6: BLH Lima Road Pactor or similar; Boom Truck or Dual Purpose A-Frame Truck; Concrete Batch Plants (wet or dry); Concrete Saws (self-propelled unit) on streets, highways, airports and canals; Drilling and Boring Machinery, vertical and horizontal (not to apply to waterliners, wagon drills or jack-hammers); Gradesetter, Grade Checker (mechanical or otherwise); Highline Cableway Signalman; Locomotives (steam or over 30 tons) Maginnis Internal Full Slab Vibrator (on airports, highways, canals and warehouses); Mechanical Finishers (concrete) (Clary, Johnson, Bidwell Bridge Deck or similar types); Mechanical Burm, Curb and/or Curb and Gutter Machine, concrete or asphalt; Portable Crusher; Post Driver (M-1500 and similar); Power Jumbo Operator (setting slip forms, etc. in tunnels); Roller; Screedman (Barber-Greene and similar) (asphaltic concrete paving); Self-propelled Compactor (single engine); Self-propelled Pipeline Wrapping Machine, Perault, CRC, or similar types); Slip Forms Pumps (lifting device for concrete forms); Small Rubber Tired Tractors; Surface Heater

POWER EQUIPMENT OPERATORS (AREAS I & II) (CONT'D)
(Except Piledriving and Steel Erection)

GROUP 7: Concrete Conveyor or Concrete Pump, Truck or Equipment mounted (boom length to apply); Concrete Conveyor, building site; Deck Engineers; Dual Drum Mixer; Fuller Kenyon Pump and similar types; Gantry Rider (or similar); Hydra-Hammer (or similar); Instrument Man; Material Hoist (2 or more drums); Mechanical Finishers or Spreader Machine (asphalt, Barber-Greene and similar; Mine or Shaft Hoist; Mixermobile; Pavement Breaker with or without Compressor Combination; Pavement Breaker, Truck mounted with Compressor Combination; Pipe Bending Machine (pipelines only); Pipe Cleaning Machine (tractor propelled and supported); Pipe Wrapping Machine (tractor propelled and supported); Refrigeration Plant; Roller Operator (finish asphalt); Self-propelled boom type lifting device (center mount) (10 tons or less M.R.C); Self-propelled Elevating Grade Plane; Slusher Op.; Small Tractor (with boom) Soil Tester; Truck type Loader

GROUP 8: Amor-Coater (or similar); Asphalt Plant Engineer; Cast-in-place Pipe Laying Machine; Combination Slusher and Motor Op.; Concrete Batch Plant (multiple units); Dozer; Heading Shield Op.; Heavy Duty Repairman and/or Welder; Ken Seal Machine (or similar); Kolman Loader; Loader (up to 2 yds.); Mechanical Trench Shield; Portable Crushing and Screening Plants; Push Cat; Rubber Tired Earth-moving Equipment (up to and incl. 45 cu. yds. "struck" m.r.c., Euclids, T-Pulls, DW-10, 20, 21, and similar; Rubber Tired Dozer; Self-propelled Compactor with Dozer; Sheepfoot; Timber Skidder (Rubber tired or similar equipment); Tractor drawn Scraper; Tractor Trenching Machine; Tri-Batch Paver; Tunnel Mole Boring Machine; Welder; Woods-mixer (and other similar Pugmill equipment)

GROUP 9: Canal Finger Drain Digger; Chicago Boom; Combination Mixer and Compressor (gunite); Combination Slurry Mixer and/or Cleaner; Highline Cableway (5 tons and under); Lull Hi-Lift or similar (20 ft. or over); Mucking Machine (rubber tire, rail or track type); Tractor (with boom) (D-6 or larger and similar)

GROUP 10: Boom-type Backfilling Machine; Bridge Crane; Cary-Lift (or similar); Chemical Grouting Machine; Chief of Party; Combination Backhoe and Loader (up to and incl. 1/2 cu. yd. m.r.c.); Derrick (2 ops. required when swing engine remote from hoist); Derrick Barges (except excavation work); Do-Mor Loader; Adams Elegrader; Elevating Grader; Heavy Duty Rotary Drill Rig (incl. Caisson foundation work and Robbins type drills); Koehring Skooper (or similar); Lift Slab Machine (Vagtborg and similar types); Loader (2 yds. up to and incl. 4 yds.); Locomotive (over 100 tons) (single or multiple units); Multiple Engine Earthmoving Machine (Euclids, Dozers, etc.) (no tandem scraper); Pre-Stress Wire Wrapping Machine; Reservoir-Debris Tug (self-propelled floating); Rubber-tired Scraper, Self-loading(Paddle wheels, etc.); Shuttle Car (reclaim station); Single Engine Scraper over 45 yds.; Soil Stabilizer (P & H or equal); Sub-grader (Gurries or other automatic type); Tractor, Compressor Drill Combination; Track laying-type earth moving machine (single engine with tandem scrapers); Train loading station; Vacuum Cooling Plant; Whirley Crane (up to and incl. 25 tons)

POWER EQUIPMENT OPERATORS (AREAS I & II) - (cont'd)
(Except Piledriving and Steel Erection)

GROUP 10-A: Backhoe (hydraulic) (up to and incl. 1 cu. yd. m.r.c.); Backhoe (cable) (up to and incl. 1 cu. yd. m.r.c.); Combination Backhoe and Loader over 1/2 cu. yd. m.r.c.); Continuous Flight Tie Back Auger (up to and incl. 1 cu. yd.) (crane attached); Cranes (not over 25 tons, hammerhead and gantry); Grade-alls (up to and incl. 1 cu. yd.); Power Shovels, Clamshells, Draglines, (up to and incl. 1 cu. yd. m.r.c.); Power Blade (single engine); Self-propelled Boom-type Lifting Device (center mount) (over 10 tons); Self-propelled Boom-type Lifting Device (center mount) (over 15 tons)

GROUP 11: Automatic Concrete Slip Form Paver; Automatic Railroad Car Dumper; Canal Finger Drain Backfiller; Canal Trimmer; Canal Trimmer w/ ditching attachments; Cranes (over 25 tons up to and incl. 125 tons); Continuous Flight Tie Back Auger over 1 cu. yd. (incl. crane); Drott Travelift 650-A-1 or similar (45 tons or over); Highline Cableway (Over 5 tons); Loader (over 4 yds., up to and incl. 12 cu. yds.); Power Blade (multi-engine); Power Shovels, Clamshells, Draglines, Backhoes, Grade-alls (over 1 yd. and up to and incl. 7 cu. yds. m.r.c.); Rubber-tired earth moving machines (multiple propulsion power units and two or more scrapers) (up to and incl. 75 cu. yds. "struck" m.r.c.); Self-propelled Compactor (with multiple propulsion power units); Single engine Rubber-tired Earthmoving Machines (with tandem scrapers); Slip Form Paver (concrete or asphalt); Tandem Cats; Tower Cranes Mobile; Trencher (pulling attached shield); Universal Liebher and Tower Cranes (and similar types); Wheel Excavator (up to and incl. 750 cu. yd. per hour); Whirley Crane (over 25 tons

GROUP 11-A: Band Wagons (in conjunction with Wheel Excavator); Cranes (over 125 tons); Loader (over 12 cu. yds.; up to and incl. 18 cu. yds.); Power Shovels and Draglines (over 7 cu. yds., m.r.c.); Rubber Tired Multi-Purpose Earth Moving Machines (2 units over 75 cu. yds. "struck" m.r.c.); Wheel excavator (over 750 cu. yds. per hour)

GROUP 11-B: Loader (over 18 cu. yds.)

GROUP 11-C: Operator of Helicopter (when used in erection work); Remote controlled earthmoving equipment

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS

**AREA 2: All areas not included within Area 1 as defined below.

*AREA 1: All areas included in the description defined below which is based upon township and range lines of Areas 1 and 2.

Commencing in the Pacific Ocean on the extension of the Southerly line of Township 19S.
Thence Easterly along the Southerly line of Township 19S, crossing the Mt. Diablo meridian to the S.W. corner of township 19S, range 6E, Mt. Daiblo base line and meridian,
Thence Southerly to the S.W. corner of township 20S, range 6E,
Thence Easterly to the S.W. corner of township 20S, range 13E,
Thence Southerly to the S.W. corner of township 21S, range 13E,
Thence Easterly to the S.W. corner of township 21S, range 17E,
Thence Southerly to the S.W. corner of township 22S, range 17E,
Thence Easterly to the S.E. corner of township 22S, range 17E,
Thence Southerly to the S.W. corner of township 23S, range 18E,
Thence Easterly to the S.E. corner of township 23S, range 18E,
Thence Southerly to the S.W. corner of township 24S, range 19E, falling on the Southerly line of Kings County, thence Easterly along the Southerly boundary of Kings County and the Southerly boundary of Tulare County, to the S.E. corner of township 24S, range 29E,
Thence Northerly to the N.E. corner of township 21S, range 29E,
Thence Westerly to the N.W. corner of township 21S, range 29E,
Thence Northerly to the N.E. corner of township 13S, range 28E,
Thence Westerly to the N.W. corner of township 13S, range 28E,
Thence Northerly to the N.E. corner of township 11S, range 27E,
Thence Westerly to the N.W. corner of township 11S, range 27E,
Thence Northerly to the N.E. corner of township 10S, range 26E,
Thence Westerly to the N.W. corner of township 10S, range 26E,
Thence Northerly to the N.E. corner of township 9S, range 25E,
Thence Westerly to the N.W. corner of township 9S, range 25E,
Thence Northerly to the N.E. corner of township 8S, range 24E,
Thence Westerly to the N.W. corner of township 8S, range 24E,
Thence Northerly to the N.E. corner of township 6S, range 23E,
Thence Westerly to the S.E. corner of township 5S, range 19E,
Thence Northerly to the N.E. corner of township 5S, range 19E,
Thence Westerly to the N.W. corner of township 5S, range 19E,
Thence Northerly to the N.E. corner of township 3S, range 18E,
Thence Westerly to the N.W. corner of township 3S, range 18E,
Thence Northerly to the N.E. corner of township 2S, range 17E,
Thence Westerly to the N.W. corner of township 2S, range 17E,
Thence Northerly crosing the Mt. Diablo baseline to the N.E. corner of township 2N, range 16E,
Thence Westerly to the N.W. corner of township 2N, range 16E,
Thence Northerly to the N.E. corner of township 3N, range 15E,
Thence Westerly to the N.W. corner of township 3N, range 15E,
Thence Northerly to the N.E. corner of township 4N, range 14E,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (cont'd)

*Area 1 (cont'd):
Thence Westerly to the N.W. corner of township 4N, range 14E,
Thence Northerly to the N.E. corner of township 5N, range 13E,
Thence Westerly to the N.W. corner of township 5N, range 13E,
Thence Northerly to the N.E. corner of township 10N, range 12E,
Thence Easterly to the S.E. corner of township 11N, range 14E,
Thence Northerly to the N.E. corner of township 11N, range 14E,
Thence Westerly to the N.E. corner of township 11N, range 10E,
Thence Northerly to the N.E. corner of township 15N, range 10E,
Thence Easterly to the S.E. cotner of township 16N, range 11E,
Thence Northerly to the N.E. corner of township 16N, range 11E,
Thence Easterly to the S.E. corner of township 17N, range 14E,
Thence Southerly to the S.W. corner of township 14N, range 15E,
Thence Easterly to the S.E. corner of township 14N, range 15E,
Thence Southerly to the S.W. corner of township 13N, range 16E,
Thence Easterly to the S.E. corner of township 13N, range 16E,
Thence Southerly to the S.W. corner of township 12N, range 17E,
Thence Easterly along the Southern line of township 12N to the Eastern boundary of the state of California,
Thence Northwesterly, thence Northerly along the Eastern boundary of the state of California to the N.E. corner of township 17N, range 18E,
Thence Westerly to the N.W. corner of township 17N, range 11E,
Thence Northerly to the N.E. corner of township 20N, range 10E,
Thence Westerly to the N.W. corner of township 20N, range 10E,
Thence Northerly to the N.E. corner of township 21N, range 9E,
Thence Westerly to the N.W. corner of township 21N, range 9E,
Thence Northerly to the N.E. corner of township 22N, range 8E,
Thence Westerly to the N.W. corner of township 22N, range 8E,
Thence Northerly to the S.W. corner of township 27N, range 8E,
Thence Easterly to the S.E. corner of township 27N, range 8E,
Thence Northerly to the N.E. corner of township 28N, range 8E,
Thence Westerly to the N.W. corner of township 28N, range 7E,
Thence Northerly to the N.E. corner ot township 30N, range 6E,
Thence Westerly to the N.W. corner of township 30N, range 1E,
Thence Northerly along the Mt. Diablo meridian to the N.E. corner of township 34N, range 1W,
Thence Westerly to the N.W. corner of township 34N, range 6W,
Thence Southerly to the N.E. corner of township 32N. range 7W,
Thence Westerly to the N.W. corner of township 32N, range 7W,
Thence Southerly to the S.W. corner of township 30N, range 7W,
Thence Easterly to the S.E. corner of township 30N, range 7W,
Thence Southerly to the S.W. corner of township 16N, range 6W,
Thence Easterly to the S.E. corner of township 16N, range 6W,
Thence Southerly to the S.W. corner of township 14N, range 5W,
Thence Westerly to the S.E. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 14N, range 7W,
Thence Westerly to the N.W. corner of township 14N, range 7W;
Thence Northerly to the N.E. corner of township 15N, range 8W,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (cont'd)

*Area 1 (cont'd)
Thence Westerly to the S.E. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 16N, range 12W,
Thence Westerly to the N.W. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 18N, range 13W,
Thence Westerly to the N.W. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 18N, range 14W,
Thence Easterly to the S.E. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 16N, range 13W,
Thence Westerly to the N.W. corner of township 15N, range 14W,
Thence Southerly to the S.W. corner of township 14N, range 14W,
Thence Easterly to the S.E. corner of township 14N, range 14W,
Thence Southerly to the S.W. corner of township 13N, range 13W,
Thence Easterly to the S.E. corner of township 13N, range 13W,
Thence Southerly to the S.W. corner of township 11N, range 12W,
Thence Easterly to the S.E. corner of township 11N, range 12W,
Thence Southerly along the Eastern line of range 12W to the Pacific Ocean excluding that portion of Northern California within Santa Clara County included within the following line:
Commencing at the N.W. corner of township 6S, range 3E, Mt. Diablo baseline and Meridian:
Thence in a Southerly direction to the S.W. corner of township 7S, range 3E,
Thence in a Easterly direction to the S.E. corner of township 7S, range 4E,
Thence in a Northerly direction to the N.E. corner of township 6S, range 4E,
Thence in a Westerly direction to the N.W. corner of township 6S, range 3E, to the point of beginning which portion is a part of Area 2.
Area 1 also includes that portion of Northern California within the following lines:
Commencing in the Pacific Ocean on an extension of the Southerly line of township 2N, Humboldt baseline and meridian:
Thence Easterly along the Southerly line of township 2N to the S.W. corner of township 2N, range 1W,
Thence Southerly to the S.W. corner of township 1N, range 1W,
Thence Easterly along the Humboldt baseline to the S.W. corner of township 1N, range 2E,
Thence Southerly to the S.W. corner of township 2S, range 2E,
Thence Easterly to the S.E corner of township 2S, range 2E,
Thence Southerly to the S.W. corner of township 4S, range 3E,
Thence Easterly to the S.E. corner of township 4S, range 3E,
Thence Northerly to the N.E. corner of township 2S, range 3E,
Thence Westerly to the N.W. corner of township 2S, range 3E,
Thence Northerly crossing the Humboldt baseline to the S.W. corner of township 1N, range 3E,
Thence Easterly along the Humboldt baseline to the S.E. corner of township 1N, range 3E,
Thence Northerly to the N.E. corner of township 9N, range 3E,
Thence Westerly to the N.W. corner of township 9N, range 2E,
Thence Northerly to the N.E. corner of township 10N, 1E,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (cont'd)

*Area 1 (cont'd)
Thence Westerly along the Northerly line to township 10N,
into the Pacific Ocena.
Area 1 also includes that portion of Northern California
included within the following line:
Commencing at the Northerly boundary of the state of
California at the N.W. corner of township 48N, range 7W,
Mt. Diablo baseline and meridian:
Thence Southerly to the S.W. corner of township 44N, range 7W,
Thence Easterly to the S.E. corner of township 44N, range 7W,
Thence Southerly to the S.W. corner of township 43N, range 6W,
Thence Easterly to the S. E. corner of township 43N, range 5W,
Thence Northerly to the N.E. corner of township 48N, range 5W,
on the Northerly boundary of the state of California,
Thence Westerly along the Northerly boundary of the state of
California to the point of beginning.

STATE: Tennessee
COUNTY: Statewide
DECISION NUMBER: TN-76-1001
DATE: Date of Publication
Supersedes Decision No.: AR-4046 dated January 3, 1974 in 40 FR 940
DESCRIPTION OF WORK: Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Bricklayers	6.40				
Carpenters or leadsman	5.35				
Cement masons	5.35				
Electricians	6.15				
Ironworkers, reinforcing	5.10				
Ironworkers, structural	5.70				
Laborers:					
Laborers, unskilled, Flagman	3.25				
Chain saw, Concrete rubber, Mortar mixer, Pipelayer	3.50				
Air tool operator, firemen	3.55				
Concrete edger	3.65				
Concrete saw operator, fence erector, guard rail erector	3.75				
Asphalt raker	3.85				
Sign erector	3.95				
Form setter, Steel road	4.25				
Powderman	4.55				
Nozzleman or gunman (gunite)	5.35				
Painters or sand blaster	5.35				
Truck drivers:					
2 & 3 axles	3.65				
4 & 5 axles or more or heavy duty off-the-road trucks	4.30				
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					
POWER EQUIPMENT OPERATORS:					
Pump operator, welder helper	3.40				
Ditch paver, mechanic helper	3.55				
Curb machine	3.65				
Motor crane driver, mulcher or seeder, scale operator	3.75				
Tractor, farm	3.80				
Concrete mixer, less than 1 yd, Earth drill	3.85				
Track drill	4.00				
Dozer or loader - stock pile only	4.10				
Oiler, roller, other than finish	4.15				

TN 76 - 1001 (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS (CONT'D)					
Distributor (bituminous)	4.35				
Tractor, crawler, utility	4.40				
Spreader (self-propelled)	4.50				
Asphalt paver, central mixing (asphalt or concrete), Concrete finishing machine, mechanic, Class II, Motor patrol (rough), Roller (high-type), Soil cement machine	4.65				
Tractor - boom & hoist, trenching machine	4.80				
Bulldozer or push dozer, scraper	5.25				
Backhoe, concrete paver, Cranes, end loader, Mechanic, Class I, Motor patrol finish, piledriver, Shovel	5.35				

[FR Doc.76-5 Filed 1-2-76;8:45 am]

INDEX TO GENERAL WAGE DETERMINATION DECISIONS AND MODIFICATIONS AS OF DECEMBER 5, 1975

There is set forth below an index to general wage determination decisions and modifications as published in the FEDERAL REGISTER pursuant to the Davis-Bacon and related Acts. The index lists general wage determination decisions and modifications by State and County. An updated index is published on the first Friday of each month.

The index is published for the convenience of the public and the Department of Labor will endeavor to keep it accurate and up to date. In the event the data in the index and published general decisions do not coincide, the published general decisions shall control.

ABBREVIATIONS:

(B)—Building Construction
(D)—Dredging
(F)—Flood Control Construction
(H)—Heavy Construction
(Hw)—Highway Construction
(R)—Residential Construction
Mod.—Modification
(HE)—Heavy Engineering
(LE)—Light Engineering
(U)—Utility
(W&S)—Water and Sewer

Signed at Washington, D.C., this 24th day of December 1975.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

ALABAMA

STATEWIDE
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
Decision #AL75-1112 (Hw)(Excluding Airport Construction)
40 FR 55620 - 11/28/75
AUTAUGA COUNTY
(D,Hw) - See Statewide
BALDWIN COUNTY
Decision #AL75-1043 (R)
40 FR 15286 - 4/4/75
(Hw) - See Statewide
BARBOUR COUNTY
(D,Hw) - See Statewide
BIBB COUNTY
(D,Hw) - See Statewide
BLOUNT COUNTY
Decision #AL75-1047 (R)
40 FR 17474 - 4/18/75
(D,Hw) - See Statewide
BULLOCK COUNTY
(D,Hw) - See Statewide
BUTLER COUNTY
(D,Hw) - See Statewide
CALHOUN COUNTY
(D,Hw) - See Statewide
CHAMBERS COUNTY
(D,Hw) - See Statewide
CHEROKEE COUNTY
(D,Hw) - See Statewide
CHILTON COUNTY
(D,Hw) - See Statewide
CHOCTAW COUNTY
(D,Hw) - See Statewide
CLARKE COUNTY
(D,Hw) - See Statewide

ALABAMA (Cont'd.

CLAY COUNTY
(D,Hw) - See Statewide
CLEBURNE COUNTY
(D,Hw) - See Statewide
COFFEE COUNTY
(D,Hw) - See Statewide
COLBERT COUNTY
Decision #AL75-1046 (R)
40 FR 17451 - 4/18/75
Decision #AL75-1061 (B)
40 FR 24462 - 6/6/75
Mod. #1 - 40 FR 29439 - 7/11/75
(D,Hw) - See Statewide
CONECUH COUNTY
(D,Hw) - See Statewide
(R) - See Baldwin County
COOSA COUNTY
(D,Hw) - See Statewide
COVINGTON COUNTY
(D,Hw) - See Statewide
CRENSHAW COUNTY
(D,Hw) - See Statewide
CULLMAN COUNTY
(D,Hw) - See Statewide
DALE COUNTY
(D,Hw) - See Statewide
DALLAS COUNTY
(D,Hw)- See Statewide
DE KALB COUNTY
(D,Hw) - See Statewide
ELMORE COUNTY
(D,Hw)- See Statewide
ESCAMBIA COUNTY
(D,Hw) - See Statewide
(R) - See Baldwin County
ETOWAH COUNTY
(D,Hw)-See Statewide

ALABAMA (Cont'd.

FAYETTE COUNTY
(D,Hw) - See Statewide
FRANKLIN COUNTY
(D,Hw) - See Statewide
(R) - See Colbert County
GENEVA COUNTY
(D,Hw) - See Statewide
GREENE COUNTY
(D,Hw) - See Statewide
HALE COUNTY
(D,Hw) - See Statewide
HENRY COUNTY
(D,Hw) - See Statewide
HOUSTON COUNTY
(D,Hw) - See Statewide
JACKSON COUNTY
(D,Hw) - See Statewide
JEFFERSON COUNTY
Decision #AL75-1086 (B)
40 FR 44447 - 9/26/75
Mod. #1 - 40 FR 52241 - 11/7/75
Mod. #2 - 40 FR 54383 - 11/21/75
(D) - See Statewide
(R) - See Blount County
(Hw) - See Statewide
LAMAR COUNTY
(D,Hw) - See Statewide
LAUDERDALE COUNTY
(B,R) - See Colbert County
(D,Hw) - See Statewide
LAWRENCE COUNTY
Decision #AL75-1027 (B)
40 FR 8701 - 2/28/75
Mod. #1 - 40 FR 27403 - 6/27/75
Mod. #2 - 40 FR 29439 - 7/11/75
Mod. #3 - 40 FR 40003 - 8/29/75
(D,Hw) - See Statewide
(R) - See Colbert County
LEE COUNTY
(D,Hw) - See Statewide
LIMESTONE COUNTY
(B) - See Lawrence County
(D,Hw) - See Statewide

ALABAMA (cont'd)

LOWNDES COUNTY
(D,Hw) - See Statewide
MACON COUNTY
(D,Hw) - See Statewide
MADISON COUNTY
Decision #AL75-1063 (B)
40 FR 26188 - 6/20/75
Mod. #1 - 40 FR 29440 - 7/11/75
Mod. #2 - 40 FR 40003 - 8/29/75
Mod. #3 - 40 FR 52241 - 11/7/75
(D,Hw) - See Statewide
MARENGO COUNTY
(D,Hw) - See Statewide
MARION COUNTY
(R) - See Colbert County
(D,Hw) - See Statewide
MARSHALL COUNTY
(D,Hw) - See Statewide
MOBILE COUNTY
Decision #AL75-1111 (B)
40 FR 55617 - 11/28/75
(D,Hw) - See Statewide
(R) - See Baldwin County
MONROE COUNTY
(D,Hw) - See Statewide
MONTGOMERY COUNTY
Decision #AL75-1071 (R)
40 FR 30392 - 7/18/75
Decision #AL75-1073 (B)
40 FR 33580 - 8/8/75
Mod. #1 - 40 FR 42483 - 9/12/75
Mod. #2 - 40 FR 52241 - 11/7/75
MORGAN COUNTY
(B) - See Lawrence County
(D,Hw) - See Statewide
PERRY COUNTY
(D,Hw) - See Statewide
PICKENS COUNTY
(D,Hw) - See Statewide

ALABAMA (Cont'd)

PIKE COUNTY
(D,Hw) - See Statewide
RANDOLPH COUNTY
(D,Hw) - See Statewide
RUSSELL COUNTY
(D,Hw) - See Statewide
SAINT CLAIR COUNTY
(D,Hw) - See Statewide
(R) - See Blount County
SHELBY COUNTY
(B) - See Jefferson County
(D,Hw) - See Statewide
(R) - See Blount County
SUMTER COUNTY
(D,Hw) - See Statewide
TALLADEGA COUNTY
(D,Hw) - See Statewide
(R) - See Blount County
TALLAPOOSA COUNTY
(D,Hw) - See Statewide
TUSCALOOSA COUNTY
Decision #AL75-1048 (B)
40 FR 17475 - 4/18/75
Mod. #1 - 40 FR 27403 - 6/27/75
Mod. #2 - 40 FR 57070 - 12/5/75
(D,Hw) - See Statewide
WALKER COUNTY
(D,Hw) - See Statewide
(R) - See Blount County
WASHINGTON COUNTY
(D,Hw) - See Statewide
(R) - See Baldwin County
WILCOX COUNTY
(D,Hw) - See Statewide
WINSTON COUNTY
(D,Hw) - See Statewide
(R) - See Colbert County

ALASKA

STATEWIDE
Decision #AK75-5134 (B,h,Hw,R)
40 FR 52248 - 11/7/75

ARIZONA

STATEWIDE
Decision #AZ75-5076 (B,H,Hw)
40 FR 28313 - 7/3/75
Mod. #1 - 40 FR 33571 - 8/8/75
Mod. #2 - 40 FR 43417 - 9/19/75
Mod. #3 - 40 FR 50865 - 10/31/75
APACHE COUNTY
Decision #AZ75-5003 (R)
(Navajo and Hopi Indian Reservations in Apache, Coconino, Navajo Cos.)
40 FR 3868 - 1/24/75
(B,H,Hw) - See Statewide
COCHISE COUNTY
(B,H,Hw) - See Statewide
COCONINO COUNTY
(B,H,Hw) - See Statewide
(R) - See Apache County
GILA COUNTY
(B,H,Hw) - See Statewide
GRAHAM COUNTY
(B,H,Hw) - See Statewide
GREENLEE COUNTY
(B,H,Hw) - See Statewide
MARICOPA COUNTY
(B,H,Hw) - See Statewide
Decision #AZ75-5077 (R)
40 FR 28322 - 7/3/75
Mod. #1 - 40 FR 33572 - 8/8/75
Mod. #2 - 40 FR 43417 - 9/19/75
MOHAVE COUNTY
(B,H,Hw) - See Statewide
NAVAJO COUNTY
(B,H,Hw) - See Statewide
(R) - See Apache County
PIMA COUNTY
(B,H,Hw) - See Statewide
Decision #AZ75-5078 (R)
40 FR 28328 - 7/3/75
Mod. #1 - 40 FR 33572 - 8/8/75
Mod. #2 - 40 FR 43417 - 9/19/75
PINAL COUNTY
(B,H,Hw) - See Statewide
SANTA CRUZ COUNTY
(B,H,Hw) - See Statewide
YAVAPAI COUNTY
(B,H,Hw) - See Statewide
YUMA COUNTY
(B,H,Hw) - See Statewide

ARKANSAS

STATEWIDE
Decision #AR-71 (Construction, Alteration, and/or repair of streets, highways, runways, and water & sewer utilities)
39 FR 40409 - 11/15/74
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
ARKANSAS COUNTY
(D,H,Hw) - See Statewide
Decision #AR75-5074 (F)
40 FR 26189 - 6/20/75
ASHLEY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BAXTER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BENTON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BOONE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BRADLEY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CALHOUN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CARROLL COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CHICOT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CLARK COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd.

CLAY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CLEBURNE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CLEVELAND COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
COLUMBIA COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CONWAY COUNTY
Decision #AR75-4084 (B)
40 FR 19321 - 5/2/75
Mod. #1 - 40 FR 25319 - 6/13/75
Mod. #2 - 40 FR 54384 - 11/21/75
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CRAIGHEAD COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CRAWFORD COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
Decision #AR75-4082 (B)
40 FR 17452 - 4/18/75
Mod. #1 - 40 FR 25319 - 6/13/75
Mod. #2 - 40 FR 45951 - 10/3/75
Mod. #3 - 40 FR 49941 - 10/24/75
Mod. #4 - 40 FR 54383 - 11/21/75
CRITTENDEN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CROSS COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
DALLAS COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
DESHA COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

DREW COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
FAULKNER COUNTY
(B) - See Conway County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
FRANKLIN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
FULTON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
GARLAND COUNTY
Decision #AR75-4083 (B)
40 FR 18271 - 4/25/75
Mod. #1 - 40 FR 25319 - 6/13/75
Mod. #2 - 40 FR 45951 - 10/3/75
Mod. #3 - 40 FR 54383 - 11/21/75
(D,H,Hw) - See Statewide
(F) - See Arkansas County
GRANT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
GREENE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
HEMPSTEAD COUNTY
(D,H,Hw) - See Statewide
(F(- See Arkansas County
HOT SPRING COUNTY
(B) - See Garland County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
HOWARD COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
INDEPENDENCE COUNTY
(H,Hw) (D) - See Statewide
(F) - See Arkansas County
IZARD COUNTY
(H,Hw) (D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd.)

JACKSON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
JEFFERSON COUNTY
(D,H,Hw) - See Statewide
(F)- See Arkansas County
JOHNSON COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
LAFAYETTE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LAWRENCE COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
LEE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LINCOLN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LITTLE RIVER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LOGAN COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
LENOKE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MADISON COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
MARION COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

MILLER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MISSISSIPPI COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MONROE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MONTGOMERY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
NEVADA COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
NEWTON COUNTY
(D,H,Hw) - See Statewide
(F) - Arkansas County
OUACHITA COUNTY
(B) - See Union County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
PERRY COUNTY
(B) - See Conway County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
PHILLIPS COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
PIKE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
POINSETT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
POLK COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
POPE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (CONT'D)

PRAIRIE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
PULASKI COUNTY
(D,H,Hw)- See Statewide
(F) - See Arkansas County
Decision #AR75-4134 (B)
40 FR 31455 - 7/25/75
Mod. #1 - 40 FR 43418 - 9/19/75
Mod. #2 - 40 FR 45951 - 10/3/75
Mod. #3 - 40 FR 54384 - 11/21/75
Decision #AR75-4068 (R)
40 FR 14218 - 3/28/75
RANDOLPH COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
ST. FRANCIS COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SALINE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SCOTT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SEARCY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SEBASTIAN COUNTY
(F) - See Arkansas County
(D,H,Hw) - See Statewide
(B) - See Crawford County
SEVIER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SHARP COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (CONT'D)

STONE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
UNION COUNTY
Decision #AR75-4073 (B)
40 FR 15287 - 4/4/75
Mod. #1 - 40 FR 19323 - 5/2/75
Mod. #2 - 40 FR 25319 - 6/13/75
Mod. #3 - 40 FR 45951 - 10/3/75
Mod. #4 - 40 FR 49941 - 10/24/75
Mod. #5 - 40 FR 54383 - 11/21/75
(F) - See Arkansas County
(D,H,Hw) - See Statewide
VAN BUREN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
WASHINGTON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
WHITE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
WOODRUFF COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
YELL COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

CALIFORNIA

ALAMEDA COUNTY
Decision #CA75-5085 (B,H,Hw,D)
40 FR 31457 - 7/25/75
Mod. #1 - 40 FR 40003 - 8/29/75
Mod. #2 - 40 FR 44439 - 9/26/75
Mod. #3 - 40 FR 50865 - 10/31/75
Mod. #4 - 40 FR 55605 - 11/28/75
Decision #CA75-5086 (R)
40 FR 31474 - 7/25/75
Mod. #1 - 40 FR 40005 - 8/29/75
Mod. #2 - 40 FR 44440 - 9/26/75
Mod. #3 - 40 FR 50866 - 10/31/75
ALPINE COUNTY
(B,D,H,Hw,R) - See Alameda County
AMADOR COUNTY
(B,D,H,Hw,R) - See Alameda County
BUTTE COUNTY
(B,H,Hw,D) - See Alameda County
CALAVERAS COUNTY
(B,H,Hw,D,R) - See Alameda County
COLUSA COUNTY
(B,H,Hw,D) - See Alameda County
CONTRA COSTA COUNTY
(B,D,H,Hw,R) - See Alameda County
DELNORTE COUNTY
(B,D,H,Hw,R) - See Alameda County
ELDORADO COUNTY
(B,D,H,Hw,R) - See Alameda County
FRESNO COUNTY
(B,D,H,Hw,R) - See Alameda County

CALIFORNIA (Cont'd)

GLENN COUNTY
(B,H,Hw,D) - See Alameda County
HUMBOLDT COUNTY
(B,D,H,Hw,R) - See Alameda County
IMPERIAL COUNTY
Decision #CA75-5087 (B,D,H,Hw)
40 FR 31487 - 7/25/75
Mod. #1 - 40 FR 41349 - 9/5/75
Mod. #2 - 40 FR 45952 - 10/3/75
Mod. #3 - 40 FR 53163 - 11/14/75
Decision #CA75-5088 (R)
40 FR 31496 - 7/25/75
Mod. #1 - 40 FR 41350 - 9/5/75
Mod. #2 - 40 FR 45952 - 10/3/75
Mod. #3 - 40 FR 53166 - 11/14/75
INYO COUNTY
(B,H,Hw,D) - See Imperial County
KERN COUNTY
(B,D,H,Hw,R) - See Imperial County

CALIFORNIA (Cont'd)

KING COUNTY
(B,H,Hw,D) - See Alameda County
LAKE COUNTY
(B,H,Hw,D) - See Alameda County
LASSEN COUNTY
(B,H,Hw,D) - See Alameda County
LOS ANGELES COUNTY
(B,D,H,Hw,R) - See Imperial County
MADERA COUNTY
(B,H,Hw,D) - See Alameda County
MARIN COUNTY
(B,H,Hw,D,R) - See Alameda County
MARIPOSA COUNTY
(B,D,H,Hw,R) - See Alameda County
MENDOCINO COUNTY
(B,H,Hw, D) - See Alameda County
MERCED COUNTY
(B,D,H,Hw,R) - See Alameda County
MODOC COUNTY
(B,H,Hw,D) - See Alameda County
MONO COUNTY
(B,H,Hw,D) - See Imperial County
MONTEREY COUNTY
(B,D,H,Hw,R) - See Alameda County
NAPA COUNTY
(B,D,H,Hw,R) - See Alameda County
NEVADA COUNTY
(B,D,H,Hw,R) - See Alameda County
ORANGE COUNTY
(B,D,H,Hw,R) - See Imperial County
PLACER COUNTY
(B,D,H,Hw,R)- See Alameda County
PLUMAS COUNTY
(B,H,Hw,D) - See Alameda County
RIVERSIDE COUNTY
(B,D,H,Hw,R) - See Imperial County
SACRAMENTO COUNTY
(B,D,H,Hw,R) - See Alameda County
SAN BENITO COUNTY
(B,H,Hw,D,R) - See Alameda County
SAN BERNARDINO COUNTY
(B,D,H,Hw,R) - See Imperial County
SAN DIEGO COUNTY
Decision #CA75-5141 (B,H,Hw,D)
40 FR 57079 - 12/5/75

CALIFORNIA (Cont'd.)

SAN DIEGO COUNTY (Cont'd.)
Decision #CA75-5142 (R)
40 FR 57085 - 12/5/75
SAN FRANCISCO COUNTY
(B,D,Hw,H,R) - See Alameda County
SAN JOAQUIN COUNTY
(B,D,H,Hw,R) - See Alameda County
SAN LUIS OBISPO COUNTY
(B,D,H,Hw,R) - See Imperial County
SAN MATEO COUNTY
(B,D,H,Hw,R) - See Alameda County
SANTA BARBARA COUNTY
(B,D,H,Hw,R) - See Imperial County
SANTA CLARA COUNTY
(B,D,H,Hw,R) - See Alameda County
SANTA CRUZ COUNTY
(B,D,H,Hw,R) - See Alameda County
SHASTA COUNTY
(B,D,H,Hw,R) - See Alameda County
SIERRA COUNTY
(B,D,H,Hw) - See Alameda County
SISKIYOU COUNTY
(B,H,Hw,D) - See Alameda County
SOLANO COUNTY
(B,D,H,Hw,R) - See Alameda County
SONOMA COUNTY
(B,D,H,Hw,R) - See Alameda County
STANISLAUS COUNTY
(B,H,Hw,D) - See Alameda County
SUTTER COUNTY
(B,D,H,Hw,R) - See Alameda County
TEHAMA COUNTY
(B,D,H,Hw,R) - See Alameda County
TRINITY COUNTY
(B,H,Hw,D) - See Alameda County
TULARE COUNTY
(B,H,Hw,D) - See Alameda County
TUOLUMNE COUNTY
(B,D,H,Hw,R) - See Alameda County
VENTURA COUNTY
(B,D,H,Hw,R) - See Imperial County
YOLO COUNTY
(B,H,Hw,D,R) - See Alameda County
YUBA COUNTY
(B,H,Hw,D,R))- See Alameda County

COLORADO

STATEWIDE
Decision #CO75-5118 (Hw)
40 FR 43449 - 9/19/75
Mod. #1 - 40 FR 48843 - 10/17/75
Mod. #2 - 40 FR 53168 - 11/14/75
Mod. #3 - 40 FR 54385 - 11/21/75
ADAMS COUNTY
Decision #CO75-5129 (B,H)
40 FR 48848 - 10/17/75
Mod. #1 -40 FR 53168 - 11/14/75
Mod. #2 -40 FR 54385 - 11/21/75
(Hw) - See Statewide
Decision #CO75-5061 (R)
40 FR 22744 - 5/23/75
(Hw) - See Statewide
ALAMOSA COUNTY
(Hw) - See Statewide
ARAPAHOE COUNTY
(Hw) - See Statewide
(B,H,R) - See Adams County
ARCHULETA COUNTY
(Hw) - See Statewide
BACA COUNTY
(Hw) - See Statewide
BENT COUNTY
(Hw) - See Statewide
BOULDER COUNTY
(Hw) - See Statewide
(B,H) - See Adams County
CHAFFEE COUNTY
(Hw) - See Statewide
CHEYENNE COUNTY
(Hw) - See Statewide

COLORADO (cont'd)

CLEAR CREEK
(B,H) - See Adams County
(Hw) - See Statewide
CONEJOS COUNTY
(Hw) - See Statewide
COSTILLA COUNTY
(Hw) - See Statewide
CROWLEY COUNTY
(Hw) - See Statewide
CUSTER COUNTY
(Hw) - See Statewide
DELTA COUNTY
Decision #CO75-5135 (B,H)
40 FR 54391 - 11/21/75
(Hw) - See Statewide
DENVER COUNTY
(Hw) - See Statewide
(B,H,R) - See Adams County
DOLORES COUNTY
(Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide
(B,H) - See Adams County
EAGLE COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
ELBERT COUNTY
(Hw) - See Statewide
(B,H) - See Adams County
EL PASO COUNTY
Decision #CO75-5137 (B,H)
40 FR 55622 - 11/28/75
(Hw) - See Statewide
FREMONT COUNTY
(Hw) - See Statewide
GARFIELD COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
GILPIN COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
GRAND COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
GUNNISON COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
HINDSDALE COUNTY
(Hw) - See Statewide
HUERFANO COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(Hw) - See Statewide

COLORADO (Cont'd.)

JEFFERSON COUNTY
(Hw) - See Statewide
(B,H,R) - See Adams County
KIOWA COUNTY
(Hw) - See Statewide
KIT CARSON COUNTY
(Hw) - See Statewide
LAKE COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
LA PLATA COUNTY
(Hw) - See Statewide
LARIMER COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
LAS ANIMAS COUNTY
Decision #CO75-5136 (B,H)
40 FR 54398 - 11/21/75
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
LOGAN COUNTY
(Hw) - See Statewide
MESA COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
MINERAL COUNTY
(Hw) - See Statewide
MOFFAT COUNTY
(Hw) - See Statewide
MONTEZUMA COUNTY
(Hw) - See Statewide
MONTROSE COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
MORGAN COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
OTERO COUNTY
(B,H) - See Las Animas County
(Hw) - See Statewide
OURAY COUNTY
(Hw) - See Statewide
PARK COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
PHILLIPS COUNTY
(Hw) - See Statewide
PITKIN COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
PROWERS COUNTY
(Hw) - See Statewide
PUEBLO COUNTY
(Hw) - See Statewide
(B,H) - See Las Animas County

COLORADO (Cont'd)

RIO BLANCO COUNTY
(Hw) - See Statewide
RIO GRANDE COUNTY
(Hw) - See Statewide
ROUTT COUNTY
(Hw) - See Statewide
SAGUACHE COUNTY
(Hw) - See Statewide
SAN JUAN COUNTY
(Hw) - See Statewide
SAN MIGUEL COUNTY
(Hw) - See Statewide
SEDGWICK COUNTY
(Hw) - See Statewide
SUMMIT COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
TELLER COUNTY
(Hw) - See Statewide
WASHINGTON COUNTY
(Hw) - See Statewide
WELD COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
YUMA COUNTY
(Hw) - See Statewide

CONNECTICUT

FAIRFIELD COUNTY
Decision #CT75-2113 (B,H,Hw,R)
40 FR 45962 - 10/3/75
Mod. #1 - 40 FR 55605 - 11/28/75
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
HARTFORD COUNTY
Decision #CT75-2114 (B,H,Hw)
40 FR 45970 - 10/3/75
Mod. #1 - 40 FR 55607 - 11/28/75
Decision #CT75-2067 (R)
40 FR 18304 - 4/25/75
LITCHFIELD COUNTY
(B,H,Hw,R) - See Fairfield County
MIDDLESEX COUNTY
(B,H,Hw) - See Hartford County
(D) - See Fairfield County
NEW HAVEN COUNTY
(B,H,Hw) - See Hartford County
(D) - See Fairfield County
NEW LONDON COUNTY
(B,H,Hw,D,R) - See Fairfield County
TOLLAND COUNTY
(B,H,Hw) - See Hartford County
WINDHAM COUNTY
(B,H,Hw,D,R) - See Fairfield County

DELAWARE

STATEWIDE
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
Decision #DE75-3092 (B,H,Hw)
40 FR 36903 - 8/-2/75
Mod. #1 - 40 FR 34539 - 8/15/75
Mod. #2 - 40 FR 42483 - 9/12/75
Mod. #3 - 40 FR 54386 - 11/21/75
KENT COUNTY
(B,H,Hw,D) - See Statewide
NEW CASTLE COUNTY
(B,H,Hw,D) - See Statewide
SUSSEX COUNTY
(B,H,Hw,D) - See Statewide

FLORIDA

ALACHUA COUNTY
Decision #FL75-1089 (B)
40 FR 42489 - 9/12/75
(Hw) - See Bay County
BAKER COUNTY
Decision #FL75-1081 (Hw)
40 FR 41359 - 9/5/75
BAY COUNTY
Decision #FL75-1012 (B)
40 FR 4805 - 1/31/75
Decision # AL75-5131 (D)
40 FR 49947 - 10/24/75
Decision #FL75-1080 (Hw)
40 FR 41358 - 9/5/75

FLORIDA (Cont'd.)

BRADFORD COUNTY
(Hw) - See Alachua County
BREVARD COUNTY (Cape Kennedy
Kennedy Space Flight Center &
Patrick AFB only)
Decision #FL75-1087 (B,H,Hw)
40 FR 41364 - 9/5/75
Decision #FL75-5138 (D)
40 FR 55628 - 11/28/75
(Remainder of County)
Decision #FL75-1082 (Hw)
40 FR 41360 - 9/5/75
BROWARD COUNTY
Decision #FL75-1084 (Hw)
40 FR 41362 - 9/5/75
Mod. #1 - 40 FR 53168 - 11/14/75
Decision FL75-1011 (B,H)
40 FR 3886 - 1/24/75
Mod. #1 - 40 FR 8694 - 2/28/75
Mod. #2 - 40 FR 12952 - 3/21/75
(D) - See Brevard County
CALHOUN COUNTY
(Hw) - See Bay County
CHARLOTTE COUNTY
(Hw) - See DeSoto County
(D) - See Brevard County
CITRUS COUNTY
Decision #FL75-1104 (R)
40 FR 49949 - 10/24/75
(Hw) - See Bay County
(D) - See Brevard County
CLAY COUNTY
(Hw) - See Baker County
COLLIER COUNTY
(D) - See Brevard County
(Hw) - See Charlotte County
COLUMBIA COUNTY
(B) - See Alachua County
DADE COUNTY
Decision #FL75-1090 (B)
40 FR 42491 - 9/12/75
Decision #AR-4050 (R)
39 FR 38077 - 10/25/74
(D) - See Brevard County
(Hw) - See Broward County

FLORIDA (cont'd)

DESOTO COUNTY
Decision #AR-4065 (R)
40 FR 43468 - 12/13/74
Decision #FL75-1083 (Hw)
40 FR 41361 - 9/5/75
Mod. #1 - 40 FR 53168 - 11/14/75
DIXIE COUNTY
(D) - See Brevard County
DUVAL COUNTY
Decision #FL75-1091 (B)
40 FR 42493 - 9/12/75
(D) - See Brevard County
(Hw) - See Baker County
ESCAMBIA COUNTY
Decision #FL75-1024 (B)
40 FR 7801 - 2/21/75
Mod. #1 - 40 FR 12953 - 3/21/75
Mod. #2 - 40 FR 18275 - 4/25/75
Mod. #3 - 40 FR 25324 - 6/13/75
Decision #AP-178 (R)
38 FR 11259 - 5/4/73
Mod. #1 - 39 FR 12002 - 3/14/75
Decision #FL75-1030 (Hw)
40 FR 10891 - 3/7/75
Mod. #1 - 40 FR 14196 - 3/28/75
(D) - See Bay County
FLAGLER COUNTY
(D) - See Brevard County
(Hw) - See Baker County
FRANKLIN COUNTY
(D) - See Bay County
(Hw) - See Bay County
GADSDEN COUNTY
Decision #AP-179 (R)
38 FR 11260 - 5/4/73
Mod. #1 - 39 FR 15604 - 5/3/74
Mod. #2 - 40 FR 12003 - 3/14/75
(Hw) - See Bay County
GILCHRIST COUNTY

GLADES COUNTY
(Hw) - See Charlotte County
GULF COUNTY
(D) - See Bay County
(Hw) - See Alachua County
HAMILTON COUNTY

HARDEE COUNTY
(Hw, R) - See DeSoto County
HENDRY COUNTY
(Hw) - See Charlotte County
HERNANDO COUNTY
(D) - See Brevard County
(Hw, R) - See Citrus County

FLORIDA (cont'd)

HIGHLANDS COUNTY
(R) - See Citrus County
(Hw) - See De Soto County
HILLSBOROUGH COUNTY
Decision #FL75-1075 (B)
40 FR 34556 - 8/15/75
(Hw) - See Brevard County
(D) - See Brevard County
(R) - See Citrus County
HOLMES COUNTY
(Hw) - See Bay County
INDIAN RIVER COUNTY
(D) - See Brevard County
(Hw) - See Brevard Co. (Remainder of Co.)
JACKSON COUNTY
(Hw) - See Bay County
JEFFERSON COUNTY
(D,Hw) - See Bay County
(R) - See Gadsden County
LAFAYETTE COUNTY
(H) - See Alachua County
LAKE COUNTY
Decision #FL75-1066 (R)
40 FR 28332 - 7/3/75
(Hw) - See Brevard Co. (Remainder of Co.)
LEE COUNTY
(D) - See Brevard County
(Hw) - See Charlotte County
LEON COUNTY
Decision #FL75-1036 (B)
40 FR 14221 - 3/28/75
Mod. #1 - 40 FR 32551 - 8/1/75
(Hw) - See Bay County
(R) - See Gadsden County
LEVY COUNTY
(D) - See Brevard County
(Hw) - See Citrus County
LIBERTY COUNTY
(Hw) - See Bay County
MADISON COUNTY
(R) - See Gadsden County

MANATEE COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
MARION COUNTY
(Hw) - See Citrus County
MARTIN COUNTY
Decision #FL75-1033 (B)
40 FR 14219 - 3/28/75
Mod. #1 - 40 FR 19327 - 5/2/75
Mod. #2 - 40 FR 25342 - 6/13/75
Mod. #3 - 40 FR 32551 - 8/1/75
(D) - See Brevard County
(Hw) - See Broward County

FLORIDA (cont'd)

MONROE COUNTY
(D) - See Brevard County
(Hw) - See Broward County
NASSAU COUNTY
(D) - See Brevard County
(Hw) - See Baker County
OKALOOSA COUNTY
(B) - See Escambia County
(D) - See Bay County
(Hw) - See Escambia County
Decision #AP-180 (R)
38 FR 11260 - 5/4/73
Mod. #1 - 39 FR 15604 - 5/3/74
Mod. #2 - 40 FR 12002 - 3/14/75
OKEECHOBEE COUNTY
(Hw) - See DeSoto County
ORANGE COUNTY
Decision #FL75-1009 (B)
40 FR 3882 - 1/24/75
Mod. #1 - 40 FR 12952 - 3/21/75
Mod. #2 - 40 FR 25324 - 6/13/75
(Hw) - See Brevard Co. (Remainder of Co
(R) - See Lake County
OSCEOLA COUNTY
(Hw) - See Brevard Co. (Remainder of Co
(R) - See Lake County
PALM BEACH COUNTY
(D) - See Brevard County
(B) - See Martin County
(Hw) - See Broward County
PASCO COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
(R) - See Citrus County
PINELLAS COUNTY
Decision #FL75-1034 (B)
40 FR 12970 - 3/21/75
Mod. #1 - 40 FR 16477 - 4/11/75
Mod. #2 - 40 FR 25324 - 6/13/75
Mod. #3 - 40 FR 32551 - 8/1/75
(R) - See Citrus County
(D) - See Brevard County
(Hw) - See Hillsborough County
POLK COUNTY
(Hw) - See DeSoto County
(R) - See DeSoto County
PUTNAM COUNTY
(Hw) - See Baker County
ST. JOHNS COUNTY
(D) - See Brevard County
(Hw) - See Baker County
ST. LUCIE COUNTY
(D) - See Brevard County
(Hw) - See Broward County
SANTA ROSA COUNTY
(B) - See Escambia County
(D,Hw) - See Bay County
(R) - See Okaloosa County

FLORIDA (Cont'd)

SARASOTA COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
SEMINOLE COUNTY
(Hw) - See Brevard Co. (Remainder of Co.)
(R) - See Lake County
SUMTER COUNTY
(Hw, R) - See Citrus County
SUWANNEE COUNTY

TAYLOR COUNTY
(D) - See Brevard County
(R) - See Gadsden County
UNION COUNTY

VOLUSIA COUNTY (Except Cape Kennedy, Kennedy Space Flight Center & Patrick Air Force Base only and including Melabar Radar Site)
Decision #FL75-1040 (B)
40 FR 14223 - 3/28/75
Mod. #1 - 40 FR 25324 - 6/13/75
(B,H,Hw) - See Brevard Co. (Cape Kennedy, Etc.)
(D) - See Brevard County
(Hw) - See Brevard County (Remainder of Co.)
WAKULLA COUNTY
(D) - See Bay County
(Hw) - See Bay County
WALTON COUNTY
(B) - See Escambia County
(D,Hw) - See Bay County
(R) - See Okaloosa County
WASHINGTON COUNTY
(Hw) - See Bay County

GEORGIA

STATEWIDE
Decision #AR-4038 (Hw)
39 FR 34984 - 9/27/74
Mod. #1 - 39 FR 36711 - 10/11/74
Mod. #2 - 40 FR 23629 - 5/30/75
APPLING COUNTY
(Hw) - See Statewide
ATKINSON COUNTY
(Hw) - See Statewide
BACON COUNTY
(Hw) - See Statewide
BAKER COUNTY
Decision #AQ-4089 (R)
39 FR 10067 - 3/15/74
Mod. #1 - 40 FR 3083 - 1/17/75
(Hw) - See Statewide

GEORGIA (Cont'd.)

BALDWIN COUNTY
(Hw) - See Statewide
BANKS COUNTY
(Hw) - See Statewide
BARROW COUNTY
Decision #AQ-4108 (R)
39 FR 14841 - 4/26/74
(Hw) - See Statewide
BARTOW COUNTY
(Hw) - See Statewide
BEN HILL COUNTY
(Hw) - See Statewide
BERRIEN COUNTY
(Hw) - See Statewide
BIBB COUNTY
(Hw) - See Statewide
BLECKLEY COUNTY
(Hw) - See Statewide
BRANTLEY COUNTY
(Hw) - See Statewide
BROOKS COUNTY
(Hw) - See Statewide
BRYAN COUNTY
(Hw) - See Statewide
Decision #AQ-4058 (R)
39 FR 3394 - 1/25/74
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
BULLOCH COUNTY
(R) - See Bryan County
(Hw) - See Statewide
BURKE COUNTY
Decision #AQ-4085 (R)
39 FR 9333 - 3/8/74
(Hw) - See Statewide
BUTTS COUNTY
(Hw) - See Statewide
CALHOUN COUNTY
(Hw) - See Statewide
(R) - See Baker County
CAMDEN COUNTY
(D) - See Bryan County
(Hw) - See Statewide
CANDLER COUNTY
(Hw) - See Statewide
CARROLL COUNTY
(Hw) - See Statewide
CATOOSA COUNTY
(Hw) - See Statewide
CHARLTON COUNTY
Decision #AR-4037 (R)
39 FR 33919 - 9/20/74
Mod. #1 - 40 FR 3088 - 1/17/75
(Hw) - See Statewide

GEORGIA (Cont'd.)

CHATHAM COUNTY
Decision #AR-4064 (B)
39 FR 42817 - 12/6/74
Mod. #1 - 40 FR 16478 - 4/11/75
Mod. #2 - 40 FR 25325 - 6/13/75
Mod. #3 - 40 FR 32552 - 8/1/75
Mod. #4 - 40 FR 34539 - 8/15/75
(D,R) - See Bryan County
CHATTAHOOCHEE COUNTY
Decision #GA75-1039 (B)
40 FR 49942 - 10/24/75
Decision #AQ-4086 (R)
39 FR 9334 - 3/8/74
Mod. #1 - 40 FR 3083 - 1/17/75
(Hw) - See Statewide
CHATTOOGA COUNTY
(Hw) - See Statewide
CHEROKEE COUNTY
(Hw) - See Statewide
CLARKE COUNTY
(Hw) - See Statewide
(R) - See Barrow County
CLAY COUNTY
(R) - See Baker County
(Hw) - See Statewide
CLAYTON COUNTY
Decision #GA75-1092 (B)
40 FR 42495 - 9/12/75
Decision #AQ- 4052 (R)
39 FR 2328 - 1/18/74
Mod. #1 - 40 FR 3861 - 1/24/75

(B) - See Fulton County
(Hw) - See Statewide
CLINCH COUNTY
(Hw) - See Statewide
COBB COUNTY
(B,R) - See Fulton County
(Hw) - See Statewide
COFFEE COUNTY
(Hw) - See Statewide
COLQUITT COUNTY
(Hw) - See Statewide
COLUMBIA COUNTY
(R) - See Burke County
(Hw) - See Statewide
COOK COUNTY
(Hw) - See Statewide
COWETA COUNTY
(Hw) - See Statewide
CRAWFORD COUNTY
(Hw) - See Statewide
CRISP COUNTY
(Hw) - See Statewide

GEORGIA (Cont'd.)

DEKALB COUNTY
(B,R) - See Clayton County
(Hw) - See Statewide
DODGE COUNTY
(Hw) - See Statewide
DOOLY COUNTY
(Hw) - See Statewide
DOUGHERTY COUNTY
(Hw) - See Statewide
(R) - See Baker County
DOUGLAS COUNTY
(Hw) - See Statewide
EARLY COUNTY
(Hw) - See Statewide
(R) - See Baker County
ECHOLS COUNTY
(Hw) - See Statewide
EFFINGHAM COUNTY
(R) - See Bryan County
(Hw) - See Statewide
ELBERT COUNTY
(Hw) - See Statewide
(R) - See Barrow County
EMANUEL COUNTY
(Hw) - See Statewide
EVANS COUNTY
(R) - See Bryan County
(Hw) - See Statewide
FANNIN COUNTY
(Hw) - See Statewide
FAYETTE COUNTY
(Hw) - See Statewide
FLOYD COUNTY
(Hw) - See Statewide
FORSYTH COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
(Hw) - See Statewide
FULTON COUNTY
(Hw) - See Statewide
(B,R) - See Clayton County
GILMER COUNTY
(Hw) - See Statewide
GLASCOCK COUNTY
(Hw) - See Statewide
(R) - See Burke County
GLYNN COUNTY
(D) - See Bryan County
(Hw) - See Statewide
GORDON COUNTY
(Hw) - See Statewide
GRADY COUNTY
(Hw) - See Statewide
(R) - See Baker County
GREENE COUNTY
(R) - See Barron County
(Hw) - See Statewide

GEORGIA (Cont'd.)

GWINNETT COUNTY
(R) - See Clayton County
(Hw) - See Statewide
HABERSHAM COUNTY
(Hw) - See Statewide
HALL COUNTY
Decision #GA75-1025 (B)
40 FR 8691 - 2/28/75
Mod. #1 - 40 FR 12003 - 3/14/75
Mod. #2 - 40 FR 49942 - 10/24/75
(Hw) - See Statewide
HANCOCK COUNTY
(Hw) - See Statewide
(R) - See Burke County
HARALSON COUNTY
(Hw) - See Statewide
HARRIS COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
HART COUNTY
(Hw) - See Statewide
(R) - See Barrow County
HEARD COUNTY
(Hw) - See Statewide
HENRY COUNTY
(Hw) - See Statewide
HOUSTON COUNTY
(Hw) - See Statewide
IRWIN COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(Hw) - See Statewide
(R) - See Barrow County
JASPER COUNTY
(Hw) - See Statewide
JEFF DAVIS COUNTY
(Hw) - See Statewide
JEFFERSON COUNTY
(Hw) - See Statewide
(R) - See Burke County
JENKINS COUNTY
(Hw) - See Statewide
(R) - See Burke County
JOHNSON COUNTY
(Hw) - See Statewide
JONES COUNTY
(Hw) - See Statewide
LAMAR COUNTY
(Hw) - See Statewide
LANIER COUNTY
(Hw) - See Statewide
LAURENS COUNTY
Decision #AQ-4124 (B)
39 FR 20912 - 6/14/74
(Hw) - See Statewide
LEE COUNTY
(Hw) - See Statewide
(R) - See Baker County

GEORGIA (Cont'd.)

LIBERTY COUNTY
(D,R) - See Bryan County
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
(R) - See Burke County
LONG COUNTY
(Hw) - See Statewide
(R) - See Bryan County
LOWNDES COUNTY
(Hw) - See Statewide
LUMPKIN COUNTY
(Hw) - See Statewide
MCDUFFIE COUNTY
(Hw) - See Statewide
(R) - See Burke County
McINTOSH COUNTY
(D) - See Bryan County
(Hw) - See Statewide
MACON COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
MADISON COUNTY
(Hw) - See Statewide
(R) - See Barrow County
MARION COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
MERIWETHER COUNTY
(R) - See Chattahoochee County
(Hw) - See Statewide
MILLER COUNTY
(Hw) - See Statewide
(R) - See Baker County
MITCHELL COUNTY
(Hw) - See Statewide
(R) - See Baker County
MONROE COUNTY
(Hw) - See Statewide
MONTGOMERY COUNTY
(Hw) - See Statewide
MORGAN COUNTY
(Hw) - See Statewide
(R) - See Barrow County
MURRAY COUNTY
(Hw) - See Statewide
MUSCOGEE COUNTY
(B,R) - See Chattahoochee County
(Hw) - See Statewide
NEWTON COUNTY
(Hw) - See Statewide
(R) - See Barrow County
OCONEE COUNTY
(Hw) - See Statewide
(R) - See Barrow County
OGLETHORPE COUNTY
(Hw) - See Statewide
(R) - See Barrow County

GEORGIA (Cont'd.

PAULDING COUNTY
(Hw) - See Statewide
PEACH COUNTY
(Hw) - See Statewide
PICKENS COUNTY
(Hw) - See Statewide
PIERCE COUNTY
(Hw) - See Statewide
(R) - See Charlton County
PIKE COUNTY
(Hw) - See Statewide
POLK COUNTY
(Hw) - See Statewide
PULASKI COUNTY
(Hw) - See Statewide
PUTNAM COUNTY
(Hw) - See Statewide
QUITMAN COUNTY
(Hw) - See Statewide
(R) - See Baker County
RABUN COUNTY
(Hw) - See Statewide
RANDOLPH COUNTY
(Hw) - See Statewide
(R) - See Baker County
RICHMOND COUNTY
Decision #GA75-1005 (B)
40 FR 3091 - 1/17/75
Mod. #1 - 40 FR 6900 - 2/14/75
Mod. #2 - 40 FR 19328 - 5/2/75
Mod. #3 - 40 FR 28305 - 7/3/75
Mod. #4 - 40 FR 48844 - 10/17/75
Mod. #5 - 40 FR 53169 - 11/14/75
(Hw) - See Statewide
(R) - See Burke County
ROCKDALE COUNTY
(Hw) - See Statewide
SCHLEY COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
SCREVEN COUNTY
(Hw) - See Statewide
SEMINOLE COUNTY
(Hw) - See Statewide
(R) - See Baker County
SPALDING COUNTY
(Hw) - See Statewide
STEPHENS COUNTY
(Hw) - See Statewide
STEWART COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
SUMTER COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TALBOT COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TALIAFERRO COUNTY
(Hw) - See Statewide
(R) - See Burke County
TATTNALL COUNTY
(Hw) - See Statewide
TAYLOR COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County

GEORGIA (Cont'd.)

TELFAIR COUNTY
(Hw) - See Statewide
TERRELL COUNTY
(Hw) - See Statewide
(R) - See Baker County
THOMAS COUNTY
(Hw) - See Statewide
TIFT COUNTY
(Hw) - See Statewide
TOOMBS COUNTY
(Hw) - See Statewide
TOWNS COUNTY
(Hw) - See Statewide
TREUTLEN COUNTY
(Hw) - See Statewide
TROUP COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TURNER COUNTY
(Hw) - See Statewide
TWIGGS COUNTY
(Hw) - See Statewide
UNION COUNTY
(Hw) - See Statewide
UPSON COUNTY
(Hw) - See Statewide
WALKER COUNTY
(Hw) - See Statewide
WALTON COUNTY
(Hw) - See Statewide
(R) - See Barron County
WARE COUNTY
Decision #GA75-1008 (B)
40 FR 3093 - 1/17/75
(R) - See Charlton County
(Hw) - See Statewide
WARREN COUNTY
(Hw) - See Statewide
(R) - See Burke County
WASHINGTON COUNTY
(Hw) - See Statewide
(R) - See Burke County
WAYNE COUNTY
(Hw) - See Statewide
WEBSTER COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
WHEELER COUNTY
(Hw) - See Statewide
WHITE COUNTY
(Hw) - See Statewide
WHITEFIELD COUNTY
(Hw) - See Statewide
WILCOX COUNTY
(Hw) - See Statewide
WILKES COUNTY
(R) - See Burke County
(Hw) - See Statewide
WILKINSON COUNTY
(Hw) - See Statewide
WORTH COUNTY
(Hw) - See Statewide

GUAM

GUAM
Decision #AR-1029 (B,H,Hw,R)
39 FR 32448 - 9/6/74

HAWAII

STATEWIDE
Decision #HI75-5098 (B,H,Hw,D,R)
40 FR 32555 - 8/1/75
Mod. #1 - 40 FR 44440 - 9/26/75

IDAHO

STATEWIDE
Decision #ID75-5120 (B,H,Hw)
40 FR 45978 - 10/3/75
Mod. #1 - 40 FR 49942 - 10/24/75
ADA COUNTY
Decision #AQ-1029 (R)
38 FR 24513 - 9/7/73
Mod. #1 - 38 FR 26543 - 9/21/73
(B,H,Hw) - See Statewide
ADAMS COUNTY
(B,H,Hw) - See Statewide
BANNOCK COUNTY
(B,H,Hw) - See Statewide
BEAR LAKE COUNTY
(B,H,Hw) - See Statewide
BENEWAH COUNTY
(B,H,Hw) - See Statewide
BINGHAM COUNTY
(B,H,Hw) - See Statewide
BLAINE COUNTY
(B,H,Hw) - See Statewide
BOISE COUNTY
(B,H,Hw) - See Statewide
BONNER COUNTY
(B,H,Hw) - See Statewide
BONNEVILLE COUNTY
(B,H,Hw) - See Statewide
BOUNDARY COUNTY
(B,H,Hw) - See Statewide
BUTTE COUNTY
(B,H,Hw) - See Statewide
CAMAS COUNTY
(B,H,Hw) - See Statewide
CANYON COUNTY
(B,H,Hw) - See Statewide
CARIBOU COUNTY
(B,H,Hw) - See Statewide
CASSIA COUNTY
(B,H,Hw) - See Statewide
CLARK COUNTY
(B,H,Hw) - See Statewide
CLEARWATER COUNTY
(B,H,Hw) - See Statewide
CUSTER COUNTY
(B,H,Hw) - See Statewide
ELMORE COUNTY
(B,H,Hw) - See Statewide
FRANKLIN COUNTY
(B,H,Hw) - See Statewide
FREMONT COUNTY
(B,H,Hw) - See Statewide
GEM COUNTY
(B,H,Hw) - See Statewide
GOODING COUNTY
(B,H,Hw) - See Statewide
IDAHO COUNTY
(B,H,Hw) - See Statewide
JEFFERSON COUNTY
(B,H,Hw) - See Statewide
JEROME COUNTY
(B,H,Hw) - See Statewide

IDAHO (Cont'd.)

KOOTENAI COUNTY
(B,H,Hw) - See Statewide
LATAH COUNTY
(B,H,Hw) - See Statewide
LEMHI COUNTY
(B,H,Hw) - See Statewide
LEWIS COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
MADISON COUNTY
(B,H,Hw) - See Statewide
MINIDOKA COUNTY
(B,H,Hw) - See Statewide
NEZ PERCE COUNTY
(B,H,Hw) - See Statewide
ONEIDA COUNTY
(B,H,Hw) - See Statewide
OWYHEE COUNTY
(B,H,Hw) - See Statewide
PAYETTE COUNTY
(B,H,Hw) - See Statewide
POWER COUNTY
(B,H,Hw) - See Statewide
SHOSHONE COUNTY
(B,H,Hw) - See Statewide
TETON COUNTY
(B,H,Hw) - See Statewide
TWIN FALLS COUNTY
(B,H,Hw) - See Statewide
VALLEY COUNTY
(B,H,Hw) - See Statewide
WASHINGTON COUNTY
(B,H,Hw) - See Statewide

ILLINOIS

ADAMS COUNTY
Decision #IL75-2055 (B)
40 FR 15265 - 4/4/75
Mod. #1 - 40 FR 29444 - 7/11/75
Decision #IL75-2082 (H,Hw)
40 FR 26190 - 6/20/75
ALEXANDER COUNTY
Decision #IL75-2084 (H,Hw)
40 FR 27419 - 6/27/75
Mod. #1 - 40 FR 29445 - 7/11/75
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
BOND COUNTY
Decision #IL75-2100 (H,Hw)
40 FR 32562 - 8/1/75
Mod. #1 - 40 FR 34539 - 8/15/75
Mod. #2 - 40 FR 36894 - 8/22/75
BOONE COUNTY
Decision #IL75-2044 (B)
40 FR 10893 - 3/7/75
Mod. #1 - 40 FR 31436 - 7/25/75

ILLINOIS (Cont'd.)

BOONE COUNTY (Cont'd.)
Decision #IL75-2078 (H,Hw)
40 FR 23637 - 5/30/75
Mod. #1 - 40 FR 26182 - 6/20/75
Mod. #2 - 40 FR 29444 - 7/11/75
Mod. #3 - 40 FR 31437 - 7/25/75
BROWN COUNTY
(B,H,Hw) - See Adams County
(D) - See Alexander County
BUREAU COUNTY
Decision #IL75-2035 (B)
40 FR 5961 - 2/7/75
Mod. #1 - 40 FR 8694 - 2/21/75
Mod. #2 - 40 FR 12004 - 3/14/75
Mod. #3 - 40 FR 19325 - 5/2/75
Mod. #4 - 40 FR 29443 - 7/11/75
Mod. #5 - 40 FR 30384 - 7/18/75
Mod. #6 - 40 FR 31435 - 7/25/75
Decision #IL75-2079 (H,Hw)
40 FR 25382 - 6/13/75
Mod. #1 - 40 FR 27403 - 6/27/75
Mod. #2 - 40 FR 29445 - 7/11/75
Mod. #3 - 40 FR 31437 - 7/25/75
Mod. #4 - 40 FR 43419 - 9/19/75
CALHOUN COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
CARROLL COUNTY
(H,Hw) - See Bureau County
CASS COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
CHAMPAIGN COUNTY
Decision #IL75-2105 (B)
40 FR 36907 - 8/22/75
Decision #IL75-2081 (H,Hw)
40 FR 25395 - 6/13/75
CHRISTIAN COUNTY
(H,Hw) - See Adams County
Decision #IL75-2041 (B)
40 FR 7769 - 2/21/75
Mod. #1 -40 FR 29444 - 7/11/75
CLARK COUNTY
(H,Hw) - See Champaign County
CLAY COUNTY
Decision #IL75-2083 (H,Hw)
40 FR 26194 - 6/20/75
CLINTON COUNTY
(H,Hw) - See Bond County
COLES COUNTY
(H,Hw) - See Champaign County
COOK COUNTY
Decision #IL75-2092 (B,H,Hw,R)
40 FR 28343 - 7/3/75
Mod. #1 - 40 FR 31438 - 7/25/75
Decision #IL75-5051 (D)
40 FR 16529 - 4/11/75
Decision #IL75-2015 (H,Hw)
40 FR 6927 - 2/14/75

ILLINOIS

CRAWFORD COUNTY
(H,Hw) - See Clay County
CUMBERLAND COUNTY
(H,Hw) - See Champaign County
DEKALB COUNTY
(H,Hw) - See Boone County
DEWITT COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
DOUGLAS COUNTY
(H,Hw) - See Champaign County
DU PAGE COUNTY
Decision #IL75-2050 (B,R)
40 FR 12029 - 3/7/75
Mod. #1 - 40 FR 18276 - 4/25/75
Mod. #2 - 40 FR 19325 - 5/2/75
Mod. #3 - 40 FR 29444 - 7/11/75
Mod. #4 - 40 FR 31436 - 7/25/75
(H,Hw) - See Boone County
EDGAR COUNTY
(H,Hw) - See Champaign County
EDWARDS COUNTY
(H,Hw) - See Clay County
EFFINGHAM COUNTY
(H,Hw) - See Clay County
FAYETTE COUNTY
(H,Hw) - See Clay County
FORD COUNTY
Decision #IL75-2052 (B)
40 FR 15261 - 4/4/75
Mod. #1 - 40 FR 19325 - 5/2/75
Mod. #2 - 40 FR 29443 - 7/11/75
Mod. #3 - 40 FR 30385 - 7/18/75
Mod. #4 - 40 FR 31436 - 7/25/75
Decision #IL75-2086 (H,Hw)
40 FR 28333 - 7/3/75
Mod. #1 - 40 FR 30385 - 7/18/75
Mod. #2 - 40 FR 31437 - 7/25/75
FRANKLIN COUNTY
(H,Hw) - See Alexander County
FULTON COUNTY
Decision #IL75-2080 (H,Hw)
40 FR 25389 - 6/13/75
Mod. #1 - 40 FR 27404 - 6/27/75
Mod. #2 - 40 FR 29445 - 7/11/75
Mod. #3 - 40 FR 30385 - 7/18/75
GALLATIN COUNTY
(H,Hw) - See Alexander County
(D) - See Alexander County
GREENE COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
GRUNDY COUNTY
(H,Hw) - See Ford County
HAMILTON COUNTY
(H,Hw) - See Clay County
HANCOCK COUNTY
(H,Hw) - See Fulton County
HARDIN COUNTY
(H,Hw) - See Alexander County
(D) - See Alexander County

ILLINOIS (Cont'd)

HENDERSON COUNTY
(H,Hw) - See Fulton County
HENRY COUNTY
(H,Hw) - See Bureau County
IROQUOIS COUNTY
(B,H,Hw) - See Ford County
JACKSON COUNTY
(H,Hw) - See Alexander County
(D) - See Alexander County
JASPER COUNTY
(H,Hw) - See Clay County
JEFFERSON COUNTY
(H,Hw) - See Clay County
JERSEY COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
JO DAVIESS COUNTY
(H,Hw) - See Bureau County
JOHNSON COUNTY
(H,Hw) - See Alexander County
KANE COUNTY
(B,R) - See Du Page County
(H,Hw) - See Boone County
KANKAKEE COUNTY
(B,H,Hw) - See Ford County
KENDALL COUNTY
(H,Hw) - See Boone County
KNOX COUNTY
(H,Hw) - See Fulton County
LAKE COUNTY
(B,R) - See Du Page County
(D) - See Cook County
(H,Hw) - See Boone County
LA SALLE COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
LAWRENCE COUNTY
(H,Hw) - See Clay County
LEE COUNTY
(H,Hw) - See Bureau County
LIVINGSTON COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
LOGAN COUNTY
(H,Hw) - See Adams County
MCDONOUGH COUNTY
(H,Hw) - See Fulton County
MCHENRY COUNTY
(H,Hw) - See Fulton County
Mc LEAN COUNTY
(H,Hw) - See Ford County
MACON COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
MACAUPIN COUNTY
(H,Hw) - See Bond County
MADISON COUNTY
Decision #IL75-2099 (B,R)
40 FR 32559 - 8/1/75
(H,Hw) - See Bond County

ILLINOIS (Cont'd)

MARION COUNTY
(H,Hw) - See Clay County
MARSHALL COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
MASON COUNTY
(H,Hw) - See Adams County
MASSAC COUNTY
(H,Hw) - See Alexander County
MENARD COUNTY
(H,Hw) - See Adams County
MERCER COUNTY
(H,Hw) - See Fulton County
MONROE COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
MONTGOMERY COUNTY
(H,Hw) - See Bond County
MORGAN COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
MOULTRIE COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
OGLE COUNTY
(H,Hw) - See Bureau County
PEORIA COUNTY
Decision #IL75-2106 (B,R,D)
40 FR 40010 - 8/29/75
(H,Hw) - See Fulton County
PERRY COUNTY
(H,Hw) - See Alexander County
PIATT COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
PIKE COUNTY
(B,H,Hw) - See Adams County
(D) - See Alexander County
POPE COUNTY
(H,Hw,D) - See Alexander County
PULASKI COUNTY
(H,Hw,D) - See Alexander County
PUTNAM COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
RANDOLPH COUNTY
(H,Hw,D) - See Alexander County
RICHLAND COUNTY
(H,Hw) - See Clay County
ROCK ISLAND COUNTY
Decision #IL75-2051 (B)
40 FR 12976 - 3/21/75
Mod. #1 - 40 FR 29443 - 7/11/75
Mod. #2 - 40 FR 52242 - 11/7/75
(H,Hw) - See Bureau County
SAINT CLAIR COUNTY
(B,R) - See Madison County
(H,Hw) - See Bond County
(D) - See Alexander County

ILLINOIS (Cont'd)

SALINE COUNTY
(H,Hw) - See Alexander County
SANGAMON COUNTY
Decision #IL75-2107 (B,R)
40 FR 40014 - 8/29/75
(H,Hw) - See Adams County
SCHUYLER COUNTY
(H,Hw) - See Adams County
SCOTT COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
SHELBY COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
STARK COUNTY
(H,Hw) - See Fulton County
STEPHENSON COUNTY
(H,Hw) - See Bureau County
TAZEWELL COUNTY
(B,R,D) - See Peoria County
(H,Hw) - See Fulton County
UNION COUNTY
(H,Hw,D) - See Alexander County
VERMILLION COUNTY
(H,Hw) - See Champaign County
(B) - See Champaign County
WABASH COUNTY
(H,Hw) - See Clay County
WARREN COUNTY
(H,Hw) - See Fulton County
WASHINGTON COUNTY
(H,Hw) - See Bond County
WAYNE COUNTY
(H,Hw) - See Clay County
WHITE COUNTY
(H,Hw) - See Clay County
WHITEWIDE COUNTY
(H,Hw) - See Bureau County
WILL COUNTY
(B,R) - See Du Page County
(H,Hw) - See Boone County
WILLIAMSON COUNTY
Decision #IL75-2043 (B)
40 FR 8736 - 2/28/75
Mod. #1 - 40 FR 18276 - 4/25/75
(H,Hw) - See Alexander County
WINNEBAGO COUNTY
(B) - See Boone County
(H,Hw) - See Bureau County
WOODFORD COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County

INDIANA

STATEWIDE
Decision #IN75-2093 (H,Hw)
40 FR 29491 - 7/11/75
Mod. #1 - 40 FR 33575 - 8/8/75
Mod. #2 - 40 FR 45953 - 10/3/75
Mod. #3 - 40 FR 5068 - 10/31/75
Mod. #4 - 40 FR 53172 - 11/14/75
ADAMS COUNTY
(H,Hw) - See Statewide
ALLEN COUNTY
Decision #IN75-2088 (B)
40 FR 27422 - 6/27/75
Mod. #1 - 40 FR 33573 - 8/8/75
Mod. #2 - 40 FR 44441 - 9/26/75
Mod. #3 - 40 FR 52243 - 11/7/75
Mod. #4 - 40 FR 53169 - 11/14/75
Decision #AQ-3000 (R)
38 FR 22341 - 8/17/73
(H,Hw) - See Statewide
BARTHOLOMEW COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
BENTON COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
BLACKFORD COUNTY
(H,Hw) - See Statewide
BOONE COUNTY
Decision #AP-668 (R)
38 FR 13247 - 5/18/73
(H,Hw) - See Statewide
BROWN COUNTY
(H,Hw) - See Statewide
CARROLL COUNTY
(H,Hw) - See Statewide
CASS COAUNTY
(H,Hw) - See Statewide
CLARK COUNTY
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide
CLAY COUNTY
(H,Hw) - See Statewide
CLINTON COUNTY
(H,Hw) - See Statewide
CRAWFORD COUNTY
(H,Hw) - See Statewide
(D) - See Clark County
DAVIESS COUNTY
(H,Hw) - See Statewide
DEARBORN COUNTY
(B) - See Allen County
(H,Hw) - See Statewide

INDIANA (Cont'd.

DECATUR COUNTY
(H,Hw) - See Statewide
DEKALB COUNTY
(H,Hw) - See Statewide
DELAWARE COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
DUBOIS COUNTY
(H,Hw) - See Statewide
ELKHART COUNTY
(H,Hw) - See Statewide
FAYETTE COUNTY
(H,Hw) - See Statewide
FLOYD COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
FOUNTAIN COUNTY
(H,Hw) - See Statewide
FRANKLIN COUNTY
(H,Hw) - See Statewide
FULTON COUNTY
(H,Hw) - See Statewide
GIBSON COUNTY
(H,Hw) - See Statewide
GRANT COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
GREEN COUNTY
(H,Hw) - See Statewide
HAMILTON COUNTY
(H,Hw) - See Statewide
(R) - See Boone County
HANCOCK COUNTY
(H,Hw) - See Statewide
(R) - See Boone County
HARRISON COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
HENDRICKS COUNTY
(H,Hw) - See Statewide
(R) - See Boone County
HENRY COUNTY
(H,Hw) - See Statewide
HOWARD COUNTY
(H,Hw) - See Statewide
HUNTINGTON COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JASPER COUNTY
(H,Hw) - See Statewide
JAY COUNTY
(H,Hw) - See Statewide

INDIANA (Cont'd.

JEFFERSON COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
JENNINGS COUNTY
(H,Hw) - See Statewide
JOHNSON COUNTY
(H,Hw) - See Statewide
(R) - See Boone County
KNOX COUNTY
(H,Hw) - See Statewide
KOSCIUSKO COUNTY
(H,Hw) - See Statewide
LAGRANGE COUNTY
(H,Hw) - See Statewide
LAKE COUNTY
Decision #IN75-2089 (B,H,Hw)
40 FR 28346 - 7/3/75
Mod. #1 - 40 FR 33574 - 8/8/75
Mod. #2 - 40 FR 44442 - 9/26/75
Mod. #3 - 40 FR 52243 - 11/7/75
Mod. #4 - 40 FR 53171 - 11/14/75
Decision #AQ-3095 (D)
39 FR 5982 - 2/15/74
Mod. #1 - 39 FR 44161 - 12/20/74
LAPORTE COUNTY
(B,H,Hw) - See Lake County
(D) - See Lake County
LAWRENCE COUNTY
(H,Hw) - See Statewide
MADISON COUNTY
(H,Hw) - See Statewide
MARION COUNTY
(B) - See Allen County
(R) - See Boone County
(H,Hw) - See Statewide
MARSHALL COUNTY
(H,Hw) - See Statewide
MARTIN COUNTY
(H,Hw) - See Statewide
MIAMI COUNTY
(H,Hw) - See Statewide
MONROE COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(H,Hw) - See Statewide
MORGAN COUNTY
(R) - See Boone County
(H,Hw) - See Statewide
NEWTON COUNTY
(H,Hw) - See Statewide
NOBLE COUNTY
(H,Hw) - See Statewide

INDIANA (Cont'd.)

OHIO COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
ORANGE COUNTY
(H,Hw) - See Statewide
OWEN COUNTY
(H,Hw) - See Statewide
PARKE COUNTY
(H,Hw) - See Statewide
PERRY COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
PIKE COUNTY
(H,Hw) - See Statewide
PORTER COUNTY
(B,H,Hw) - See Lake County
(D) - See Lake County
POSEY COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
PULASKI COUNTY
(H,Hw) - See Statewide
PUTNAM COUNTY
(H,Hw) - See Statewide
RANDOLPH COUNTY
(H,Hw) - See Statewide
RIPLEY COUNTY
(H,Hw) - See Statewide
RUSH COUNTY
(H,Hw) - See Statewide
SAINT JOSEPH COUNTY
(B,H,Hw) - See Lake County
SCOTT COUNTY
(H,Hw) - See Statewide
SHELBY COUNTY
(R) - See Boone County
(H,Hw) - See Statewide
SPENCER COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
STARKE COUNTY
(H,Hw) - See Statewide
STEUBEN COUNTY
(H,Hw) - See Statewide
SULLIVAN COUNTY
(H,Hw) - See Statewide
SWITZERLAND COUNTY
(D) - See Clark County
(H,Hw) - See Statewide

INDIANA (Cont'd)

TIPPECANOE COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
TIPTON COUNTY
(H,Hw) - See Statewide
UNION COUNTY
(H,Hw) - See Statewide
VANDERBURGH COUNTY
(B) - See Allen County
(D) - See Clark County
(H,Hw) - See Statewide
VERMILLION COUNTY
(H,Hw) - See Statewide
VIGO COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
WABASH COUNTY
(H,Hw) - See Statewide
WARREN COUNTY
(H,Hw) - See Statewide
WARRICK COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
WASHINGTON COUNTY
(H,Hw) - See Statewide
WAYNE COUNTY
(H,Hw) - See Statewide
WELLS COUNTY
(H,Hw) - See Statewide
WHITE COUNTY
(H,Hw) - See Statewide
WHITLEY COUNTY
(H,Hw) - See Statewide

IOWA

ADAIR COUNTY
None
ADAMS COUNTY
None
ALLAMAKEE COUNTY
None
APPANOOSE COUNTY
Decision #IA75-4192 (Hw)
40 FR 55629 - 11/28/75
AUDUBON COUNTY
None
BENTON COUNTY
Decision #IA75-4081 (Hw)
40 FR 17507 - 4/18/75
BLACK HAWK COUNTY
Decision #IA75-4170 (B,H,Hw)(City of Waterloo & abutting Municipalities
40 FR 50870 - 10/31/75
BOONE COUNTY
None
BREMER COUNTY
None
BUCHANAN COUNTY
None
BUENA VISTA COUNTY
None
BUTLER COUNTY
None
CALHOUN COUNTY
None
CARROLL COUNTY
Decision #AM-6712 (H,Hw)
37 FR 7429 - 4/14/72
Mod. #1 - 39 FR 40404 - 11/15/74
Mod. #2 - 40 FR 52243 - 11/7/75
CASS COUNTY
(H,Hw) - See Carroll County
CEDAR COUNTY
None
CERRO GORDO COUNTY (MASON CITY)
Decision #IA75-4171 (B,H,Hw)
40 FR 50873 - 10/31/75
Mod. #1 - 40 FR 57070 - 12/5/75
CHEROKEE COUNTY
None
CHICKASAW COUNTY
None
CLARKE COUNTY
None

IOWA (Cont'd)

CLAY COUNTY
(H,Hw) - See Carroll County
CLAYTON COUNTY
None
CLINTON COUNTY (City of Clinton and abbutting municipalities)
Decision #IA75-4172 (B,H,Hw)
40 FR 50876 - 10/31/75
Mod. #1 - 40 FR 57071 - 12/5/75
CRAWFORD COUNTY
(H,Hw) - See Carroll County
DALLAS COUNTY
None
DAVIS COUNTY
(Hw) - See Appanoose County
DECATUR COUNTY
None
DELAWARE COUNTY
None
DES MOINES COUNTY (City of Burlington and Abutting Municipalities; and Burlington Ordnance Plant)
Decision #IA75-4173 (B,H,Hw)
40 FR 50879 - 10/31/75
DICKINSON COUNTY
None
DUBUQUE COUNTY (City of Dubuque and abutting municipalities)
Decision #IA75-4174 (B,H,Hw)
40 FR 50882 - 10/31/75
Mod. #1 - 40 FR 55609 - 11/28/75
Mod. #2 - 40 FR 57070 - 12/5/75
EMMET COUNTY
None
FAYETTE COUNTY
None
FLOYD COUNTY
None
FRANKLIN COUNTY
None
FREMONT COUNTY
Decision #NE75-4054 (Channel Stabilization)
40 FR 8739 - 2/28/75
GREENE COUNTY
None
GRUNDY COUNTY
None

IOWA (Cont'd)

GUTHRIE COUNTY
None
HAMILTON COUNTY
None
HANCOCK COUNTY
None
HARDIN COUNTY
None
HARRISON COUNTY
(Chann. Stab.) - See Fremont Co.
HENRY COUNTY
None
HOWARD COUNTY
None
HUMBOLDT COUNTY
None
IDA COUNTY
None
IOWA COUNTY
(Hw) - See Benton County
JACKSON COUNTY
None
JASPER COUNTY
None
JEFFERSON COUNTY
(Hw) - See Appanoose County
JOHNSON COUNTY (City of Iowa City and abutting municipalities)
Decision #IA75-4175 (B,H,Hw)
40 FR 50885 - 10/31/75
(Hw) - See Benton County
JONES COUNTY
None
KEOKUK COUNTY
(Hw) - See Benton County
KOSSUTH COUNTY
None
LEE COUNTY
None
LINN COUNTY
Decision #IA75-4176 (B,H,Hw)
40 FR 50888 - 10/31/75

IOWA (Cont'd.)

LOUISA COUNTY
None
LUCAS COUNTY
None
LYON COUNTY
None
MADISON COUNTY
None
MAHASKA COUNTY
(Hw) - See Benton County
MARION COUNTY
None
MARSHALL COUNTY
None
MILLS COUNTY
(Channel Stab.) - See Freemont Co.
MITCHELL COUNTY
None
MONONA COUNTY
(Channel Stab.) - See Freemont Co.
MONROE COUNTY
None
MONTGOMERY COUNTY
None
MUSCATINE COUNTY
None
O'BRIEN COUNTY
(H,hw) - See Carroll County
OSCEOLA COUNTY
(H,Hw) - See Carroll County
PAGE COUNTY
None
PALO ALTO COUNTY
None
PLYMOUTH COUNTY
None
POCAHONTAS COUNTY
None
POLK COUNTY
Decision #IA75-4177 (B,H,Hw)
40 FR 50891 - 10/31/75
POTTAWATTAMIE COUNTY (City of Council Bluffs and the area within 3 miles from the City Limits)
Decision #IA75-4128 (B,H,Hw)
40 FR 34558 - 8/15/75
(Chann. Stab.) - See Freemont County

IOWA (Cont'd)

POWESHIEK COUNTY
(Hw) - See Benton County
RINGGOLD COUNTY
(H,Hw) - See Carroll County
SAC COUNTY
None
SCOTT COUNTY
Decision #IA75-4178 (B,H,Hw)
40 FR 50894 - 10/31/75
SHELBY COUNTY
None
SIOUX COUNTY
None
STORY COUNTY (City of Ames and abutting municipalities)
Decision #IA75-4179 (B,H,Hw)
40 FR 50897 - 10/31/75
TAMA COUNTY
(Hw) - See Benton County
TAYLOR COUNTY
(H,Hw) - See Carroll County
UNION COUNTY
None
VAN BUREN COUNTY
(Hw) - See Appanoose County
WAPELLO COUNTY
(Hw) - See Appanoose County
WARREN COUNTY
None
WASHINGTON COUNTY
(Hw) - See Benton County
WAYNE COUNTY
None
WEBSTER COUNTY (City of Fort Dodge)
Decision #IA75-4180 (B,H,Hw)
40 FR 50900 - 10/31/75
WINNEBAGO COUNTY
None
WINNESHIEK COUNTY
None

IOWA (Cont'd.)

WOODBURY COUNTY (City of Sioux City and abutting municipalities)
Decision #IA75-4190 (B)
40 FR 53180 - 11/14/75
Mod. #1 - 40 FR 55609 - 11/28/75
(Chann. Stab.) - See Freemont Co.
WORTH COUNTY
None
WRIGHT COUNTY
None

KANSAS

ALLEN COUNTY
Decision #KS75-4197 (Hw, W&S)
40 FR 57091 - 12/5/75
ANDERSON COUNTY
(Hw, W&S) - See Allen County
ATCHISON COUNTY
Decision #MO75-4070 (D)
40 FR 14225 - 3/28/75
(Hw, W&S) - See Allen County
BARBER COUNTY
Decision #KS75-4198 (Hw, W&S)
40 FR 57090 - 12/5/75
BARTON COUNTY
(Hw, W&S) - See Barber County
BOURBON COUNTY
(Hw, W&S) - see Allen County
BROWN COUNTY
(Hw, W&S) - See Allen County
BUTLER COUNTY
(Hw, W&S) - See Allen County
CHASE COUNTY
(Hw, W&S) - See Allen County
CHAUTAUQUA COUNTY
(Hw, W&S) - See Allen County
CHEROKEE COUNTY
(Hw, W&S) - See Allen County
CHEYENNE COUNTY
(Hw, W&S) - See Barber County
CLARK COUNTY
(Hw, W&S) - See Barber County

KANSAS (Cont'd.)

CLAY COUNTY
(Hw, W&S) - See Allen County
CLOUD COUNTY
(Hw, W&S) - See Allen County
COFFEY COUNTY
(Hw, W&S) - See Allen County
COMANCHE COUNTY
(Hw, W&S) - See Barber County
COWLEY COUNTY
(Hw, W&S) - See Allen County
CRAWFORD COUNTY
(Hw, W&S) - See Allen County
DECATUR COUNTY
(Hw, W&S) - See Barber County
DICKINSON COUNTY
(Hw, W&S) - See Allen County
DONIPHAN COUNTY
(D) - See Atchison County
(Hw, W&S) - See Allen County
DOUGLAS COUNTY
Decision #KS75-4063 (Hw)
40 FR 12041 - 3/14/75
Mod. #1 - 40 FR 19326 - 5/2/75
EDWARDS COUNTY
(Hw, W&S) - See Barber County
ELK COUNTY
(Hw, W&S) - See Allen County
ELLIS COUNTY
(Hw, W&S) - See Barber County
ELLSWORTH COUNTY
(Hw, W&S) - See Barber County
FINNEY COUNTY
(Hw, W&S) - See Barber County
FORD COUNTY
(Hw, W&S) - See Barber County
FRANKLIN COUNTY
(Hw, W&S) - See Allen County
GEARY COUNTY
Decision #AQ-88 (R)
38 FR 11791 - 3/29/74
(Hw, W&S) - See Allen County
GOVE COUNTY
(Hw, W&S) - See Barber County
GRAHAM COUNTY
(Hw, W&S) - See Barber County
GRANT COUNTY
(Hw, W&S) - See Barber County
GRAY COUNTY
(Hw, W&S) - See Barber County
GREELEY COUNTY
(Hw, W&S) - See Barber County
GREENWOOD COUNTY
(Hw, W&S) - See Allen County

KANSAS (Cont'd.)

HAMILTON COUNTY
(Hw, W&S) - See Barber County
HARPER COUNTY
(Hw, W&S) - See Allen County
HARVEY COUNTY
(Hw, W&S) - See Allen County
HASKELL COUNTY
(Hw, W&S) - See Barber County
HODGEMAN COUNTY
(Hw, W&S) - See Barber County
JACKSON COUNTY
(Hw, W&S) - See Allen County
JEFFERSON COUNTY
(Hw) - See Douglas County
JEWELL COUNTY
(Hw, W&S) - See Barber County
JOHNSON COUNTY
Decision #MO75-4144 (B,H,Hw)
40 FR 32611 - 8/1/75
Decision #MO75-4145 (R)
40 FR 32617 - 8/1/75
KEARNY COUNTY
(Hw, W&S) - See Barber County
KINGMAN COUNTY
(Hw, W&S) - See Allen County
KIOWA COUNTY
(Hw, W&S) - See Barber County
LABETTE COUNTY
(Hw, W&S) - See Allen County
LANE COUNTY
(Hw, W&S) - See Barber County
LEAVENWORTH COUNTY
Decision #KS75-4191 (B)
40 FR 57096 - 12/5/75
(Hw) - See Douglas County
(D) - See Atchison County
LINCOLN COUNTY
(Hw, W&S) - See Barber County
LINN COUNTY
(Hw, W&S) - See Allen County
LOGAN COUNTY
(Hw, W&S) - See Barbee County

KANSAS (Cont'd.)

LYON COUNTY
(Hw, W&S) - See Allen County
McPHERSON COUNTY
(Hw, W&S) - See Allen County
MARION COUNTY
(Hw, W&S) - See Allen County
MARSHALL COUNTY
(Hw, W&S) - See Allen County
MEADE COUNTY
(Hw, W&S) - See Barber County
MIAMI COUNTY
(Hw) - See Douglas County
MITCHELL COUNTY
(Hw, W&S) - See Barber County
MONTGOMERY COUNTY
(Hw, W&S) - See Allen County
MORRIS COUNTY
(Hw, W&S) - See Allen County
MORTON COUNTY
(Hw, W&S) - See Barber County
NEMAHA COUNTY
(Hw, W&S) - See Allen County
NEOSHO COUNTY
(Hw, W&S) - See Allen County
NESS COUNTY
(Hw, W&S) - See Barber County
NORTON COUNTY
(Hw, W&S) - See Barber County
OSAGE COUNTY
(Hw, W&S) - See Allen County
OSBORNE COUNTY
(Hw, W&S) - See Barber County
OTTAWA COUNTY
(Hw, W&S) - See Allen County
PAWNEE COUNTY
(Hw, W&S) - See Barber County
PHILLIPS COUNTY
(Hw, W&S) - See Barber County
POTTAWATOMIE COUNTY
(Hw, W&S) - See Allen County
PRATT COUNTY
(Hw, W&S) - See Barber County
RAWLINS COUNTY
(Hw, W&S) - See Barber County

KANSAS (Cont'd.)

RENO COUNTY
(Hw, W&S) - See Allen County
REPUBLIC COUNTY
(Hw, W&S) - See Allen County
RICE COUNTY
(Hw, W&S) - See Barber County
RILEY COUNTY
(Hw, W&S) - See Allen County
(R) - See Geary County
ROOKS COUNTY
(Hw, W&S) - See Barber County
RUSH COUNTY
(Hw, W&S) - See Barber County
RUSSELL COUNTY
(Hw, W&S) - See Barber County
SALINE COUNTY
(Hw, W&S) - See Allen County
SCOTT COUNTY
(Hw, W&S) - See Barber County
SEDGWICK COUNTY
Decision #AP-533 (R)
38 FR 16573 - 6/22/73
Decision #KS75-4199 (B)
40 FR 57100 - 12/5/75
Decision #KS75-4052 (Hw, W&S)
40 FR 6057 - 2/7/75
Mod. #1 - 40 FR 7775 - 2/21/75
SEWARD COUNTY
(Hw, W&S) - See Barber County
SHAWNEE COUNTY
Decision #KS75-4193 (B)
40 FR 54405 - 11/21/75
Decision #KS75-4194 (R)
40 FR 57093 - 12/5/75
(Hw) - See Douglas County

KANSAS (Cont'd.)

SHERIDAN COUNTY
(Hw, W&S) - See Barber County
SHERMAN COUNTY
(Hw, W&S) - See Barber County
SMITH COUNTY
(Hw, W&S) - See Barber County
STAFFORD COUNTY
(Hw, W&S) - See Barber County
STANTON COUNTY
(Hw, W&S) - See Barber County
STEVENS COUNTY
(Hw, W&S) - See Barber County
SUMNER COUNTY
(Hw, W&S) - See Allen County
THOMAS COUNTY
(Hw, W&S) - See Barber County
TREGO COUNTY
(Hw, W&S) - See Barber County
WABAUNSEE COUNTY
(Hw, W&S) - See Allen County
WALLACE COUNTY
(Hw, W&S) - See Barber County
WASHINGTON COUNTY
(Hw, W&S) - See Allen County
WICHITA COUNTY
(Hw, W&S) - See Barber County
WILSON COUNTY
(Hw, W&S) - See Allen County
WOODSON COUNTY
(Hw, W&S) - See Allen County
WYANDOTTE COUNTY
(B,H,Hw,R) - See Johnson County
(D) - See Atchison County

KENTUCKY

ADAIR COUNTY
Decision #KY75-1103 (H,Hw)
40 FR 48860 - 10/17/75
Mod. #1 - 40 FR 55609 - 11/28/75
ALLEN COUNTY
Decision #KY75-1093 (H,Hw)
40 FR 43456 - 9/19/75
ANDERSON COUNTY
Decision #KY75-1096 (H,Hw)
40 FR 43459 - 9/19/75
BALLARD COUNTY
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
(H,Hw) - See Allen County
BARREN COUNTY
(H,Hw) - See Adair County
BATH COUNTY
(H,Hw) - See Anderson County
Decision #KY75-1105 (R)
40 FR 49950 - 10/24/75
BELL COUNTY
(H,Hw) - See Adair County
Decision #AQ-4126 (B)
39 FR 22359 - 6/21/74
BOONE COUNTY
Decision #KY75-1096 (H,Hw)
40 FR 44457 - 9/26/75
Mod. #1 - 40 FR 49943 - 10/24/75
Decision #AR-4034 (B)
39 FR 33158 - 9/13/74
Mod. #1 - 40 FR 10877 - 3/7/75
Mod. #2 - 40 FR 25325 - 6/13/75
Decision #IL75-2036 (D)
40 FR 6923 - 2/7/75
BOURBON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
BOYD COUNTY
Decision #KY75-1100 (B)
40 FR 4454 - 9/26/75
(H,Hw) - See Anderson County
(D) - See Boone County
BOYLE COUNTY
(H,Hw) - See Anderson County
BRACKEN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
BREATHITT COUNTY
(H,Hw) - See Adair County

KENTUCKY (Cont'd.)

BRECKINRIDGE COUNTY
Decision #AP-183 (R)
38 FR 11278 - 5/4/73
(H,Hw) - See Anderson County
(D) - See Boone County
BULLITT COUNTY
(D) - See Boone County
(H,Hw) - See Anderson County
(R) - See Breckinridge County
BUTLER COUNTY
(H,Hw) - See Allen County
CALDWELL COUNTY
(H,Hw) - See Allen County
CALLOWAY COUNTY
(H,Hw) - See Allen County
CAMPBELL COUNTY
(B,H,D,Hw) - See Boone County
CARLISLE COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
CARROLL COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
CARTER COUNTY
(H,Hw) - See Anderson County
CASEY COUNTY
(H,Hw) - See Adair County
CHRISTIAN COUNTY
(H,Hw) - See Allen County
CLARK COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
CLAY COUNTY
(H,Hw) - See Adair County
CLINTON COUNTY
(H,Hw) - See Adair County
CRITTENDEN COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
CUMBERLAND COUNTY
(H,Hw) - See Adair County
DAVIESS COUNTY
Decision #AQ-4122 (B)
39 FR 20281 - 6/7/74
(H,Hw) - See Allen County
(D) - See Boone County
EDMONSON COUNTY
(H,Hw) - See Allen County
ELLIOTT COUNTY
(H,Hw) - See Anderson County
ESTILL COUNTY
(H,Hw) - See Adair County

KENTUCKY (Cont'd)

FAYETTE COUNTY
Decision #KY75-1101 (B)
40 FR 48857 - 10/17/75
(H,Hw) - See Anderson County
(R) - See Bath County
FLEMING COUNTY
(H,Hw) - See Anderson County
FLOYD COUNTY
Decision #AR-4002 (B)
39 FR 24777 - 7/5/74
(H,Hw) - See Adair County
FRANKLIN COUNTY
Decision #AQ-4101 (B)
39 FR 14113 - 4/19/74
Mod. #1 - 39 FR 30665 - 8/23/74
Mod. #2 - 39 FR 38803 - 11/1/74
Mod. #3 - 40 FR 10879 - 3/7/75
Mod. #4 - 40 FR 34541 - 8/15/75
(H,Hw) - See Anderson County
FULTON COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
GALLATIN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
GARRARD COUNTY
(H,Hw) - See Adair County
GRANT COUNTY
(H,Hw) - See Anderson County
GRAVES COUNTY
(H,Hw) - See Allen County
GRAYSON COUNTY
(H,Hw) - See Anderson County
GREENE COUNTY
(H,Hw) - See Adair County
GREENUP COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
HANCOCK COUNTY
(H,Hw) - See Allen County
(D) - See Boone County

KENTUCKY (Cont'd)

HARDIN COUNTY
(B) - See Jefferson County
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
HARLAN COUNTY
(H,Hw) - See Adair County
HARRISON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
HART COUNTY
(H,Hw) - See Adair County
HENDERSON COUNTY
Decision #AR-4025 (B)
39 FR 31796 - 8/30/74
Mod. #1 - 40 FR 10877 - 3/7/75
Mod. #2 - 40 FR 31439 - 7/25/75
(H,Hw) - See Allen County
(D) - See Boone County
HENRY COUNTY
(H,Hw) - See Anderson County
HICKMAN COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
HOPKINS COUNTY
(H,Hw) - See Allen County
JACKSON COUNTY
(H,Hw) - See Adair County
JEFFERSON COUNTY
Decision #KY75-1102 (B)
40 FR 48863 - 10/17/75
(D) - See Boone County
(R) - See Breckinridge County
(H,Hw) - See Anderson County
JESSAMINE COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County

KENTUCKY (Cont'd)

JOHNSON COUNTY
(H,Hw) - See Anderson County
KENTON COUNTY
(B,H,Hw,D) - See Boone County
KNOTT COUNTY
(H,Hw) - See Adair County
KNOX COUNTY
(H,Hw) - See Adair County
LARUE COUNTY
(H,Hw) - See Anderson County
LAUREL COUNTY
(H,Hw) - See Adair County
LAWRENCE COUNTY
(H,Hw) - See Anderson County
LEE COUNTY
(H,Hw) - See Adair cOunty
LESLIE COUNTY
(H,Hw) - See Adair County
LETCHER COUNTY
(H,Hw) - See Adair County
LEWIS COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
LINCOLN COUNTY
(H,Hw) - See Adair county
LIVINGSTON COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
LOGAN COUNTY
(H,Hw) - See Allen County
LYON COUNTY
(H,Hw) - See Allen County
McCRACKEN COUNTY
Decision #KY75-1065 (B)
40 FR 26201 - 6/20/75
(D) - See Boone County
(H,Hw) - See Allen County

KENTUCKY (Cont'd)

McCREARY COUNTY
(H,Hw) - See Adair County
McLEAN COUNTY
(H,Hw) - See Allen County
MADISON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
MAGOFFIN COUNTY
(H,Hw) - See Adair County
MARION COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
MARSHALL COUNTY
(H,Hw) - See Allen County
MARTIN COUNTY
(H,Hw) - See Adair County
MASON COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
MEADE COUNTY
(H,Hw) - See Anderson County
(B) - See Jefferson County
(R) - See Breckinridge County
(D) - See Boone County
MENIFEE COUNTY
(H,Hw) - See Adair County
MERCER COUNTY
(H,Hw) - See Anderson County
METCALFE COUNTY
(H,Hw) - See Adair County
MONROE COUNTY
(H,Hw) - See Adair County
MONTGOMERY COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
MORGAN COUNTY
(H,Hw) - See Anderson County
MUHLENBERG COUNTY
(H,Hw) - See Allen County

KENTUCKY (Cont'd)

NELSON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
NICHOLAS COUNTY
(H,Hw) - See Anderson County
OHIO COUNTY
(H,Hw) - See Allen County
OLDHAM COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
OWEN COUNTY
(H,Hw) - See Anderson County
OWSLEY COUNTY
(H,Hw) - See Adair County
PENDLETON COUNTY
(B)(D) - See Boone County
(D) - See Boone County
PERRY COUNTY
(H,Hw) - See Adair County
PIKE COUNTY
(B) - See Floyd County
(H,Hw) - See Adair County
POWELL COUNTY
(H,Hw) - See Adair County
PULASKI COUNTY
(H,Hw) - See Adair County
ROBERTSON COUNTY
(H,Hw) - See Anderson County
ROCKCASTLE COUNTY
(H,Hw) - See Adair County
ROWAN COUNTY
(H,Hw) - See Anderson County
RUSSELL COUNTY
(H,Hw) - See Adair County
SCOTT COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
SHELBY COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County

KENTUCKY (Cont'd.)

SIMPSON COUNTY
(H,Hw) - See Allen County
SPENCER COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
TAYLOR COUNTY
(H,Hw) - See Allen County
TODD COUNTY
(H,Hw) - See Allen County
TRIGG COUNTY
(H,Hw) - See Allen County
TRIMBLE COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
UNION COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
WARREN COUNTY
Decision #AR-4023 (B)
39 FR 32449 - 9/6/74
Mod. #1 - 40 FR 10876 - 3/7/75
Mod. #2 - 40 FR 31438 - 7/25/75
(H,Hw) - See Allen County
WASHINGTON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
WAYNE COUNTY
(H,Hw) - See Adair County
WEBSTER COUNTY
(H,Hw) - See Allen County
WHITLEY COUNTY
(H,Hw) - See Adair County
WOLFE COUNTY
(H,Hw) - See Adair County
WOODFORD COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County

LOUISIANA

STATEWIDE
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
Decision #LA75-4200 (B,Hw,R)
40 FR 57103 - 12/5/75
ACADIA PARISH
Decision #AR75-5074 (F)
40 FR 26189 - 6/20/75
(B,D,Hw) - See Statewide
ALLEN PARISH
(F) - See Acadia Parish
(D,B,Hw) - See Statewide
ASCENSION PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ASSUMPTION PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
AVOYELLES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
BEAUREGARD PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
BIENVILLE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
BOSSIER PARISH
(F) - See Acadia Parish
(B,D,Hw,R) - See Statewide
CADDO PARISH
(B,D,Hw,R) - See Statewide
CALCASIEU PARISH
(F) - See Acadia Parish
(B,D,Hw,R) - See Statewide

LOUISIANA (Cont'd)

CALDWELL PARISH
(F) - See Acadia Parish
(B,D,Hw)- See Statewide
CAMERON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
CATAHOULA PARISH
(F) - See Acadia Parish
(D,B,Hw) - See Statewide
CLAIBORNE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
CONCORDIA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
DE SOTO PARISH
(F) - See Acadia Parish
(B,D,Hw)-See Statewide
EAST BATON ROUGE PARISH
(B,D,Hw) - See Statewide
EAST CARROLL PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
EAST FELICIANA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
EVANGELINE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
FRANKLIN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
GRANT PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
IBERIA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide

LOUISIANA (Cont'd)

IBERVILLE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
JACKSON COUNTY
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
JEFFERSON PARISH
Decision #AR-3 (R)
39 FR 25777 - 7/12/74
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
JEFFERSON DAVIS PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LAFAYETTE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LAFOURCHE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LA SALLE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LINCOLN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LIVINGSTON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
MADISON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
MOREHOUSE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
NATCHITOCHES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ORLEANS PARISH
(B,D,Hw) - See Statewide
(R) - See Jefferson Parish
QUACHITA PARISH
Decision #AQ-116 (R)
39 FR 22397 - 6/21/74
(B,D,Hw) - See Statewide

LOUISIANA (Cont'd)

PLAQUEMINES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
(R) - See Jefferson Parish
POINTE COUPEE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
RAPIDES PARISH
(B,D,Hw) - See Statewide
RED RIVER PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
RICHLAND PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
SABINE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. BERNARD PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
(R) - See Jefferson Parish
ST. CHARLES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. HELENA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. JAMES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. JOHN THE BAPTIST PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. LANDRY PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. MARTIN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. MARY PARISH
(F) - See Acadia Parish
(B,D) - See Statewide

LOUISIANA (Cont'd)

ST. TAMMANY PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
TANGIPAHOA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
TENSAS PARISH
(F) - See Acadia Parish
(B,Hw,D) - See Statewide
TERREBONNE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
UNION PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
VERMILION PARISH
(F) - See Acadia Parish
(D,B,Hw) - See Statewide
VERNON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WASHINGTON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEBSTER PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST BATON ROUGE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST CARROLL PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST FELICIANA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WINN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide

MAINE

ANDROSCOGGIN COUNTY
None
AROOSTOOK COUNTY
None
CUMBERLAND COUNTY
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
FRANKLIN COUNTY
None
HANCOCK COUNTY
(D) - See Cumberland County
KENNEBEC COUNTY
None
KNOX COUNTY
(D) - See Cumberland County
LINCOLN COUNTY
(D) - See Cumberland County
OXFORD COUNTY
None
PENOBSCOT COUNTY
None
PISCATAQUIS COUNTY
None
SAGADAHOC COUNTY
(D) - See Cumberland County
SOMERSET COUNTY
None
WALDO COUNTY
(D) - See Cumberland County
WASHINGTON COUNTY
(D) - See Cumberland County
YORK COUNTY
(D) - See Cumberland County

MARYLAND

ALLEGANY COUNTY
Decision #AR-2091 (B)
39 FR 41651 - 11/29/74
Mod. #1 - 40 FR 928 - 1/3/75
Decision #AR-2084 (H,Hw)
39 FR 41125 - 11/22/74
ANNE ARUNDEL COUNTY
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
Decision #AR-2086 (B,H)
39 FR 41127 - 11/22/74
Mod. #1 - 40 FR 928 - 1/3/75
Mod. #2 - 40 FR 14204 - 3/28/75
Mod. #3 - 40 FR 17460 - 4/18/75
Decision #MD75-3109 (Hw)
40 FR 50905 - 10/31/75
Mod. #1 - 40 FR 55609 - 11/28/75
BALTIMORE CITY
Decision #MD75-3110 (Hw)
40 FR 53182 - 11/14/75
Decision #MD75-3064 (B,H)
40 FR 27431 - 6/27/75
Mod. #1 - 40 FR 57070 - 12/5/75
Decision #AQ-2072 (R)
39 FR 8122 - 3/1/74
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
BALTIMORE COUNTY
Decision #AR-2052 (Hw)
39 FR 34904 - 9/27/74
Mod. #1 - 40 FR 27405 - 6/27/75
(B,H,R) - See Baltimore City
CALVERT COUNTY
(D,Hw) - See Anne Arundel County
CAROLINE COUNTY
Decision #MD75-3052 (Hw)
40 FR 20555 - 5/9/75
(Hw) - See Anne Arundel County
CARROLL COUNTY
(Hw) - See Anne Arundel County
CECIL COUNTY
(Hw) - See Caroline County
(R) - See Baltimore County
CHARLES COUNTY
(D,Hw) - See Anne Arundel County
DORCHESTER COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
FREDERICK COUNTY
Decision #AQ-2076 (R)
39 FR 10069 - 3/15/74
Mod. #1 - 40 FR 15272 - 4/4/75
(Hw) - See Anne Arundel County
GARRETT COUNTY
(B,H,Hw) - See Allegany County

MARYLAND (Cont'd.)

HARFORD COUNTY
(B,H,R) - See Baltimore City
(Hw) - See Anne Arundel County
HOWARD COUNTY
(B,H) - See Baltimore City
(R) - See Baltimore County
(Hw) - See Anne Arundel City
KENT COUNTY
(Hw) - See Caroline County
(D) - See Arundel County
MONTGOMERY COUNTY
Decision #MD75-3100 (B)
40 FR 44477 - 9/26/75
(Hw) - See Anne Arundel County
PRINCE GEORGES COUNTY
(B) - See Montgomery County
(D,Hw) - See Anne Arundel County
QUEEN ANNES COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
ST. MARYS COUNTY
(D,Hw) - See Anne Arundel County
SOMERSET COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
TALBOT COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
WASHINGTON COUNTY
(Hw) - See Anne Arundel County
WICOMICO COUNTY
Decision #AQ-2075 (R)
39 FR 10068 - 3/15/74
Mod. #1 - 39 FR 14849 - 4/26/74
(D) - See Anne Arundel County
(Hw) - See Caroline County
WORCESTER COUNTY
(D) - See Baltimore County
(Hw) - See Caroline County
Decision #AR-2012 (B)
39 FR 27991 - 8/2/74

MASSACHUSETTS

BARNSTABLE COUNTY
Decision #MA75-2117 (B,H,Hw, & Marine)
40 FR 50906 - 10/31/75
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
BERKSHIRE COUNTY
Decision #MA75-2118 (B,H,Hw)
40 FR 49951 - 10/24/75
BRISTOL COUNTY
Decision #MA75-2119 (B,H,Hw,R, & Marine)
40 FR 52254 - 11/7/75
DUKES COUNTY
(D) - See Barnstable County
ESSEX COUNTY
Decision #MA75-2121 (B,H,Hw, & Marine)
40 FR 52259 - 11/7/75
(D) - See Barnstable County
FRANKLIN COUNTY
Decision #MA75-2110 (B,H,Hw)
40 FR 42499 - 9/12/75
HAMPDEN COUNTY
Decision #MA75-2122 (B,H,Hw)
40 FR 52264 - 11/7/75
Decision #MA75-2054 (R)
40 FR 15297 - 4/4/75
HAMPSHIRE COUNTY
Decision #MA75-2123 (B,H,Hw)
40 FR 52268 - 11/7/75
MIDDLESEX COUNTY
Decision #MA75-2124 (B,H,Hw,R, & Marine)
40 FR 53184 - 11/14/75
(D) - See Barnstable County
NANTUCKET COUNTY
(D) - See Barnstable County

MASSACHUSETTS (Cont'd.)

NORFOLK COUNTY
Decision #MA75-2125 (B,H,Hw,R)
40 FR 53189 - 11/14/75
(D) - See Barnstable County
PLYMOUTH COUNTY
Decision #MA75-2126 (B,H,Hw,R)
40 FR 53193 - 11/14/75
SUFFOLK COUNTY
Decision #MA75-2130 (B,H,Hw,D,R)
& Marine)
40 FR 54408 - 11/21/75
WORCESTER COUNTY
Decision #MA75-2128 (B,H,Hw,R)
40 FR 53198 - 11/14/75

MICHIGAN

STATEWIDE
Decision #MI75-2098 (Hw, W&S)
40 FR 30415 - 7/18/75
ALCONA COUNTY
Decision #MI75-2103 (B,H)
40 FR 36928 - 8/22/75
Mod. #1 - 40 FR 57070 - 12/5/75
Decision #IL75-5079 (D)
40 FR 29490 - 7/11/75
Mod. #1 - 40 FR 32552 - 8/1/75
Mod. #2 - 40 FR 40006 - 8/29/75
Mod. #3 - 40 FR 50868 - 10/31/75
Mod. #4 - 40 FR 52242 - 11/7/75
(Hw, W&S) - See Statewide
ALGER COUNTY
Decision #MI75-2104 (B,H)
40 FR 36932 - 8/22/75
(D) - See Alcona County
(Hw, W&S) - See Statewide
ALLEGAN COUNTY
Decision #MI75-2108 (B,H)
40 FR 40016 - 8/29/75
Decision #AM-398 (R)
36 FR 15891 - 8/18/71
(Hw, W&S) - See Statewide
(D) - See Alcona County
ALPENA COUNTY
(B,H) - See Alcona County
(Hw, W&S) - See Statewide
ANTRIM COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
ARENAC COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
BARAGA COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
BARRY COUNTY
(Hw, W&S) - See Statewide
BAY COUNTY
Decision #MI75-2061 (B,H)
40 FR 17511 - 4/18/75
Mod. #1 - 40 FR 19328 - 5/2/75
(D) - See Alcona County
(Hw, W&S) - See Statewide
BENZIE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.)

BERRIEN COUNTY
(B,H) - See Allegan County
Decision #AM-399 (R)
36 FR 15892 - 8/18/71
(D) - See Alcona County
(Hw, W&S) - See Statewide
BRANCH COUNTY
Decision #AM-401 (R)
36 FR 15894 - 8/18/71
(Hw, W&S) - See Statewide
CALHOUN COUNTY
(B,H) - See Allegan County
Decision #AM-400 (R)
36 FR 15892 - 8/18/71
(Hw, W&S) - See Statewide
CASS COUNTY
(Hw, W&S) - See Statewide
(R) - See Branch County
CHARLEVOIX COUNTY
(B,H) - See Allegan County
(D) - See Alcona County
(Hw, W&S) - See Statewide
CHEBOYGAN COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
CHIPPEWA COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
CLARE COUNTY
(Hw, W&S) - See Statewide
CLINTON COUNTY
(B,H) - See Allegan County
(Hw, W&S) - See Statewide
CRAWFORD COUNTY
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.)

DELTA COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
DICKINSON COUNTY
(Hw, W&S) - See Statewide
EATON COUNTY
Decision #AM-8041 (R)
36 FR 24027 - 12/17/71
(B,H) - See Allegan County
(Hw, W&S) - See Statewide
EMMET COUNTY
(B,H) - See Charlevoix County
(D) - See Alcona County
(Hw, W&S) - See Statewide
GENESEE COUNTY
(B,H) - See Bay County
Decision #MI75-2062 (R)
40 FR 17515 - 4/18/75
Mod. #1 - 40 FR 47999 - 10/10/75
(Hw, W&S) - See Statewide
GLADWIN COUNTY
(Hw) - See Statewide
GOGEBIC COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
GRAND TRAVERSE COUNTY
(B,H) - See Alcona County
(D) - See Alcona County
(Hw, W&S) - See Statewide
GRATIOT COUNTY
(Hw, W&S) - See Statewide
HILLSDALE COUNTY
(Hw, W&S) - See Statewide
HOUGHTON COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
HURON COUNTY
(D) - See Alcona County
(Hw, W&S) - See Allegan County
(BH) - See Bay County
INGHAM COUNTY
(B,H) - See Allegan County
(R) - See Eaton County
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.

IONIA COUNTY
(Hw, W&S) - See Statewide
IOSCO COUNTY
(Hw, W&S) - See Statewide
(D) - See Alcona County
IRON COUNTY
(Hw, W&S) - See Statewide
ISABELLA COUNTY
(Hw, W&S) - See Statewide
JACKSON COUNTY
(B,H) - See Allegan County
(Hw, W&S) - See Statewide
KALAMAZOO COUNTY
(B,H) - See Allegan County
(Hw, W&S) - See Statewide
(R) - See Branch County
KALKASKA COUNTY
(Hw, W&S) - See Statewide
KENT COUNTY
Decision #AR-3054 (B,H)
39 FR 25858 - 7/12/74
Mod. #1 - 39 FR 33155 - 9/13/74
Mod. #2 - 39 FR 34920 - 9/27/74
Mod. #3 - 40 FR 3862 - 1/24/75
Decision #AM-402 (R)
36 FR 15895 - 8/18/71
(Hw, W&S) - See Statewide
KEWEENAW COUNTY
(B,H) - See Alger County
(Hw, W&S) - See Statewide
LAKE COUNTY
(R) - See Genesee County
LAPEER COUNTY
(R) - See Genesee County
(B,H) - See Bay County
(Hw, W&S) - See Statewide
LEELANAU COUNTY
(B,H) - See Grand Traverse County
(Hw, W&S) - See Statewide
LANAWEE COUNTY
(Hw, W&S) - See Statewide
LIVINGSTON COUNTY
(Hw, W&S) - See Statewide
LUCE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
MACKINAC COUNTY
(B,H) - See Alger County
(Hw, W&S) - See Statewide
MACOMB COUNTY
Decision #MI75-2129 (B,H,R)
40 FR 53204 - 11/14/75
(D) - See Alcona County
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.)

MANISTEE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
MARQUETTE COUNTY
Decision #AR-3178 (R)
39 FR 44166 - 12/20/74
Mod. #1 - 40 FR 22734 - 5/23/75
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
MASON COUNTY
(B,H) - See Charlevoix County
(D) - See Alcona County
MECOSTA COUNTY
(Hw, W&S) - See Statewide
MENOMINEE COUNTY
(D) - See Alcona COunty
(Hw, W&S) - See Statewide
MIDLAND COUNTY
(Hw, W&S) - See Statewide
MISSAUKEE COUNTY
(Hw, W&S) - See Statewide
MONROE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
MONTCALM COUNTY
(Hw, W&S) - See Statewide
(R) - See Kent County
MONTMORENCY COUNTY
(B,H) - See Alcona County
(Hw, W&S) - See Statewide
MUSKEGON COUNTY
Decision #MI75-2120 (R)
40 FR 49955 - 10/24/75
(B,H) - See Alconrn County
(D) - See Alcona County
(Hw, W&S) - See Statewide
NEWAYGO COUNTY
(Hw, W&S) - See Statewide
OAKLAND COUNTY
(B,H,R) - See Macomb County
(D) - See Alcona County
(Hw, W&S) - See Statewide
OCEANA COUNTY
(B,H,R) - See Alcorn County
(D) - See Alcona County
(Hw, W&S) - See Statewide
OGEMAW COUNTY
(Hw, W&S) - See Statewide
ONTONAGON COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.)

OSCEOLA COUNTY
(Hw, W&S) - See Statewide
OSCODA COUNTY
(B,H) - See Alcorn County
(Hw, W&S) - See Statewide
OTSEGO COUNTY
(Hw, W&S) - See Statewide
OTTAWA COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
(R) - See Allegan County
PRESQUE ISLE COUNTY
(B,H) - See Alcona County
(D) - See Alcona County
(Hw, W&S) - See Statewide
ROSOCOMMON COUNTY
(Hw, W&S) - See Statewide
SAGINAW COUNTY
(B,H) - See Bay County
(R) - See Genessee County
(Hw, W&S) - See Statewide
SAINT CLAIR COUNTY
(B,H) - See Bay County
(R) - See Genessee County
(Hw, W&S) - See Statewide
SAINT JOSEPH COUNTY
(Hw, W&S) - See Statewide
(R) - See Branch County
SANILAC COUNTY
(B,H) - See Bay County
(D) - See Alcona County
(Hw, W&S) - See Statewide
SCHOOLCRAFT COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
SHIAWASSEE COUNTY
(B,H) - See Bay County
(R) - See Genessee County
(Hw, W&S) - See Statewide
TUSCOLA COUNTY
(B,H) - See Bay County
(D) - See Alcona County
(Hw, W&S) - See Statewide
VAN BUREN COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
WASHTENAW COUNTY
(B,H,R) - See Macomb County
(Hw, W&S) - See Statewide
(D) - See Alcona County
WAYNE COUNTY
(B,H,R) - See Macomb County
(D) - See Alcona County
(Hw, W&S) - See Statewide
WEXFORD COUNTY
(Hw, W&S) - See Statewide

MINNESOTA

AITKIN COUNTY
Decision #MN75-2068 (H,Hw)
40 FR 19349 - 5/2/75
Mod. #1 - 40 FR 34547 - 8/15/75
ANOKA COUNTY
Decision #AR-3166 (B,R)
39 FR 39705 - 11/8/74
Mod. #1 - 40 FR 12007 - 3/14/75
Mod. #2 - 40 FR 17461 - 4/18/75
Mod. #3 - 40 FR 22734 - 5/23/75
Mod. #4 - 40 FR 34543 - 8/15/75
(H,Hw) - See Aitkin County
BECKER COUNTY
Decision #AQ-3104 (H,Hw)
39 FR 9369 - 3/8/74
BELTRAMI COUNTY
Decision #AR-3147 (H,Hw)
39 FR 36704 - 10/11/74
BENTON COUNTY
(H,Hw) - See Aitkin County
BIG STONE COUNTY
Decision #AQ-3105 (H,Hw)
39 FR 9370 - 3/8/74
BLUE EARTH COUNTY
(H,Hw) - See Aitkin County
BROWN COUNTY
None
CARLTON COUNTY
(H,Hw) - See Aitkin County
CARVER COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin County
CASS COUNTY
(Hw) - See Becker County
CHIPPEWA COUNTY
(Hw) - See Big Stone County
CHISAGO COUNTY
(H,Hw) - See Aitkin County
CLAY COUNTY
(Hw) - See Becker County
CLEAR WATER COUNTY
(H,Hw) - See Beltrami County
COOK COUNTY
Decision #IL75-5079 (D)
40 FR 29400 - 7/11/75
Mod. #1 - 40 FR 32552 - 8/1/75
Mod. #2 - 40 FR 40006 - 8/29/75
Mod. #3 - 40 FR 50868 - 10/31/75
Mod. #4 - 40 FR 52242 - 11/7/75
(H,Hw) - See Aitkin County
COTTONWOOD COUNTY
Decision #AQ-3134 (H,Hw)
39 FR 93583 - 3/8/74
CROW WING COUNTY
(H,Hw) - See Aitkin County
DAKOTA COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin County

MINNESOTA (Cont'd.)

DODGE COUNTY
(H,Hw) - See Aitkin County
DOUGLAS COUNTY
(H,Hw) - See Big Stone County
FAIRBAULT COUNTY
(H,Hw) - See Aitkin County
FILLMORE COUNTY
(H,Hw) - See Aitkin County
FREEBORN COUNTY
(H,Hw) - See Aitkin County
GOODHUE COUNTY
(H,Hw) - See Aitkin County
GRANT COUNTY
(H,Hw) - See Big Stone County
HENNEPIN COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin Count
HOUSTON COUNTY
(H,Hw) - See Aitkin County
HUBBARD COUNTY
(H,Hw) - See Becker County
ISANTI COUNTY
(H,Hw) - See Aitkin County
ITASKA COUNTY
(H,Hw) - See Aitkin County
JACKSON COUNTY
(H,Hw) - See Aitkin County
KANABEC COUNTY
(H,Hw) - See Aitkin County
KANDIYOHI COUNTY
(H,Hw) - See Big Stone County
KITTSON COUNTY
(H,Hw) - See Beltrami County
KOOCHICHING COUNTY
(H,Hw) - See Aitkin County
LAC QUI PARLE COUNTY
(H,Hw) - See Big Stone County
LAKE COUNTY
(H,Hw) - See Aitkin County
(D) - See Cook County
LAKE OF THE WOODS COUNTY
(H,Hw) - See Beltramie County
LE SHUEUR COUNTY
(H,Hw) - See Aitkin County
LINCOLN COUNTY
(H,Hw) - See Cottonwood County
LYON COUNTY
(H,Hw) - See Cottonwood County
MCLEOD COUNTY
(H,Hw) - See Aitkin County

MINNESOTA (Cont'd.

MAHNOMEN COUNTY
(H,Hw) - See Beltrami County
MARSHALL COUNTY
(H,Hw) - See Beltrami County
MARTIN COUNTY
(H,Hw) - See Aitkin County
MEEKER COUNTY
(H,Hw) - See Aitkin County
MILLE LACS COUNTY
(H,Hw) - See Aitkin County
MORRISON COUNTY
(H,Hw) - See Aitkin County
MOWER COUNTY
(H,Hw) - See Aitkin County
MURRAY COUNTY
(H,Hw) - See Cottonwood County
NICOLLET COUNTY
(H,Hw) - See Aitkin County
NOBLES COUNTY
(H,Hw) - See Aitkin County
NORMAN COUNTY
(H,Hw) - See Beltrami County
OLMSTEAD COUNTY
Decision #MN75-2058 (B,R)
40 FR 17454 - 4/18/75
Mod. #1 - 40 FR 34546 - 8/15/75
(H,Hw) - See Aitkin Counth
OTTER TAIL COUNTY
(H,Hw) - See Becker County
PENNINGTON COUNTY
(H,Hw) - See Beltrami County
PINE COUNTY
(H,Hw) - See Aitkin County
PIPESTONE COUNTY
(H,Hw) - See Cottonwood County
POLK COUNTY
(H,Hw) - See Beltrami County
POPE COUNTY
(H,Hw) - See Big Stone County
RAMSEY COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin County
RED LAKE COUNTY
(H,Hw) - See Beltrami County
REDWOOD COUNTY
(H,Hw) - See Cottonwood County
RENVILLE COUNTY
None
RICE COUNTY
(H,Hw) - See Aitkin County
ROCK COUNTY
(H,Hw) - See Aitkin County

MINNESOTA (Cont'd.

ROSEAU COUNTY
(H,Hw) - See Beltrami County
SAINT LOUIS COUNTY
(D) - See Cook County
(H,Hw) - See Aitkin County
Decision #MN75-2042 (B,R)
40 FR 7837 - 2/21/75
Mod. #1 - 40 FR 12007 - 3/14/75
Mod. #2 - 40 FR 18278 - 4/25/75
Mod. #3 - 40 FR 34544 - 8/15/75
SCOTT COUNTY
(H,Hw) - See Aitkin County
(B,R) - See Anoka County
SHERBURNE COUNTY
(H,Hw) - See Aitkin County
SIBLEY COUNTY
(H,Hw) - See Aitkin County
STEARNS COUNTY
Decision #MN75-2059 (B,R)
40 FR 16472 - 4/11/75
Mod. #1 - 40 FR 18279 - 4/25/75
Mod. #2 - 40 FR 34551 - 8/15/75
(H,Hw) - See Aitkin County
STEELE COUNTY
(H,Hw) - See Aitkin County
STEVENS COUNTY
(H,Hw) - See Big Stone County
SWIFT COUNTY
(H,Hw) - See Big Stone County
TODD COUNTY
(Hw) - See Bekcer County
TRAVERSE COUNTY
(H,Hw) - See Big Stone County
WABASHA COUNTY
(H,Hw) - See Aitkin County
WADENA COUNTY
(H,Hw) - See Becker County
WASECA COUNTY
(H,Hw) - See County
WASHINGTON COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin County
WATONWAN COUNTY
None
WILKIN COUNTY
(H,Hw) - See Becker County
WINONA COUNTY
(H,Hw) - See Aitkin County
WRIGHT COUNTY
(H,Hw) - See Aitkin County
YELLOW MEDICINE COUNTY
(H,Hw) - See Cottonwood County

MISSISSIPPI

STATEWIDE
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
Decision #AR75-5074 (F)
40 FR 26189 - 6/20/75
Decision #MS75-1067 (Hw, W&S)
40 FR 28354 - 7/3/75
Mod. #1 - 40 FR 31439 - 7/25/75
Mod. #2 - 40 FR 33577 - 8/8/75
ADAMS COUNTY
(D,F,Hw, W&S) - See Statewide
ALCORN COUNTY
(D,F,Hw, W&S) - See Statewide
AMITE COUNTY
(D,F,Hw, W&S) - See Statewide
ATTALA COUNTY
(D,F,Hw, W&S) - See Statewide
BENTON COUNTY
(D,F,Hw, W&S) - See Statewide
BOLIVAR COUNTY
(D,F,Hw, W&S) - See Statewide
CALHOUN COUNTY
(D,F,Hw, W&S) - See Statewide
CARROLL COUNTY
(D,F,Hw, W&S) - See Statewide
CHICKASAW COUNTY
(D,F,Hw, W&S) - See Statewide
CHOCTAW COUNTY
(Hw, W&S) - See Statewide
CLAIBORNE COUNTY
(D,Hw,F, W&S) - See Statewide
CLARK COUNTY
(D,F,Hw, W&S) - See Statewide
CLAY COUNTY
(Hw, W&S) - See Statewide
COAHOMA COUNTY
Decision #AR-4024 (R)
39 FR 31771 - 8/30/74
Mod. #1 - 40 FR 3086 - 1/17/75
(D,F,Hw, W&S) - See Statewide
COPIAH COUNTY
Decision #AQ-4120 (R)
39 FR 20302 - 6/7/74
(D,F,Hw, W&S) - See Statewide
COVINGTON COUNTY
(D,Hw, F, W&S) - See Statewide

MISSISSIPPI (Cont'd.

DE SOTO COUNTY
(D,F,Hw, W&S) - See Statewide
FORREST COUNTY
Decision #MS75-1076 (R)
40 FR 36935 - 8/22/75
Mod. #1 - 40 FR 55609 - 11/28/75
Decision #MS75-1020 (B)
40 FR 5966 - 2/7/75
Mod. #1 - 40 FR 7798 - 2/21/75
(D,F,Hw, W&S) - See Statewide
FRANKLIN COUNTY
(D,F,Hw, W&S) - See Statewide
GEORGE COUNTY
Decision #MS75-1077 (R)
40 FR 36935 - 8/22/75
(D,F,Hw, W&S) - See Statewide
GREENE COUNTY
(D,F,Hw, W&S) - See Statewide
GRENADA COUNTY
(D,F,Hw, W&S) - See Statewide
HANCOCK COUNTY
Decision #MS75-1107 (B,H,Hw, W&S)
40 FR 50916 - 10/24/75
Mod. #1 - 40 FR 53177 - 11/14/75
(D,F) - See Statewide
(R) - See George County
HARRISON COUNTY
(B,H,Hw, W&S) - See Hancock County
(R) - See George County
(D,F) - See Statewide
HINDS COUNTY
Decision #MS75-1106 (B)
40 FR 50914 - 10/31/75
Mod. #1 - 40 FR 53176 - 11/14/75
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
HOLMES COUNTY
(D,F,Hw, W&S) - See Statewide
HUMPHREYS COUNTY
(D,F,Hw, W&S) - See Statewide
ISSAQUENA COUNTY
(D,F,Hw, W&S) - See Statewide
ITAWAMBA COUNTY
(D,F,Hw, W&S) - See Statewide
JACKSON COUNTY
(D,F) - See Statewide
(B,H,Hw, W&S) - See Hancock County
(R) - See George County

MISSISSIPPI (Cont'd.)

JASPER COUNTY
(D,F,Hw, W&S) - See Statewide
JEFFERSON COUNTY
(D,F,Hw, W&S) - See Statewide
JEFFERSON DAVIS COUNTY
(D,F,Hw, W&S) - See Statewide
JONES COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Forest County
KEMPER COUNTY
(D,F,Hw, W&S) - See Statewide
LAFAYETTE COUNTY
(D,F,Hw, W&S) - See Statewide
LAMAR COUNTY
(D,F,Hw, W&S) - See Statewide
LAUDERDALE COUNTY
(D,F,Hw, W&S) - See Statewide
LAWRENCE COUNTY
(D,F,Hw, W&S) - See Statewide
LEAKE COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
LEE COUNTY
(D,F,Hw, W&S) - See Statewide
LEFLORE COUNTY
(D,F,Hw, W&S) - See Statewide
LINCOLN COUNTY
(D,F,Hw, W&S) - See Statewide
LOWNDES COUNTY
(D,F,Hw, W&S) - See Statewide
MADISON COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
MARION COUNTY
(D,F,Hw, W&S) - See Statewide
MARSHALL COUNTY
(D,F,Hw, W&S) - See Statewide
MONROE COUNTY
(D,F,Hw, W&S) - See Statewide
MONTGOMERY COUNTY
(D,F,Hw, W&S) - See Statewide
NESHOBA COUNTY
(D,F,Hw, W&S) - See Statewide
NEWTON COUNTY
(D,F,Hw, W&S) - See Statewide
NOXUBEE COUNTY
(D,F,Hw, W&S) - See Statewide
OKTIBBEHA COUNTY
(D,F,Hw, W&S) - See Statewide
PANOLA COUNTY
(D,F,Hw, W&S) - See Statewide
PEARL RIVER COUNTY
(D,F) - See Statewide
(B,H,Hw, W&S) - See Hancock County
(R) - See George County

MISSISSIPPI (Cont'd.)

PERRY COUNTY
(D,F,Hw, W&S) - See Statewide
PIKE COUNTY
(D,F,Hw, W&S) - See Statewide
PONTOTOC COUNTY
(D,F,Hw, W&S) - See Statewide
PRENTISS COUNTY
(D,F,Hw, W&S) - See Statewide
QUITMAN COUNTY
(D,F,Hw, W&S) - See Statewide
RANKIN COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
SCOTT COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
SHARKEY COUNTY
(D,F,Hw, W&S) - See Statewide
SIMPSON COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
SMITH COUNTY
(D,F,Hw, W&S) - See Statewid
(R) - See Copiah County
STONE COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See George County
SUNFLOWER COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Coahoma County
TALLAHATCHIE COUNTY
(D,F,Hw, W&S) - See Statewide
TATE COUNTY
(D,F,Hw, W&S) - See Statewide
TIPPAH COUNTY
(D,F,Hw, W&S) - See Statewide
TISHOMINGO COUNTY
(D,F,Hw, W&S) - See Statewide
TUNICA COUNTY
(D,F,Hw, W&S) - See Statewide
UNION COUNTY
(D,F,Hw, W&S) - See Statewide
WALTHALL COUNTY
(D,F,Hw, W&S) - See Statewide
WARREN COUNTY
Decision #MS75-1109 (B)
40 FR 53208 - 11/14/75
(D,F,Hw, W&S) - See Statewide
(R) - See Coahoma County
WASHINGTON COUNTY
Decision #AQ-4072 (B)
39 FR 5933 - 2/15/74
(D,F,Hw, W&S) - See Statewide
(R) - See Coahoma County

MISSISSIPPI (Cont'd.)

WAYNE COUNTY
(D,F,Hw, W&S) - See Statewide
WEBSTER COUNTY
(D,F,Hw, W&S) - See Statewide
WILKINSON COUNTY
(D,F,Hw, W&S) - See Statewide
WINSTON COUNTY
(D,F,Hw, W&S) - See Statewide
YALOBUSHA COUNTY
(D,F,Hw, W&S) - See Statewide
YAZOO COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County

MISSOURI

STATEWIDE
Decision #MO75-4146 (H,Hw)
40 FR 32662 - 8/1/75
ADAIR COUNTY
(H,Hw) - See Statewide
ANDREW COUNTY
Decision #MO75-4070 (D)
40 FR 14225 - 3/28/75
(H,Hw) - See Statewide
ATCHISON COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
AUDRAIN COUNTY
(H,Hw) - See Statewide
BARRY COUNTY
(Hw) - See Statewide
BARTON COUNTY
(H,Hw) - See Statewide
BATES COUNTY
(H,Hw) - See Statewide
BENTON COUNTY
(H,Hw) - See Statewide
BOLLINGER COUNTY
(H,Hw) - See Statewide
BOONE COUNTY
(H,Hw) - See Statewide
(D) - See Andrew County
BUCHANAN COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
BUTLER COUNTY
(Hw) - See Statewide
CALDWELL COUNTY
(H,Hw) - See Statewide
CALLAWAY COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CAMDEN COUNTY
(H,Hw) - See Statewide
CAPE GIRARDEAU COUNTY
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide
CARROLL COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CARTER COUNTY
(Hw) - See Statewide

MISSOURI (Cont'd)

CASS COUNTY
Decision #MO75-4144 (B,H,Hw)
40 FR 32611 - 8/1/75
Mod. #1 - 40 FR 44442 - 9/26/75
Decision #MO75-4145 (R)
40 FR 32617 - 8/1/75
Mod. #1 - 40 FR 44442 - 9/26/75
(H,Hw) - See Statewide
CEDAR COUNTY
(H,Hw) - See Statewide
CHARITON COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CHRISTIAN COUNTY
(Hw) - See Statewide
CLARK COUNTY
(H,Hw) - See Statewide
CLAY COUNTY
(B,R) - See Cass County
(D) - See Andrew County
(H,Hw) - See Statewide
CLINTON COUNTY
(H,Hw) - See Statewide
COLE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
COOPER COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CRAWFORD COUNTY
(H,Hw) - See Statewide
DADE COUNTY
(H,Hw) - See Statewide
DALLAS COUNTY
(H,Hw) - See Statewide
DAVIESS COUNTY
(H,Hw) - See Statewide
DE KALB COUNTY
(H,Hw) - See Statewide
DENT COUNTY
(Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide
DUNKLIN COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
Decision #MO75-4143 (B)
40 FR 32608 - 8/1/75
Decision #MO75-4142 (R)
40 FR 32605 - 8/1/75
(D) - See Andrew County
(H,Hw) - See Statewide
GASCONADE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
GENTRY COUNTY
(H,Hw) - See Statewide
GREENE COUNTY
(H,Hw) - See Statewide

MISSOURI (Cont'd)

GRUNDY COUNTY
(H,Hw) - See Statewide
HARRISON COUNTY
(H,Hw) - See Statewide
HENRY COUNTY
(H,Hw) - See Statewide
HICKORY COUNTY
(H,Hw) - See Statewide
HOLT COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
HOWARD COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
HOWELL COUNTY
(Hw) - See Statewide
IRON COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(B,R) - See Cass County
(D) - See Andrew County
(H,Hw) - See Statewide
JASPER COUNTY
None
JEFFERSON COUNTY
(D) - See Cape Girdeau County
(H,Hw) - See Statewide
JOHNSON COUNTY
(H,Hw) - See Statewide
KNOX COUNTY
(H,Hw) - See Statewide
LACLEDE COUNTY
(H,Hw) - See Statewide
LAFAYETTE COUNTY
(H,Hw) - See Statewide
(D) - See Andrew County
LAWRENCE COUNTY
(H,Hw) - See Statewide
LEWIS COUNTY
(H,Hw) - See Statewide
LINCOLN COUNTY
(B,R) - See Franklin County
(H,Hw) - See Statewide
LINN COUNTY
(H,Hw) - See Statewide
LIVINGSTON COUNTY
(H,Hw) - See Statewide
MC DONALD COUNTY
(H,Hw) - See Statewide
MACON COUNTY
(H,Hw) - See Statewide
MADISON COUNTY
(H,Hw) - See Statewide
MARIES COUNTY
(H,Hw) - See Statewide

MISSOURI (Cont'd)

MARION COUNTY
(H,Hw) - See Statewide
MERCER COUNTY
(H,Hw) - See Statewide
MILLER COUNTY
(H,Hw) - See Statewide
MISSISSIPPI COUNTY
(D) - See Cape Girardeau County
(Hw) - See Statewide
MONITEAU COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
MONROE COUNTY
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
MORGAN COUNTY
(H,Hw) - See Statewide
NEW MADRID COUNTY
(Hw) - See Statewide
NEWTON COUNTY
(H,Hw) - See Statewide
NODAWAY COUNTY
(H,Hw) - See Statewide
OREGON COUNTY
(Hw) - See Statewide
OSAGE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
OZARK COUNTY
(Hw) - See Statewide
PEMISCOT COUNTY
(Hw) - See Statewide
PERRY COUNTY
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
PETTIS COUNTY
(H,Hw) - See Statewide
PHELPS COUNTY
(H,Hw) - See Statewide
PIKE COUNTY
(H,Hw) - See Statewide
PLATTE COUNTY
(B,R,H,Hw) - See Cass County
(D) - See Andrew County
POLK COUNTY
(H,Hw) - See Statewide

MISSOURI (Cont'd)

PULASKI COUNTY
(H,Hw) - See Statewide
PUTNAM COUNTY
(H,Hw) - See Statewide
RALLS COUNTY
(H,Hw) - See Statewide
RANDOLPH COUNTY
(H,Hw) - See Statewide
RAY COUNTY
(B,R) - See Cass County
(H,Hw) - See Statewide
(D) - See Andrew County
REYNOLDS COUNTY
(Hw) - See Statewide
RIPLEY COUNTY
(Hw) - See Statewide
ST. CHARLES COUNTY
(B,R) - See Franklin County
(D) - See Andrew County
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
ST. CLAIR COUNTY
(H,Hw) - See Statewide
ST. FRANCOIS COUNTY
(H,Hw) - See Statewide
ST. LOUIS COUNTY
(B,R) - See Franklin County
(D) - See Cape Girardeau County
(D) - See Andrew County
(H,Hw) - See Statewide
STE. GENEVIEVE COUNTY
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
SALINE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
SCHUYLER COUNTY
(H,Hw) - See Statewide
SCOTLAND COUNTY
(H,Hw) - See Statewide
SCOTT COUNTY
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
SHANNON COUNTY
(Hw) - See Statewide
SHELBY COUNTY
(H,Hw) - See Statewide
STODDARD COUNTY
(Hw) - See Statewide

MISSOURI (Cont'd)

STONE COUNTY
(Hw) - See Statewide
SULLIVAN COUNTY
(H,Hw) - See Statewide
TANEY COUNTY
(Hw) - See Statewide
TEXAS COUNTY
(Hw) - See Statewide
VERNON COUNTY
(H,Hw) - See Statewide
WARREN COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
WASHINGTON COUNTY
(H,Hw) - See Statewide
WAYNE COUNTY
(Hw) - See Statewide
WEBSTER COUNTY
(Hw) - See Statewide
WORTH COUNTY
(H,Hw) - See Statewide
WRIGHT COUNTY
(Hw) - See Statewide

MONTANA

STATEWIDE
Decision #MT75-5125 (B)
40 FR 48002 - 10/10/75
Decision #MT75-5128 (H,Hw)
40 FR 48046 - 10/10/75
Mod. #1 - 40 FR 54387 - 11/21/75
BEAVERHEAD COUNTY
(B,H,Hw) - See Statewide
BIG HORN COUNTY
(B,H,Hw) - See Statewide
BLAINE COUNTY
(B,H,Hw) - See Statewide
BROADWATER COUNTY
(B,H,Hw) - See Statewide
CARBON COUNTY
(B,H,Hw) - See Statewide
CARTER COUNTY
(B,H,Hw) - See Statewide
CASCADE COUNTY
Decision #MT75-5126 (R)
40 FR 48027 - 10/10/75
(B,H,Hw) - See Statewide
CHOUTEAU COUNTY
(B,H,Hw) - See Statewide
CUSTER COUNTY
(B,H,Hw) - See Statewide
DANIELS COUNTY
(B,H,Hw) - See Statewide
DAWSON COUNTY
(B,H,Hw) - See Statewide
DEER LODGE COUNTY
(B,H,Hw) - See Statewide
Decision #MT75-5127 (R)
40 FR 48038 - 10/10/75
FALLON COUNTY
(B,H,Hw) - See Statewide
FERGUS COUNTY
(B,H,Hw) - See Statewide
FLATHEAD COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County

MONTANA (Cont'd.

GALLATIN COUNTY
(B,H,Hw) - See Statewide
(R) - See Deer Lodge County
GARFIELD COUNTY
(B,H,Hw) - See Statewide
GLACIER COUNTY
(R) - See Cascade County
(B,H,Hw) - See Statewide
GOLDEN VALLEY COUNTY
(B,H,Hw) - See Statewide
GRANITE COUNTY
(B,H,Hw) - See Statewide
HILL COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
JEFFERSON COUNTY
(B,H,Hw) - See Statewide
JUDITH BASIN COUNTY
(B,H,Hw) - See Statewide
LAKE COUNTY
(B,H,Hw) - See Statewide
LEWIS & CLARK COUNTY
(B,H,Hw) - See Statewide
LIBERTY COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
MC CONE COUNTY
(B,H,Hw) - See Statewide
MADISON COUNTY
(B,H,Hw) - See Statewide
MEAGHER COUNTY
(B,H,Hw) - See Statewide
MINERAL COUNTY
(B,H,Hw) - See Statewide
MISSOULA COUNTY
(R) - See Cascade County
(B,H,Hw) - See Statewide
MUSSELSHELL COUNTY
(B,H,Hw) - See Statewide
PARK COUNTY
(B,H,Hw) - See Statewide
PETROLEUM COUNTY
(B,H,Hw) - See Statewide
PHILLIPS COUNTY
(B,H,Hw) - See Statewide
PONDERA COUNTY
(B,H,hw) - See Statewide
POWDER RIVER COUNTY
(B,H,Hw) - See Statewide
POWELL COUNTY
(B,H,Hw) - See Statewide
PRAIRIE COUNTY
(B,H,Hw) - See Statewide
RAVALLI COUNTY
(B,H,Hw) - See Statewide

MONTANA (Cont'd

RICHLAND COUNTY
(B,H,Hw) - See Statewide
ROOSEVELT COUNTY
(B,H,Hw) - See Statewide
ROSEBUD COUNTY
(B,H,Hw) - See Statewide
SANDERS COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
SHERIDAN COUNTY
(B,H,Hw) - See Statewide
SILVER BOW COUNTY
(R) - See Deerlodge County
(B,H,Hw) - See Statewide
STILLWATER COUNTY
(B,H,Hw) - See Statewide
SWEET GRASS COUNTY
(B,H,Hw) - See Statewide
TETON COUNTY
(B,H,Hw) - See Statewide
TOOLE COUNTY
(B,H,Hw) - See Statewide
TREASURE COUNTY
(B,H,Hw) - See Statewide
VALLEY COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
WHEATLAND COUNTY
(B,H,Hw) - See Statewide
WIBAUX COUNTY
(B,H,Hw) - See Statewide
YELLOWSTONE COUNTY
(B,H,Hw) - See Statewide

NEBRASKA

ADAMS COUNTY
Decision #AR-92 (H,Hw)
39 FR 44917 - 12/27/74
ANTELOPE COUNTY
(H,Hw) - See Adams County
ARTHUR COUNTY
(H,Hw) - See Adams County
BANNER COUNTY
Decision #NE75-4113 (B)
40 FR 26218 - 6/20/75
(H,Hw) - See Adams County
BLAINE COUNTY
(H,Hw) - See Adams County
BOONE COUNTY
(H,Hw) - See Adams County
BOX BUTTE COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
BOYD COUNTY
(H,Hw) - See Adams County
Decision #NE75-4054 (Channel Stabilization)
40 FR 8739 - 2/28/75
BROWN COUNTY
(H,Hw) - See Adams County
BUFFALO COUNTY
(H,Hw) - See Adams County
BURT COUNTY
(H,Hw) - See Adams County
(Chann. Stab.) - See Boyd County
BUTLER COUNTY
(H,Hw) - See Adams County
CASS COUNTY
(Chann. Stab.) - See Boyd County
Decision #NE75-4112 (H,Hw)
40 FR 25400 - 6/13/75
Mod. #1 - 40 FR 27416 - 6/27/75
Mod. #2 - 40 FR 32553 - 8/1/75
CEDAR COUNTY
Decision #AQ-93 (B)
39 FR 15653 - 5/3/74
(H,Hw) - See Adams County
(Chann. Stab.) - See Boyd County
CHASE COUNTY
(H,Hw) - See Adams County
CHERRY COUNTY
(H,Hw) - See Adams County
CHEYENNE COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
CLAY COUNTY
(H,Hw) - See Adams County
COLFAX COUNTY
(H,Hw) - See Adams County

NEBRASKA (Cont'd.)

CUMING COUNTY
(B) - See Cedar County
(H,Hw) - See Adams County
CUSTER COUNTY
(H,Hw) - See Adams County
DAKOTA COUNTY
(Chann. Stab.) - See Boyd County
(H,Hw) - See Adams County
DAWES COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
DAWSON COUNTY
(H,Hw) - See Adams County
DEUEL COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
DIXON COUNTY
(Chann. Stab.) - See Boyd County
(H,Hw) - See Adams County
DODGE COUNTY
(H,Hw) - See Adams County
DOUGLAS COUNTY
Decision #NE75-4111 (B,R)
40 FR 25399 - 6/13/75
(H,Hw) - See Cass County
(Chann. Stab.) - See Boyd County
DUNDY COUNTY
(H,Hw) - See Adams County
FILLMORE COUNTY
(H,Hw) - See Adams County
FRANKLIN COUNTY
(H,Hw) - See Adams County
FRONTIER COUNTY
(H,Hw) - See Adams County
FURNAS COUNTY
(H,Hw) - See Adams County
GAGE COUNTY
(H,Hw) - See Adams County
GARDEN COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
GARFIELD COUNTY
(H,Hw) - See Adams County
GOSPER COUNTY
(H,Hw) - See Adams County
GRANT COUNTY
(H,Hw) - See Adams County
GREELEY COUNTY
(H,Hw) - See Adams County

NEBRASKA (Cont'd)

HALL COUNTY
Decision #NE75-4155 (B)
40 FR 41366 - 9/5/75
(H,Hw) - See Adams County
HAMILTON COUNTY
(H,Hw) - See Adams County
HARLAN COUNTY
(H,Hw) - See Adams County
HAYES COUNTY
(H,Hw) - See Adams County
HITCHCOCK COUNTY
(H,Hw) - See Adams County
HOLT COUNTY
(H,Hw) - See Adams County
HOOKER COUNTY
(H,Hw) - See Adams County
HOWARD COUNTY
(H,Hw) - See Adams County
JEFFERSON COUNTY
(H,Hw) - See Adams County
JOHNSON COUNTY
(H,Hw) - See Adams County
KEARNEY COUNTY
(H,Hw) - See Adams County
KEITH COUNTY
(H,Hw) - See Adams County
KEYAPAHA COUNTY
(H,Hw) - See Adams County
KIMBALL COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
KNOX COUNTY
(H,Hw) - See Adams County
(Chann. Stab.) - See Boyd County
LANCASTER COUNTY
Decision #NE75-4085 (B)
40 FR 20599 - 5/9/75
Decision #NE75-4157 (R)
40 FR 42502 - 9/12/75
(H,Hw) - See Adams County
LINCOLN COUNTY
(H,Hw) - See Adams County
LOGAN COUNTY
(H,Hw) - See Adams County
LOUP COUNTY
(H,Hw) - See Adams County
MC PHERSON COUNTY
(H,Hw) - See Adams County
MADISON COUNTY
(H,Hw) - See Adams County
MERRICK COUNTY
(H,Hw) - See Adams County

NEBRASKA (Cont'd.)

MORRILL COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
NANCE COUNTY
(H,Hw) - See Adams County
NEMAHA COUNTY
Decision #MO75-4070 (D)
40 FR 14225 - 3/28/75
(H,Hw) - See Adams County
(Chann. Stab.) - See Boyd County
NUCKOLLS COUNTY
(H,Hw) - See Adams County
OTOE COUNTY
(Chann. Stab.) - See Boyd County
(H,Hw) - See Adams County
PAWNEE COUNTY
(H,Hw) - See Adams County
PERKINS COUNTY
(H,Hw) - See Adams County
PHELPS COUNTY
(H,Hw) - See Adams County
PIERCE COUNTY
(B) - See Cedar County
(H,Hw) - See Adams County
PLATTE COUNTY
(H,Hw) - See Adams County
POLK COUNTY
(H,Hw) - See Adams County
RED WILLOW COUNTY
(H,Hw) - See Adams County
RICHARDSON COUNTY
(Chann. Stab.) - See Boyd County
(D) - See Neemaha County
(H,Hw) - See Adams County
ROCK COUNTY
(H,Hw) - See Adams County
SALINE COUNTY
(H,Hw) - See Adams County
SARPY COUNTY
(Chann. Stab.) - See Boyd County
(B,R) - See Douglas County
(H,Hw) - See Cass County
SAUNDERS COUNTY
(H,Hw) - See Adams County
(H,Hw) - See Cass County
SCOTTS BLUFF COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
SEWARD COUNTY
(H,Hw) - See Adams County
SHERIDAN COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
SHERMAN COUNTY
(H,Hw) - See Adams County
SIOUX COUNTY
(B) - See Banner County
(H,Hw) - See Adams County

NEBRAKSA (Cont'd.)

STANTON COUNTY
(B) - See Cedar County
(H,Hw) - See Adams County
THAYER COUNTY
(H,Hw) - See Adams County
THOMAS COUNTY
(H,Hw) - See Adams County
THURSTON COUNTY
(Chann. Stab.) - See Boyd County
(H,Hw) - See Adams County
VALLEY COUNTY
(H,Hw) - See Adams County
WASHINGTON COUNTY
(H,Hw) - See Cass County
(Chann. Stab.) - See Boyd County
WAYNE COUNTY
(B) - See Cedar County
(H,Hw) - See Adams County
WEBSTER COUNTY
(H,Hw) - See Adams County
WHEELER COUNTY
(H,Hw) - See Adams County
YORK COUNTY
(H,Hw) - See Adams County

NEVADA

STATEWIDE (Excluding the Nevada Test Site & Tonopah Test Range)
Decision #NV75-5095 (B,H,Hw)
40 FR 32635 - 8/1/75
Mod. #1 - 40 FR 43419 - 9/19/75
Mod. #2 - 40 FR 47999 - 10/10/75
Mod. #3 - 40 FR 52243 - 11/7/75
CHURCHILL COUNTY
(B,H,Hw) - See Statewide
CLARK COUNTY
Decision #NV75-5096 (R)(Excluding the Nevada Test Site)
40 FR 32646 - 8/1/75
Mod. #1 - 40 FR 43420 - 9/19/75
Mod. #2 - 40 FR 52243 - 11/7/75
(B,H,Hw) - See Statewide
Decision #NV75-5057 (B,H,Hw) (Nevada Test Site including the Tonopah Test Range
40 FR 20602 - 5/9/75
Mod. #1 - 40 FR 25326 - 6/13/75
Mod. #2 - 40 FR 43419 - 9/19/75
DOUGLAS COUNTY
(B,H,Hw) - See Statewide
ELKO COUNTY
(B,H,Hw) - See Statewide
ESMERALDA COUNTY
(B,H,Hw) - See Statewide
EUREKA COUNTY
(B,H,Hw) - See Statewide
HUMBOLDT COUNTY
(B,H,Hw) - See Statewide
LANDER COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
LYON COUNTY
(B,H,Hw) - See Statewide
MINERAL COUNTY
(B,H,Hw) - See Statewide
NYE COUNTY
(B,H,Hw) - See Clark Co. (Nevada Test Site)
(B,H,Hw) - See Statewide
ORMSBY COUNTY
(B,H,Hw) - See Statewide
PERSHING COUNTY
(B,H,Hw) - See Statewide
STOREY COUNTY
(B,H,Hw) - See Statewide
WASHOE COUNTY
Decision #NV75-5097 (R)
40 FR 32650 - 8/1/75
Mod. #1 - 40 FR 43420 - 9/19/75
Mod. #2 - 40 FR 52244 - 11/7/75
(B,H,Hw) - See Statewide
WHITE PINE COUNTY
(B,H,Hw) - See Statewide

NEW HAMPSHIRE

BELKNAP COUNTY
None
CARROLL COUNTY
None
CHESHIRE COUNTY
None
COOS COUNTY
None
GRAFTON COUNTY
None
HILLSBORO COUNTY
Decision #NH75-2096 (B,H,Hw,R)
40 FR 30419 - 7/18/75
Mod. #1 - 40 FR 36897 - 8/22/75
MERRIMACK COUNTY
Decision #NH75-2097 (B,H,Hw, & Marine)
40 FR 30422 - 7/18/75
Mod.#1 - 40 FR 36898 - 8/22/75
ROCKINGHAM COUNTY
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
Decision #NH75-2098 (B,H,Hw,R, & Marine)
40 FR 30426 - 7/18/75
Mod. #1 - 40 FR 36898 - 8/22/75
STRAFFORD COUNTY
Decision #NH75-2099 (B,H,Hw, & Marine)
40 FR 30430 - 7/18/75
Mod. #1 - 40 FR 36899 - 8/22/75
SULLIVAN COUNTY
None

NEW JERSEY

ATLANTIC COUNTY
Decision #NJ75-3049 (B,H,Hw)
40 FR 26219 - 6/20/75
Mod. #1 - 40 FR 36899 - 8/22/75
Mod. #2 - 40 FR 44443 - 9/26/75
Mod. #3 - 40 FR 48000 - 10/10/75
Mod. #4 - 40 FR 55610 - 11/28/75
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
BERGEN COUNTY
Decision #NJ75-3098 (R)
40 FR 44433 - 9/26/75
Mod. #1 - 40 FR 48844 - 10/17/75
Mod. #2 - 40 FR 55610 - 11/28/75
Decision #NJ75-3050 (B,H,Hw)
40 FR 29501 - 7/11/75
Mod. #1 - 40 FR 40007 - 8/29/75
Mod. #2 - 40 FR 44444 - 9/26/75
Mod. #3 - 40 FR 48001 - 10/10/75
Mod. #4 - 40 FR 50869 - 10/31/75
Mod. #5 - 40 FR 55610 - 11/28/75
(D) - See Atlantic County

NEW JERSEY (Cont'd.)

BURLINGTON COUNTY
Decision #NJ75-3096 (R)
40 FR 43413 - 9/19/75
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
CAMDEN COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
CAPE MAY COUNTY
Decision #NJ75-3068 (R)
40 FR 29437 - 7/11/75
(B,H,Hw,D) - See Atlantic County
CUMBERLAND COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
ESSEX COUNTY
(B,H,Hw,R) - See Bergen County
(D) - See Atlantic County
GLOUCESTER COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
HUDSON COUNTY
(B,H,Hw,R) - See Bergen County
(D) - See Atlantic County
HUNTERDON COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
MERCER COUNTY
(B,H,Hw) - See Atlantic County
MIDDLESEX COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
MONMOUTH COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County

NEW JERSEY (Cont'd.)

MORRIS COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
OCEAN COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
PASSAIC COUNTY
(B,H,Hw,R) - See Bergen County
(D) - See Atlantic County
SALEM COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
SOMERSET COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
SUSSEX COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
UNION COUNTY
Decision #NJ75-3097 (R)
40 FR 43414 - 9/19/75
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
WARREN COUNTY
(B,H,Hw) - See Bergen County

NEW MEXICO

STATEWIDE
Decision #NM75-4137 (Streets, Highways, Utilities and Light Engineering Construction)
40 FR 32656 - 8/1/75
Mod. #1 - 40 FR 57073 - 12/5/75
Decision #NM75-4136 (Building, including residential in McKinley, Santa Fe, San Juan & Bernalillo Cos., but not on the Indian Reservation, and Heavy engineering construction.
40 FR 32658 - 8/1/75
Mod. #1 - 40 FR 43420 - 9/19/75
Mod. #2 - 40 FR 45954 - 10/3/75
Mod. #3 - 40 FR 57071 - 12/5/75
BERNALILLO COUNTY
(B,H,Hw,R) - See Statewide
CATRON COUNTY
(B,H,Hw) - See Statewide
CHAVES COUNTY
(B,H,Hw) - See Statewide
COLFAX COUNTY
(B,H,Hw) - See Statewide
CURRY COUNTY
(B,H,Hw) - See Statewide
DE BACA COUNTY
(B,H,Hw) - See Statewide
DONA ANA COUNTY
(B,H,Hw) - See Statewide
Decision #NM75-4014 (R)
40 FR 3148 - 1/17/75
EDDY COUNTY
(B,H,Hw) - See Statewide
GRANT COUNTY
(B,H,Hw) - See Statewide
GUADALUPE COUNTY
(B,H,Hw) - See Statewide
HARDING COUNTY
(B,H,Hw) - See Statewide
HIDALGO COUNTY
(B,H,Hw) - See Statewide
LEA COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
LOS ALAMOS COUNTY
(B,H,Hw) - See Statewide
LUNA COUNTY
(B,H,Hw) - See Statewide
McKINLEY COUNTY
(R) - See San Juan County
(B,H,Hw,R) - See Statewide
MORA COUNTY
(B,H,Hw) - See Statewide

NEW MEXICO (Cont'd.)

MORA COUNTY
(B,H,Hw) - See Statewide
OTERO COUNTY
(R) - See Dona Ana County
(B,H,Hw) - See Statewide
QUAY COUNTY
(B,H,Hw) - See Statewide
RIO ARRIBA COUNTY
(B,H,Hw) - See Statewide
ROOSEVELT COUNTY
(B,H,Hw) - See Statewide
SANDOVAL COUNTY
(B,H,Hw) - See Statewide
SAN JUAN COUNTY
Decision #NM75-5004 (R)(Navajo Indian Reservation)
40 FR 3921 - 1/24/75
(B,H,Hw,R) - See Statewide
SAN MIGUEL COUNTY
(B,H,Hw) - See Statewide
SANTE FE COUNTY
(B,H,Hw,R) - See Statewide
SIERRA COUNTY
(B,H,Hw) - See Statewide
SOCORRO COUNTY
(B,H,Hw) - See Statewide
TAOS COUNTY
(B,H,Hw) - See Statewide
TORRANCE COUNTY
(B,H,hw) - See Statewide
UNION COUNTY
(B,H,Hw) - See Statewide
VALENCIA COUNTY
(B,H,Hw) - See Statewide

NEW YORK

ALBANY COUNTY
Decision #NY75-3031 (B,H,Hw)
40 FR 16545 - 4/11/75
ALLEGANY COUNTY
None
BRONX COUNTY
Decision #AR-2101 (B,H,Hw)
39 FR 44925 - 12/27/74
Mod. #1 - 40 FR 5984 - 2/7/75
Mod. #2 - 40 FR 7799 - 2/21/75
Mod. #3 - 40 FR 33578 - 8/8/75
Decision #NY75-3016 (R)
40 FR 7852 - 2/21/75
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
BROOME COUNTY
Decision #NY75-3032 (B,H,Hw)
40 FR 16549 - 4/11/75
CATTARAUGUS COUNTY
None
CAYUGA COUNTY
Decision #NY75-3033 (D)
40 FR 16554 - 4/11/75
CHAUTAUGUA COUNTY
Decision #AR-2014 (B,H,Hw)
39 FR 28735 - 8/9/74
Mod. #1 - 40 FR 3863 - 1/24/75
(D) - See Cayuga County
CHEMUNG COUNTY
None
CHENANGO COUNTY
None
CLINTON COUNTY
None
COLUMBIA COUNTY
None
CORTLAND COUNTY
None
DELAWARE COUNTY
None

NEW YORK (Cont'd)

DUTCHESS COUNTY
Decision #NY75-3034 (B,H,Hw)
40 FR 16559 - 4/11/75
(D) - See Bronx County
ERIE COUNTY
Decision #NY75-3111 (B,H,Hw)
40 FR 57123 - 12/5/75
(D) - See Cayuga County
ESSEX COUNTY
None
FRANKLIN COUNTY
(D) - See Cayuga County
FULTON COUNTY
None
GENESEE COUNTY
None
GREENE COUNTY
None
HAMILTON COUNTY
None
HERKIMER COUNTY
None
JEFFERSON COUNTY
Decision #NY75-3036 (B,H,Hw)
40 FR 16571 - 4/11/75
Mod. #1-40 FR 24455 - 6/6/75
(D) - See Cayuga County
KINGS COUNTY
(B,H,Hw,R,D) - See Bronx County
LEWIS COUNTY
None
LIVINGSTON COUNTY
None
MADISON COUNTY
None

NEW YORK (Cont'd)

MONROE COUNTY
Decision #NY75-3063 (B, H,Hw)
40 FR 26233 - 6/20/75
Mod. #1 - 40 FR 27416 - 6/27/75
Mod. #2 - 40 FR 55610 - 11/28/75
(D) - See Cayuga County
MONTGOMERY COUNTY
None
NASSAU COUNTY
Decision #NY75-3038 (B,H,Hw)
40 FR 16581 - 4/11/75
(D) - See Bronx County
NEW YORK COUNTY
(B,H,Hw,R,D) - See Bronx County
NIAGARA COUNTY
Decision #NY75-3039 (B,H,Hw)
40 FR 16586 - 4/11/75
(D) - See Cayuga County
ONIEDA COUNTY
Decision #NY75-3114 (B,H,Hw)
40 FR 57130 - 12/5/75
ONONDAGA COUNTY
Decision #NY75-3041 (B,H,Hw)
40 FR 16595 - 4/11/75
Mod. #1 - 40 FR 24457 - 6/6/75
Mod. #2 - 40 FR 45955 - 10/3/75
ONTARIO COUNTY
None
ORANGE COUNTY
Decision #NY75-3042 (B,H,Hw)
40 FR 16599 - 4/11/75
Mod. #1 - 40 FR 25327 - 6/13/75
Mod. #2 - 40 FR 45955 - 10/3/75
(D) - See Bronx County
ORLEANS COUNTY
(D) - See Cayuga County
OSWEGO COUNTY
(D) - See Cayuga County
OTSEGA COUNTY
None
PUTNAM COUNTY
None
QUEENS COUNTY
(B,H,Hw,R) - See Bronx County

NEW YORK (Cont'd)

RENSSELAER COUNTY
Decision #NY75-3043 (B,H,Hw)
40 FR 16606 - 4/11/75
RICHMOND COUNTY
(B,H,Hw,R,D) - See Bronx County
ROCKLAND COUNTY
(D) - See Bronx County
ST LAWRENCE COUNTY
(D) - See Cayuga County
SARATOGA COUNTY
Decision #AR-2097 (B,H,Hw)
39 FR 44919 - 12/27/74
SCHENECTADY COUNTY
Decision #NY75-3044 (B,H,Hw)
40 FR 16610 - 4/11/75
SCHOHARIE COUNTY
None
SCHUYLER COUNTY
None
SENECA COUNTY
None
STEUBEN COUNTY
Decision #NY75-3046 (B,H,Hw)
40 FR 16619 - 4/11/75
SUFFOLK COUNTY
Decision #NY75-3045 (B,H,Hw)
40 FR 16614 - 4/11/75
(D) - See Bronx County
SULLIVAN COUNTY
None
TIOGA COUNTY
None

NEW YORK (cont'd)

TOMPKINS COUNTY
None
ULSTER COUNTY
None
WARREN COUNTY
None
WASHINGTON COUNTY
None
WAYNE COUNTY
Decision #NY75-3047 (B,H,Hw)
40 FR 16624 - 4/11/75
Mod. #1 - 40 FR 45955 - 10/3/75
(D) - See Cayuga County
WESTCHESTER COUNTY
Decision #NY75-3048 (B,H,Hw)
40 FR 16631 - 4/11/75
(D) - See Bronx County
WYOMING COUNTY
None
YATES COUNTY
None

NORTH CAROLINA

STATEWIDE
Decision #NC75-1015 (H,Hw)
40 FR 4857 - 1/31/75
Mod. #1 - 40 FR 41351 - 9/5/75
Decision #NC75-1078 (Sewer & Water)
40 FR 41367 - 9/5/75
ALAMANCE COUNTY
Decision #AQ-4078 (R)
39 FR 7010 - 2/22/74
(Sewer & Water, H,Hw) - See Statewide
ALEXANDER COUNTY
(Sewer & Water, H,Hw) - See Statewide
ALLEGHANY COUNTY
(Sewer & Water, H,Hw) - See Statewide
ANSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
ASHE COUNTY
(Sewer & Water, H,Hw) - See Statewide
AVERY COUNTY
Decision #AR-4017 (B)
39 FR 28739 - 8/9/74
Mod. #1 - 39 FR 43466 - 12/13/74
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

BEAUFORT COUNTY
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
(Sewer & Water, H,Hw) - See Statewide
BERTIE COUNTY
Decision #AQ-4079 (R)
39 FR 7010 - 2/22/74
Mod. #1 - 40 FR 3087 - 1/17/75
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
BLADEN COUNTY
(Sewer & Water, H,Hw) - See Statewide
BRUNSWICK COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
Decision #AR-4031 (R)
39 FR 32441 - 9/6/74
BUNCOMBE COUNTY
Decision #AR-4005 (B)
39 FR 24778 - 7/5/74
Mod. #1 - 39 FR 43465 - 12/13/74
Decision #NC75-1014 (R)
40 FR 6111 - 2/7/75
(Sewer & Water, H,Hw) - See Statewide
BURKE COUNTY
Decision #AQ-4105 (B)
39 FR 14842 - 4/26/74
Decision #AQ-4117 (R)
39 FR 18397 - 5/24/74
(Sewer & Water, H,Hw) - See Statewide
CABARRUS COUNTY
(Sewer & Water, H,Hw) - See Statewide
CALDWELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
CAMDEN COUNTY
(Sewer & Water, H,Hw) - See Statewide
CARTERET COUNTY
Decision #AQ-4083 (R)
39 FR 8101 - 3/1/74
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
CASWELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
CATAWBA COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
CHATHAM COUNTY
Decision #NC75-1049 (B)
40 FR 18273 - 4/25/75
Decision #AR-4044 (R)
39 FR 36882 - 10/11/74
Mod. #1 - 40 FR 3087 - 1/17/75
(Sewer & Water, H,Hw) - See Statewide
CHEROKEE COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd)

CHOWAN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
(R) - See Bertie County
CLAY COUNTY
(Sewer & Water, H,Hw) - See Statewide
CLEVELAND COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
COLUMBUS COUNTY
(Sewer & Water, H,Hw) - See Statewide
CRAVEN COUNTY
(R) - See Carteret County
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
CUMBERLAND COUNTY
(R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
CURRICTUCK COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
DARE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
DAVIDSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
DAVIE COUNTY
(Sewer & Water, H,Hw) - See Statewide
DUPLIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
DURHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
EDGECOMBE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
FORSYTH COUNTY
Decision #AR-4019 (R)
39 FR 29702 - 8/16/74
(Sewer & Water, H,Hw) - See Statewide
FRANKLIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
GASTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
GATES COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
GRAHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
GRANVILLE COUNTY
(Sewer & Water, H,Hw) - See Statewide
GREENE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
GUILFORD COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Alamance County

NORTH CAROLINA (Cont'd.)

HALIFAX COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
HARNETT COUNTY
(B,R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
HAYWOOD COUNTY
(R) - See Buncombe County
(R) - See Cumberland County
(Sewer & Water, H,Hw) - See Statewide
HENDERSON COUNTY
R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
HERTFORD COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
(R) - See Bertie County
HOKE COUNTY
(R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
HYDE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
IREDELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
JACKSON COUNTY
(R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
JOHNSTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
JONES COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
LEE COUNTY
(B,R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
LENOIR COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
LINCOLN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Burke County
MCDOWELL COUNTY
(R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
MACON COUNTY
(Sewer & Water, H,Hw) - See Statewide
MADISON COUNTY
(R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
MARTIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
MECKLENBURG COUNTY
Decision #AP-161 (B)
38 FR 5753 - 3/2/73
Mod. #1 - 38 FR 7166 - 3/16/73
Mod. #2 - 38 FR 31770 - 11/16/73
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

MITCHELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
(B) - See Avery County
MONTGOMERY COUNTY
(Sewer & Water, H,Hw) - See Statewide
MOORE COUNTY
(B,R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
NASH COUNTY
(Sewer & Water, H,Hw) - See Statewide
NEW HANOVER COUNTY
Decision #NC75-1054 (B)
40 FR 22723 - 5/23/75
Mod. #1 - 40 FR 43420 - 9/19/75
(R) - See Brunswick County
(D) - See BeaufortCounty
(Sewer & Water, H,Hw) - See Statewide
NORTHAMPTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
ONSLOW COUNTY
Decision #AR-4048 (B)
39 FR 38078 - 10/25/74
(Sewer & Water, H,Hw) - See Statewide
(R) - See Brunswick County-
ORANGE COUNTY
(Sewer & Water, H,Hw) - See Statewide
PAMLICO COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
PASQUOTANK COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
PENDER COUNTY
(R) - See Brunswick County
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
PERQUIMANS COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
PERSONS COUNTY
(Sewer & Water, H,Hw) - See Statewide
PITT COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
POLK COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
RANDOLPH COUNTY
(R) - See Alamance County
(Sewer & Water, H,Hw) - See Statewide
RICHMOND COUNTY
(Sewer & Water, H,Hw) - See Statewide
ROBESON COUNTY
(Sewer & Water, H,Hw) - See Statewide
ROCKINGHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Alamance County
ROWAN COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

RUTHERFORD COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
SAMPSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Chatham County
SCOTLAND COUNTY
(Sewer & Water, H,Hw) - See Statewide
STANLY COUNTY
(Sewer & Water, H,Hw) - See Statewide
STOKES COUNTY
(Sewer & Water, H,Hw) - See Statewide
SURRY COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Forsyth County
SWAIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
TRANSYLVANIA COUNTY
Decision #NC75-1097 (B)
40 FR 43462 - 9/19/75
(R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
TYRRELL County
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
UNION COUNTY
(Sewer & Water, H,Hw) - See Statewide
VANCE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
WAKE COUNTY
Decision #AQ-4032 (B)
38 FR 31093 - 11/9/73
Mod. #1 - 39 FR 5066 - 2/8/74
(Sewer & Water, H,Hw) - See Statewide
WARREN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
WASHINGTON COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
WATAUGA COUNTY
(B) - See Avery County
(Sewer & Water, H,Hw) - See Statewide
WAYNE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
WILKES COUNTY
Decision #AR-4063 (B)
39 FR 42803 - 12/6/74
Mod. #1 - 40 FR 3087 - 1/17/75
Mod. #2 - 40 FR 5984 - 2/7/75
(Sewer & Water, H,Hw) - See Statewide
WILSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
YADKIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
YANCEY COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH DAKOTA

STATEWIDE
Decision #ND75-5109 (Hw)
40 FR 40022 - 8/29/75
ADAMS COUNTY
(Hw) - See Statewide
BARNES COUNTY
(Hw) - See Statewide
BENSON COUNTY
(Hw) - See Statewide
BILLINGS COUNTY
(Hw) - See Statewide
BOTTINEAU COUNTY
(Hw) - See Statewide
BOWMAN COUNTY
(Hw) - See Statewide
BURKE COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
BURLEIGH COUNTY
Decision #ND75-5130 (B)
40 FR 48866 - 10/17/75
Mod. #1 - 40 FR 52244 - 11/7/75
Mod. #2 - 40 FR 57073 - 12/5/75
(Hw) - See Statewide
CASS COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
CAVALIER COUNTY
(Hw) - See Statewide
DICKEY COUNTY
(Hw) - See Statewide
DIVIDE COUNTY
(Hw) - See Statewide
DUNN COUNTY
(Hw) - See Statewide
EDDY COUNTY
(Hw) - See Statewide
EMMONS COUNTY
(Hw) - See Statewide
FOSTER COUNTY
(Hw) - See Statewide
GOLDEN VALLEY COUNTY
(Hw) - See Statewide

NORTH DAKOTA (Cont'd)

GRAND FORKS COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
GRANT COUNTY
(Hw) - See Statewide
GRIGGS COUNTY
(Hw) - See Statewide
HETTINGER COUNTY
(Hw) - See Statewide
KIDDER COUNTY
(Hw) - See Statewide
LA MOURE COUNTY
(Hw) - See Statewide
LOGAN COUNTY
(Hw) - See Statewide
McHENRY COUNTY
(Hw) - See Statewide
McINTOSH COUNTY
(Hw) - See Statewide
McKENZIE COUNTY
(Hw) - See Statewide
McLEAN COUNTY
(Hw) - See Statewide
MERCER COUNTY
(Hw) - See Statewide
MORTON COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
MOUNTRAIL COUNTY
(Hw) - See Statewide
NELSON COUNTY
(Hw) - See Statewide
OLIVER COUNTY
(Hw) - See Statewide
PEMBINA COUNTY
(Hw) - See Statewide
PIERCE COUNTY
(Hw) - See Statewide
RAMSEY COUNTY
(Hw) - See Statewide
RANSOM COUNTY
(Hw) - See Statewide
RENVILLE COUNTY
(Hw) - See Statewide
RICHLAND COUNTY
(Hw) - See Statewide
(B) - See Burleigh County

NORTH DAKOTA (Cont'd)

ROLETTE COUNTY
(Hw) - See Statewide
SARGENT COUNTY
(Hw) - See Statewide
SHERIDAN COUNTY
(Hw) - See Statewide
SIOUX COUNTY
(Hw) - See Statewide
SLOPE COUNTY
(Hw) - See Statewide
STARK COUNTY
(Hw) - See Statewide
STEELE COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
STUTSMAN COUNTY
(Hw) - See Statewide
TOWNER COUNTY
(Hw) - See Statewide
TRAILL COUNTY
(Hw) - See Statewide
WALSH COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
WARD COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
WELLS COUNTY
(Hw) - See Statewide
WILLIAMS COUNTY
(Hw) - See Statewide

OHIO

STATEWIDE
Decision #OH75-2056 (H,Hw)
40 FR 1530 - 4/4/75
Mod. #1 - 40 FR 18282 - 4/25/75
Mod. #2 - 40 FR 25328 - 6/13/75
Mod. #3 - 40 FR 49943 - 10/24/75
ADAMS COUNTY
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide

OHIO (Cont'd.)

ALLEN COUNTY
Decision #OH75-2034 (B)
40 FR 5967 - 2/7/75
(H,Hw) - See Statewide
ASHLAND COUNTY
(H,Hw) - See Statewide
ASHTABULA COUNTY
Decision #AR-3169 (B,R)
39 FR 40401 - 11/15/74
Mod. #1 - 40 FR 14214 - 3/28/75
Decision #IL75-5075 (D)
40 FR 27418 - 6/27/75
(H,Hw) - See Statewide
ATHENS COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
AUGLAIZE COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
BELMONT COUNTY
(H,Hw) - See Statewide
BROWN COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
BUTLER COUNTY
Decision #AR-3033 (B)
39 FR 30774 - 8/23/74
Mod. #1 - 40 FR 16492 - 4/11/75
Decision #AP-683 (R)
38 FR 14049 - 5/25/73
(H,Hw) - See Statewide
CARROLL COUNTY
(H,Hw) - See Statewide
CHAMPAIGN COUNTY
(H,Hw) - See Statewide
CLARK COUNTY
Decision #AR-3034 (B)
39 FR 30776 - 8/23/74
Mod. #1 - 40 FR 15274 - 4/4/75
Mod. #2 - 40 FR 57074 - 12/5/75
Decision #AP-684 (R)
38 FR 14049 - 5/25/73
(H,Hw) - See Statewide
CLERMONT COUNTY
Decision #AM-685 (R)
38 FR 14050 - 5/25/73
(B) - See Hamilton County
(D) - See Adams County
(H,Hw) - See Statewide
CLINTON COUNTY
(H,Hw) - See Statewide
COLUMBIANA COUNTY
(H,Hw) - See Statewide
COSHOCTON COUNTY
(H,Hw) - See Statewide

OHIO (Cont'd)

CRAWFORD COUNTY
(H,Hw) - See Statewide
CUYAHOGA COUNTY
Decision #AR-3035 (B,R)
39 FR 30778 - 8/23/74
Mod. #1 - 40 FR 15274 - 4/4/75
Mod. #2 - 40 FR 54387 - 11/21/75
(H,Hw) - See Statewide
DARKE COUNTY
(H,Hw) - See Statewide
DEFIANCE COUNTY
(H,Hw) - See Statewide
DELAWARE COUNTY
Decision #AM-420 (R)
36 FR 15963 - 8/18/71
Mod. #1 - 38 FR 4630 - 2/16/73
(H,Hw) - See Statewide
ERIE COUNTY
Decision #AR-3172 (B)
39 FR 41102 - 11/22/74
Mod. #1-40 FR 15276 - 4/4/75
(D) - See Ashtabula County
(H,Hw) - See Statewide
FAIRFIELD COUNTY
(R) - See Delaware County
(H,Hw) - See Statewide
FAYETTE COUNTY
(H,Hw) - See Statewide
FRANKLIN COUNTY
Decision #AR-3036 (B)
39 FR 30780 - 8/23/74
Mod. #1 - 40 FR 37330 - 10/18/74
Mod. #2 - 40 FR 15274 - 4/4/75
Mod. #3 - 40 FR 33578 - 8/8/75
Mod. #4 - 40 FR 50869 - 10/31/75
(R) - See Delaware County
(H,Hw) - See Statewide
FULTON COUNTY
(B) - See Lucas County
(H,Hw) - See Statewide
GALLIA COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
GEAUGA COUNTY
(H,Hw) - See Statewide
GREENE COUNTY
Decision #AR-3037 (B)
39 FR 30782 - 8/23//4
Mod. #1 -40 FR 15275 - 4/4/75
Decision #OH75-2109 (R)
40 FR 42498 - 9/12/75
(H,Hw) - See Statewide
GUERNSEY COUNTY
(H,Hw) - See Statewide
HAMILTON COUNTY
Decision #AR-3038 (B)
39 FR 30784 - 8/23/74
Mod. #1 - 40 FR 15275 - 4/4/75
(D) - See Adams County
(R) - See Clermont County
(H,Hw) - See Statewide

OHIO (Cont'd)

HANCOCK COUNTY
Decision #AR-3173 (B)
39 FR 41105 - 11/22/74
Mod. #1 - 40 FR 15276 - 4/4/75
(H,Hw) - See Statewide
HARDIN COUNTY
(H,Hw) - See Statewide
HARRISON COUNTY
(H,Hw) - See Statewide
HENRY COUNTY
(H,Hw) - See Statewide
HIGHLAND COUNTY
(H,Hw) - See Statewide
HOCKING COUNTY
(H,Hw) - See Statewide
HOLMES COUNTY
(H,Hw) - See Statewide
HURON COUNTY
(B) - See Erie County
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JEFFERSON COUNTY
(H,Hw) - See Statewide
KNOX COUNTY
(H,Hw) - See Statewide
LAKE COUNTY
(B,R) - See Cuyahoga County
(D) - See Ashtabula County
(H,Hw) - See Statewide
LAWRENCE COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
LICKING COUNTY
Decision #AR-3039 (B)
39 FR 30786 - 8/23/74
Mod. #1-40 FR 16492 - 4/11/75
Mod. #2-40 FR 27416 - 6/27/75
(H,Hw) - See Statewide
(R) - See Delaware County
LOGAN COUNTY
(H,Hw) - See Statewide
LORAIN COUNTY
Decision #AR-3040 (B,R)
39 FR 30663 - 8/23/74
Mod. #1 - 40 FR 16493 - 4/11/75
(D) - See Ashtabula County
(H,Hw) - See Statewide
LUCAS COUNTY
Decision #OH75-2060 (B)
40 FR 17529 - 4/18/75
(D) - See Ashtabula County
(H,Hw) - See Statewide
MADISON COUNTY
(B) - See Franklin County
(R) - See Delaware County
(H,Hw) - See Statewide

OHIO (Cont'd.)

MAHONING COUNTY
Decision #AR-3042 (B,R)
39 FR 30790 - 8/23/74
Mod. #1 - 40 FR 7799 - 2/21/75
Mod. #2 - 40 FR 16493 - 4/11/75
Mod. #3 - 40 FR 27416 - 6/27/75
Mod. #4 - 40 FR 29448 - 7/11/75
Mod. #5 - 40 FR 52244 - 11/7/75
(H,Hw) - See Statewide
MARION COUNTY
(H,Hw) - See Statewide
MEDINA COUNTY
(H,Hw) - See Statewide
MEIGS COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
MERCER COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
MIAMI COUNTY
(R) - See Greene County
(H,Hw) - See Statewide
MONROE COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(B) - See Greene County
(R) - See Greene County
(H,Hw) - See Statewide
MORGAN COUNTY
(H,Hw) - See Statewide
MORROW COUNTY
(H,Hw) - See Statewide
MUSKINGUM COUNTY
Decision #AR-3043 (B)
39 FR 30792 - 8/23/74
Mod. #1 - 40 FR 17462 - 4/18/75
(H,Hw) - See Statewide
NOBLE COUNTY
(H,Hw) - See Statewide
OTTAWA COUNTY
(R) - See Erie County
(D) - See Ashtabula County
(H,Hw) - See Statewide
PAULDING COUNTY
(H,Hw) - See Statewide
PERRY COUNTY
(H,Hw) - See Statewide
PICKAWAY COUNTY
(B) - See Franklin County
(R) - See Delaware County
(H,Hw) - See Statewide
PIKE COUNTY
Decision #AR-3176 (B)
39 FR 43451 - 12/13/74
Mod. #1 - 40 FR 3087 - 1/17/75
Mod. #2 - 40 FR 5985 - 2/7/75
Mod. #3 - 40 FR 17464 - 4/18/75
(H,Hw) - See Statewide
PORTAGE COUNTY
Decision #AR-3044 (B,R)
39 FR 30794 - 8/23/74
(H,Hw) - See Statewide

OHIO (Cont'd.)

PREBLE COUNTY
(R) - See Greene County
(H,Hw) - See Statewide
PUTNAM COUNTY
(H,Hw) - See Statewide
RICHLAND COUNTY
(H,Hw) - See Statewide
ROSS COUNTY
(B) - See Pike County
(H,Hw) - See Statewide
SANDUSKY COUNTY
(B) - See Erie County
(D) - See Ashtabula County
(H,Hw) - See Statewide
SCIOTO COUNTY
(B) - See Pike County
(D) - See Adams County
(H,Hw) - See Statewide
SENECA COUNTY
(H,Hw) - See Statewide
SHELBY COUNTY
(H,Hw) - See Statewide
STARK COUNTY
Decision #AR-3045 (B,R)
39 FR 30796 - 8/23/74
Mod. #1 - 40 FR 17463 - 4/18/75
Mod. #2 - 40 FR 33578 - 8/8/75
(H,Hw) - See Statewide
SUMMITT COUNTY
Decision #AR-3046 (B,R)
39 FR 30798 - 8/23/74
Mod. #1 - 39 FR 34927 - 9/27/74
Mod. #2 - 40 FR 17463 - 4/18/75
(H,Hw) - See Statewide
TRUMBULL COUNTY
Decision #AR-3047 (B,R)
39 FR 30800 - 8/23/74
Mod. #1 - 40 FR 17463 - 4/18/75
Mod. #2 - 40 FR 44445 - 9/26/75
(H,Hw) - See Statewide
TUSCARAWAS COUNTY
(H,Hw) - See Statewide
UNION COUNTY
(H,Hw) - See Statewide
VAN WERT COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
VINTON COUNTY
(H,Hw) - See Statewide
WARREN COUNTY
(R) - See Butler County
(H,Hw) - See Statewide
WASHINGTON COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
WAYNE COUNTY
(H,Hw) - See Statewide
WILLIAMS COUNTY
(H,Hw) - See Statewide
WOOD COUNTY
(H,Hw) - See Statewide
WYANDOT COUNTY
(H,Hw) - See Statewide

OKLAHOMA

STATEWIDE (Except the City of Muskogee
Decision #AQ-124 (Constr., alteration and/or repair of streets, highways, runways, erosion control structures, well drilling, and water and sewer utilities)
39 FR 24194 - 6/28/74
ADAIR COUNTY
(B) - See Muskogee County
(H,Hw) - See Statewide
ALFALFA COUNTY
(H,Hw) - See Statewide
ATOKA COUNTY
(H,Hw) - See Statewide
BEAVER COUNTY
(H,Hw) - See Statewide
BECKHAM COUNTY
(H,Hw) - See Statewide
BLAINE COUNTY
(H,Hw) - See Statewide
BRYAN COUNTY
(H,Hw) - See Statewide
Decision #OK75-4016 (R)
40 FR 3151 - 1/17/75
CADDO COUNTY
(B) - See CAnadian County
(H,Hw) - See Statewide
CANADIAN COUNTY
(H,Hw) - See Statewide
Decision #OK75-4080 (B)
40 FR 17531 - 4/18/75
Mod. #1 - 40 FR 22736 - 5/23/75
Mod. #2 - 40 FR 26185 - 6/20/75
Mod. #3 - 40 FR 30387 - 7/18/75
Mod. #4 - 40 FR 31440 - 7/25/75
Mod. #5 - 40 FR 41352 - 9/5/75
Mod. #6 - 40 FR 45956 - 10/3/75
Decision #AP-304 (R)
37 FR 15789 - 8/4/72
Mod. #1 - 37 FR 28799 - 12/28/72
Mod. #2 - 38 FR 4078 - 2/9/73
CARTER COUNTY
(H,Hw) - See Statewide
CHEROKEE COUNTY
(B) - See Muskogee County
(H,Hw) - See Statewide
CHOCTAW COUNTY
(H,Hw) - See Statewide
CIMARRON COUNTY
(H,Hw) - See Statewide
CLEVELAND COUNTY
(H,Hw) - See Statewide
(B,R) - See Canadian County
COAL COUNTY
(H,Hw) - See Statewide
COMANCHE COUNTY
(H,Hw) - See Statewide
Decision #OK75-4017 (R)
40 FR 3152 - 1/17/75
Decision #OK75-4116 (B)
40 FR 27434 - 6/27/75
Mod. #1 - 40 FR 34554 - 8/15/75
Mod. #2 - 40 FR 42484 - 9/12/75
Mod. #3 - 40 FR 45956 - 10/3/75
COTTON COUNTY
(H,Hw) - See Statewide

OKLAHOMA (cont'd)

CRAIG COUNTY
(H,Hw) - See Statewide
CREEK COUNTY
(B) - See Tulsa County
(H,Hw) - See Statewide
CUSTER COUNTY
(H,Hw) - See Statewide
DELAWARE COUNTY
(H,Hw) - See Statewide
DEWEY COUNTY
(H,Hw) - See Statewide
ELLIS COUNTY
(H,Hw) - See Statewide
GARFIELD COUNTY
Decision #OK75-4133 (B)
40 FR 31558 - 7/25/75
Mod. #1 - 40 FR 41353 - 9/5/75
Mod. #2 - 40 FR 45956 - 10/3/75
Mod. #3 - 40 FR 57074 - 12/5/75
(H,Hw) - See Statewide
GARVIN COUNTY
(H,Hw) - See Statewide
GRADY COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
GRANT COUNTY
(H,Hw) - See Statewide
GREER COUNTY
(H,Hw) - See Statewide
HARMON COUNTY
(H,Hw) - See Statewide
HARPER COUNTY
(H,Hw) - See Statewide
HASKELL COUNTY
(H,Hw) - See Statewide
HUGHES COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JEFFERSON COUNTY
(H,Hw) - See Statewide
JOHNSTON COUNTY
(H,Hw) - See Statewide
KAY COUNTY
(H,Hw) - See Statewide
KINGFISHER COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
KIOWA COUNTY
(H,Hw) - See Statewide
LATIMER COUNTY
(H,Hw) - See Statewide
LEFLORE COUNTY
(H,Hw) - See Statewide
LINCOLN COUNTY
(H,Hw) - See Statewide
(B,R) - See Canadian County
LOGAN COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
LOVE COUNTY
(H,Hw) - See Statewide

OKLAHOMA (Cont'd.)

McCLAIN COUNTY
(H,Hw) - See Statewide
(B) - See Canadian County
McCURTAIN COUNTY
(H,Hw) - See Statewide
MCINTOSH COUNTY
Decision #OK75-4148 (B)
40 FR 34567 - 8/15/75
Mod. #1 - 40 FR 42486 - 9/12/75
Mod. #2 - 40 FR 45957 - 10/3/75
(H,Hw) - See Statewide
MAJOR COUNTY
(H,Hw) - See Statewide
MARSHALL COUNTY
(H,Hw) - See Statewide
MAYES COUNTY
(H,Hw) - See Statewide
MURRAY COUNTY
(H,Hw) - See Statewide
MUSKOGEE COUNTY
Decision #OK75-4156 (B,H,Hw)
40 FR 41369 - 9/5/75
Mod. #1 - 40 FR 45957 - 10/3/75
Mod. #2 - 40 FR 57074 - 12/5/75
(H,Hw) - See Statewide
NOBLE COUNTY
(H,Hw) - See Statewide
NOWATA COUNTY
(H,Hw) - See Statewide
OKFUSKEE COUNTY
(H,Hw) - See Statewide
OKLAHOMA COUNTY
(B,R) - See Canadian County
(H,Hw) - See Statewide
OKMULGEE COUNTY
(H,Hw) - See Statewide
OSAGE COUNTY
(H,Hw) - See Statewide
(R) - See Tulsa County
OTTAWA COUNTY
(H,Hw) - See Statewide
PAWNEE COUNTY
(H,Hw) - See Statewide
PAYNE COUNTY
(H,Hw) - See Statewide
PITTSBURG COUNTY
Decision #OK75-4138 (B)
40 FR 32668 - 8/1/75
Mod. #1 - 40 FR 34555 - 8/15/75
Mod. #2 - 40 FR 42485 - 9/12/75
Mod. #3 - 40 FR 45956 - 10/3/75
(H,Hw) - See Statewide
PONTOTOC COUNTY
(H,Hw) - See Statewide
POTTAWATOMIE COUNTY
(H,Hw) - See Statewide
(B,R) - See Canadian County
PUSHMATAHA COUNTY
(H,Hw) - See Statewide

OKLAHOMA (Cont'd.)

ROGERS COUNTY
(H,Hw) - See Statewide
ROGERS MILLS COUNTY
(H,Hw) - See Statewide
SEMINOLE COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
SEQUOYAH COUNTY
(H,Hw) - See Statewide
STEPHENS COUNTY
(H,Hw) - See Statewide
TEXAS COUNTY
(H,Hw) - See Statewide
TILLMAN COUNTY
(H,Hw) - See Statewide
TULSA COUNTY
Decision #OK75-4140 (B)
40 FR 32672 - 8/1/75
Mod. #1 - 40 FR 41354 - 9/5/75
Mod. #2 - 40 FR 45956 - 10/3/75
Mod. #3 - 40 FR 57074 - 12/5/75
(H,Hw) - See Statewide
Decision #OK75-4015 (R)
40 FR 3150 - 1/17/75
WAGONER COUNTY
Decision #OK75-4158 (B)
40 FR 42503 - 9/12/75
Mod. #1 - 40 FR 45957 - 10/3/75
(H,Hw) - See Statewide
WASHINGTON COUNTY
(H,Hw) - See Statewide
WASHITA COUNTY
(H,Hw) - See Statewide
WOODS COUNTY
(H,Hw) - See Statewide
WOODWARD COUNTY
(H,Hw) - See Statewide

OREGON

STATEWIDE
Decision #MI75-5133 (B,H,Hw,D)
40 FR 53210 - 11/14/75
BAKER COUNTY
(B,H,Hw,D) - See Statewide
BENTON COUNTY
(B,H,Hw,D) - See Statewide
CLACKAMAS COUNTY
Decision #OR75-5042 (R)
40 FR 15312 - 4/4/75
Mod. #1 - 40 FR 48001 - 10/10/75
Mod. #2 - 40 FR 52244 - 11/7/75
(B,H,Hw,D) - See Statewide
CLATSOP COUNTY
(B,H,Hw,D) - See Statewide
COLUMBIA COUNTY
(B,H,Hw,D) - See Statewide
COOS COUNTY
(B,H,Hw,D) - See Statewide
CROOK COUNTY
(B,H,Hw,D) - See Statewide
CURRY COUNTY
(B,H,Hw,D) - See Statewide
DESCHUTES COUNTY
(B,H,Hw,D) - See Statewide
DOUGLAS COUNTY
(B,H,Hw,D) - See Statewide
GILLIAM COUNTY
(B,H,Hw,D) - See Statewide
GRANT COUNTY
(H,Hw,B,D) - See Statewide
HARNEY COUNTY
(B,H,Hw,D) - See Statewide
HOOD RIVER COUNTY
(H,Hw,B,D) - See Statewide
JACKSON COUNTY
(H,Hw,B,D) - See Statewide
JEFFERSON COUNTY
(B,H,Hw,D) - See Statewide
JOSEPHINE COUNTY
(B,H,Hw,D) - See Statewide
KLAMATH COUNTY
(B,H,Hw,D) - See Statewide
LAKE COUNTY
(B,H,Hw,D) - See Statewide
LANE COUNTY
Decision #OR75-5122 (R)
40 FR 45989 - 10/3/75
Mod. #1 - 40 FR 52244 - 11/7/75
(B,H,Hw,D) - See Statewide
LINCOLN COUNTY
(B,H,Hw,D) - See Statewide
LINN COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Lane County

OREGON (Cont'd.)

MALHEUR COUNTY
(B,H,Hw,D) - See Statewide
MARION COUNTY
(R) - See Lane County
(B,H,Hw,D) - See Statewide
MORROW COUNTY
(B,H,Hw,D) - See Statewide
MULTNOMAH COUNTY
(R) - See Clackamas County
(B,H,Hw,D) - See Statewide
POLK COUNTY
(B,H,Hw,D) - See Statewide
SHERMAN COUNTY
(B,H,Hw,D) - See Statewide
TILLAMOOK COUNTY
(B,H,Hw,D) - See Statewide
UMATILLA COUNTY
(B,H,Hw,D) - See Statewide
UNION COUNTY
(B,H,Hw,D) - See Statewide
WALLOWA COUNTY
(B,H,Hw,D) - See Statewide
WASCO COUNTY
(B,H,Hw,D) - See Statewide
WASHINGTON COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clackamas County
WHEELER COUNTY
(B,H,Hw,D) - See Statewide
YAMHILL COUNTY
(B,H,Hw,D) - See Statewide

PENNSYLVANIA

ADAMS COUNTY
Decision #PA75-3067 (H,Hw)
40 FR 29519 - 7/11/75
Decision #PA75-3113 (B)
40 FR 57137 - 12/5/75
ALLEGHENY COUNTY
Decision #PA75-3071 (B)
40 FR 36936 - 8/22/75
Decision #PA75-3070 (R)
40 FR 30433 - 7/18/75
Mod. #1 - 40 FR 34555 - 8/15/75
ARMSTRONG COUNTY
Decision #PA75-3029 (H,Hw)
40 FR 15318 - 4/4/75
Mod. #1 - 40 FR 17471 - 4/18/75
Mod. #2 - 40 FR 19332 - 5/2/75
Mod. #3 - 40 FR 31447 - 7/25/75
Mod. #4 - 40 FR 45960 - 10/3/75
Decision #PA75-3073 (B)
40 FR 36943 - 8/22/75
Mod. #2 - 40 FR 55613 - 11/28/75
BEAVER COUNTY
Decision #PA75-3026 (H,Hw)
40 FR 14266 - 3/28/75
Mod. #1 - 40 FR 17467 - 4/18/75
Mod. #2 - 40 FR 31444 - 7/25/75
Mod. #3 - 40 FR 36900 - 8/22/75
Mod. #4 - 40 FR 45960 - 10/3/75
Decision #PA75-3074 (B)
40 FR 36946 - 8/22/75
Mod. #1 - 40 FR 43421 - 9/19/75
Mod. #2 - 40 FR 55613 - 10/3/75
Mod. #3 - 40 FR 55613 - 11/28/75
BEDFORD COUNTY
Decision #PA75-3028 (H,Hw)
40 FR 15313 - 4/4/75
Mod. #1 - 40 FR 17468 - 4/18/75
Mod. #2 - 40 FR 31445 - 7/25/75
Mod. #3 - 40 FR 45960 - 10/3/75
Decision #PA75-3072 (B)
40 FR 36940 - 8/22/75
Mod. #1 - 40 FR 45959 - 10/3/75
Mod. #2 - 40 FR 54389 - 11/21/75
Mod. #3 - 40 FR 55613 - 11/28/75
BERKS COUNTY
Decision #PA75-3055 (B)
40 FR 27436 - 6/27/75
Mod. #1 - 40 FR 29452 - 7/11/75
Mod. #2 - 40 FR 48846 - 10/17/75
Mod. #3 - 40 FR 50869 - 10/31/75
Mod. #4 - 40 FR 55612 - 11/28/75
(H,Hw) - See Adams County

PENNSYLVANIA (Cont'd.)

BLAIR COUNTY
Decision #PA75-3057 (B)
40 FR 23686 - 5/30/75
Mod. #1 - 40 FR 31450 - 7/25/75
Mod. #2 - 40 FR 43421 - 9/19/75
Mod. #3 - 40 FR 45958 - 10/3/75
Mod. #4 - 40 FR 53177 - 11/14/75
Mod. #5 - 40 FR 55613 - 11/28/75
(H,Hw) - See Armstrong County
BRADFORD COUNTY
(H,Hw) - See Adams County
BUCKS COUNTY
Decision #PA75-3082 (B)
40 FR 36976 - 8/22/75
Mod. #1 - 40 FR 48846 - 10/17/75
Decision #PA75-3087 (R)
40 FR 40031 - 8/29/75
Mod. #1 - 40 FR 48847 - 10/17/75
Decision #PA75-3088 (H,Hw)
40 FR 36992 - 8/22/75
BUTLER COUNTY
Decision #PA75-3080 (B)
40 FR 36968 - 8/22/75
Mod. #1 - 40 FR 42487 - 9/12/75
Mod. #2 - 40 FR 54389 - 11/21/75
Decision #PA75-3051 (H,Hw)
40 FR 17583 - 4/18/75
Mod. #1 - 40 FR 31449 - 7/25/75
Mod. #2 - 40 FR 45951 - 10/3/75
CAMBRIA COUNTY
Decision #PA75-5059 (B)
40 FR 28361 - 7/3/75
Mod. #1 - 40 FR 31451 - 7/25/75
Mod. #2 - 40 FR 43421 - 9/19/75
Mod. #3 - 40 FR 54388 - 11/21/75
Mod. #4 - 40 FR 55613 - 11/28/75
(H,Hw) - See Butler County
CAMERON COUNTY
Decision #PA75-3121 (B)
40 FR 12947 - 3/21/75
Mod. #1 - 40 FR 15282 - 4/4/75
Mod. #2 - 40 FR 16495 - 4/11/75
Mod. #3 - 40 FR 22741 - 5/23/75
(H,Hw) - See Bedford County
CARBON COUNTY
(H,Hw) - See Adams County
CENTRE COUNTY
Decision #AQ-2061 (H,Hw)
39 FR 6008 - 2/15/74
Mod. #1 - 39 FR 9357 - 3/8/74
Mod. #2 - 39 FR 14121 - 4/19/74
Mod. #3 - 39 FR 22373 - 6/21/74
Mod. #4 - 39 FR 33918 - 9/20/74
CHESTER COUNTY
(H,Hw,R) - See Bucks County

PENNSYLVANIA (Cont'd.)

CHESTER COUNTY (Cont'd.)
Decision #PA75-3083 (B)
40 FR 36980 - 8/22/75
Mod. #1 - 40 FR 48846 - 10/17/75
Mod. #2 - 40 FR 55615 - 11/28/75
CLARION COUNTY
(B) - See Cameron County
(H,Hw) - See Bedford County
CLEARFIELD COUNTY
Decision #PA75-3093 (B)
40 FR 44462 - 9/26/75
Mod. #1 - 40 FR 54389 - 11/21/75
COLUMBIA COUNTY
(H,Hw) - See Adams County
CRAWFORD COUNTY
Decision #AR-2098 (B)
39 FR 44928 - 12/27/74
Mod. #1 - 40 FR 15282 - 4/4/75
Mod. #2 - 40 FR 22740 - 5/23/75
Mod. #3 - 40 FR 31443 - 7/25/75
Mod. #4 - 40 FR 43421 - 9/19/75
Mod. #5 - 40 FR 55611 - 11/28/75
(H,Hw) - See Armstrong County
CUMBERLAND COUNTY
Decision #PA75-3027 (B)
40 FR 14268 - 3/28/75
Mod. #1 - 40 FR 22741 - 5/23/75
Mod. #2 - 40 FR 29451 - 7/11/75
Mod. #3 - 40 FR 45959 - 10/3/75
Mod. #4 - 40 FR 49946 - 10/24/75
Mod. #5 - 40 FR 55611 - 11/28/75
(H,Hw) - See Adams County
DELAWARE COUNTY
Decision #PA75-3084 (B)
40 FR 36983 - 8/22/75

Mod. #1 - 40 FR 48847 - 10/17/75
Mod. #2 - 40 FR 50869 - 10/31/75
(H,Hw,R) - See Bucks County
ELK COUNTY
Decision #PA75-3058 (B)
40 FR 28358 - 7/3/75
Mod. #1 - 40 FR 31449 - 7/25/75
Mod. #2 - 40 FR 43421 - 9/19/75
(H,Hw) - See Bedford County
ERIE COUNTY
Decision #PA75-3054 (B)
40 FR 28355 - 7/3/75
Mod. #1 - 40 FR 31450 - 7/25/75
Mod. #2 - 40 FR 45960 - 10/3/75
Mod. #3 - 40 FR 55612 - 11/38/75
(H,Hw) - See Butler County
FAYETTE COUNTY
(B) - See ButlerCounty
(H,Hw) - See Butler County
FOREST COUNTY
Decision #PA75-3078 (B)
40 FR 36961 - 8/22/75

PENNSYLVANIA (Cont'd.)

FOREST COUNTY (Cont'd.)
Mod. #1 - 40 FR 42487 - 9/12/75
Mod. #2 - 40 FR 43421 - 9/19/75
Mod. #3 - 40 FR 45961 - 10/3/75
Mod. #4 - 40 FR 55614 - 11/28/75
FRANKLIN COUNTY
Decision #PA75-3060 (B)
40 FR 54412 - 11/21/75
(H,Hw) - See Bedford County
FULTON COUNTY
(H,Hw) - See Bedford County!
GREENE COUNTY
(H,Hw) - See Centre County
HUNTINGDON COUNTY
(H,Hw)- See Bedford County
INDIANA COUNTY
Decision #PA75-3075 (B)
40 FR 36949 - 8/22/75
Mod. #1 - 40 FR 43421 - 9/19/75
Mod. #2 - 40 FR 45961 - 10/3/75
Mod. #3 - 40 FR 54389 - 11/21/75
Mod. #4 - 40 FR 55614 - 11/28/75

JEFFERSON COUNTY
(B) - See Cameron County
(H,Hw) - See Centre County
JUNIATA COUNTY
(B) - See Cumberland County
(H,Hw) - See AdamsCounty
LACKAWANNA COUNTY
Decision #PA75-3102 (B)
40 FR 45993 - 10/3/75
Mod. #1 - 40 FR 49946 - 10/24/75
Mod. #2 - 40 FR 54388 - 11/21/75
Mod. #3 - 40 FR 55616 - 11/28/75
LANCASTER COUNTY
Decision #PA75-3112 (B)
40 FR 57317 - 12/5/75
(H,Hw) - See Adams County
LAWRENCE COUNTY
Decision #AR-2045 (B)
39 FR 37345 - 10/18/74
Mod. #1 - 30 FR 44913 - 12/27/74
Mod. #2 - 40 FR 15280 - 4/4/75
Mod. #3 - 40 FR 28310 - 7/3/75
Mod. #4 - 40 FR 31441 - 7/25/75
Mod. #5 - 40 FR 45959 - 10/3/75
(H,Hw) - See Butler County

PENNSYLVANIA (Cont'd.)

LEBANON COUNTY
Decision #PA75-3053 (B)
40 FR 22782 - 5/23/75
Mod. #1 - 40 FR 29451 - 7/11/75
Mod. #2 - 40 FR 45959 - 10/3/75
Mod. #3 - 40 FR 48846 - 10/17/75
Mod. #4 - 40 FR 55612 - 11/28/75
LEHIGH COUNTY
Decision #PA75-3104 (B)
40 FR 45998 - 10/3/75
Mod. #1 - 40 FR 49946 - 10/24/75
Mod. #2 - 40 FR 55616 - 11/28/75
(H,Hw) - See Adams County
LUZERNE COUNTY
Decision #PA75-3025 (B)
40 FR 12982 - 3/21/75
Mod. #1 - 40 FR 25333 - 6/13/75
Mod. #2 - 40 FR 29450 - 7/11/75
Mod. #3 - 40 FR 45960 - 10/3/75
Mod. #4 - 40 FR 48846 - 10/17/75
Mod. #5 - 40 FR 55611 - 11/28/75
(H,Hw) - See Adams County
LYCOMING COUNTY
Decision #PA75-3065 (B)
40 FR 29517 - 7/11/75
Mod. #1 - 40 FR 45958 - 10/3/75
Mod. #2 - 40 FR 48846 - 10/17/75
Mod. #3 - 40 FR 55613 - 11/28/75'
(H,Hw) - See AdamsCounty
MC KEAN COUNTY
(H,Hw) - See Adams County
(B) - See Forest County
MERCER COUNTY
Decision #AR-2046 (B)
39 FR 37349 - 10/18/74
Mod. #1 - 39 FR 44913 - 12/27/74
Mod. #2 - 40 FR 15281 - 4/4/75
Mod. #3 - 40 FR 28310 - 7/3/75
Mod. #4 - 40 FR 31442 - 7/25/75
Mod. #5 - 40 FR 45959 - 10/3/75
Mod. #6 - 40 FR 54388 - 11/21/75
(H,Hw) - See Butler County
MIFFLIN COUNTY
(H,Hw) - See Bedford County
MONROE COUNTY
(H,Hw) - See Adams County
MONTGOMERY COUNTY
Decision #PA75-3085 (B)
40 FR 36986 - 8/22/75
Mod. #1 - 40 FR 45958 - 10/3/75
Mod. #2 - 40 FR 48847 - 10/17/75
Mod. #3 - 40 FR 55615 - 11/28/75
(H,Hw,R) - See Bucks County
MONTOUR COUNTY
(H,Hw) - See Adams County

PENNSYLVANIA (Cont'd)

NORTHAMPTON COUNTY
Decision #PA75-3101 (B)
40 FR 45990 - 10/3/75
Mod. #1 - 40 FR 49946 - 10/24/75
Mod. #2 - 40 FR 55616 - 11/28/75
(H,Hw) - See Adams County
NORTHUMBERLAND COUNTY
Decision #AR-2095 (B)
39 FR 43494 - 12/13/74
Mod. #1 - 40 FR 12016 - 3/14/75
Mod. #2 - 40 FR 22739 - 5/23/75
Mod. #3 - 40 FR 29449 - 7/11/75
Mod. #4 - 40 FR 45958 - 10/3/75
Mod. #5 - 40 FR 48845 - 10/17/75
Mod. #6 - 40 FR 55611 - 11/28/75
(H,Hw) - See Adams County
PERRY COUNTY
(H,Hw) - See Adams County
PHILADELPHIA COUNTY
Decision #PA75-3086 (B)
40 FR 36989 - 8/22/75
Mod. #1 - 40 FR 41355 - 9/5/75
Mod. #2 - 40 FR 48847 - 10/17/75
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
(H,Hw,R) - See Bucks County
PIKE COUNTY
(H,Hw) - See Adams County
POTTER COUNTY
(H,Hw) - See Bedford County
SCHUYKILL COUNTY
Decision #PA75-3103 (B)
40 FR 45996 - 10/3/75
Mod. #1-40 FR 49946 - 10/24/75
Mod. #2 - 40 FR 55616 - 11/28/75
(H,Hw) - See Adams County
SNYDER COUNTY
(H,Hw) - See Adam s County
SOMERSET COUNTY
(H,Hw) - See Butler County
SULLIVAN COUNTY
Decision #AQ-2070 (B)
39 FR 10070 - 3/15/74
Mod. #1 - 39 FR 26562 - 7/19/74
Mod. #2 - 39 FR 44911 - 12/27/74
Mod. #3 - 40 FR 4789 - 1/31/75
Mod. #4 - 40 FR 15278 - 4/4/75
Mod. #5 - 40 FR 24459 - 6/6/75
Mod. #6 - 40 FR 29448 - 7/11/75
Mod. #7 - 40 FR 45957 - 10/3/75
(H,Hw) - See Adams County

PENNSYLVANIA (Cont's.)

SUSQUEHANNA COUNTY
(B) - See Lackawanna County
(H,Hw) - See Adams County
TIOGA COUNTY
(H,Hw) - See Adams County
UNION COUNTY
(H,Hw) - See Adams County
VENANGO COUNTY
Decision #PA75-3079 (B)
40 FR 36965 - 8/22/75
Mod. #1 - 40 FR 55615 - 11/28/75
(H,Hw) - See Armstrong County
WARREN COUNTY
Decision #PA75-3077 (B)
40 FR 36957 - 8/22/75
Mod. #1 - 40 FR 42487 - 9/12/75
Mod. #2 - 40 FR 45960 - 10/3/75
Mod. #3 - 40 FR 55614 - 11/28/75
(H,Hw) - See Armstrong County
WASHINGTON COUNTY
Decision #PA75-3081 (B)
40 FR 36972 - 8/22/75
Mod. #1 - 40 FR 41355 - 9/5/75
Mod. #2 - 40 FR 54389 - 11/21/75
(H,Hw) - See Butler County
WAYNE COUNTY
(H,Hw) - See Adams County
WESTMORELAND COUNTY
Decision #PA75-3076 (B)
40 FR 36953 - 8/22/75
Mod. #1 - 40 FR 54389 - 11/21/75
Mod. #2 - 40 FR 55614 - 11/28/75
(H,Hw) - See Butler County
WYCOMING COUNTY
(H,Hw) - See Adams County
YORK COUNTY
(B,H,Hw) - See Adams Co. (Excluding New Cumberland Depot)
(B) - See Cumberland County (New Cumberland Depot)
(H,Hw) - See Adams County (New Cumberland Depot)
(B) - See Lackawanna County

PUERTO RICO

PUERTO RICO
Decision #PR75-3091 (R)
40 FR 33644 - 8/8/75
Decision #AQ-2052 (B)
39 FR 5161 - 2/8/74
Decision #PR75-3089 (H,Hw)
40 FR 33643 - 8/8/75

RHODE ISLAND

STATEWIDE
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
BRISTOL COUNTY
Decision #RI75-2116 (B,H,Hw,R, & Marine)
40 FR 48066 - 10/10/75
(D) - See Statewide
KENT COUNTY
(B,H,Hw, & Marine) - See Bristol County
(D) - See Statewide
NEWPORT COUNTY
Decision #RI75-2111 (B,H,Hw,R, & Marine)
40 FR 44467 - 9/26/75
Mod. #1 - 40 FR 48001 - 10/10/75
(D) - See Statewide
PROVIDENCE COUNTY
(D) - See Statewide
(B,H,Hw,R, & Marine) - See Bristol County
WASHINGTON COUNTY
Decision #RI75-2112 (B,H,Hw, R, & Marine)
40 FR 44471 - 9/26/75
Mod. #1 - 40 FR 48001 - 10/10/75
(D) - See Statewide

SOUTH CAROLINA

STATEWIDE
Decision #SC75-1031 (H,Hw)
40 FR 12058 - 3/14/75
Mod. #1 - 40 FR 41355 - 9/5/75
Decision #SC75-1079 (Sewer & Water, H)
40 FR 41380 - 9/5/75
Decision #AP-157 (Sewer & Water)
38 FR 4619 - 2/16/73
ABBEVILLE COUNTY
Decision #AR-4003 (B)
39 FR 26554 - 7/19/74
(Sewer & Water, H,Hw) - See Statewide
AIKEN COUNTY
Decision #SC75-1029 (R)
40 FR 10900 - 3/7/75
(Sewer & Water, H,Hw) - See Statewide
ALLENDALE COUNTY
Decision #SC75-1045 (R)
40 FR 16636 - 4/11/75
(Sewer & Water, H,Hw) - See Statewide
ANDERSON COUNTY
Decision #SC75-1004 (R)
40 FR 3154 - 1/17/75
(Sewer & Water, H,Hw) - See Statewide
BAMBERG COUNTY
(R) - See Allendale County
(Sewer & Water, H,Hw) - See Statewide
BARNWELL COUNTY
(R) - See Aiken County
(Sewer & Water, H,Hw) - See Statewide
BEAUFORT COUNTY
Decision #SC75-1026 (B)
40 FR 8692 - 2/28/75
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
(Sewer & Water, H,Hw) - See Statewid
BERKELEY COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
Decision #SC75-1021 (R)
40 FR 7859 - 2/21/75
Decision #SC75-1055 (B)
40 FR 22785 - 5/23/75
Mod. #1 - 40 FR 25336 - 6/13/75
CALHOUN COUNTY
(R) - See Allendale County
(Sewer & Water, H,Hw) - See Statewide
CHARLESTON COUNTY
(B,R) - See Berkeley County
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
CHEROKEE COUNTY
Decision #SC75-1017 (R)
40 FR 4785 - 1/31/75
Mod. #1 - 40 FR 12017 - 3/14/75
(B) - See Abbeville County
(Sewer & Water, H,Hw) - See Statewide

SOUTH CAROLINA (Cont'd.

CHESTER COUNTY
Decision #AR-4009 (B)
39 FR 25778 - 7/12/74
(Sewer & Water, H,Hw) - See Statewide
CHESTERFIELD COUNTY
(Sewer & Water, H,Hw) - See Statewide
CLARENDON COUNTY
Decision #AR-4052 (R)
39 FR 39671 - 11/8/74
(Sewer & Water, H,Hw) - See Statewide
COLLETON COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
Decision #AR-4052 (R)
39 FR 39671 - 11/8/74
DARLINGTON COUNTY
Decision #SC75-1041 (B)
40 FR 14194 - 3/28/75
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
DILLON COUNTY
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
DORCHESTER COUNTY
(R) - See Berkeley County
EDGEFIELD COUNTY
(R) - See Aiken County
(Sewer & Water, H,Hw) - See Statewide
FAIRFIELD COUNTY
(B) - See Chester County
(Sewer & Water, H,Hw) - See Statewide
FLORENCE COUNTY
(R) - See Clarendon County
(Sewer & Water, H,hw) - See Statewide
GEORGETOWN COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
GREENVILLE COUNTY
Decision #SC75-1038 (B)
40 FR 12951 - 3/21/75
Mod. #1 - 40 FR 16496 - 4/11/75
Mod. #2 - 40 FR 43422 - 9/19/75
(R) - See Anderson County
(Sewer & Water, H,Hw) - See Statewide
GREENWOOD COUNTY
(Sewer & Water, H,Hw) - See Statewide
HAMPTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
HORRY COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
JASPER COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
KERSHAW COUNTY
(Sewer & Water, H,Hw) - See Statewide

SOUTH CAROLINA (Cont'd.

LANCASTER COUNTY
(B) - See Chester County
(Sewer & Water, H,Hw) - See Statewide
LAURENS COUNTY
(B) - See Abbeville County
(Sewer & Water, H,Hw) - See Statewide
LEE COUNTY
((R)-SSee Clarendon County
(Sewer & Water, H,Hw) - See Statewide
LEXINGTON COUNTY
Decision #AR-4004 (R)
39 FR 24779 - 7/7/74
Decision #SC75-1042 (R)
40 FR 14271 - 3/28/75
(Sewer & Water, H,Hw) - See Statewide
McCORMICK COUNTY
(Sewer & Water, H,Hw) - See Statewide
MARION COUNTY
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
MARLBORO COUNTY
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
NEWBERRY COUNTY
(B) - See Abbeville County
(Sewer & Water, H,Hw) - See Statewide
OCONEE COUNTY
(R) - See Anderson County
(Sewer & Water, H,Hw) - See Statewide
ORANGEBURG COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Allendale County
PICKENS COUNTY
(R) - See Anderson County
(Sewer & Water, H,Hw) - See Statewide
RICHLAND COUNTY
(B,R) - See Lexington County
(Sewer & Water, H,Hw) - See Statewide
SALUDA COUNTY
(Sewer & Water, H,Hw) - See Statewide
SPARTANBURG COUNTY
(R) - See Cherokee County
(Sewer & Water, H,Hw) - See Statewide
SUMTER COUNTY
Decision #AQ-4097 (B)
39 FR 12581 - 4/5/74
(Sewer & Water, H,Hw) - See Statewide
(R) - See Clarendon County
UNION COUNTY
(R) - See Cherokee County
(Sewer & Water, H,Hw) - See Statewide
(B) - See Abbeville County
WILLIAMSBURG COUNTY
(R)- See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
YORK COUNTY
(Sewer & Water, H,Hw) - See Statewide

SOUTH DAKOTA

STATEWIDE
Decision #SD75-5013 (H,Hw)
40 FR 4858 - 1/31/75
AURORA COUNTY
(H,Hw) - See Statewide
BEADLE COUNTY
(H,Hw) - See Statewide
BENNET COUNTY
(H,Hw) - See Statewide
BON HOMME COUNTY
(H,Hw) - See Statewide
BROOKINGS COUNTY
(H,Hw) - See Statewide
BROWN COUNTY
(H,Hw) - See Statewide
BRULE COUNTY
(H,Hw) - See Statewide
BUFFALO COUNTY
(H,Hw) - See Statewide
BUTTE COUNTY
(H,Hw) - See Statewide
CAMPBELL COUNTY
(H,Hw) - See Statewide
CHARLES MIX COUNTY
(H,Hw) - See Statewide
CLARK COUNTY
(H,Hw) - See Statewide
CLAY COUNTY
(H,Hw) - See Statewide
CODINGTON COUNTY
(H,Hw) - See Statewide
CORSON COUNTY
(H,Hw) - See Statewide
CUSTER COUNTY
(H,Hw) - See Statewide
DAVISON COUNTY
(H,Hw) - See Statewide
DAY COUNTY
(H,Hw) - See Statewide
DEUEL COUNTY
(H,Hw) - See Statewide
DEWEY COUNTY
(H,Hw) - See Statewide
DOUGLAS COUNTY
(H,Hw) - See Statewide
EDMUNDS COUNTY
(H,Hw) - See Statewide
FALL RIVER COUNTY
(H,Hw) - See Statewide
FAULK COUNTY
(H,Hw) - See Statewide
GRANT COUNTY
(H,Hw) - See Statewide

SOUTH DAKOTA (Cont'd.)

GREGORY COUNTY
(H,Hw) - See Statewide
HAAKON COUNTY
(H,Hw) - See Statewide
HAMLIN COUNTY
(H,Hw) - See Statewide
HAND COUNTY
(H,Hw) - See Statewide
HANSON COUNTY
(H,Hw) - See Statewide
HARDING COUNTY
(H,Hw) - See Statewide
HUGHES COUNTY
(H,Hw) - See Statewide
HUTCHINSON COUNTY
(H,Hw) - See Statewide
HYDE COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JERAULD COUNTY
(H,Hw) - See Statewide
JONES COUNTY
(H,Hw) - See Statewide
KINGSBURY COUNTY
(H,Hw) - See Statewide
LAKE COUNTY
(H,Hw) - See Statewide
LAWRENCE COUNTY
(H,Hw) - See Statewide
LINCOLN COUNTY
(H,Hw) - See Statewide
LYMAN COUNTY
(H,Hw) - See Statewide

SOUTH DAKOTA (Cont'd)

MARSHALL COUNTY
(H,Hw) - See Statewide
Mc COOK COUNTY
(H,Hw) - See Statewide
Mc PHERSON COUNTY
(H,Hw) - See Statewide
MEADE COUNTY
Decision #SD75-5119 (B)
40 FR 44475 - 9/26/75
(H,Hw) - See Statewide
MELLETTE COUNTY
(H,Hw) - See Statewide
MINER COUNTY
(H,Hw) - See Statewide
MINNEHAHA COUNTY
Decision #SD75-5121 (B)
40 FR 46000 - 10/3/75
(H,Hw) - See Statewide
Decision #AQ-1091 (R)
39 FR 8146 - 3/1/74
Mod. #1 - 39 FR 14856 - 4/26/74
(H,Hw) - See Statewide
MOODY COUNTY
(H,Hw) - See Statewide
PENNINGTON COUNTY
(B) - See Meade County
(H,Hw) - See Statewide
PERKINS COUNTY
(H,Hw) - See Statewide
POTTER COUNTY
(H,Hw) - See Statewide
ROBERTS COUNTY
(H,Hw) - See Statewide
SANBORN COUNTY
(H,Hw) - See Statewide
SHANNON COUNTY
(H,Hw) - See Statewide
SPINK COUNTY
(H,Hw) - See Statewide
STANLEY COUNTY
(H,Hw) - See Statewide
SULLY COUNTY
(H,Hw) - See Statewide

SOUTH DAKOTA (Cont'd.)

TODD COUNTY
(H,Hw) - See Statewide
TRIPP COUNTY
(H,Hw) - See Statewide
TURNER COUNTY
(H,Hw) - See Statewide
UNION COUNTY
(H,Hw) - See Statewide
WALWORTH COUNTY
(H,Hw) - See Statewide
WASHABAUGH COUNTY
(H,Hw) - See Statewide
YANKTON COUNTY
(H,Hw) - See Statewide
ZIEBACH COUNTY
(H,Hw) - See Statewide

TENNESSEE

STATEWIDE
Decision #AR75-5074 (F)
40 FR 26189 - 6/20/75
Decision #AR-4046 (Hw)
40 FR 940 - 1/3/75
ANDERSON COUNTY
Decision #TN75-1053 (B)(Oak Ridge, Energy Research Development Administration Only)
40 FR 24464 - 6/6/75
Mod. #1 - 40 FR 31452 - 7/25/75
(Hw) - See Statewide
(F) - See Statewide
BEDFORD COUNTY
(F,Hw) - See Statewide
BENTON COUNTY
(F,Hw) - See Statewide
BLEDSOE COUNTY
(F,Hw) - See Statewide
BLOUNT COUNTY
(F,Hw) - See Statewide
BRADLEY COUNTY
(F,Hw) - See Statewide
CAMPBELL COUNTY
(F,Hw) - See Statewide
CANNON COUNTY
(F,Hw) - See Statewide
CARROLL COUNTY
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
(F,Hw) - See Statewide
CARTER COUNTY
Decision #TN75-1068 (B)
40 FR 30434 - 7/18/75
Decision #TN75-1098 (R)
40 FR 44476 - 9/26/75
(F,Hw) - See Statewide
CHEATHAM COUNTY
Decision #AQ-4061 (R)
39 FR 3426 - 1/25/74
Mod. #1 - 40 FR 7800 - 2/21/75
(F,Hw) - See Statewide
CHESTER COUNTY
(F,Hw) - See Statewide
CLAIBORNE COUNTY
(F,Hw) - See Statewide

TENNESSEE (CONT'D.)

CLAY COUNTY
(F,Hw) - See Statewide
COCKE COUNTY
(F,Hw) - See Statewide
COFFEE COUNTY
(F,Hw) - See Statewide
CROCKETT COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
CUMBERLAND COUNTY
(F,Hw) - See Statewide
DAVIDSON COUNTY
Decision #TN75-1088 (B)
40 FR 42505 - 9/12/75
Mod. #1 - 40 FR 55616 - 11/28/75
(R) - See Cheatham County
(F,Hw) - See Statewide
DECATUR COUNTY
(F,Hw) - See Statewide
DEKALB COUNTY
(F,Hw) - See Statewide
DICKSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
DYER COUNTY
Decision #TN75-1074 (R)
40 FR 33645 - 8/8/75
Decision #AQ-4073 (B)
39 FR 5947 - 2/15/74
Mod. #1 - 39 FR 9357 - 3/8/74
(F,Hw) - See Statewide
(D) - See Carroll County
FAYETTE COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
FENTRESS COUNTY
(F,Hw) - See Statewide
FRANKLIN COUNTY
(F,Hw) - See Statewide
GIBSON COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
(B,R) - See Dyer County

TENNESSEE (Cont'd)

GILES COUNTY
(F,Hw) - See Statewide
GRAINGER COUNTY
(F,Hw) - See Statewide
GREENE COUNTY
(F,Hw) - See Statewide
GRUNDY COUNTY
(F,Hw) - See Statewide
HAMBLEN COUNTY
(F,Hw) - See Statewide
HAMILTON COUNTY
Decision #TN75-1110 (B,H)
40 FR 55630 - 11/28/75
(F,Hw) - See Statewide
HANCOCK COUNTY
(F,Hw) - See Statewide
HARDEMAN COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
HARDIN COUNTY
(F,Hw) - See Statewide
HAWKINS COUNTY
(F,Hw) - See Statewide
HAYWOOD COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
HENDERSON COUNTY
(F,Hw) - See Statewide
HENRY COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
HICKMAN COUNTY
(F,Hw) - See Statewide
HOUSTON COUNTY
(F,Hw) - See Statewide
HUMPHREYS COUNTY
(F,Hw) - See Statewide
JACKSON COUNTY
(F,Hw) - See Statewide

TENNESSEE (CONT'D)

JEFFERSON COUNTY
(F,Hw) - See Statewide
JOHNSON COUNTY
(F,Hw)- See Statewide
KNOX COUNTY
Decision #TN75-1052 (B)
40 FR 23688 - 5/30/75
Mod. #1 - 40 FR 31452 - 7/25/75
Mod. #2 - 40 FR 57075 - 12/5/75
Decision #AQ-4051 (R)
39 FR 2321 - 1/18/74
(F,Hw) - See Statewide
LAKE COUNTY
(R) - See Dyer County
(F,Hw) - See Statewide
LAUDERDALE COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
LAWRENCE COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
LEWIS COUNTY
(F,Hw) - See Statewide
LINCOLN COUNTY
(F,Hw) - See Statewide
LOUDON COUNTY
(F,Hw) - See Statewide
MC MINN COUNTY
(F,Hw) - See Statewide
MC NAIRY COUNTY
(F,Hw) - See Statewide
MACON COUNTY
(F,Hw) - See Statewide
MADISON COUNTY
Decision #TN75-1051 (B)
40 FR 21666 - 5/16/75
Mod. #1 - 40 FR 57075 - 12/5/75
(D) - See Carroll County
(F,Hw) - See Statewide
MARION COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide

TENNESSEE (Cont'd)

MARSHALL COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
MAURY COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
MEIGS COUNTY
(F,Hw) - See Statewide
MONROE COUNTY
(F,Hw) - See Statewide
MONTGOMERY COUNTY
(F,Hw) - See Statewide
MOORE COUNTY
(F,Hw) - See Statewide
MORGAN COUNTY
(F,Hw) - See Statewide
OBION COUNTY
(R) - See Dyer County
(D) - See Carroll County
(F,Hw) - See Statewide
OVERTON COUNTY
(F,Hw) - See Statewide
PERRY COUNTY
(F,Hw) - See Statewide
PICKETT COUNTY
(F,Hw) - See Statewide
POLK COUNTY
(F,Hw) - See Statewide
PUTNAM COUNTY
(F,Hw) - See Statewide
RHEA COUNTY
(F,Hw) - See Statewide
ROANE COUNTY
(B) - See Anderson Co. (Oak Ridge Energy Research Development Administration Only)
(F,Hw) - See Statewide
ROBERTSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County

TENNESSEE (Cont'd)

RUTHERFORD COUNTY
Decision #AQ-4114 (B)
39 FR 16980 - 5/10/74
Mod. #1 - 39 FR 28013 - 8/2/74
Mod. #2 - 39 FR 29726 - 8/16/74
Mod. #3 - 39 FR 31782 - 8/30/74
Mod. #4 - 40 FR 3088 - 1/17/75
(F,Hw) - See Statewide
(R) - See Cheatham County
SCOTT COUNTY
(F,Hw) - See Statewide
SEQUATCHIE COUNTY
(F,Hw) - See Statewide
SEVIER COUNTY
(F,Hw) - See Statewide
SHELBY COUNTY
Decision #TN75-1108 (B,H,W&S, & Utility)
40 FR 53219 - 11/14/75
Mod. #1 - 40 FR 57075 - 12/5/75
Decision #AP-152 (R)
38 FR 4176 - 2/9/73
(D) - See Carroll County
(F,Hw) - See Statewide
SMITH COUNTY
(F,Hw) - See Statewide
STEWART COUNTY
(F,Hw) - See Statewide
SULLIVAN COUNTY
(B) - See Carter County
(F,Hw) - See Statewide
(R) - See Carter County
SUMNER COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
TIPTON COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
TROUSDALE COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County

TENNESSEE (cont'd)

UNICOI COUNTY
(F,Hw) - See Statewide
UNION COUNTY
(F,Hw) - See Statewide
VAN BUREN COUNTY
(F,Hw) - See Statewide
WARREN COUNTY
(F,Hw) - See Statewide
WASHINGTON COUNTY
(B) - See Carter County
(F,Hw) - See Statewide
WAYNE COUNTY
(F,Hw) - See Statewide
WEAKLEY COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
(R) - See Dyer County
WHITE COUNTY
(F,Hw) - See Statewide
WILLIAMSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
WILSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County

TEXAS

STATEWIDE (Excluding Dallas-Fort Worth Regional Airport)
Decision #TX75-4159 (H (Excluding tunnels and dams), Hw
Incidental shore work, and paving and utilities incidental to general building construction)
40 FR 48872 - 10/17/75
Mod. #1 - 40 FR 50869 - 10/31/75
ANDERSON COUNTY
(H,Hw) - See Statewide
ANDREWS COUNTY
(H,Hw) - See Statewide
ANGELINA COUNTY
(H,Hw) - See Statewide
ARANSAS COUNTY
(H,Hw) - See Statewide
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
ARCHER COUNTY
(H,Hw) - See Statewide
ARMSTRONG COUNTY
Decision #TX75-4183 (B)
40 FR 52271 - 11/7/75
Mod. #1 - 40 FR 54390 - 11/21/75
Decision #TX75-4161 (R)
40 FR 48880 - 10/17/75
Mod. #1 - 40 FR 57075 - 12/5/75
(H,Hw) - See Statewide
ATASCOSA COUNTY
(H,Hw) - See Statewide
AUSTIN COUNTY
(H,Hw) - See Statewide
BAILEY COUNTY
(H,Hw) - See Statewide
Decision #TX75-4003 (R)
40 FR 3158 - 1/17/75
BANDERA COUNTY
(H,Hw) - See Statewide
BASTROP COUNTY
Decision #AR-1 (R)
39 FR 24809 - 7/5/74
(H,Hw) - See Statewide
BAYLOR COUNTY
(H,Hw) - See Statewide
BEE COUNTY
Decision #TX75-4004 (R)
40 FR 3160 - 1/17/75
(H,Hw) - See Statewide
BELL COUNTY
(H,Hw) - See Statewide
Decision #TX75-4162 (B)
40 FR 49971 - 10/24/75
Mod. #1 - 40 FR 53178 - 11/14/75
Mod. #2 - 40 FR 57075 - 12/5/75

TEXAS (Cont'd)

BEXAR COUNTY
Decision #TX75-4164 (R)
40 FR 49969 - 10/24/75
(H,Hw) - See Statewide
Decision #TX75-4169 (B)
40 FR 54417 - 11/21/75
BLANCO COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
BORDEN COUNTY
(H,Hw) - See Statewide
BOSQUE COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
BOWIE COUNTY
Decision #TX75-4165 (B)
40 FR 49965 - 10/24/75
Mod. #1 - 40 FR 53178 - 11/14/75
(H,Hw) - See Statewide
BRAZORIA COUNTY
(H,Hw) - See Statewide
Decision #AR-11 (R)
39 FR 29910 - 8/16/74
(D) - See Aransas County
BRAZOS COUNTY
Decision #TX75-4166 (B)
40 FR 49967 - 10/24/75
Mod. #1 - 40 FR 52246 - 11/7/75
Mod. #2 - 40 FR 57075 - 12/5/75
(H,Hw) - See Statewide
BREWSTER COUNTY
(H,Hw) - See Statewide
BRISCOE COUNTY
(H,Hw) - See Statewide
BROOKS COUNTY
(H,Hw) - See Statewide
BROWN COUNTY
(H,Hw) - See Statewide
BURLESON COUNTY
(H,Hw) - See Statewide
BURNETT COUNTY
(H,Hw) - See Statewide
CALDWELL COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
CALHOUN COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County
CALLAHAN COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd.)

CAMERON COUNTY
Decision #TX75-4167 (B)
40 FR 49958 - 10/24/75
Mod. #1 - 40 FR 57076 - 12/5/75
(H,Hw) - See Statewide
Decision #TX75-4168 (R)
40 FR 49959 - 10/24/75
CAMP COUNTY
(H,Hw) - See Statewide
CARSON COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
CASS COUNTY
(H,Hw) - See Statewide
CASTRO COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
CHAMBERS COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County
CHEROKEE COUNTY
(H,Hw) - See Statewide
CHILDRESS COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
CLAY COUNTY
(H,Hw) - See Statewide
COCHRAN COUNTY
(H,Hw) - See Statewide
(R) - See Bailey County
COKE COUNTY
(H,Hw) - See Statewide
COLEMAN COUNTY
(H,Hw) - See Statewide
COLLIN COUNTY
Decision #AQ-87 (R)
39 FR 10106 - 3/15/74
Decision #TX75-4195 (B-excluding Dallas-Fort Worth Regional Airport)
40 FR 54413 - -1/21/75
(H,Hw) - See Statewide
COLLINGSWORTH COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
COLORADO COUNTY
(H,Hw) - See Statewide
COMAL COUNTY
(H,Hw) - See Statewide
COMANCHE COUNTY
(H,Hw) - See Statewide
CONCHO COUNTY
(H,Hw) - See Statewide
COOKE COUNTY
(H,Hw) - See Statewide
CORYELL COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
COTTLE COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

CRANE COUNTY
(H,Hw) - See Statewide
Decision #TX75-4006 (R)
40 FR 3163 - 1/17/75
CROCKETT COUNTY
(H,Hw) - See Statewide
CROSBY COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
CULBERSON COUNTY
(H,Hw) - See Statewide
DALLAM COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
DALLAS COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
DAWSON COUNTY
(H,Hw) - See Statewide
DEAF SMITH COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
DELTA COUNTY
(H,Hw) - See Statewide
DENTON COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
DE WITT COUNTY
(H,Hw) - See Statewide
DICKENS COUNTY
(H,Hw) - See Statewide
DIMMIT COUNTY
Decision #TX75-4010 (B,R)
40 FR 3172 - 1/17/75
(H,Hw) - See Statewide
DONLEY COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
DUVAL COUNTY
(H,Hw) - See Statewide
EASTLAND COUNTY
(H,Hw) - See Statewide
ECTOR COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
EDWARDS COUNTY
(H,Hw) - See Statewide
ELLIS COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
EL PASO COUNTY
Decision #TX75-4182 (B)
40 FR 50919 - 10/31/75
Mod. #1 - 40 FR 53178 - 11/14/75
(H,Hw) - See Statewide
ERATH COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

FALLS COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
FANNIN COUNTY
(H,Hw) - See Statewide
FAYETTE COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
FISHER COUNTY
(H,Hw) - See Statewide
FLOYD COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
FOARD COUNTY
(H,Hw) - See Statewide
FORT BEND COUNTY
(R) - See Brazoria County
(H,Hw) - See Statewide
FRANKLIN COUNTY
(H,Hw) - See Statewide
FREESTONE COUNTY
(H,Hw) - See Statewide
FRIO COUNTY
(H,Hw) - See Statewide
GAINES COUNTY
(H,Hw) - See Statewide
GALVESTON COUNTY
(R) - See Brazoria County
(D) - See Aransas County
(H,Hw) - See Statewide
Decision #TX75-4154 (B)
40 FR 36996 - 8/22/75
Mod. #1 - 40 FR 43424 - 9/19/75
Mod. #2 - 40 FR 52245 - 11/7/75
Mod. #3 - 40 FR 53177 - 11/14/75
Mod. #4 - 40 FR 54390 - 11/21/75
Mod. #5 - 40 FR 57075 - 12/5/75
GARZA COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
GILLESPIE COUNTY
(H,Hw) - See Statewide
GLASSCOCK COUNTY
(H,Hw) - See Statewide
GOLIAD COUNTY
(H,Hw) - See Statewide
GONZALES COUNTY
(H,Hw) - See Statewide
GRAY COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
GRAYSON COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
GREGG COUNTY
Decision #TX75-4092 (B)
40 FR 21682 - 5/16/75
(H,Hw) See Statewide

TEXAS (Cont'd)

GRIMES COUNTY
(H,Hw) - See Statewide
GUADALUPE COUNTY
(H,Hw) - See Statewide
HALE COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
HALL COUNTY
(H,Hw) - See Statewide
HAMILTON COUNTY
(H,Hw) - See Statewide
HANSFORD COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
HARDEMAN COUNTY
(H,Hw) - See Statewide
HARDIN COUNTY
(H,Hw) - See Statewide
HARRIS COUNTY
(B) - See Galveston County
(R) - See Brazoria County
(D) - See Aransas County
(H,Hw) - See Statewide
HARRISON COUNTY
Decision #TX75-4103 (B)
40 FR 22795 - 5/23/75
Mod. #1 - 40 FR 30388 - 7/18/75
Mod. #2- 40 FR 31452 - 7/25/75
Mod. #3 - 40 FR 52245 - 11/7/75
(H,Hw) - See Statewide
HARTLEY COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
HASKELL COUNTY
(H,Hw) - See Statewide
HAYS COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
HEMPHILL COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
HENDERSON COUNTY
(H,Hw) - See Statewide
HIDALGO COUNTY
(R,B) - See Cameron County
(H,Hw) - See Statewide
HILL COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
HOCKLEY COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
HOOD COUNTY
(B) - See Collin County
Decision #TX75-4011 (R)
40 FR 3173 - 1/17/75
(H,Hw) - See Statewide

TEXAS (Cont'd)

HOPKINS COUNTY
(H,Hw) - See Statewide
HOUSTON COUNTY
(H,Hw) - See Statewide
HOWARD COUNTY
Decision #TX75-4184 (B,R)
40 FR 52273 - 11/7/75
(H,Hw) - See Statewide
HUDSPETH COUNTY
(H,Hw) - See Statewide
HUNT COUNTY
(R)(B) - See Collin County
(H,Hw) - See Statewide
HUTCHINSON COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
IRION COUNTY
(H,Hw) - See Statewide
JACK COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(D) - See Aransas County
(H,Hw) - See Statewide
JASPER COUNTY
(H,Hw) - See Statewide
JEFF DAVIS COUNTY
(H,Hw) - See Statewide
JEFFERSON COUNTY
Decision #TX75-4201 (B,R)
40 FR 57139 - 12/5/75
(D) - See Aransas County
(Hw) - See Statewide
JIM HOGG COUNTY
(H,Hw) - See Statewide
(B,R) - See Dimmit County
JIM WELLS COUNTY
(H,Hw) - See Statewide
JOHNSON COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
(R) - See Hood County
JONES COUNTY
(H,Hw) - See Statewide
KARNES COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

KAUFMAN COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
KENDALL COUNTY
(H,Hw) - See Statewide
KENEDY COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County
KENT COUNTY
(H,Hw) - See Statewide
KERR COUNTY
(H,Hw) - See Statewide
KIMBLE COUNTY
(H,Hw) - See Statewide
KING COUNTY
(H,Hw) - See Statewide
KINNEY COUNTY
(H,Hw) - See Statewide
KLEBERG COUNTY
Decision #TX75-4185 (B)
40 FR 52275 - 11/7/75
Mod. #1 - 40 FR 54390 - 11/21/75
(D) - See Aransas County
(H,Hw) - See Statewide
(R) - See Bee County
KNOX COUNTY
(H,Hw) - See Statewide
LAMAR COUNTY
(H,Hw) - See Statewide
LAMB COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
LAMPASAS COUNTY
(H,Hw) - See Statewide
LA SALLE COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide
LAVACA COUNTY
(H,Hw) - See Statewide
LEE COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County

TEXAS (Cont'd)

LEON COUNTY
(H,Hw) - See Statewide
LIBERTY COUNTY
(H,Hw) - See Statewide
LIMESTONE COUNTY
(H,Hw) - See Statewide
LIPSCOMB COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
LIVE OAK COUNTY
(H,Hw) - See Statewide
LLANO COUNTY
(H,Hw) - See Statewide
LOVING COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
LUBBOCK COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
Decision #TX75-4186 (B)
40 FR 52277 - 11/7/75
LYNN COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
McCULLOCH COUNTY
(H,Hw) - See Statewide
McLENNAN COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
McMULLEN COUNTY
(H,Hw) - See Statewide
MADISON COUNTY
(H,Hw) - See Statewide
MARION COUNTY
(H,Hw) - See Statewide
MARTIN COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

MASON COUNTY
(H,Hw) - See Statewide
MATAGORDA COUNTY
(R) - See Brazoria County
(H,Hw) - See Statewide
(D) - See Aransas County
MAVERICK COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide
MEDINA COUNTY
(H,Hw) - See Statewide
MENARD COUNTY
(H,Hw) - See Statewide
MIDLAND COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
MILAM COUNTY
(H,Hw) - See Statewide
MILLS COUNTY
(H,Hw) - See Statewide
MITCHELL COUNTY
(H,Hw) - See Statewide
MONTAGUE COUNTY
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(R) - See Brazoria County
(H,Hw) - See Statewide
MOORE COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
MORRIS COUNTY
(H,Hw) - See Statewide
MOTLEY COUNTY
(H,Hw) - See Statewide
NACOGDOCHES COUNTY
(H,Hw) - See Statewide
NAVARRO COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

NEWTON COUNTY
(H,Hw) - See Statewide
NOLAN COUNTY
(H,Hw) - See Statewide
NUECES COUNTY
(B) - See Kleberg County
(D) - See Aransas County
(H,Hw) - See Statewide
(R) - See Bee County
OCHILTREE COUNTY
(R) (B) - See Armstrong County
(H,Hw) - See Statewide
OLDHAM COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
ORANGE COUNTY
(R)(B) - See Jefferson County
(Hw) - See Statewide
(D) - See Aransas County
PALO PINTO COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
(R) - See Hood County
PANOLA COUNTY
(H,Hw) - See Statewide
PARKER COUNTY
(H,Hw) - See Statewide
(R) - See Hood County
PARMER COUNTY
(H,Hw) - See Statewide
PECOS COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
POLK COUNTY
(H,Hw) - See Statewide
POTTER COUNTY
(H,Hw) - See Statewide
(B) (R) - See Armstrong County
PRESIDIO COUNTY
(H,Hw) - See Statewide
RAINS COUNTY
(H,Hw) - See Statewide
RANDALL COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
REAGAN COUNTY
(H,Hw) - See Statewide
REAL COUNTY
(H,Hw) - See Statewide
RED RIVER COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

REEVES COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
REFUGIO COUNTY
(D) - See Aransas County
(H,Hw) - See Statewide
ROBERTS COUNTY
(H,Hw) - See Statewide
(B) (R) - See Armstrong County
ROBERTSON COUNTY
(H,Hw) - See Statewide
ROCKWALL COUNTY
(R)(B) - See Collin County
(H,Hw) - See Statewide
RUNNELS COUNTY
(H,Hw) - See Statewide
RUSK COUNTY
(H,Hw) - See Statewide
SABINE COUNTY
(H,Hw) - See Statewide
SAN AUGUSTINE COUNTY
(H,Hw) - See Statewide
SAN JACINTO COUNTY
(H,Hw) - See Statewide
SAN PATRICIO COUNTY
(R) - See Bee County
(D) - See Aransas County
(H,Hw) - See Statewide
SAN SABA COUNTY
(H,Hw) - See Statewide
SCHLEICHER COUNTY
(H,Hw) - See Statewide
SCURRY COUNTY
(H,Hw) - See Statewide
SHACKELFORD COUNTY
(H,Hw) - See Statewide
SHELBY COUNTY
(H,Hw) - See Statewide
SHERMAN COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
SMITH COUNTY
(H,Hw) - See Statewide
SOMERVELL COUNTY
(H,Hw) - See Statewide
STARR COUNTY
(H,Hw) - See Statewide
(B)(R) - See Cameron County
STEPHENS COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

STERLING COUNTY
(H,Hw) - See Statewide
STONEWALL COUNTY
(H,Hw) - See Statewide
SUTTON COUNTY
(H,Hw) - See Statewide
SWISHER COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
TARRANT COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
Decision #AQ-117 (R)
39 FR 22400 - 6/21/74
TAYLOR COUNTY
Decision #TX75-4098 (B)
40 FR 22786 - 5/23/75
Mod. #1 - 40 FR 36901 - 8/22/75
Mod. #2 - 40 FR 52245 - 11/7/75
Mod. #3 - 40 FR 54390 - 11/21/75
(H,Hw) - See Statewide
TERRELL COUNTY
(H,Hw) - See Statewide
TERRY COUNTY
(H,Hw) - See Statewide
(R) - See Bailey County
THROCKMORTON COUNTY
(H,Hw) - See Statewide
TITUS COUNTY
(H,Hw) - See Statewide
TOM GREEN COUNTY
Decision #TX75-4088 (B)
40 FR 21677 - 5/16/75
Mod. #1 - 40 FR 33578 - 8/8/75
Mod. #2 - 40 FR 52245 - 11/7/75
(H,Hw) - See Statewide
TRAVIS COUNTY
Decision #TX75-4187 - (B)
40 FR 52279 - 11/7/75
(R) - See Bastrop County
(H,Hw) - See Statewide
TRINITY COUNTY
(H,Hw) - See Statewide
TYLER COUNTY
(H,Hw) - See Statewide
UPSHUR COUNTY
(H,Hw) - See Statewide
UPTON COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
UVALDE COUNTY
(H,Hw) - See STatewide
VAL VERDE COUNTY
(H,Hw) - See Statewide
VAN ZANDT COUNTY
(H,Hw) - See Statewide
VICTORIA COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County

TEXAS (Cont'd.)

WALKER COUNTY
(H,Hw) - See Statewide
(R) - See Brazoria County
WALLER COUNTY
(H,Hw) - See Statewide
WARD COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
WASHINGTON COUNTY
(H,Hw) - See Statewide
WEBB COUNTY
(B,R) - See Dimmit County
(H,Hw) - See STatewide
WHARTON COUNTY
(H,Hw) - See Statewide
WHEELER COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
WICHITA COUNTY
Decision #TX75-4189 (R)
40 FR 52283 -11/7/75
Decision #TX75-4188 (B)
40 FR 52281 - 11/7/75
Mod. #1 - 40 FR 54390 - 11/21/75
(H,Hw) - See Statewide
WILBARGER COUNTY
(H,Hw) - See Statewide
WILLACY COUNTY
(R)(B) - See Cameron County
(H,Hw) - See Statewide
(D) - See Aransas County
WILLIAMSON COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
WILSON COUNTY
(H,Hw) - See Statewide
WINKLER COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
WISE COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
(R) - See Hood County
WOOD COUNTY
(H,Hw) - See Statewide
YOAKUM COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
YOUNG COUNTY
(H,Hw) - See Statewide
ZAPATA COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide
ZAVALA COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide

UTAH

STATEWIDE
Decision #UT75-5107 (B,H,Hw)
40 FR 36998 - 8/22/75
BEAVER COUNTY
(B,H,Hw) - See Statewide
BOX ELDER COUNTY
(B,H,Hw) - See Statewide
CACHE COUNTY
(B,H,Hw) - See Statewide
CARBON COUNTY
(B,H,Hw) - See Statewide
DAGGETT COUNTY
(B,H,Hw) - See Statewide
DAVIS COUNTY
(B,H,Hw) - See Statewide
DUCHESNE COUNTY
(B,H,Hw) - See Statewide
EMERY COUNTY
(B,H,Hw) - See Statewide
GARFIELD COUNTY
(B,H,Hw) - See Statewide
GRAND COUNTY
(B,H,Hw) - See Statewide
IRON COUNTY
(B,H,Hw) - See Statewide
JUAB COUNTY
(B,H,Hw) - See Statewide
KANE COUNTY
(B,H,Hw) - See Statewide
MILLARD COUNTY
(B,H,Hw) - See Statewide
MORGAN COUNTY
(B,H,Hw) - See Statewide
PIUTE COUNTY
(B,H,Hw) - See Statewide
RICH COUNTY
(B,H,Hw) - See Statewide
SALT LAKE COUNTY
(B,H,Hw) - See Statewide
SAN JUAN COUNTY
(B,H,Hw) - See Statewide
SANPETE COUNTY
(B,H,Hw) - See Statewide
SEVIER COUNTY
(B,H,Hw) - See Statewide
SUMMIT COUNTY
(B,H,Hw) - See Statewide
TOOELE COUNTY
(B,H,Hw) - See Statewide
UINTAH COUNTY
(B,H,Hw) - See Statewide
UTAH COUNTY
(B,H,Hw) - See Statewide
WASATCH COUNTY
(B,H,Hw) - See Statewide
WASHINGTON COUNTY
(B,H,Hw) - See Statewide

UTAH (Cont'd)

WAYNE COUNTY
(B,H,Hw) - See Statewide
WEBER COUNTY
(B,H,Hw) - See Statewide

VERMONT

Statewide (Except Rutland County)
Decision #AQ-3184 (Hw)
39 FR 24203 - 6/28/74
Mod. #1 - 39 FR 27397 - 7/26/74
Mod. #2 - 40 FR 16497 - 4/11/75
Mod. #3 - 40 FR 21657 - 5/16/75
ADDISON COUNTY
(Hw) - See Statewide
BENNINGTON COUNTY
(Hw) - See Statewide
CALEDONIA COUNTY
(Hw) - See Statewide
CHITTENDEN COUNTY
(Hw) - See Statewide
ESSEX COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
(Hw) - See Statewide
GRAND ISLE COUNTY
(Hw) - See Statewide
LAMOILLE COUNTY
(Hw) - See Statewide
ORANGE COUNTY
(Hw) - See Statewide
ORLEANS COUNTY
(Hw) - See Statewide
RUTLAND COUNTY
None
WASHINGTON COUNTY
(Hw) - See Statewide
WINDHAM COUNTY
(Hw) - See Statewide
WINDSOR COUNTY
(Hw) - See Statewide

VIRGINIA

ACCOMACK COUNTY
Decision #AP-805 (Hw)
38 FR 11279 - 5/4/73
Mod. #1 - 38 FR 13127 - 5/18/73
Mod. #2 - 40 FR 15284 - 4/4/75
Mod. #3 - 40 FR 23631 - 5/30/75
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
ALBERMARLE COUNTY
Decision #VA75-3094 (B)
40 FR 43415 - 9/19/75
Mod. #1 - 40 FR 48847 - 10/17/75
Decision #AM-1874 (Hw)
36 FR 16342 - 8/20/71
Mod. #1 - 40 FR 15284 - 4/4/75
ALEXANDRIA CITY
Decision #MD75-3100 (B)
40 FR 44477 - 9/26/75
Mod. #1 - 40 FR 52247 - 11/7/75
Mod. #2 - 40 FR 57076 - 12/5/75
ALLEGHANY COUNTY
Decision #AM-1875 (Hw)
36 FR 16343 - 8/20/71
Mod. #1 - 37 FR 5169 - 3/10/72
Mod. #2 - 40 FR 15284 - 4/4/75
AMELIA COUNTY
Decision #AR-2032 (Hw)
39 FR 31871 - 8/30/74
AMHERST COUNTY
Decision #AQ-2032 (Hw)
38 FR 33259 - 11/30/73
APPOMATTOX COUNTY
(Hw) - See Amherst County
ARLINGTON COUNTY
(B) - See Alexandria City
(D) - See Accomack County
AUGUSTA COUNTY
Decision #AM-9320 (R)
37 FR 10267 - 5/19/72
Mod. #1 - 40 FR 15284 - 4/4/75
(Hw) - See Alleghany County
BATH COUNTY
(Hw) - See Alleghany County
BEDFORD CITY
(Hw) - See Bedford County
BEDFORD COUNTY
Decision #AQ-2021 (Hw)
38 FR 27744 - 10/5/73
BLAND COUNTY
Decision #AQ-2020 (Hw)
38 FR 27744 - 10/5/73
Mod. #1 - 40 FR 15285 - 4/4/75
BOTETOURT COUNTY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

BRISTOL CITY
(Hw) - See Bland County
BRUNSWICK COUNTY
(Hw) - See Amelia County
BUCHANAN COUNTY
(Hw) - See Bland County
BUCKINGHAM COUNTY
(Hw) - See Amherst County
BUENA VISTA CITY
(Hw) - See Allegheny County
CAMPBELL COUNTY
Decision #VA75-3095 (B)
40 FR 43416 - 9/19/75
(Hw) - See Amherst County
CAROLINE COUNTY
Decision #AQ-2031 (Hw)
38 FR 33258 - 11/30/73
CARROLL COUNTY
(Hw) - See Bedford County
CHARLES CITY COUNTY
(Hw) - See Amelia County
CHARLOTTE COUNTY
(Hw) - See Amherst County
CHARLOTTSVILLE CITY
(Hw) - See Albermarle County
CHESAPEAKE CITY
Decision #VA75-3005 (B)
40 FR 944 - 1/3/75
Mod. #1 - 40 FR 14217 - 3/28/75
Mod. #2 - 40 FR 17473 - 4/18/75
Mod. #3 - 40 FR 22742 - 5/23/75
Mod. #4 - 40 FR 29455 - 7/11/75
Decision #AP-494 (Hw)
38 FR 7693 - 3/23/73
Mod. #1 - 40 FR 44446 - 9/26/75
(D) - See Accomack County
CHESTERFIELD COUNTY
(Hw) - See Amelia County
CLARKE COUNTY
Decision #AP-406 (R)
37 FR 15234 - 7/28/72
Mod. #1 - 40 FR 15284 - 4/4/75
(Hw) - See Alleghany County
CLIFTON FORGE CITY
(Hw) - See Alleghany County
COLONIAL HEIGHTS CITY
(Hw) - See Amelia County
COVINGTON CITY
(Hw) - See Alleghany County
CRAIG COUNTY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

CULPEPER COUNTY
(Hw) - See Albermarle County
CUMBERLAND COUNTY
(Hw) - See Amherst County
DANVILLE CITY
(Hw) - See Amherst County
DICKENSON COUNTY
(Hw) - See Bland County
DINWIDDIE COUNTY
(Hw) - See Amelia County
EMPORIA CITY
(Hw) - See Accomack County
ESSEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
FAIRFAX COUNTY
(B) - See Alexandria City
(D) - See Accomack County
FAIRFAX CITY
(B) - See Alexandria City
FALLS CHURCH CITY
(B) - See Alexandria City
FAUQUIER COUNTY
(Hw) - See Albermarle County
FLOYD COUNTY
(Hw) - See Bedford County
FLUVANNA COUNTY
(Hw) - See Albermarle County
FORT MONROE CITY
(Hw) - See Chesapeake City
(B,H,W&S) - See York County
FRANKLIN CITY
(Hw) - See Accomack County
FRANKLIN COUNTY
(Hw) - See Bedford County
FREDERICK COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County

VIRGINIA (Cont'd)

FREDERICKSBURG CITY
(Hw) - See Caroline County
GALAX CITY
(Hw) - See Bedford County
GILES COUNTY
(Hw) - See Bedford County
GLOUCESTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
GOOCHLAND COUNTY
(Hw) - See Amelia County
GRAYSON COUNTY
(Hw) - See Bland County
GREENE COUNTY
(Hw) - See Albermarle County
GREENSVILLE COUNTY
(Hw) - See Accomack County
HALIFAX COUNTY
(Hw) - See Amherst County
HAMPTON CITY
Decision #AQ-2103 (R)
39 FR 14119 - 4/19/74
Mod. #1 - 15612 - 5/3/74
(B,H,W&S) - See York County
(Hw) - See Chesapeake City
(D) - See Accomack County
HANOVER COUNTY
(Hw) - See Amelia County
HARRISONBURG CITY
(Hw) - See Allegheny County
HENRICO COUNTY
Decision #VA75-3006 (B)
40 FR 946 - 1/3/75
Mod. #1 - 40 FR 14217 - 3/28/75
Mod. #2 - 40 FR 17473 - 4/18/75
Mod. #3 - 40 FR 22743 - 5/23/75
Mod. #4 - 40 FR 29455 - 7/11/75
Mod. #5 - 40 FR 57076 - 12/5/75
(Hw) - See Amelia County

VIRGINIA (Cont'd.)

HENRY COUNTY
(Hw) - See Bedford County
HIGHLAND COUNTY
(Hw) - See Alleghany County
HOPEWELL CITY
(Hw) - See Amelia County
ISLE OF WIGHT COUNTY
(D,Hw) - See Accomack County
JAMES CITY COUNTY
Decision #AP-407 (R)
37 FR 15235 - 7/28/72
(D,Hw) - See Accomack County
KING AND QUEEN COUNTY
(Hw) - See Caroline County
KING GEORGE COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
KING WILLIAM COUNTY
(Hw) - See Caroline County
LANCASTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
LEE COUNTY
(Hw) - See Bland County
LOUDOUN COUNTY
(Hw) - See Albermarle County
LOUISA COUNTY
(Hw) - See Albemarle County
LUNENBURG COUNTY
(Hw) - See Amelia County
LYNCHBURG CITY
(Hw) - See Amherst County
MADISON COUNTY
(Hw) - See Alemarle County
MARTINSVILLE CITY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

MATHEWS COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MECKLENBURG COUNTY
(Hw) - See Amelia County
MIDDLESEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MONTGOMERY COUNTY
(Hw) - See Bedford County
NANSEMOND COUNTY
(D,Hw) - See Accomack Cqunty
NELSON COUNTY
(Hw) - See Amherst County
NEW KENT COUNTY
(Hw) - See Amelia County
NEWPORT NEWS CITY
(B,H,W&S) - See York County
(Hw) - See Chesapeake City
(D) - See Accomack County
(R) - See Hampton City
NORFOLK CITY
(Hw,B) - See Chesapeake City
(D) - See Accomack County
NORTHAMPTON COUNTY
(D,Hw) - See Accomack County
NORTON CITY
(Hw) - See Bland County
NORTHUMBERLAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
NOTTOWAY COUNTY
(Hw) - See Amelia County
ORANGE COUNTY
(Hw) - See Albemarle County

VIRGINIA (Cont'd)

PAGE COUNTY
(Hw) - See Alleghany County
PATRICK COUNTY
(Hw) - See Bedford County
PETERSBURG CITY
(Hw) - See Amelia County
PITTSYLVANIA COUNTY
(Hw) - See Amherst County
PORTSMOUTH CITY
(Hw,B) - See Chesapeake City
(D) - See Accomack County
POWHATAN COUNTY
(Hw) - See Amelia County
PRINCE EDWARD COUNTY
(Hw) - See Amherst County
PRINCE GEORGE COUNTY
(Hw) - See Amelia County
PRINCE WILLIAM COUNTY
(Hw) - See Albermarle County
(D) - See Accomack County
PULASKI COUNTY
(Hw) - See Bedford County
RADFORD CITY
Decision #VA75-3069 (B)
40 FR 29438 - 7/11/75
Mod. #1 - 40 FR 36902 - 8/22/75
Mod. #2 - 40 FR 48847 - 10/17/75
(Hw) - See Bedford County
RAPPAHANNOCK COUNTY
(Hw) - See Albermarle County
RICHMOND CITY
(B) - See Henrico County
(Hw) - See Amelia County
RICHMOND COUNTY
(Hw) - See Caroline County
ROANOKE CITY
(Hw) - See Bedford County
ROANOKE COUNTY
(Hw) - See Bedford County
ROCKBRIDGE COUNTY
(Hw) - See Alleghany County
ROCKINGHAM COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County
RUSSELL COUNTY
(Hw) - See Bland County
SALEM CITY
(Hw) - See Bedford County
SCOTT COUNTY
(Hw) - See Bland County
SHENANDOAH COUNTY
(Hw) - See Alleghany County
(R) - See Clarke County
SMYTH COUNTY
(Hw) - See Bland County
SOUTHAMPTON COUNTY
(Hw) - See Accomack County

VIRGINIA (Cont'd.)

SOUTH BOSTON CITY
(Hw) - See Amherst County
SPOTSYLVANIA COUNTY
(Hw) - See Caroline County
STAUNTON CITY
(Hw) - See Alleghany County
STAFFORD COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
SUFFOLK CITY
(Hw) - See Accomack County
SURRY COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
SUSSEX COUNTY
(Hw) - See Accomack County
TAZEWELL COUNTY
(Hw) - See Bland County
VIRGINIA BEACH CITY
Decision #AM-9321 (R)
37 FR 10266 - 5/19/72
(Hw,B) - See Chesapeake City
(D) - See Accomack County
WARREN COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County
WASHINGTON COUNTY
(Hw) - See Bland County
WAYNESBORO CITY
(Hw) - See Allegheny County
WESTMORELAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
WILLIAMSBURG CITY
(Hw) - See Accomack County
WINCHESTER CITY
(Hw) - See Alleghany County
WISE COUNTY
(Hw) - See Bland County
WYTHE COUNTY
(Hw) - See Bland County
YORK COUNTY
Decision #VA75-3004 (B,H,S&W)
40 FR 941 - 1/3/75
Mod. #1 - 40 FR 14217 - 3/28/75
Mod. #2 - 40 FR 21657 - 5/16/75
Mod. #3 - 40 FR 22742 - 5/23/75
Mod. #4 - 40 FR 29454 - 7/11/75
(R) - See James City
(D,Hw) - See Accomack County

WASHINGTON

STATEWIDE
Decision #WA75-5132 (B,H,Hw,D)
40 FR 50921 - 10/31/75
ADAMS COUNTY
(B,H,Hw,D) - See Statewide
ASOTIN COUNTY
(B,H,Hw,D) - See Statewide
BENTON COUNTY
(B,H,Hw,D) - See Statewide
CHELAN COUNTY
(B,H,Hw,D) - See Statewide
CLALLAM COUNTY
Decision #WA75-5064 (R)
40 FR 23695 - 5/30/75
Mod. #1 - 40 FR 25335 - 6/13/75
Mod. 2 - 40 FR 29455 - 7/11/75
(B,H,Hw,D) - See Statewide
CLARK COUNTY
(B,H,Hw,D) - See Statewide
COLUMBIA COUNTY
(B,H,Hw,D) - See Statewide
COWLITZ COUNTY
(B,H,Hw,D) - See Statewide
DOUGLAS COUNTY
(B,H,Hw,D) - See Statewide
FERRY COUNTY
(B,H,Hw, D) - See Statewide
FRANKLIN COUNTY
(B,H,Hw,D) - See Statewide
GARFIELD COUNTY
(B,H,Hw,D) - See Statewide
GRANT COUNTY
(B,H,Hw,D) - See Statewide
GRAYS HARBOR COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
ISLAND COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
JEFFERSON COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
KING COUNTY
(R) - See Clallam County
(B,H,Hw,D) - See Statewide
KITSAP COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
KITTITAS COUNTY
(B,H,Hw,D) - See Statewide
KLICKITAT COUNTY
(B,H,Hw,D) - See Statewide

WEST VIRGINIA

STATEWIDE
Decision #WV75-3105 (H,Hw)
40 FR 48884 - 10/17/75
Mod. #1 - 40 FR 53178 - 11/14/75
BARBOUR COUNTY
Decision #WV75-3007 (B)
40 FR 6136 - 2/7/75
Mod. #1 - 40 FR 8700 - 2/28/75
Mod. #2 - 40 FR 10883 - 3/7/75
Mod. #3 - 40 FR 14217 - 3/28/75
Mod. #4 - 40 FR 16497 - 4/11/75
Mod. #5 - 40 FR 21659 - 5/16/75
(H,Hw) - See Statewide
BERKELEY COUNTY
(H,Hw) - See Statewide
BOONE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
BRAXTON COUNTY
Decision #WV75-3107 (B)
40 FR 57061 - 12/5/75
(H,Hw) - See Statewide
BROOKE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
CABELL COUNTY
(B) - See Barbour County
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide
CALHOUN COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
CLAY COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
DODDRIDGE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
FAYETTE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
GILMER COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
GRANT COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
GREENBRIER COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
HAMPSHIRE COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
HANCOCK COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
HARDY COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide

WEST VIRGINIA (Cont'd)

HARRISON COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
JACKSON COUNTY
(D) - See Cabell County
(H,Hw) - See Statewide
(B) - See Barbour County
JEFFERSON COUNTY
(H,Hw) - See Statewide
KANAWHA COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
Decision #AR-2058 (R)
39 FR 35948 - 10/4/74
Mod. #1 - 39 FR 44913 - 12/27/74
(H,Hw) - See Statewide
LEWIS COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
LINCOLN COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
LOGAN COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
MC DOWELL COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
MARION COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
MARSHALL COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
MASON COUNTY
(B) - See Barbour County
(D) - See Cabell County
(H,Hw) - See Statewide
MERCER COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
MINERAL COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
MINGO COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
MONOGALIA COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
MONROE COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
MORGAN COUNTY
(H,Hw) - See Statewide
NICHOLAS COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide

WEST VIRGINIA (Cont'd.)

OHIO COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
PENDLETON COUNTY
(B)-See Braxton County
(H,Hw) - See Statewide
PLEASANT COUNTY
(D) - See Cabell County
(H,Hw) - See Statewide
(B) - See Barbour County
POCAHONTAS COUNTY
(H,Hw) - See Statewide
(B) - See Braxton County
PRESTON COUNTY
(H,Hw) - See Statewide
PUTNAM COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
RALEIGH COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
RANDOLPH COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
RITCHIE COUNTY
(H,Hw) - See Statewide
(B) - See Barbour County
ROANE COUNTY
(H,Hw) - See Statewide
SUMMERS COUNTY
(H,Hw) - See Statewide
(B) - See Braxton County
TAYLOR COUNTY
(H,Hw) - See Statewide
TUCKER COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
TYLER COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
UPSHUR COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
WAYNE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
WEBSTER COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
WETZEL COUNTY
(B) - See Barbour County
(D) - See Cabell County
(H,Hw) - See Statewide
WIRT COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide

WEST VIRGINIA (Cont'd.)

WOOD COUNTY
(B) - See Barbour County
(D) - See Cabell County
(H,Hw) - See Statewide
WYOMING COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide

WISCONSIN

STATEWIDE
Decision #WI75-2115 (Hw)
40 FR 48089 - 10/10/75
Decision #WI75-2048 (H, Sewer, Tunnel, & Water)
40 FR 12059 - 3/14/75
ADAMS COUNTY
(H,Hw,W&S) - See Statewide
ASHLAND COUNTY
Decision #IL75-5079 (D)
40 FR 29490 - 7/11/75
Mod. #1 - 40 FR 32552 - 8/1/75
Mod. #2 - 40 FR 40006 - 8/29/75
Mod. #3 - 40 FR 50868 - 10/31/75
Mod. #4 - 40 FR 52242 - 11/7/75
(H,Hw,W&S) - See Statewide
Decision #AR-3151 (B,R)
39 FR 36706 - 10/11/74
Mod. #1 - 40 FR 21657 - 5/16/75
BARRON COUNTY
(B) - See Polk County
(H,Hw,W&S) - See Statewide
BAYFIELD COUNTY
(B,R,D) - See Ashland County
(H,Hw,W&S) - See Statewide
BROWN COUNTY
Decision #AR-3153 (B)
39 FR 36825 - 10/11/74
Mod. #1 - 40 FR 21658 - 5/16/75
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
BUFFALO COUNTY
(H,Hw,W&S) - See Statewide
BURNETT COUNTY
(H,Hw,W&S) - See Statewide
CALUMET COUNTY
(H,Hw,W&S) - See Statewide
CHIPPEWA COUNTY
(H,Hw,W&S) - See Statewide
(B,R) - See Eau Clair County
CLARK COUNTY
(H,Hw,W&S) - See Statewide
COLUMBIA COUNTY
(H,hw,W&S) - See Statewide
CRAWFORD COUNTY
(H,Hw,W&S) - See Statewide
DANE COUNTY
(H,Hw,W&S) - See Statewide
Decision #AR-3155 (B,R)
39 FR 36829 - 10/11/74
Mod. #1 - 40 FR 18284- 4/25/75
DODGE COUNTY
(H,Hw,W&S) - See Statewide
DOOR COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
DOUGLAS COUNTY
(B,R) - See Ashland County
DUNN COUNTY
(B) - See Polk County
(H,Hw, W&S) - See Statewide

WISCONSIN (Cont'd.)

EAU CLAIR COUNTY
Decision #AR-3154 (B,R)
39 FR 36827 - 10/11/74
Mod. #1 - 40 FR 18284 - 4/25/75
(H,Hw, W&S) - See Statewide
FLORENCE COUNTY
(H,Hw,W&S) - See Statewide
FOND DU LAC COUNTY
(H,Hw,W&S) - See Statewide
FOREST COUNTY
(H,Hw,W&S) - See Statewide
GRANT COUNTY
(H,Hw,W&S) - See Statewide
GREEN COUNTY
(B) - See Rock County
(H,Hw,W&S) - See Statewide
GREEN LAKE COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - See Statewide
IOWA COUNTY
(B) - See Dane County
(H,Hw,W&S) - See Statewide
IRON COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
JACKSON COUNTY
(H,Hw,W&S) - See Statewide
JEFFERSON COUNTY
(H,Hw,W&S) - See Statewide
JUNEAU COUNTY
(H,Hw,W&S) - See Statewide
Decision #AR-3158 (B)
39 FR 36835 - 10/11/74
Mod. #1 - 40 FR 18285 - 4/25/75
KENOSHA COUNTY
(H,Hw,W&S) - See Statewide
Decision #AR-3159 (B,R)
39 FR 36837 - 10/11/74
Mod. #1 - 39 FR 41662 - -1/29/74
KEWAUNEE COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
LA CROSSE COUNTY
Decision #AR-3160 (B,R)
39 FR 36839 - 10/11/74
Mod. #1 - 40 FR 18286 - 4/25/75
(H,Hw,W&S) - See Statewide
LA FAYETTE COUNTY
(H,Hw,W&S) - See Statewide
LANGLADE COUNTY
(B) - See Marathon County
(H,Hw,W&S) - See Statewide
LINCOLN COUNTY
(B) - See Marathon County
(H,Hw,W&S) - See Statewide

WISCONSIN (Cont'd.)

MANITOWOC COUNTY
(H,Hw, W&S) - See Statewide
MARATHON COUNTY
Decision #AR-3161 (B)
39 FR 36840 - 10/11/74
(H,Hw, W&S) - See Statewide
MARINETTE COUNTY
(D) - See Ashland County
MARQUETTE COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - See Statewide
MENOMINEE COUNTY
(H,Hw,W&S) - See Statewide
MILWAUKEE COUNTY
Decision #AR-3162 (B,R)
39 FR 36843 - 10/11/74
Mod. #1 - 40 FR 18287 - 4/25/75
(H,Hw,W&S) - See Statewide
MONROE COUNTY
(H,Hw,W&S) - See Statewide
OCONTO COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
ONEIDA COUNTY
(H,Hw,W&S) - See Statewide
OUTAGAMIE COUNTY
(H,Hw,W&S) - See Statewide
OZAUKEE COUNTY
(B,R) - See Milwaukee County
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
PEPIN COUNTY
(B,R) - See Eau Clair County
(H,Hw,W&S) - See Statewide
PIERCE COUNTY
(H,Hw,W&S) - See Statewide
POLK COUNTY
Decision #AR-3152 (B)
39 FR 36823 - 10/11/74
Mod. #1 - 40 FR 18284 - 4/25/75
(H,Hw,W&S) - See Statewide
PORTAGE COUNTY
(H,Hw,W&S) - See Statewide
PRICE COUNTY
(H,Hw,W&S) - See Statewide
RACINE COUNTY
Decision #WI75-2064 (B,R)
40 FR 21691 - 5/16/75
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
RICHLAND COUNTY
(H,Hw, W&S) - See Statewide
ROCK COUNTY
Decision #AR-3156 (B)
39 FR 36831 - 10/11/74
Mod. #1 - 40 FR 21658 - 5/16/75
(H,Hw,W&S) - See Statewide
RUSK COUNTY
(H,Hw,W&S) - See Statewide

WISCONSIN (Cont'd.)

SAINT CROIX COUNTY
(B) - See Polk County
(H,Hw,W&S) - See Statewide
SAUK COUNTY
(B) - See Dane County
(H,Hw,W&S) - See Statewide
SAWYER COUNTY
(H,Hw,W&S) - See Statewide
SHAWANO COUNTY
(H,Hw,W&S) - See Statewide
SHEBOYGAN COUNTY
(D) - See Ashland County
TAYLOR COUNTY
(H,Hw,W&S) - See Statewide
TREMPEALEAU COUNTY
(H,Hw,W&S) - See Statewide
VERNON COUNTY
(H,Hw,W&S) - See Statewide
VILAS COUNTY
(H,Hw,W&S) - See Statewide
WALWORTH COUNTY
(H,Hw,W&S) - See Statewide
WASHBURN COUNTY
(H,Hw,W&S) - See Statewide
WASHINGTON COUNTY
(B,R) - See Milwaukee County
(H,Hw,W&S) - See Statewide
WAUKESHA COUNTY
(B,R) - See Milwaukee County
(H,Hw,W&S) - See Statewide
WAUPACA COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - See Statewide
WASHARA COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - SeeSStatewide
WINNEBAGO COUNTY
Decision #AR-3157 (B)
39 FR 36833 - 10/11/74
Mod. #1 - 40 FR 20562 - 5/9/75
(H,Hw,W&S) - See Statewide
WOOD COUNTY
(H,Hw,W&S) - See Statewide

WYOMING

STATEWIDE
Decision #WY75-5011 (Hw)
40 FR 4879 - 1/31/75
Mod. #1 - 40 FR 16497 - 4/11/75
Mod. #2 - 40 FR 26187 - 6/20/75
ALBANY COUNTY
(Hw) - See Statewide
BIG HORN COUNTY
(Hw) - See Statewide
CAMPBELL COUNTY
(Hw) - See Statewide
CARBON COUNTY
(Hw) - See Statewide
CONVERSE COUNTY
Decision #WY75-5106 (B,H)
40 FR 34578 - 8/15/75
(Hw) - See Statewide
CROOK COUNTY
(Hw) - See Statewide
FREMONT COUNTY
(Hw) - See Statewide
GOSHEN COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
HOT SPRINGS COUNTY
(Hw) - See Statewide
JOHNSON COUNTY
(Hw) - See Statewide
LARAMIE COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
NATRONA COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
NIOBRARA COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
PARK COUNTY
(Hw) - See Statewide
PLATTE COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
SHERIDAN COUNTY
(Hw) - See Statewide
SUBLETTE COUNTY
(Hw) - See Statewide
SWEETWATER COUNTY
(Hw) - See Statewide
TETON COUNTY
(Hw) - See Statewide
UINTA COUNTY
(Hw) - See Statewide
WASHAKIE COUNTY
(Hw) - See Statewide
WESTON COUNTY
(Hw) - See Statewide
YELLOWSTONE NATIONAL PARK
(Hw) - See Statewide

[FR Doc.76-6 Filed 1-2-76;8:45 am]

federal register

MONDAY, JANUARY 5, 1976



PART IV:

FEDERAL ENERGY ADMINISTRATION

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NATIONAL UTILITY RESIDUAL FUEL OIL ALLOCATION

Supplier Percentage Notice for January 1976

FEDERAL ENERGY ADMINISTRATION

NATIONAL UTILITY RESIDUAL FUEL OIL ALLOCATION

Supplier Percentage Notice for January 1976

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 precentage of such volumes required to be supplied by each supplier for delivery in January 1976. 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) Form 23B 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 that suppliers are obligated to make available for January 1976. Some utilities will not recieve 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 January to avoid undue hardship. FEA will consider special circumstances such as unexpected outages which 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 date derived from utilities' filings of FPC Form 23B. Thus, the timely submission of FPC Form 23B will be a necessary prerequisite to receiving future allocations if the Mandatory Petroleum Allocation Program is extended beyond its December 15, 1975, expiration date.

Reports should be addressed to FEA Electrical Utilities Reports, Code 47, Washington, D.C. 20461.

Issued in Washington, D.C., December 23, 1975.

MICHAEL F. BUTLER,
General Counsel.

APPENDIX

RESIDUAL FUEL ALLOCATIONS TO UTILITIES FOR JANUARY 1975

	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
1. NORTHEAST POWER COORDINATING COUNCIL AREA (NPCC)				
CONNECTICUT				
UNITED ILLUMINATING CO	966,000			966,000
WYATT INC (EXXON)		6.00	57,960	
TEXACO		94.00	908,040	
NORTHEAST UTILITIES	1,953,000			1,953,000
HN-HARTWELL&SONS-INC		1.00	19,530	
WYATT-INC-(EXXON)		10.00	195,300	
AMERADA-HESS		68.00	1,328,040	
TAD-JONES-CO-(GULF)		21.00	410,130	
MAINE				
BANGOR HYDRO ELEC. CO.	28,333			28,333
SPRAGUE		100.00	28,333	
CENTRAL MAINE POWER CO.	330,000			330,000
TEXACO		100.00	330,000	
MAINE PUBLIC SERVICE CO.	15,898			15,898
DEAD RIV.O.(SPRAGUE)		100.00	15,898	
MASSACHUSETTS				
BOSTON EDISON CO.	1,577,000			1,577,000
SPRAGUE		12.00	189,240	
WHITE FUEL (TEXACO)		46.00	725,420	
EXXON		42.00	662,340	
FITCHBURG GAS & EL.	8,000			8,000
NORTHEAST PETROLEUM		100.00	8,000	
E.UTIL.ASSOC.(MONTAUP&BL	251,000			251,000
TEXACO		100.00	251,000	
BRAINTREE ELEC. LT. DEPT	20,027			20,027
CK SMITH(GOLD.EAGLE)		100.00	20,027	
HOLYOKE GAS AND ELECTRIC	19,459			19,459
WYATT INC (EXXON)		100.00	19,459	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
PEABODY ELECTRIC LT DEPT	0			0
TAUNTON MUN. LT.	104,844			104,844
QUINCY OIL CO (EXXON		100.00	104,844	
NEW ENG. G & E	929,000			929,000
NEW ENGLAND PETRO		84.80	787,792	
WHITE FUEL(TEXACO)		15.20	141,208	
NEW ENG. ELEC	1,769,000			1,769,000
ASIATIC PETRO CORP		60.00	1,061,400	
PRULEASE		.10	1,769	
PETRO-MKT-CORP		39.90	705,831	
NEW HAMPSHIRE				
PUB SER OF N.H.	796,000			796,000
SPRAGUE		26.30	209,348	
CONOCO		73.70	586,652	
NEW YORK				
CENTRAL HUDSON GAS & ELE	799,230			799,230
AMERADA HESS CORP		100.00	799,230	
CONSOL EDISON OF NY	4,387,000			4,387,000
NEW ENGLAND PETRO		45.50	1,996,085	
AMERADA HESS CORP		22.30	978,301	
EXXON		20.80	912,496	
TEXACO		11.40	500,118	
LONG ISLAND LIGHT CO.	1,755,000			1,755,000
NEW ENGLAND PETRO		100.00	1,755,000	
ORANGE & ROCKLAND UTILIT	804,476			804,476
HOWARD-FUEL-CORP		11.20	90,101	
NEW ENGLAND PETRO		51.50	414,305	
AMERADA-HESS-CORP		29.90	240,538	
ASIATIC-PETRO-CORP		7.40	59,531	
ROCHESTER GAS & ELECTRIC	39,254			39,254
ALLIED O		29.70	11,658	
MONOCO OIL COMPANY		70.30	27,595	
FREEPORT, VILLAGE OF	0			0

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
NIAGARA MOHAWK POWER CO.	652,355			652,355
NEW ENGLAND PETRO		100.00	652,355	
RHODE ISLAND				
NEWPORT ELECTRIC CORP	3,600			3,600
CK SMITH		100.00	3,600	
2. MID-ATLANTIC AREA COORDINATION AGREEMENT (MAAC)				
DELAWARE				
DELMARVA PWR & LT	596,500			596,500
GULF		8.00	47,720	
STEUART PETROLEUM CO		22.00	131,230	
CONOCO		65.00	387,725	
TEXACO		5.00	29,825	
DOVER, CITY OF	75,300			75,300
TEXACO		100.00	75,300	
DISTRICT OF COLUMBIA				
POTOMAC ELEC. PWR.	553,000			553,000
STEUART PETROLEUM CO		21.00	116,130	
ASIATIC PETRO CORP		79.00	436,870	
MARYLAND				
BALTIMORE GAS & ELECTRIC	796,123			796,123
AMERADA HESS CORP		52.70	419,556	
EXXON		47.30	376,566	
NEW JERSEY				
PUBLIC SERVICE ELECTRIC	1,367,100			1,367,100
AMERADA HESS CORP		78.00	1,066,338	
EXXON		22.00	300,762	
VINELAND, CITY OF ELEC.	42,206			42,206
BRITISH PETROLEUM		100.00	42,206	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
ATLANTIC CITY ELECTRIC C	621,524			621,524
AMERADA HESS CORP		60.00	372,914	
CONOCO		40.00	248,609	
GPU INTEGRATED SYSTEM	316,571			316,571
SHIPLEY-HUMBLE		1.00	3,165	
AMERADA HESS CORP		94.00	297,576	
SWANN OIL INC		5.00	15,828	
PENNSYLVANIA				
PENNSYLVANIA PWR & LT	451,000			451,000
AMERADA-HESS-CORP		100.00	451,000	
PHILADELPHIA ELECTRIC CO	1,198,400			1,198,400
NEW ENGLAND PETRO		2.10	25,166	
AMERADA HESS CORP		21.50	257,656	
ARCO		28.50	341,544	
GULF		9.00	107,856	
CONOCO		14.90	178,561	
TEXACO		24.00	287,616	
3. SOUTHEASTERN ELECTRIC RELIABILITY COUNCIL (SERC)				
FLORIDA				
FLORIDA P & L	1,634,000			1,634,000
EXXON		15.00	245,100	
BELCHER OIL(EXXON)		85.00	1,388,900	
FLORIDA POWER CORPORATIO	1,690,000			1,690,000
AMERADA HESS CORP		40.00	676,000	
EXXON		60.00	1,014,000	
GULF POWER CO.	35,163			35,163
BAKER SERVICE(EXXON)		100.00	35,163	
TAMPA ELECTRIC CO.	269,370			269,370
WESTERN (NEW ENG PET		100.00	269,370	
FORT PIERCE, CITY OF	49,500			49,500
BELCHER-OIL-(EXXON)		100.00	49,500	
GAINESVILLE, CITY OF	85,163			85,163
EASTERN SEABOARD		100.00	85,163	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
JACKSONVILLE ELEC. AUTH.	658,334			658,334
VEN FUEL INC		82.60	543,783	
NEW ENGLAND PETRO		8.70	57,275	
AMERADA HESS CORP		8.70	57,275	
KEY WEST UTILITIES	54,000			54,000
STD.OIL-KY		100.00	54,000	
LAKE WORTH UTIL AUTHORIT	5,547			5,547
BELCHER OIL(EXXON)		100.00	5,547	
LAKELAND LIGHT & WTR DEP	134,100			134,100
BELCHER(STD.OIL-KY)		100.00	134,100	
NEW SMYRNA BEACH	1,000			1,000
BELCHER OIL(EXXON)		100.00	1,000	
ORLANDO UTILITIES COMM.	357,000			357,000
BELCHER		100.00	357,000	
SEBRING UTILITIES COMM.	7,575			7,575
UNION OIL OF CA		100.00	7,575	
TALLAHASSEE, CITY OF	133,836			133,836
UNION OIL OF CA		100.00	133,836	
VERO BEACH MUNICIPAL POW	33,693			33,693
BELCHER OIL(EXXON)		100.00	33,693	
FLORIDA KEYS ELEC COOP	6,480			6,480
BELCHER OIL(EXXON)		100.00	6,480	
GEORGIA				
GEORGIA POWER COMPANY	110,675			110,675
NEW ENGLAND PETRO		100.00	110,675	
SAVANNAH ELECTRIC & POWE	255,000			255,000
COLONIAL OIL(EXXON)		100.00	255,000	
MISSISSIPPI				
MISSISSIPPI POWER CO.	41,650			41,650
BAKER SERVICE(EXXON)		55.00	22,907	
ERGON(INTL TRADING)		45.00	18,742	

	9 RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
SOUTH MISSISSIPPI ELEC	42,090			42,090
SOUTHLND OIL		83.00	34,934	
AMERADA HESS CORP		17.00	7,155	
NORTH CAROLINA				
CAROLINA POWER & LT.	0			0
SOUTH CAROLINA				
S.CAROLINA PUB SERV AUTH	0			0
S.CAROLINA ELEC & GAS CO	405,200			405,200
EXXON		100.00	405,200	
VIRGINIA				
VIRGINIA ELECTRIC POWER	1,403,100			1,403,100
ASIATIC PETRO CORP		16.60	232,914	
NEW-ENGLAND-PETRO		15.60	218,883	
EXXON		67.80	951,301	
4. SOUTHWEST POWER POOL COORDINATION COUNCIL (SPP)				
ARKANSAS				
JONESBORO WATER AND LIGH	0			0
ARKANSAS ELEC COOP	166,434			166,434
LOGICON INC (SHELL)		80.00	133,147	
E L BRIDE(TEXACO)		20.00	33,286	
COLORADO				
CT&U, S.COLO PWR DIV.	1,240			1,240
CONOCO		100.00	1,240	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
KANSAS				
CENTRAL KANSAS PWR	8,795			8,795
GR.PLS(CRA-FARMLAND)		100.00	8,795	
CT&U, WESTERN PWR DIV	101,470			101,470
CARTER-WTR		4.00	4,058	
AMOCO		73.00	74,073	
NO-AMER-PETRO		23.00	23,338	
KANSAS GAS & ELEC	343,500			343,500
ASPH&PETRO INDUST		84.70	290,944	
FRONTIER PRODUCTION		15.30	52,555	
KANSAS POWER & LIGHT	343,000			343,000
GR.PLS		38.40	131,712	
NTL COOP REFINERY		15.50	53,165	
PHILLIPS PETROLEUM		46.10	158,123	
CHANUTE,CITY OF	1,641			1,641
MID AMER.REFINING		100.00	1,641	
CLAY CENTER LT&WTR	0			0
COFFEYVILLE LT & PWR	4,020			4,020
CRA-FARMLAND		100.00	4,020	
LARNED WTR & ELEC	0			0
MCPHERSON BD OF PUB UTIL	10,640			10,640
NTL COOP REFINERY		100.00	10,640	
OTTAWA WTR & LT	0			0
LOUISIANA				
CENTRAL LOUISIANA ELECTR	31,000			31,000
FALCO		66.70	20,677	
ATLAS(PENNZOIL)		33.30	10,323	
JONESBORO POWER & LIGHT	0			0
SOUTHWESTERN ELECTRIC PO	106,345			106,345
FALCO		100.00	106,345	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
MIDDLE SOUTH SERVICES	1,890,000			1,890,000
E L BRIDE(OKC REF.)		1.70	32,130	
TAUBER OIL CO		20.50	387,450	
ERGON INC (EXXON)		3.80	71,820	
REESE OIL(SUN OIL)		.30	5,670	
SHELL		21.30	402,570	
EXXON		12.90	243,810	
MURPHY OIL CORP		30.00	567,000	
TEXACO		9.50	179,550	
MISSISSIPPI				
CLARKSDALE WTR & LT	9,859			9,859
SOUTHLND OIL		100.00	9,859	
YAZOO CITY PUB SERV	4,285			4,285
SOUTHLND OIL(HOWELL)		100.00	4,285	
MISSOURI				
ST JOSEPH LT & PWR	64,900			64,900
E L BRIDE		100.00	64,900	
EMPIRE DIST ELEC	12,743			12,743
E L BRIDE		100.00	12,743	
OKLAHOMA				
OKLAHOMA GAS & ELEC	0			0
BLACKWELL WTR & LT	0			0
WESTERN FARMERS ELEC COO	0			0
TEXAS				
GULF STATES UTILITIES	0			0

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
5. ELECTRIC RELIABILITY COUNCIL OF TEXAS (ERCOT)				
DALLAS POWER &LT.	43,000			43,000
WINSTON REF CO		18.20	7,826	
BEE OIL&REFINING		15.60	6,708	
KERR MCGEE OIL CO		18.90	8,127	
J&W REFINING		47.20	20,296	
HOUSTON LIGHT & PWR	0			0
TEXAS ELEC SERV	0			0
TEXAS PWR & LT	117,419			117,419
LA GLORIA OIL&GAS CO		31.10	36,517	
KERR MCGEE		19.90	23,366	
J&W REFINING		49.00	57,535	
WEST TEXAS UTIL	167,000			167,000
PRIDE REFINING INC		100.00	167,000	
AUSTIN CITY ELEC DEPT	35,714			35,714
TESORO		100.00	35,714	
BRYAN, CITY OF	20,280			20,280
PETROLEUM T&T(3 RIVE		100.00	20,280	
GARLAND,CITY OF	10,697			10,697
DELTA REFINING CO		25.30	2,706	
PRIDE REFINERY INC		74.70	7,990	
LOWER COLORADO RIVER AUT	0			0
SAN ANTONIO PUB SERV	30,000			30,000
TESORO		100.00	30,000	
BRAZOS ELEC COOP	0			0
MEDINA ELEC COOP	2,100			2,100
TESORO		100.00	2,100	
6. MID-AMERICA INTERPOOL NETWORK (MAIN)				

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
ILLINOIS				
COMMONWEALTH EDISON CO.	375,000			375,000
ALLIED O.		98.00	367,500	
CLARK OIL&REF.CORP		2.00	7,500	
ILLINOIS POWER CO	32,000			32,000
ALLIED O.		100.00	32,000	
MISSOURI				
UNION ELECTRIC	90,800			90,800
APEX OIL CO		100.00	90,800	
WISCONSIN				
SUPERIOR WTR & LT	10,715			10,715
MURPHY OIL CORP		100.00	10,715	
WISCONSIN ELEC PWR	0			0
7. MID-CONTINENT AREA RELIABILITY COORDINATION AGREEMENT (MARCA)				
IOWA				
ATLANTIC MUNICIPAL UTILI	8,194			8,194
MCMILLAN OIL CO		100.00	8,194	
LAMONI MUNIC	0			0
INTERSTATE POWER	18,388			18,388
NORTHWESTERN REF		100.00	18,388	
MINNESOTA				
MINNESOTA PWR & LT	31,200			31,200
MURPHY OIL		100.00	31,200	
AUSTIN UTILITIES	8,099			8,099
GUSTAFSON OIL CO		33.00	2,672	
NORTHWESTERN REF		48.30	3,911	
W H BARBER		18.70	1,514	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
FAIRMONT WTR & LT	2,088			2,088
NORTHWESTERN REF		100.00	2,088	
MARSHALL MUNICIPAL UTIL	0			0
OWATONNA MUN UTIL	22,751			22,751
GUSTAFSON OIL CO		40.00	9,100	
NORTHWESTERN REF		60.00	13,650	
WORTHINGTON, CITY OF	4,166			4,166
ALLIED O.		100.00	4,166	
NORTHERN STATES PWR	6,260			6,260
E L BRIDE(TEXACO,WC)		100.00	6,260	
NEBRASKA				
CENTRAL NEBRASKA PUBLIC	61,440			61,440
FARMLAND INDUSTRIES		100.00	61,440	
FAIRBURY LT & WTR	4,285			4,285
CARTER WTR(TEXACO)		100.00	4,285	
GRAND ISLAND ELEC	38,967			38,967
E L BRIDE		100.00	38,967	
HASTINGS UTILITIES DEPT	11,763			11,763
CARTER WTR		100.00	11,763	
LINCOLN ELECTRIC SYSTEM	5,414			5,414
E.L. BRIDE CO		100.00	5,414	
NEBRASKA PUBLIC POWER DI	32,360			32,360
PANHANDLE COOP ASSOC		100.00	32,360	
OMAHA PUB PWR DIST	0			0
WISCONSIN				
LAKE SUPERIOR DIST PWR	0			0

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
8. EAST CENTRAL AREA RELIABILITY COORDINATION AGREEMENT (ECAR)				
MICHIGAN				
CLINTON LT & WTR	0			0
GRAND HAVEN BD PUB	3,072			3,072
OSCEOLA REF		100.00	3,072	
HILLSDALE BD OF PUB WORK	2,800			2,800
LEWIS(GLADIEUX REF)		100.00	2,800	
CONSUMERS POWER	1,561,106			1,561,106
MURPHY MI.DIV.AMOCO		6.00	93,666	
ENTERPRISE OIL CO		6.00	93,666	
INDUST FUEL&ASPHALT		2.00	31,222	
RUPP OIL COMPANY		2.00	31,222	
CONSUMERS PWR-CRUDE		54.00	842,997	
BORON OIL(STANDARD)		3.00	46,833	
GLADIEUX REF		1.00	15,611	
LAKESIDE REFINING CO		14.00	218,554	
TOTAL LEONARD INC		4.00	62,444	
OSCEOLA REFINING CO		8.00	124,888	
DETROIT EDISON CO.	542,505			542,505
ENTERPRISE OIL CO		4.80	26,040	
CANADIAN FUEL MKTRS		9.90	53,707	
PETRO PRODUCTS		5.40	29,295	
SUN OIL LTD		70.00	379,753	
MARATHON OIL		9.90	53,707	
OHIO				
CLEVELAND ELEC ILLUMIN	25,833			25,833
ALLIED O.(ASHLAND)		100.00	25,833	
TOLEDO EDISON	0			0
PENNSYLVANIA				
ALLEGHENY POWER SERVICE	21,800			21,800
ALLIED O.(NEPCO)		100.00	21,800	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
9. WESTERN SYSTEMS COORDINATING COUNCIL (WSCC)				
ARIZONA				
TUCSON GAS & ELEC	224,493			224,493
GOLDEN GATE PETRO		22.00	49,388	
HOLLAND OIL(TOSCO)		5.00	11,224	
SO-UNION-OIL		51.00	114,491	
NAVAJO-REFINING		22.00	49,388	
SALT RIVER PROJECT	173,000			173,000
GUSTAFSON OIL CO		.90	1,557	
DOUGLAS OIL CO		2.80	4,844	
LITTLE AMERICA		19.70	34,081	
TESORO		12.40	21,452	
MACMILLAN		17.00	29,410	
POWERINE OIL CO		18.10	31,313	
SAN JOAQUIN REF		29.10	50,343	
ARIZONA PUBLIC SERVICE C	160,949			160,949
PACIFIC SOUTHWEST		16.50	26,556	
BASIN FUELS		4.00	6,437	
UNION OIL OF CAL		63.00	101,397	
SAN JOAQUIN REF		16.50	26,556	
CALIFORNIA				
PACIFIC GAS & ELECTRIC C	4,246,000			4,246,000
ARCO		71.30	3,027,398	
PHILLIPS PETROLEUM		24.00	1,019,040	
UNION OIL OF CA		4.70	199,562	
SAN DIEGO GAS & ELECTRIC	1,050,000			1,050,000
HIRI		60.00	630,000	
TESORO		40.00	420,000	
BURBANK CITY PUBLIC SER.	104,000			104,000
ARCO		100.00	104,000	
GLENDALE PUBLIC SERVICES	107,000			107,000
POWERINE OIL CO		100.00	107,000	
IMPERIAL IRRIGATION DIST	111,800			111,800
CRESCENT REF&O(GULF)		100.00	111,800	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
LOS ANGELES DEPT OF WATE	1,578,000			1,578,000
PETROBAY		7.60	119,928	
ARCO		59.80	943,644	
EDGINGTON OIL CO		20.90	329,802	
NEWHALL REFINING CO		5.00	78,900	
POWERINE OIL CO		3.20	50,496	
SAN JOAQUIN REF		3.50	55,230	
SOUTHERN CALIF EDISON	2,406,000			2,406,000
EXXON		20.40	490,824	
ARCO		7.80	187,668	
CONOCO		2.20	52,932	
TEXACO		9.70	233,382	
STD.OIL-CAL		50.10	1,205,406	
MACMILLAN R.F.OIL		3.00	72,180	
PACIFIC RESOURCES		6.80	163,608	
PASADENA POWER CO.	73,562			73,562
GOLD.EAGLE		100.00	73,562	
COLORADO				
PUB SERV COLORADO	152,289			152,289
CONOCO		36.40	55,433	
REF.CORP		43.50	66,245	
PLATEAU INC		20.10	30,610	
COLORADO SPRINGS LT & PW	0			0
LAMAR LT & PWR	0			0
MONTANA				
MONTANA POWER	0			0
NEVADA				
NEVADA POWER COMPANY	112,000			112,000
GUSTAFSON OIL CO		54.00	60,480	
HUSKY OIL COMPANY		46.00	51,520	
SIERRA PACIFIC POWER	209,612			209,612
GOLDEN GATE PETRO		100.00	209,612	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
NEW MEXICO				
PUB SERV NEW MEXICO	106,657			106,657
SHELL		26.40	28,157	
STD.OIL-TEXAS		4.30	4,586	
PLATEAU INC		39.80	42,449	
THRIFTWAY		5.40	5,759	
NAVAJO REFINING		24.10	25,704	
PLAINS ELEC GEN & TRANSM	71,969			71,969
CARIBOU 4 CORNERS		2.20	1,583	
PLATEAU INC		97.80	70,385	
OREGON				
PACIFIC POWER & LIGHT CO	204			204
STD.OIL(IND)		100.00	204	
TEXAS				
COMMUNITY PUB SERV	23,893			23,893
STD.OIL-TEXAS		100.00	23,893	
EL PASO ELECTRIC	102,600			102,600
SOUTHERN UNION		74.50	76,437	
TESORO		25.50	26,163	
UTAH				
UTAH POWER &LIGHT CO.	17,288			17,288
BLACKLINE ASPH.SALES		100.00	17,288	
WASHINGTON				
PUGET SOUND POWER &LIGHT	137,622			137,622
CASCADE		8.00	11,009	
HOME OIL CO		2.00	2,752	
LILYBLAD		8.50	11,697	
PACIFIC NORTHERN		16.00	22,019	
OLDS OLYMPIC		4.00	5,504	
ROSSO INC		1.00	1,376	
SOUTH CENTER OIL		16.50	22,707	
SHELL		44.00	60,553	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
SEATTLE DEPT OF LI	8,928			8,928
SHELL		100.00	8,928	
TACOMA DEPT OF PUBLIC UT	0			0
10. ALASKA SYSTEMS COORDINATING COUNCIL (ASCC)				
ALASKA				
CORDOVA, TOWN OF	0			0
HAWAII				
HAWAIIAN ELECTRIC COMPAN	678,167			678,167
STD.OIL-CA		100.00	678,167	
HILO ELEC LT	39,284			39,284
STD.OIL-CA		100.00	39,284	
KAUAI ELECTRIC	14,045			14,045
STD.OIL--CA		100.00	14,045	
MAUI ELECTRIC	35,398			35,398
STD.OIL-CA		100.00	35,398	
11. NOT OTHERWISE CLASSIFIED (NOC)				
UNKNOWN				
GUAM PWR AUTH	12,743			12,743
U.S.NAVY		100.00	12,743	
UNKNOWN				
PUERTO RICO WATER RESOUR	1,599,428			1,599,428
COMMONWEALTH OIL		50.00	799,714	
PUERTO RICO SUN OIL		30.00	479,828	
CARIBBEAN GULF REF		20.00	319,885	
ST CROIX, V.I. WTR PWR	44,374			44,374
AMERADA HESS CORP		100.00	44,374	
ST THOMAS, V.I. WTR PWR	38,633			38,633
AMERADA HESS CORP		100.00	38,633	

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