Vol.41—No.40
2-27-76
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federal register

FRIDAY, FEBRUARY 27, 1976

highlights

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reminders

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

Rules Going Into Effect Today

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

List of Public Laws

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

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

Ten agencies have agreed to a six-month trial period based on the assignment of two days a week beginning February 9 and ending August 6 (See 41 FR 5453). The participating agencies and the days assigned are as follows:

Monday	Tuesday	Wednesday	Thursday	Friday
NRC	USDA/ASCS		NRC	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
DOT/NHTSA	USDA/FNS		DOT/NHTSA	USDA/FNS
DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
	CSC			CSC
	LABOR			LABOR

Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this trial program are invited and will be received through May 7, 1976. Comments should be submitted to the Director of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

ATTENTION: Questions, corrections, or requests for information regarding the contents of this issue only may be made by dialing 202–523–5286. For information on obtaining extra copies, please call 202–523–5240. To obtain advance information from recorded highlights of selected documents to appear in the next issue, dial 202–523–5022.

federal register
Area Code 202 Phone 523–5240

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rules and regulations

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 is amended to show that one position of Private Secretary to the Principal Deputy Director, Telecommunications, Command, and Control Systems is excepted under Schedule C.

Effective on February 27, 1976, § 213.3306(a)(76) is added as set out below:

§ 213.3306 Department of Defense.

(a) *Office of the Secretary.* * * *

(76) One Private Secretary to the Principal Deputy Director, Telecommunications, Command and Control Systems.

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

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

[FR Doc.76-5384 Filed 2-26-76;8:45 am]

PART 213—EXCEPTED SERVICE

Department of the Treasury

Section 213.3305 is amended to show that one position of Public Information Specialist is excepted under Schedule C.

Effective February 27, 1976, § 213.3305 (a) (65) is added as set out below:

§ 213.3305 Department of the Treasury.

(a) *Office of the Secretary.* * * *

(65) One Public Information Specialist to the Special Assistant to the Secretary (Public Affairs).

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

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

[FR Doc.76-5385 Filed 2-26-76;8:45 am]

Title 9—Animals and Animal Products

CHAPTER 1—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER E—VIRUSES, SERUMS, TOXINS, AND ANALOGOUS PRODUCTS: ORGANISMS AND VECTORS

PART 113—STANDARD REQUIREMENTS

Miscellaneous Amendments

● Purpose: To provide a Standard Requirement for Tuberculin PPD Bovis, Intradermic. ●

The Veterinary Services Laboratories and members of Cattle Diseases Staff assigned to the Tuberculosis Eradication Program have developed a production protocol and final test specification for Tuberculin PPD Bovis, Intradermic.

These amendments make more readily available to the general public the requirements to be complied with when preparing this biological product. Tuberculin PPD Bovis, Intradermic shall be used in the testing of cattle under the Tuberculosis Eradication Program. Each serial used shall meet the requirements prescribed in these amendments.

No laboratory is currently licensed to prepare this diagnostic. The issuance of a biological product license shall be contingent upon an applicant's ability to consistently prepare the tuberculin which will meet the requirements contained in this document.

Part 113 is amended by adding a new § 113.203 to read:

§ 113.203 Tuberculin—PPD Bovis, Intradermic.

Tuberculin—PPD Bovis, Intradermic is a purified protein derivative produced from cultures of *Mycobacterium bovis* Strain AN–5 (supplied by Veterinary Services), which has been inactivated and is nontoxic. Each serial shall be tested for purity, safety, potency, and special chemical characteristics in accordance with the conditions prescribed for each test. A serial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test.* Each serial shall be tested for purity as provided in this paragraph.

(1) Final container samples of completed product shall be tested for viable bacteria and fungi as prescribed in § 113.26.

(2) The contents of five final containers or a 50 ml bulk sample shall be centrifuged and the sediment examined microscopically for the presence of acid-fast or other micro-organisms. A serial which contains micro-organisms is unsatisfactory for release.

(b) *Safety test.* Final container samples of completed product from each serial shall be tested for safety as prescribed in § 113.38.

(c) *Potency test.* Bulk or final container samples of completed product from each serial shall be subjected to a comparison specificity test using a Reference PPD Tuberculin supplied by Veterinary Services.

(1) *Test animals.* White female guinea pigs from one source, which weigh 500–700 grams at the beginning of the test, and which have not been used in a previous test, shall be used in the specificity test. Fifteen guinea pigs (six sensitized with *M. bovis*, six sensitized with *M. avium* and three unsensitized) shall be required for each serial being tested, and 12 guinea pigs (six sensitized with *M. bovis*, and six sensitized with *M. avium*) shall be required for the Reference PPD Tuberculin. Allowance should be made for deaths during the sensitization period.

(2) *Sensitization of guinea pigs.*

(i) Sensitize one group of guinea pigs to *M. bovis*. Inject each animal intramuscularly with 0.5 ml of a sterile heat-killed suspension of *M. bovis* Strain AN–5 supplied by Veterinary Services.

(ii) Sensitize one group of guinea pigs to *M. avium*. Inject each animal intramuscularly with 0.5 ml of a sterile heat-killed suspension of *M. avium* Strain D–4 supplied by Veterinary Services.

(iii) Maintain an unsensitized group as control animals.

(3) Thirty-five days post-injection, the guinea pigs shall be considered sensitized.

(4) The sensitized animals and controls shall be prepared at least 4 hours prior to injection of PPD tuberculin by clipping the hair from the entire abdominal and flank areas, applying a depilatory agent for 5 to 10 minutes, then rinsing with warm water and drying.

(i) Select four sites on each guinea pig for injection of PPD tuberculin. Two sites shall be on each side equidistant from the midline and spaced a sufficient distance from each other to avoid overlapping of skin reactions.

(ii) Prepare four dilutions of the Reference PPD Tuberculin and each serial of PPD tuberculin being tested so as to contain 0.6, 1.2, 2.4, and 4.8 micrograms of protein per 0.1 ml dose. Each of the four dilutions of the same tuberculin shall be randomly assigned a site on a guinea pig.

(iii) Inject one dose of each dilution at the assigned site using a tuberculin syringe with a 26 gauge, ⅜ inch needle.

(5) *Measurement of skin reactions.* Measure the area of erythema produced at each site on each guinea pig 24 hours following injection of PPD tuberculin. Measurements in millimeters shall be made across the greatest diameter and perpendicular to the first measurement. Calculate the area of erythema in square millimeters at each site by multiplying the two measurements.

(6) *Calculation of average response per guinea pig.* Obtain the total area of erythema for each guinea pig by adding the areas of the four test sites. Add these composite areas of erythema from all guinea pigs with the same sensitization and the same PPD tuberculin injection, then divide by the number of animals in the group. The number obtained is the average response per guinea pig to the PPD tuberculin for the given type of sensitization.

(7) *Determination of specificity index.* The specificity index of a PPD tuberculin is determined by subtracting the average response obtained on *M. avium* sensitized guinea pigs from the average response obtained on *M. bovis* sensitized guinea pigs.

(8) *Validity of bioassay.* The bioassay test results obtained on serials tested concurrently in a single test series are valid if the specificity index of the reference PPD tuberculin is at least 400 square millimeters. If the results are not valid, the bioassay test series must be repeated with a different set of sensitized guinea pigs.

(9) *Reactions in unsensitized guinea pigs.* If a positive reaction (erythema) is observed in one or more of the 3 unsensitized guinea pigs, the serial is unsatisfactory.

(10) *Interpretation of specificity index.* When a bioassay is valid and reactions are not observed in unsensitized guinea pigs, the following interpretation of the specificity index will be used for classifying each serial of PPD tuberculin:

Specificity Index	*Classification*
440 mm^2 or greater	Satisfactory.
Between 360 mm^2 and 440 mm^2.	Questionable.
Less than 360 mm^2	Unsatisfactory.

(11) *Second stage test.* If a serial is classified as questionable, it can be declared unsatisfactory or undergo a second stage test. The second stage shall be conducted in a manner identical to the first stage, except that unsensitized guinea pig controls are not necessary. The results are evaluated by combining the results obtained on all guinea pigs tested in stages one and two. Calculate the average response on the 12 *M. bovis* sensitized animals and on the 12 *M. avium* sensitized animals and determine the specificity index. A questionable serial is satisfactory after the second stage test, if its specificity index is 400 square millimeters or more, and unsatisfactory if its specificity index is less than 400 square millimeters.

(d) *Special chemical tests and requirements.* Final container samples of completed product from each serial shall be tested as follows:

(1) *Protein concentration.* The final product shall contain a protein concentration of 1.0 ± 0.1 mg/ml. The Microkjeldahl Test for Nitrogen shall be used.

(2) *Phenol content.* Phenol content of the final product shall be 0.50 percent plus or minus 0.04 percent. A direct titration with a standardized bromide-bromate solution shall be conducted.
(37 Stat. 832–833; 21 U.S.C. 151–158)

These amendments provide Standard Requirements to be met by future producers of Tuberculin PPD Bovis, Intradermic to be used in the National Tuberculosis Eradication Program. In order to be of maximum benefit, they must be made effective immediately.

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

The foregoing amendments shall become effective upon issuance.

Done at Washington, DC, this 24th day of February 1976.

R. P. JONES,
Acting Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc.76-5668 Filed 2-26-76;8:45 am]

Title 15—Commerce and Foreign Trade

Subtitle B—Regulations Relating to Commerce and Foreign Trade

CHAPTER II—NATIONAL BUREAU OF STANDARDS, DEPARTMENT OF COMMERCE

SUBCHAPTER B—STANDARD REFERENCE MATERIALS

PART 230—STANDARD REFERENCE MATERIALS

Revision of Regulations

To reflect changes in policy since the previous revision of Part 230 in 1967 (32 FR 21017, December 29, 1967, the regulations on the Standard Reference Materials program of the National Bureau of Standards, 15 CFR Part 230, are revised to read as set forth below. The revised Part 230 codifies changes in policy which have heretofore been announced in NBS Miscellaneous and Special Publications 260 and thereby incorporated by reference into Part 230 (15 CFR 230.7(a)).

NOTE.—Incorporation by reference provisions in § 230.7 approved by Director of the Federal Register on December 28, 1967.

Effective date. These regulations shall become effective February 27, 1976.

Dated: February 24, 1976.

ERNEST AMBLER,
Acting Director.

Part 230 is revised as follows:

Subpart A—General Information

AUTHORITY. The provisions of this Part 230 issued under sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277. Interprets and applies sec. 7, 70 Stat. 959; 15 U.S.C. 275a.

Subpart A—General Information

§ 230.1 Introduction.

This part states the procedure for ordering Standard Reference Materials (SRM's) issued by the National Bureau of Standards. SRM's are used to calibrate measurement systems, evaluate measurement methods, or produce scientific data that can be referred to a common base. NBS Special Publication 260, "Catalog of NBS Standard Reference Materials," lists and describes the SRM's issued by NBS. SP 260 is periodically revised to include new SRM's and eliminate those that have been discontinued. Between editions of SP 260, supplements are issued that list new or renewal SRM's not listed in SP 260. In addition, these supplements list the fees charged for available SRM's.

§ 230.2 Identification of Standard Reference Materials.

The SRM's are listed by category in SP 260 and by sequential number in the supplements. The number uniquely identifies a particular SRM. Renewals are indicated by the addition of a letter to the original number. Thus, 11a is the first, 11b the second, and 11c the third renewal of SRM 11, Basic Open-Hearth Steel, 0.2 percent carbon. In this way, a particular number or number and letter always represent a material of fixed or approximately fixed composition.

§ 230.3 New Standard Reference Materials.

When new SRM's or renewals of old ones are issued, announcements are made in SP 260, its supplement, and in scientific and trade journals.

Subpart B—Purchase Procedure

§ 230.4 Ordering.

Orders should be addressed to the Office of Standard Reference Materials, National Bureau of Standards, Washington, D.C. 20234. Orders should give the amount (number of units), catalog number and name of the standard requested.

For example: 1 each, SRM 11h, Basic Open-Hearth Steel, 0.2 percent C. These materials are distributed only in the units listed.

§ 230.5 Terms and Shipping.

Prices are given in the SP 260 supplement. These prices are subject to revision and orders will be billed for prices in effect at the time of shipment. No discounts are given on purchases of SRM's.

Payment need not accompany a purchase order. Payment is due within 30 days of receipt of an invoice.

SRM's are shipped in the most expeditious manner that complies with transportation and postal laws and regulations.

§ 230.6 Standard Reference Materials out of stock.

Orders for out-of-stock SRM's will be returned with information as to future availability.

Subpart C—Description of Services and List of Fees

§ 230.7 Description of services and list of fees, incorporation by reference.

(a) The text of NBS Special Publication 260, "Catalog of NBS Standard

Reference Materials," and its supplement are hereby incorporated by reference pursuant to 5 U.S.C. 552(a)(1) and 1 CFR Part 51.

(b) SP 260 describes the SRM's that are available and states the procedure for ordering the materials. SP 260 is available at the following places:

Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.
Office of Standard Reference Materials, National Bureau of Standards, Washington, D.C. 20234.

(c) Supplements are issued when needed to reflect additions, deletions, and corrections to SP 260, and to list fees charged for the SRM's. Supplements are available from the Office of Standard Reference Materials, National Bureau of Standards, Washington, D.C. 20234.

[FR Doc.76-5621 Filed 2-26-76;8:45 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE

[T.D. 76-59]

PART 1—GENERAL PROVISIONS

Ports of Entry—Customs Regulations Amended

Section 1.2(c), Customs Regulations, amended to reflect the transfer of the County of Richmond (Staten Island, New York) from the Newark Area to the New York Seaport Area.

On October 10, 1975, a notice of a proposal to realign the New York City, New York Customs district (Region II) by transferring the County of Richmond (Staten Island, New York) from the Newark Area to the New York Seaport Area was published in the FEDERAL REGISTER (40 FR 47795). No comments were received from the public in response to the proposal.

Accordingly, by virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623, as amended (19 U.S.C. 2), and delegated to the Secretary of the Treasury by Executive Order No. 10289, September 17, 1951 (3 CFR Ch. II), and pursuant to authority provided by Treasury Department Order No. 190, Rev. 10 (40 FR 2216), the County of Richmond (Staten Island, New York) is hereby transferred from the Newark Area to the New York Seaport Area.

Hereafter, the Newark Area shall consist of the counties of Sussex, Passaic, Hudson, Bergen, Essex, Union, Middlesex, and Monmouth, all in the State of New Jersey.

The New York Seaport Area shall include all of that part of the State of New York which is not expressly included in the Kennedy Airport Area or in the Customs districts of Buffalo, New York, or Ogdensburg, New York.

§ 1.2 [Amended]

To reflect this change, the table in section 1.2(c) of the Customs Regulations (19 CFR 1.2(c)) is amended by inserting "and T.D. 76-59" after "T.D. 71-19" in the column headed "Area" in the New York City, New York, district (Region II).

(Sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended (19 U.S.C. 1, 2))

It is desirable to make the benefits of the above-described realignment available to the public and to the Customs Service at the earliest possible date. Therefore, good cause is found for dispensing with the delayed effective date provision of 5 U.S.C. 553(d).

Effective date. This amendment shall be effective February 27, 1976.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

FEBRUARY 20, 1976.

[FR Doc.76-5602 Filed 2-26-76;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

[Docket No. 75N-0307]

PART 500—GENERAL

Labeling of Animal Drugs; Misbranding

The Commissioner of Food and Drugs is issuing a regulation to provide that an animal drug is misbranded when its labeling contains any broad statement that suggests or implies that the drug is not safe and effective for use when used according to labeling directions, or that suggests or implies that the labeling does not contain adequate warnings or directions for use. Compliance is required for all products initially introduced into interstate commerce after August 25, 1976.

In the FEDERAL REGISTER of July 3, 1974 (39 FR 24516), the Commissioner of Food and Drugs proposed to add a new section to Part 500 (formerly Part 135 prior to recodification in the FEDERAL REGISTER of March 27, 1975 (40 FR 13802)), which would render an animal drug misbranded if its labeling contains broad disclaimer statements going beyond the disclaimer of liability when the drug is not used in accordance with the directions for use indicated on the label.

Comments were received from a state Department of Agriculture, from a manufacturer and distributor of animal drugs, from a trade association representing certain manufacturers of animal health products, and from a livestock feeders association. Except for the comment from the trade association, all of the comments received supported the regulation as proposed.

The trade association questioned whether the proposed regulation would be consistent with the requirements of the Environmental Protection Agency (EPA) pesticide regulations and expressed concern that the regulation would require alteration of pesticide labels currently registered with EPA.

Included with the comment was a notice by the United States Department of Agriculture (USDA), Agricultural Research Service, Pesticides Regulation Division, dated November 16, 1966, on "Status of Disclaimer Statements on Pesticide Labeling." Prior to Reorganization Plan No. 3 of 1970 (35 FR 15623), the responsibility for registration of pesticide labels was vested in the USDA. The USDA notice includes a discussion of disclaimer statements which would not be deemed as false and misleading under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 note). The policy expressed in that notice is consistent with current EPA policy and in accord with the proposed Food and Drug Administration regulation. The Commissioner concludes that the new section should be adopted as proposed, with minor editorial amendment.

The regulation provides a period of 180 days within which to revise labeling that is not in compliance with its provisons.

The Commissioner has consdered the environmental effects of this regulation and because this action will not significantly affect the quality of the human environment, has concluded that an environmental impact statement is not required. A copy of the FDA environmental impact assessment is on file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 304, 502, 512, 701(a), 52 Stat. 1044-1045 as amended, 1050-1051 as amended, 1055, 82 Stat. 343-351 (21 U.S.C. 334, 352, 360b, 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 500 is amended in Subpart C by adding a new section as follows:

§ 500.51 Labeling of animal drugs; misbranding.

(a) Among the representations on the label or labeling of an animal drug which will render the drug misbranded are any broad statements suggesting or implying that the drug is not safe and effective for use when used in accordance with labeling direction, or suggesting or implying that the labeling does not contain adequate warnings or adequate directions for use. Such statements include, but are not limited to:

(1) Any statement that disclaims liability when the drug is used in accordance with directions for use contained on the label or labeling.

(2) Any statement that disclaims liability when the drug is used under "abnormal" or "unforeseeable" conditions.

(3) Any statement limiting the warranty for the products to a warranty that the drug in the package contains the ingredients listed on the label.

(b) This regulation is not intended to prohibit any liability disclaimer that purports to limit the amount of damages or that sets forth the legal theory under which damages are to be recovered.

(c) Any person wishing to obtain an evaluation of an animal drug liability disclaimer under this regulation may submit it to Division of Compliance, (HFV-220), Bureau of Veterinary Medicine, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

A supplemental NADA providing appropriately revised labeling shall be submitted for any approved new animal drug the labeling of which is not in compliance with this regulation.

Effective date. All products initially introduced into interstate commerce after August 25, 1976, shall comply with this regulation.

Dated: February 23, 1976.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.76-5597 Filed 2-26-76;8:45 am]

Title 22—Foreign Relations

CHAPTER XI—INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO, UNITED STATES SECTION

PART 1102—FREEDOM OF INFORMATION ACT

Regulations for Compliance

On September 26, 1975, there was published in the FEDERAL REGISTER (40 FR 44336) a notice of proposed regulations for compliance with the Freedom of Information Act, 5 U.S.C. 552, as amended on November 21, 1974, by Pub. L. 93-502. Interested parties were given the opportunity to submit, not later than October 28, 1975, written comments, suggestions or objections regarding the proposed regulations.

No unfavorable comments have been received, and the proposed regulations are hereby adopted without change and are set forth below.

Effective date: February 18, 1976.

Signed at El Paso, Texas, on February 18, 1976.

FRANK P. FULLERTON,
Special Legal Assistant.

Sec.

AUTHORITY: (5 U.S.C. 552), Pub. L. 93-502.

§ 1102.1 Purpose.

The purpose of these regulations is to prescribe rules, guidelines and procedures to implement the Freedom of Information Act, 5 U.S.C. 552, as amended on November 21, 1974, by Pub. L. 93-502.

§ 1102.2 Definitions.

(a) "The Section" means United States Section, International Boundary and Water Commission, United States and Mexico.

(b) "Act" means the Freedom of Information Act, as amended, 5 U.S.C. 552.

(c) "Records" and/or "information" are defined as all books, papers, manuals, maps, photographs, or other documentary materials, regardless of physical form or characteristics, made or received by the Section under the Federal law or in connection with the transaction of public business or in carrying out its treaty responsibilities and obligations, and preserved or appropriate for preservation by the Section as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of the data in them, but does not include books, magazines or other material acquired solely for library purposes and through other sources, and does not include analyses, computations, or compilations of information not extant at the time of the request. The term "records" does not include objects or articles such as structures, funiture, paintings, sculptures, three-dimensional models, vehicles and equipment.

(d) "Request" means a letter or other written communication seeking records or information under the Freedom of Information Act.

(e) "Person" includes any individual firm, corporation, organization or other entity.

(f) All terms used in these regulations which are defined in 5 U.S.C. 551 shall have the same meaning herein.

§ 1102.3 Procedures for requesting access to records or information.

(a) A request for any information or records shall be addressed to the Comptroller, United States Section, International Boundary and Water Commission, Room 212 IBWC Building, 4110 Rio Brava, El Paso, Texas 79998. The envelope and the letter shall be clearly marked "Freedom of Information Request" or "Request for Records," or the equivalent, to distinguish it from other mail to the Section. If the request is not so marked and addressed, the 10-day time limit described in the Act will not begin to run until the request has been received by the Comptroller in the normal course of business. In each instance where a request is received in the normal course of business, the Comptroller shall notify the requester that its request was improperly addressed and the date the request was received.

(b) In order for the Section to locate records or information and make them available, it is necessary that it be able to identify the specific record or information sought. Persons wishing to inspect or obtain copies of records or information should, therefore, seek to identify them as fully and accurately as possible. In cases where requests are submitted which are not sufficient to permit identification, the Comptroller will endeavor to assist the persons seeking the records or information in filling in necessary details. In most cases, however, persons seeking records or information will find that time taken in trying to identify materials in the beginning is well worth their while in enabling the Section to respond promptly to their request.

(c) A person submitting a request should—

(1) Indicate the specific event or action, if any or if known, to which the request has reference.

(2) Designate the Division, Section, Branch, or Project of the Section which may be responsible for or may have produced the record or information requested.

(3) Furnish the date of the record or information or the date or period to which it refers or relates, if known.

(4) Name the character of record or information, such as a contract, an application, or a report.

(5) List the Section's personnel who may have prepared or have knowledge of the record or information.

(6) Furnish the reference material such as newspapers or publications which are known to have made a reference to the record or information desired.

(7) If the request relates to a matter in pending litigation or one which has been litigated, supply the Court location and case style and number.

(8) Describe, when the request includes more than one record or source of information, specifically each record or information so that availability may be separately determined.

(9) Clearly indicate whether the request is an initial request or an appeal from a denial of a record or information previously requested.

(10) Identify, when the request concerns a matter about the Section's personnel, the person as follows: First name, middle name or initial and surname; date and place of birth; and social security account number, if known.

(d) No particular format is needed for the request, except that it (1) must be in writing; (2) must describe the records or information sought with sufficient detail to permit identification; (3) should state willingness to pay fees, if any; and (4) must include the name, address and telephone number of the person submitting the request.

§ 1102.4 Schedule of fees and method of payment for services rendered.

(a) The following specific fees shall be applicable with respect to services rendered to members of the public under this part.

(1) Searching for records, per hour or fraction thereof per individual:	
(i) Professional	$11.00
(ii) Clerical	6.00
Search costs are due and payable even if the records or information which were requested cannot be located after all reasonable efforts have been made, or if the Section determines that a record which has been requested, but which is exempt from disclosure under these regulations, is to be withheld.	
(2) Computer service charges per second for actual use of the computer central process unit	0.25
(3) Copies made by photostat or otherwise (per page) maximum of 5 copies will be provided	Actual cost
(4) Certification of each record as a true copy	1.00
(5) Certification of each record as a true copy under official seal	1.50
(6) For each signed statement of negative result of search for record	1.00

(7) For each signed statement of nonavailability of record	No fee
(8) Duplication of architectural photographs and drawings:	
(i) From available tracing or reproducible, per square foot	0.10
(ii) If intermediate negative and reproducible required	2.00
Plus for tracing, per square foot	1.00
(9) Postage and handling	Actual costs

It will be up to the person requesting the records or information to designate how the material is to be mailed or shipped. In the absence of such instruction, no records or information will be sent to a foreign address and records and information will be sent to domestic addresses utilizing first class certified mail, return receipt requested.

(b) If records or information requested are stored elsewhere than the headquarters of the Section at El Paso, Texas, the special costs of returning such records to the headquarters office shall be included in the search costs. These costs will be computed at the actual cost of transportation and other incidental expenses incurred in order to obtain the requested records or information from the place where they are stored and to the Section's headquarters. The most economical means of transportation available and consistent with the purpose of incurring special costs shall be utilized. Special costs are due and payable even if the record which was requested cannot be located after all reasonable efforts have been made, or if the Section determines that a record which has been requested, but which is exempt from disclosure, is to be withheld.

(c) Where it is anticipated that the fees chargeable under this section will amount to more than $25 and the requester has not indicated in advance his willingness to pay fees as high as are anticipated, the requester shall be promptly notified of the anticipated fee or such portion thereof as can readily be estimated. In appropriate cases, an advance deposit may be required.

(d) When no specific fee has been established for a service, or the request for a service does not fall under one of the above categories due to the amount or size or type thereof, the Comptroller is authorized to establish an appropriate fee pursuant to the criteria established in Bureau of Budget Circular No. A–25, entitled "User Charges."

(e) Fees must be paid in full prior to issuance of requested copies.

(f) Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the United States, a postal money order, or cash. Remittances shall be made payable to the order of the Treasury of the United States and mailed to the Comptroller, United States Section, International Boundary and Water Commission, Room 212 IBWC Building, 4110 Rio Bravo, El Paso, Texas 79998. The Section will assume no responsibility for cash which is lost in the mail. Notwithstanding the foregoing, materials may be furnished without charge or a reduction in charge to foreign governments, other Government agencies or units, non-profit educational organizations, or any other applicant whenever the Comptroller determines that such action is considered as primarily benefitting the general public.

§ 1102.5 The Section's determination.

Upon receipt of any request for records or information under the Act the following guidelines shall be followed:

(a) The Comptroller will determine within 10 days (excepting Saturdays, Sundays and legal holidays) after the receipt of any such request whether to comply with such request and will immediately notify the person making such request of such determination, the reasons therefor, and of the right of such person to appeal to the United States Commissioner any adverse determination.

(b) All appeals should be addressed to the United States Commissioner, International Boundary and Water Commission, P.O. Box 20003, El Paso, Texas 79998, and should be clearly identified as such on the envelope and in the letter of appeal by using the marking "Freedom of Information Appeal" or "Appeal for Records" or the equivalent. Failure to properly address an appeal may defer the date of receipt by the Section to take into account the time reasonably required to forward the appeal to the United States Commissioner. In each instance when an appeal is incorrectly addressed to the United States Commissioner, he shall notify the person making the appeal that his appeal was improperly addressed and of the date the appeal was received by the United States Commissioner. The United States Commissioner will make a determination with respect to any appeal within 20 days (excepting Saturdays, Sundays, and legal holidays) after the receipt of an appeal. If on appeal the denial of the request is in whole or in part upheld, the United States Commissioner will notify the person making such request of the provisions for judicial review under the Act. An appeal must be in writing and filed within 30 days from receipt of the initial determination (in cases of denials of an entire request), or from receipt of any records being made available pursuant to the initial determination (in case of partial denials). In those cases where a request or appeal is not addressed to the proper official, the time limitations stated above will be computed from the receipt of the request or appeal by the proper official.

(c) In unusual circumstances, as set forth in Item (d) below, the time limits for responding to the original request or the appeal may be extended by not more than an additional 10 working days by written notice to the person making a request. This notice must be sent within either the 10- or 20-day time limit and will specify the reason for the extension and the date on which a determination is expected to be dispatched. The extension may be invoked only once during the consideration of a request, either during the intial consideration period or during consideration of an appeal, but not both.

(d) The unusual circumstances are:

(1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.

(2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; or

(3) The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the agency having substantial subject-matter interest therein.

(e) If the Comptroller receives a request which is of proper concern of an agency or entity outside the Section, it will be returned to the person making the request, advising the requester to refer it to the appropriate agency or entity if requester desires, and providing the requester with the name or title, address and other appropriate information. An information copy of the request and the letter of referral will be forwarded promptly to the agency or entity outside the Section that may expect the request. In the event the Comptroller receives a request to make available a record or provide information which is of interest to more than one agency (Federal, State, municipal, or legal entity created thereby), the Comptroller will retain and act upon the request if the Section is one of the interested agencies and if its interest in the record is paramount.

(f) The United States Commissioner's determination on an appeal shall be in writing and when it denies records in whole or in part, the letter to the person making a request shall include:

(1) Notation of the specific exemption or exemptions of the Act authorizing the withholding; a brief explanation of how the exemption applies, and, when relevant, a statement as to why a discretionary release is not appropriate.

(2) A statement that the decision is final for the Section.

(3) Advice that judicial review of the denial is available in the district in which the person making the request resides or has his principal place of business, the district in which the Section's records are situated, or the District of Columbia.

(4) The names and titles or positions of each official responsible for the denial of a request.

(g) In those cases where it is necessary to find and examine records before the legality or appropriateness of their disclosure can be determined, and where after diligent effort this has not been achieved within the required period, the Comptroller may advise the person making the request that a determination to

presently deny the request has been made because the records or information have not been found or examined, that the determination will be reconsidered when the search or examination is completed and the time within which completion is expected, but that the person making the request may immediately file an administrative appeal to the United States Commissioner.

§ 1102.6 Exemptions.

The provisions of the Act which require that agencies make their records available to public inspection and copying do not apply to matters which are:

(a)(1) Specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy and (2) are in fact properly classified pursuant to such Executive Order.

(b) Related solely to the internal personnel rules and practices of an agency.

(c) Specifically exempted from disclosure by statute.

(d) Trade secrets and commercial or financial information obtained from a person and privileged or confidential.

(e) Interagency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency.

(f) Personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(g) Investigatory records compiled for law enforcement purposes, but only to the extent that the production of such records would (1) interfere with enforcement proceedings, (2) deprive a person of a right to a fair trial or an impartial adjudication, (3) constitute an unwarranted invasion of personal privacy, (4) disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in a course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source, (5) disclose investigative techniques and procedures, or (6) endanger the life or physical safety of law enforcement personnel.

(h) Contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions.

(i) Geological and geophysical information and data, including maps, concerning wells.

§ 1102.7 Annual report to Congress.

(a) On or before March 1 of each calendar year the United States Commissioner shall submit a report covering the preceding calendar year to the Speaker of the House of Representatives and President of the Senate for referral to the appropirate committees of the Congress. The report shall include:

(1) The number of determinations made by the Section not to comply with request for records made to the Section under the Act and these regulations and the reasons for each such determination.

(2) The number of appeals made by persons under the Act and these regulations, the result of such appeals, and the reason for the action upon each appeal that results in a denial of information.

(3) The names and titles or positions of each person responsible for the denial of records requested under the Act, and the number of instances of participation for each.

(4) The results of each proceeding conducted pursuant to 552(a)(4)(F) of the Act, including a report of the disciplinary action taken against the officer or employee who was primarily responsible for improperly withholding records or an explanation of why disciplinary action was not taken.

(5) A copy of these regulations.

(6) A copy of the fee schedule and the total amount of fees collected by the Section for making records available under the Act.

(7) Such other information as indicates efforts to administer fully the Act.

(b) A copy of each such report to the Congress made pursuant to paragraph (a) of this section will be made available for public inspection and copying in the office of the Comptroller, United States Section, International Boundary and Water Commission, 212 IBWC Building, 4110 Rio Bravo, El Paso, Texas.

§ 1102.8 Examination of records.

When a request to examine records is approved by the Comptroller, every reasonable effort will be made to provide facilities for the purpose of such examination. "On the spot" copying will be available if the Comptroller decides there will be no interference with ordinary activities or routine business of the Section.

[FR Doc.76-5502 Filed 2-26-76;8:45 am]

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

PART 420—PROGRAM MANAGEMENT AND COORDINATION

Interim Regulations and Extension of Comment Period

● **Purpose. The purpose of this document is to supplement the November 19, 1975, interim regulations and adopt them as required by OMB Revised Circular A-95 and to invite comment.** ●

In the November 19, 1975, issue of the FEDERAL REGISTER (40 FR 53726), the Federal Highway Administration published interim regulations to implement Office of Management and Budget (OMB) revised Circular No. A-95 and requested comments on the interim regulations by February 19, 1976. The interim regulations anticipated modifications to the A-95 procedures as a result of rules which were to be issued by OMB and which were subsequently published as final rules on January 13, 1976 (41 FR 2052).

By that publication OMB requested agencies to publish interim regulations to be effective on and published by February 27, 1976. Agencies are to publish final implementing procedures and regulations by April 29, 1976.

After publication of those final OMB rules, FHWA has determined that no substantive changes to the November 19, 1975, interim regulations are necessary. This notice is published to supplement the November 19, 1975, regulations by adopting them as the interim regulations required by OMB to be published and effective on February 27, 1976, and to extend the comment period from February 19, 1976, to March 26, 1976.

Interested parties and Government agencies are encouraged to submit written comments, views, or data concerning the November 19, 1975, interim regulations. Comments should be submitted to Docket No. 75-7, Federal Highway Administration, 400 Seventh Street SW., Room 4230, Washington, D.C. 20590. All submissions received on or before March 26, 1976, will be considered prior to promulgation of final regulations. Copies of all written communications received will be available for examination during normal business hours at the foregoing address.

Effective date: The interim regulations which were effective on December 19, 1975, continue to remain effective until publication of the final regulations.

Issued on: February 24, 1976.

L. P. LAMM,
Executive Director,
Federal Highway Administration.

[FR Doc.76-5686 Filed 2-26-76;8:45 am]

Title 45—Public Welfare

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

PART 103—RESEARCH AND TRAINING, EXEMPLARY, AND CURRICULUM DEVELOPMENT PROGRAMS IN VOCATIONAL EDUCATION

Appendix B—Research Projects in Vocational Education, Additional Criteria

On November 10, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER at 40 FR 52405-52407 which set forth additional criteria for the selection of applicants for fiscal year 1976 under Part C of the Vocational Education Act, as amended, 20 U.S.C. 1281(a). The additional criteria were set forth in a revision of Appendix B to Part 103. The General Provisions Regulations (45 CFR Part 100a), published in the FEDERAL REGISTER on November 6, 1973 at 38 FR 30654 and effective December 6, 1973, are also applicable to these grants.

Interested persons were given thirty days after November 10, 1975 to submit comments, suggestions, or objections to the proposed criteria. Six letters with a number of comments were received. These comments are discussed below.

Comment. A commenter objected that an approximation of the dollar amount to be awarded in each State, a "key factor in the selection of the projects to be funded in FY 1976 * * *," is not published in the FEDERAL REGISTER.

Response. No change need be made in the criteria published as a notice of proposed rulemaking in the FEDERAL REGISTER on November 10, 1975. Although the approximation of the dollar amounts available for FY 1976 was not set forth in the proposed revised criteria, they were set forth in the notice of closing date published in the FEDERAL REGISTER in the same issue on the same day (November 10, 1975; 40 FR 52427). It is more appropriate to publish the allocation figures in the notice of closing date rather than as part of the criteria. The selection criteria are of a regulatory, programmatic nature and, as such, must be published as a notice of proposed rulemaking with an opportunity for public comment. The allocations among the States for each fiscal year need not be published with opportunity to comment and hence are appropriately published as part of the notice of closing date. The allocations are for one year only and for that reason would not be made part of the permanent regulations. Read together, the notice of proposed rulemaking and the notice of closing date set forth the proposed programmatic criteria and the approximate amount allocated to each State. While the allocation for fiscal year 1976 could now be published in the final regulation, republication is unnecessary.

Comment. The same commenter objected that the word "disadvantaged" is omitted from proposed priorities in FY 1976.

Response. No change is made. The disadvantaged identified as having special needs for fiscal year 1976 are set forth as "bilingual, correctional institution inmates, migrant populations, and handicapped populations." While these groups do not comprise the entire disadvantaged population, establishing a priority for applications for project awards for these groups is important because very few applications have been received for these groups during the past several fiscal years.

Comment. The same commenter would have the program application information printed in the FEDERAL REGISTER.

Response. No change is made. At the request of the FEDERAL REGISTER, application forms and directions related to them are not published in the FEDERAL REGISTER. Reference is made in published material to the forms and where they are available. The forms are cleared by the Office of Management and Budget prior to being used but are not subject to public comment. Hence, the forms need not be published in the notice of proposed rulemaking.

Comment. The same commenter would not have applications go to the State Director, since the Director may be prejudicial to "non-establishment" applications.

Response. No change is made. A copy of the application is sent to the State Director only for his/her views as to whether the application is a duplication of effort already made in that State. The Commissioner's staff, with the aid of selected field readers, review each application and, while they consider comments from the State Director, they retain their complete impartiality.

Comment. The same commenter would reverse the amounts to be spent on grants and contracts ($7.5 million for grants, $1 million for contracts).

Response. No change is made. A decision must be made between directed research, where awards are made in response to requests for proposals (RFPs), and undirected research where applicants are free to apply for any research project which comes within the terms of the act, with priority areas and selection criteria set forth by the Office of Education. The course chosen, allows the applicant greater flexibility.

Comment. Three separate commenters indicated that women should be considered as a special population and listed as a priority sub-area under Special Needs Population priority area.

Response. No change is made. As a means of recognizing this special concern, the Office of Education requires every application to address a concern for women by including the following sentence prior to each of the four announced priorities in the criteria: "Applications which address the areas listed below must effectively demonstrate plans to eliminate sex bias in all aspects of the proposed work."

Comment. One commenter indicated that three of the four priority areas dealt exclusively with post-high school student populations, thus precluding projects that serve the needs of all children.

Response. No change is made. Two priority areas, Adult Vocational Education and post-Secondary Vocational Education, are directed toward older populations. However, two other priority areas, the Special Needs Populations and the Individualization and Modularization of Instructional Materials, are open for consideration for applications that would affect all populations.

Comment. One commenter indicated that concern that priorities were changed too frequently, thus not allowing enough time for educational impact to occur.

Response. Although some priorities have changed from year to year, other priority areas have remained relatively constant from year to year. Republishing and modifying the priorities each year is the Office of Education's attempt to keep the priorities abreast of National needs and concerns.

Comment. The same commenter indicated concern about who was involved in the priority setting process.

Response. The Vocational Education Research program yearly receives advice regarding priority setting from a wide variety of sources including such groups as the following: (1) The Research and Evaluation Committee of the National Advisory Council for Vocational Education, (2) The U.S.O.E. Liaison Committee on Research of the State Directors of Vocational Education, (3) an ad hoc Committee of Research Coordinating Unit Directors of Vocational Education, (4) The American Vocational Association, (5) The American Association for Community and Junior Colleges, (6) The Directors of the Curriculum Coordinating Centers, (7) The Ten DHEW Regional Offices, (8) The Divisions of Adult, Vocational, and Technical Education in the Bureau of Occupational and Adult Education. In addition, numerous recommendations are received and reviewed from ad hoc groups and individuals.

Comment. The same commenter was concerned about the priority areas of Post-Secondary Vocational Education and Individualization and Modularization of Instructional Materials. It was indicated that these priority areas are needs but not priorities in a specific State since that State has a well developed Post-Secondary System and has already spent several hundred thousand dollars on the development of individualization of instructional materials.

Response. The Post-Secondary area has not been emphasized as a priority area by the Vocational Educational Research program in the past. Much advice was received that most States in the Nation do not have strong Post-Secondary Vocational Education Systems, thus such a priority area should be established. While some work has been completed in developing individualized instructional materials in a few occupational areas, much advice was received regarding the continuing need to individualize and modularize instructional materials in many additional occupatonal areas.

That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions therein concerning congressional action and adjournment.

The Criteria in Appendix B remain the same as published on November 10, 1975.

Effective Date. Pursuant to Section 431 (d) of the General Education Provisions Act, as amended, (20 U.S.C. 1232(d)), these regulations have been transmitted to Congress concurrently with the publication in the FEDERAL REGISTER.

Dated: January 12, 1976.

T. H. BELL,
U.S. Commissioner of Education.

Approved: February 23, 1976.

MARJORIE LYNCH,
Acting Secretary of Health, Education, and Welfare.

(Catalog of Federal Domestic Assistance Program Number 13.498; Vocational Education—Research)

APPENDIX B

RESEARCH PROJECTS IN VOCATIONAL EDUCATION

ADDITIONAL CRITERIA FOR THE FISCAL YEAR 1976

In awarding grants from fiscal year 1976 funds available under section 131(a) of Part

C of the Vocational Education Act, the Commissioner of Education will fund applications which rank high on the basis of the criteria set forth below. In addition, the Commissioner of Education may give consideration to projects of national, regional, or interstate significance in the priorities described below.

(a) *Adult vocational education.* Adults who are underemployed, about to become unemployed, or unemployed, should be a prime target population for vocational education. Vocational education programs, both public and private, need to be improved and expanded to adequately serve the needs of this adult population.

Applications within this priority must effectively demonstrate plans to eliminate sex bias in all aspects of the proposed work. The Commissioner of Education is authorized to support applied studies and development projects that address one or more of the following three specific areas.

(1) *Access to vocational education by employees.* Vocational education should assist in the vocational development of employees in cooperation with business, industry and labor. Such efforts should result in improved access to vocational education by employees from goods-producing industries, service industries, and public agencies. Applications may include such items as:

(i) Assessment of previous research endeavors and administrative practices that have sought to identify, analyze, and implement cooperative efforts between vocational education, business, labor, and industry;

(ii) Assessment and or development of guidance and counseling programs that incorporate career development plans for employees;

(iii) Assessment and or development of programs that include strategies such as educational leave and tuition aid; and

(iv) Development of exemplary coordination activities between vocational education programs and public employment training programs funded under the Comprehensive Employment Training Act.

(2) *Competency based adult vocational education.* The movement towards competency-based education is an important concern for the future. Applications are encouraged that would expand competency-based adult vocation education. These applications may include the following activities:

(i) Assessment of research results concerning competency-based education for adults; and

(ii) Develop adult vocational education competency-based programs that assess learner-competencies, identify learner needs, and prescribe learner activities.

(3) *Vocational education in entrepreneurship.* There is a need to expand vocational educational programs to provide adults with entrepreneurial competencies which facilitate self-employment. Applications should propose the development of instructional or curriculum materials for use in open-entry and open-exit programs.

(b) *Postsecondary vocational education.* During the past decade vocational education has expanded tremendously at the postsecondary level in programs that do not offer baccalaureate degrees at public, private, and proprietary institutions.

The Commissioner is authorized to support applied studies and development projects which focus on one or more of the areas described below. Applications which address the areas listed below must effectively demonstrate plans to eliminate sex bias in all aspects of the proposed work. Applications may address one or more of the following areas.

(1) Modularization or individualization of vocational education programs in new and emerging areas such as energy and environment where labor shortages exist for technically trained persons;

(2) Develop and evaluate programs that serve the needs of students in inner city and/or rural areas;

(3) Identify and evaluate exemplary programs that reduce the drop-out rate from vocational education at the postsecondary level;

(4) Develop and/or evaluate cooperative agreements between public, private, and proprietary postsecondary institutions and business, industry, and labor; and

(5) Develop and field test criteria, instruments, and procedures to assess productivity and impact of postsecondary vocational education programs.

(c) *Individualization and modularization of instructional materials.* The pressure for enrolling more students and a greater variety of students in vocational education is increasing. In order to meet this enrollment demand and to provide more effective instruction in a greater variety of educational settings, it is necessary to use technology oriented delivery systems.

The Commissioner is authorized to support applied studies and development projects of the type described below. Applications within this priority must effectively demonstrate plans to eliminate sex bias in all aspects of the proposed work. The proposed work should address each of the following points:

(1) Individualize or modularize instructional materials for use with a specific technology oriented delivery system; and

(2) Field test and evaluate the instructional materials.

(d) *Special needs populations.* There are special populations which have unique needs with respect to vocational education. This priority is concerned with:

(1) Populations which require bilingual vocational education;

(2) Populations in correctional institutions;

(3) Migrant populations; and

(4) Handicapped populations.

The Commissioner is authorized to support applied studies and development projects that focus on one or more of the areas described below. Applications which address the areas listed below must effectively demonstrate plans to eliminate sex bias in all aspects of the proposed work.

(1) *Bilingual vocational education*—The proposed work may address one or more of the following points:

(i) Develop improved methods of teaching students with limited English-speaking ability;

(ii) Develop instructional material for use by teacher educators who teach either preservice or inservice vocational education. These instructional materials should be designed to aid the teacher education to effectively teach vocational education to teachers and prospective teachers who will be teaching students who have limited English-speaking ability; and

(iii) Develop vocational education curriculum materials for use by students who have limited English-speaking ability.

(2) *Correctional vocational education*—The proposed work may assess the need for vocational education correctional programs, evaluate existing vocational education correctional programs or develop new vocational education programs for persons in correctional settings.

(3) *Vocational education for migrants*—The proposed work may assess the need for vocational education programs for migrants, evaluate existing education programs that serve migrants, or develop and evaluate new programs for delivering vocational education to migrants.

(4) *Vocational education for the handicapped*—The proposed work may assess the needs and barriers to mainstreaming or integrating of appropriate handicapped students into regular vocational education programs, develop criteria for the identification of such handicapped students, or evaluate existing vocational education programs that mainstreams handicapped students.

(e) *Application review criteria.* The following criteria will be utilized in reviewing formally transmitted applications. These criteria are consistent with section 100a.26, Review of Applications, in the Office of Education General Provisions for Programs, published in the FEDERAL REGISTER on November 6, 1973. A segment or segments of an application should address each criterion. Each criterion is weighted and includes the maximum score that can be given to an application in relation to the criterion. The maximum score for the criteria total 100 points and the maximum weight for each criterion is listed below. Applications that receive less than 30 points will not be funded.

Criteria

(1) *Priority area.*—The application is adequately focused on an announced priority area 10

(2) *Need, problem, and literature review.*—The application clearly: (a) describes the need for the project and provides specific evidence of the need; (b) analyzes and describes the problem rather than symptoms of the problem; and (c) describes a strong conceptual framework for the proposed work with an adequate review of current literature and other related efforts which support the need, problem, objectives, and plans 10

(3) *Objectives.*—The objectives are educationally significant, sharply defined, clearly stated, capable of being attained, and are measurable 10

(4) *Plan.*—The application clearly describes how the objectives will be accomplished by: (a) the overall design for the proposed project; (b) the specific procedures of each segment of the design in terms of how each objective will be undertaken and accomplished; (c) the project management plan shows how and when personnel and resources will be utilized to accomplish each objective; (d) the design and procedures for the dissemination of the results and end products, and (e) specific plans for eliminating sex bias in all aspects of the proposed work.

When appropriate, the plan includes: (a) precise definition of terms; (b) description of the characteristics and number of subjects; (c) valid evaulation procedures that include control groups; (d) sampling plan; (e) statistical and analytical procedures; and (f) plans for evaluating project outcomes 35

(5) *Results and end products.*—The application clearly describes: (a) the educational significance of the proposed results and/or products; (b) what will be delivered to the government; (c) the format in which the results or product will be delivered to the government; and (d) the form in which results and products will be developed for transportability purposes to user populations 15

(6) *Applicant's staff qualifications and experience.*—The application clearly describes: (a) the qualifications of the project director, key professional staff and consultants; (b)

specification of the work to be performed by the project director, key staff, and consultants; (c) time commitments planned for the project by the project director, key staff, and consultants; and (d) evidence of past experience on the part of the proposed applicant in similar or related projects, including a narrative of that relationship ---------- 15

(7) *Budget and institutional commitment.*—The application provides: (a) evidence of the provision of adequate facilities and equipment; (b) reasonable cost-effectiveness in respect to the expected results; and (c) documented assurances of support from cooperating agencies and institutions. 5

Total ---------- 100

(20 U.S.C. 1281–1284)

[FR Doc.76-5629 Filed 2-26-76;8:45 am]

Title 46—Shipping

CHAPTER IV—FEDERAL MARITIME COMMISSION

SUBCHAPTER A—GENERAL PROVISIONS

[Commission Order 53, Amendment 3]

PART 500—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Statements of Employment and Financial Interests

Section 201(b) of the Merchant Marine Act of 1936 prohibits "any member, officer or employee" of the Federal Maritime Commission "from being in the employ of any other person, firm, or corporation, or from having any pecuniary interests in or holding any official relationship with any carrier by water, shipbuilder, contractor, or other person, firm, association, or corporation with whom the * * * [FMC] may have business relations." However, the Commission's present reporting requirements do not apply to Commissioners or their assistants and apply only to employees classified at GS 15 or above and persons in certain sensitive positions at grade 13 or 14. In order to insure that section 201(b) is being fully complied with, the Commission must require reporting of financial interests by all personnel. Accordingly, we have amended §§ 500.735–31 through 500.735–34 to accomplish this purpose.

In addition, because of varying requirements under section 201(b) of the Merchant Marine Act of 1936, 18 U.S.C. 208, and the Civil Service Regulations, (5 CFR, Part 735), it is necessary to differentiate between the holdings of the person reporting and the holdings of his or her spouse, minor child, or blood relative residing in the immediate household. Section 500.735–34, which specifies the interests which must be reported has therefore been accordingly amended.

Furthermore, since under the amended regulation all employees would be required to file, both the waiver of the requirements for special employees and the grievance procedure in § 500.735–42 allowing an employee to challenge his position's inclusion under the regulations are no longer needed.

Therefore, pursuant to section 201(b) of the Merchant Marine Act of 1936 (46 U.S.C. 1111), section 208 of Title 18, United States Code, Executive Order 11222 of May 8, 1965 (30 FR 6169), and 5 CFR, Part 735, subpart D, Part 500 of Title 46 CFR is hereby amended to read as set forth below:

§§ 500.735–31 through 500.735–38 is revised to read as follows:

Subpart D—Statements of Employment and Financial Interests

AUTHORITY: Section 201(b) of the Merchant Marine Act, 1936 (46 U.S.C. § 1111), 18 U.S.C. § 208, Executive Order 11222 of May 8, 1965 (30 FR 6169) and 5 CFR Part 735.

§ 500.735–31 Persons required to submit Statements of Employment and Financial Interests.

The Chairman, the Commissioners, and all employees of the Commission, without exception, shall file Statements of Employment and Financial Interests and annual Supplementary Statements.

§ 500.735–32 Time and place for submission of Statements of Employment and Financial Interests.

All Statements of Employment and Financial Interests shall be submitted to the counselor designated under section 500.735–3(a), either within 30 days of the effective date of this subpart, or within 30 days of the effective date of the employee's appointment, whichever shall be later, except that Special Government employees shall submit such Statements on or prior to the effective date of their appointment, or if appointed prior to the effective date of this subpart, within 30 days of such effective date.

§ 500.735–33 Supplementary Statements.

Changes in, or additions to, employment and financial interests shall be reported in a Supplementary Statement as of December 31st of each year, except that Special Government Employees shall submit such Supplementary Statements no later than fifteen calendar days following any change in, or addition to, their employment and financial interests. If no changes or additions occur, a negative report must nevertheless be filed as of December 31st of each year.

§ 500.735–34 Interests to be reported in Statements of Financial Interests and Supplementary Statements.

Each Statement of Employment and Financial Interests and each annual Supplementary Statement shall include all the employment and financial interests of the person reporting, as well as all employment and financial interests of such person's spouse, minor child, or other member of the immediate household. For the purposes of this section, "member of the immediate household" means those blood relatives of the person reporting who are residents of the person's household. With respect to each position or financial interest reported in the Statement of Employment and Financial Interests and the Supplementary Statements, the person reporting shall specify whether such position or financial interest is held by (a) the person reporting, (b) the spouse, (c) a minor child, or (d) a blood relative residing in the household.

§ 500.735–35 Information not known by the person reporting.

If any information required to be included on a Statement of Employment and Financial Interests or a Supplementary Statement, including holdings placed in trust, is not kown to the person reporting but is know to another person, the person reporting shall request that other person to submit information in his or her behalf.

§ 500.735–36 Information exempted.

The regulations in this subpart do not require a person to submit any information on a Statement of Employment and Financial Interests or on a Supplementary Statement relating to any connection with, or interests in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization not conducted as a business enterprise. For the purpose of this section, education and other institutions doing research and development or related work involving grants of money from, or contracts with, government are deemed "business enterprises" and are required to be included in a person's Statement of Employment and Financial Interests and in his or hers annual Supplementary Statement.

§ 500.735–37 Confidentiality of Statements.

The Commission shall hold each Statement of Employment and Financial Interests, and each Supplementary Statement, in the strictest confidence. The Commission shall not disclose any information contained in such Statements, except as provided by law. To ensure confidentiality, the employee authorized in § 500.735–3 and designated by the Manual of Orders, Commission Order No. 53, as amended, to retain and review the Statements, shall be the sole custodian of the Statements and shall not disclose or authorize disclosure of information contained therein, except to carry out the purposes of this part.

§ 500.735–38 Conduct, employment or holdings otherwise prohibited and reporting otherwise required by law.

The submission of a Statement of Employment and Financial Interests or annual Supplementary Statement, as re-

quired by this subpart, does not in any way excuse the person submitting such Statement, from violations of the criminal provisions of section 208 of Title 18, United States Code, the provisions of section 201(b) of the Merchant Marine Act of 1936, or the provisions of subpart B of this Part. Moreover, the submission of any such Statement is in addition to, and not in substitution for, or in derogation of, any similar reporting requirement imposed by law, order, or regulation. For example, pursuant to section 401 of Executive Order 11222, the Chairman of the Commission and all other members of the Commission are required to file financial statements with the Chairman of the Civil Service Commission.

The regulations contained in this subpart shall become effective March 1, 1976.

By the Commission.

FRANCIS C. HURNEY,
Secretary.

FEBRUARY 24, 1976.

[FR Doc.76-5627 Filed 2-26-76;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Amendment No. 8 to Service Order No. 1131]

PART 1033—CAR SERVICE

Chicago, Rock Island and Pacific Railroad Co.

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 23rd day of February 1976.

Upon further consideration of Service Order No. 1131 (38 FR 9232, 17845, 33399; 39 FR 8327, 19218, 41853; and 40 FR 8823, 40518), and good cause appearing therefor:

§ 1033.1131 Service Order No. 1131.

It is ordered, That: Chicago, Rock Island and Pacific Railroad Company authorized to operate over tracks of Chicago, Milwaukee, St. Paul and Pacific Railroad Company. Service Order No. 1131 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., August 31, 1976, unless otherwise modified, changed or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., February 29, 1976.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17 (2). Interprets or applies Secs. 1(10–17), 15 (4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17(2).)

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-5670 Filed 2-26-76;8:45 am]

[Amendment No. 1 to Service Order No. 1216]

PART 1033—CAR SERVICE

Reading Co.

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 23rd day of February, 1976.

Upon further consideration of Service Order No. 1216 (40 FR 33037), and good cause appearing therefor:

It is ordered, That § 1033.1216 Service Order No. 1216. Reading Company, Andrew L. Lewis, Jr., and Joseph L. Castle, Trustees authorized to operate over tracks of Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees. Service Order No. 1216 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., August 31, 1976, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., February 29, 1976.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17 (2). Interprets or applies Secs. 1(10–17), 15 (4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17(2).)

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-5671 Filed 2-26-76;8:45 am]

[Service Order No. 1231]

PART 1033—CAR SERVICE

Penn Central Transportation Co.

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 23rd day of February, 1976.

It appearing, That the crossing of the Brazil, Indiana, branch of the Louisville and Nashville Railroad Company (L&N) and the Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees, (PC) at Burnett, Indiana, has deteriorated and must be rebuilt; that the arrangement of the tracks of the PC and L&N at Burnett is such that the track material required to rebuild this crossing must be fabricated to specifications applicable only to this crossing; that such specialized track material is not presently available; that removal of this crossing from service will sever connections between the tracks of the L&N at Brazil and the remainder of the L&N; that the only shippers located on the Brazil branch of the L&N are located between the crossing at Burnett and the end of the branch at Brazil; that the PC has agreed to operate over L&N tracks in Brazil in order to provide uninterrupted railroad service to shippers served by that trackage; that the L&N has consented to such use of its tracks by the PC; that operation by the PC over the aforementioned tracks of the L&N is necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That: § 1033.1231 Service Order No. 1231. Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees, authorized to operate over tracks of Louisville and Nashville Railroad Company.

(a) The Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees (PC), be and it is hereby authorized to operate over tracks of the Louisville and Nashville Railroad Company (L&N) between L&N valuation station 8826/42 and valuation station 8691/0 at Brazil, Indiana, a distance of approximately 2.56 miles.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign traffic.

(c) *Rates applicable.* Inasmuch as this operation by the PC over tracks of the L&N is deemed to be due to carrier's disability, the rates applicable to traffic moved by the PC over these tracks of the L&N shall be the rates which were applicable on the shipments at the time of shipment as originally routed.

(d) Nothing in this order shall be deemed to prejudge the decision of the Commission in Docket AB No. 2 Sub 12,

application of the L&N to abandon its Brazil branch.

(e) *Effective date.* This order shall become effective at 12:01 a.m., February 27, 1976.

(f) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., June 30, 1976, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17 (2). Interprets or applies Secs. 1(10–17), 15 (4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17 (2).)

It is further ordered, That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-5672 Filed 2-26-76;8:45 am]

Title 20—Employees' Benefits

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

[Reg. No. 5, further amended]

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

Subpart O—Providers of Services, Emergency Service Hospitals, Independent Laboratories, Suppliers of Portable X-ray Services, End-Stage Renal Disease Treatment Facilities, and Persons; Determination and Appeals Procedures

On June 24, 1975, there was published in the FEDERAL REGISTER (40 FR 26535) a notice of proposed rule making with proposed amendments to Subpart O, Regulations No. 5 regarding implementation of section 299I of Pub. L. 92-603 entitled "Chronic Renal Disease Considered to Constitute Disability". The proposed regulations amend Subpart O to provide procedures for making and reviewing determinations with respect to whether a facility meets the conditions (including the documentation of need for the services) for coverage of end-stage renal disease services reimbursable under the Medicare program. The determinations will be made and reviewed in the manner currently available to independent laboratories and portable X-ray suppliers, that is, as determinations which do not pertain specifically to the definition of provider or services or to a termination made pursuant to section 1866(b)(2) of the Social Security Act. This includes an initial determination and reconsideration by the Bureau of Health Insurance and the Bureau of Quality Assurance and hearing and review of the hearing by the Bureau of Hearings and Appeals.

Interested persons were given until July 24, 1975, to submit written comments or suggestions thereon. Four comments were received:

1. The first stated that the regulations are objectionable in that (1) "they provide for ex post facto determinations," and (2) "they fail to establish in clear terms how 'errors' will be recognized," and they are an "open invitation for providers to engage in endless expensive litigation to preserve their right to do business." We believe that regulations are needed to provide procedures for making and reviewing determinations with respect to whether a facility meets the Medicare program's conditions for coverage of the end-stage renal disease services. These regulations adopt procedures which have been used successfully for independent laboratories and suppliers of portable X-ray services for this purpose. Therefore, we feel these regulations represent the best alternative currently available for end-stage renal disease treatment facilities.

2. The second comment observed that the Bureau of Quality Assurance's position as a party to proceedings relating to the approval of an end-stage renal disease treatment facility is mentioned in § 405.1582 but not repeated in subsequent pertinent sections. They recommend that since all initial decisions are joint decisions of the Bureau of Health Insurance and the Bureau of Quality Assurance, both bureaus should be mentioned whenever the parties are identified. We have accepted this comment and the pertinent regulations will now cite both bureaus where appropriate.

3. The third comment suggests that it is unfair to deny the opportunity of a judicial review to facilities wishing to provide end-stage renal disease services. Section 405.1501 of the proposed regulations states that "the statute does not offer a laboratory, portable X-ray supplier, or end-stage renal disease treatment facility a judicial review of the Secretary's final decision after such hearing and review." The regulation does not go beyond the statute in describing the right to judicial review of these facilities, but merely distinquishes determinations where the right to judicial review is specified in the statute from those where it is not. Where the right to judicial review is provided in the Social Security Act, this subpart also sets out the steps to be taken to obtain that review.

4. The fourth comment found the regulations to be consistent with the current policy on appeals procedure.

As stated previously, the proposed amendments were published on June 24, 1975, with a notice of proposed rule making. On August 20, 1975, other amendments to many of the same sections were adopted (40 FR 36311). The latter amendments were concerned with other statutory provisions and were not specifically addressed to the ESRD program. As a result, several of the proposed amendments have been modified wholly or in part to reflect the amendments adopted on August 20, 1975. (Briefly, reference to "person" is added to conform the proposed amendments to those published August 20; the text added to §§ 405.1501(a), 405.1502, 405.1503, 405.1530, 405.1531, 405.1542(a), 405.1551, and 405.1569 is taken from the material published in final on August 20, with the exception of the references to end-stage renal disease treatment facilities which are added by the following amendments.)

Note also, that Medicaid regulations were published on July 9, 1975 (40 FR 28793), indicating that title XIX payments for ESRD services would be limited to expenditures for care in those facilities qualified to participate in Medicare's ESRD program. Therefore, determinations made under the provisions of these regulations will have an impact on title XIX payments also.

(Sections 226(g), 1102, 1871, 1872, 49 Stat. 647, as amended, 79 Stat. 327; 79 Stat. 330–332; 86 Stat. 1464; 42 U.S.C. 426(g), 1302, 1395hh, 1395ii.)

Effective date: The amendments are to be effective on March 29, 1976.

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

Dated: January 9, 1976.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: February 23, 1976.

MARJORIE LYNCH,
Acting Secretary of Health, Education, and Welfare.

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

1. The heading for Subpart O is revised to read as follows:

Subpart O—Providers of Services, Emergency Service Hospitals, Independent Laboratories, Suppliers of Portable X-Ray Services, End-Stage Renal Disease Treatment Facilities, and Persons; Determinations and Appeals Procedures

2. In § 405.1501 the section heading and paragraphs (a) and (c) are revised to read as follows:

§ 405.1501 Providers of services, emergency service hospitals, independent laboratories, suppliers of portable X-ray services, end-stage renal disease treatment facilities and persons; determinations and appeals procedures.

(a) The provisions contained in this Subpart O shall govern the procedure for making and reviewing determinations with respect to:

(1) Whether an institution, agency, or clinic is a provider of services (i.e., a hospital, skilled nursing facility, home health

agency, or for purposes of furnishing outpatient physical therapy or speech pathology services, a clinic, rehabilitation agency, or public health agency) within the meaning of title XVIII of the Social Security Act and Subparts J, K, L, or Q of this Part 405, as appropriate, and is certified as set out in Subpart S of this part;

(2) Whether an institution is a hospital, as such term is included in section 1861(e) for purposes of sections 1814(d) and 1835(b) of the Act (see § 405.152 (a)(1)), qualified to elect to claim payment for all emergency hospital services furnished in a calendar year (see § 405.658);

(3) The termination of the Secretary's agreement with a provider of services for cause (see §§ 405.604, 405.614, and 405.1905);

(4) Whether an institution continues to remain in compliance with the qualifications for claiming emergency service reimbursement for a calendar year under the provisions of sections 1814(d) and 1835(b) of the Act;

(5) Whether an independent laboratory, supplier of portable X-ray services, or end-stage renal disease treatment facility meets the appropriate conditions for coverage of its services (see Subparts M, N, and Appendix to Subpart B of this Part 405); and

(6) The exclusion from coverage of items and services rendered by a provider of services or other person (as defined in § 405.315a(a)) under the provisions of section 1862(d) of the Act.

* * * * *

(c) Any independent laboratory, supplier of portable X-ray services, or any end-stage renal disease treatment facility which is dissatisfied with an initial determination (see § 405.1502) that the services subject to the determination do not meet the conditions for coverage (see Subparts M, N, and Appendix to Subpart B of this Part 405) may request a reconsideration of that determination (§ 405.1510). If dissatisfied with the reconsidered determination or where a determination had been made that an independent laboratory's, portable X-ray suppliers's, or end-stage renal disease treatment facility's services met the respective conditions for coverage, with an initial determination thereafter that the services subject to the determination no longer meet the respective conditions for coverage, a laboratory, portable X-ray supplier, or end-stage renal disease treatment facility may request a hearing thereon (see § 405.1530), and if dissatisfied with the decision of the Administrative Law Judge may request Appeals Council review. The statute does not offer a laboratory, portable X-ray supplier, or end-stage renal disease treatment facility a judicial review of the Secretary's final decision after such hearing and review.

* * * * *

3. Paragraph (b) of § 405.1502 is revised to read as follows:

§ 405.1502 Initial determinations.

The Secretary will make findings, setting forth the pertinent facts and conclusions, and an initial determination with respect to:

* * * * *

(b)(1) Whether an independent laboratory, supplier of portable X-ray services, or end-stage renal disease treatment facility meets the respective conditions for coverage (see Subparts M, N, and Appendix to Subpart B of this Part 405), if the laboratory, portable X-ray supplier, or end-stage renal disease treatment facility has filed a written request for such a determination; or

(2) Whether the services of an independent laboratory, supplier of portable X-ray services, or an end-stage renal disease treatment facility continue to meet their respective conditions for coverage of the services subject to the determination; and

* * * * *

4. Section 405.1503 is revised to read as follows:

§ 405.1503 Notice of initial determinations.

Written notice of an initial determination (§ 405.1502) will be mailed to the concerned institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person, and will include the basis or reasons for the determination, and information concerning the appeal rights of the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person (see §§ 405.1510 and 405.1530).

5. Paragraph (a) of § 405.1505 is revised to read as follows:

§ 405.1505 Administrative actions which are not initial determinations.

Administrative actions which shall not be considered initial determinations under any provision of the regulations in this Subpart O include, but are not limited to, the following:

(a) The finding that: (1) An institution, agency, or clinic determined to be a provider has deficiencies with respect to one or more conditions of participation, or (2) An independent laboratory, supplier of portable X-ray services, or end-stage renal disease treatment facility, determined to be in compliance with the conditions, has deficiencies with respect to one or more conditions for coverage of the services subject to the finding.

* * * * *

6. Section 405.1510 is revised to read as follows:

§ 405.1510 Reconsideration: right to reconsideration.

(a)(1) Any institution, agency, or clinic which is dissatisfied with an initial determination (see § 405.1502) that it does not qualify as a provider of services; or

(2) Any institution which is dissatisfied with an initial determination that it does not qualify to elect to claim payment for all emergency hospital services furnished in a calendar year; or

(3) Any independent laboratory, supplier of portable X-ray services, or end-stage renal disease treatment facility which is dissatisfied with an initial determination that the services subject to the determination do not meet the respective conditions for coverage (see Subparts M, N, and Appendix to Subpart B of this Part 405) may request that the Secretary reconsider the determination.

(b) The Secretary will reconsider an initial determination if a written request for reconsideration is filed by the institution, agency, clinic, laboratory, portable X-ray supplier, or end-stage renal disease treatment facility concerned, as provided in § 405.1511.

7. Paragraph (a) of § 405.1511 is revised to read as follows:

§ 405.1511 Time and place of filing request for reconsideration.

(a) A request for reconsideration must be in writing (see § 405.1512) and should state the issues or findings of fact with which the institution, agency, clinic, laboratory, portable X-ray supplier, or end-stage renal disease treatment facility, as appropriate, disagrees and the reasons for disagreement.

* * * * *

8. Section 405.1512 is revised to read as follows:

§ 405.1512 Proper party for filing request for reconsideration.

The legal representative or other authorized official of the institution, agency, clinic, laboratory, portable X-ray supplier, or end-stage renal disease treatment facility which was a party to an initial determination shall file the request for reconsideration of such determination (see §§ 405.1510 and 405.1511).

9. Section 405.1513 is revised to read as follows:

§ 405.1513 Withdrawal of request for reconsideration.

A request for reconsideration may be withdrawn prior to the mailing of notice of the reconsidered determination (see § 405.1516) if a written request for withdrawal is filed with the Secretary by the institution, agency, clinic, laboratory, portable X-ray supplier, or end-stage renal disease treatment facility which filed the request for reconsideration and the Secretary approves the request.

10. Section 405.1515 is revised to read as follows:

§ 405.1515 Submission of evidence.

The Secretary will receive in evidence any documents or written statements which are relevant and material to the matters at issue and which are submitted within a reasonable time after the filing of a request for reconsideration. The reconsidered determination will be based on the evidence considered in making the initial determination and whatever other written evidence that is submitted prior to the time of the reconsidered determination, taking into account facts relating to the status of the institution, agency, clinic, laboratory, portable X-ray supplier, or end-stage renal disease treat-

ment facility as of a date subsequent to the initial determination.

11. Section 405.1516 is revised as follows:

§ 405.1516 Notice of reconsidered determination.

Written notice of a reconsidered determination (see § 405.1514) will be mailed to the institution, agency, clinic, laboratory, portable X-ray supplier, or end-stage renal disease treatment facility concerned. The notice of the reconsidered determination will contain findings on conditions with respect to which the institution, agency, clinic, laboratory, portable X-ray supplier, or end-stage renal disease treatment facility fails to meet the requirements of the law and regulations, if such be the case, and a statement of the reasons for the determination, and will inform the institution, agency, clinic, laboratory, portable X-ray supplier, or end-stage renal disease treatment facility of its right to a hearing (see § 405.1530).

12. Section 405.1519 is revised to read as follows:

§ 405.1519 Revision of initial or reconsidered determinations.

Except in the case of a determination that an institution, agency, or clinic qualifies as a provider of services, or that an institution qualifies to elect to claim payment for all emergency hospital services furnished in a calendar year, an initial or reconsidered determination which is otherwise final under § 405.1504 or § 405.1517 may be reopened by the Secretary upon its own motion within 12 months after the date of the notice of the initial determination (see § 405.1503). Notice of the reopening of a determination and any revision thereof shall be given to the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility or person which was a party to the determination (see § 405.1520).

13. Section 405.1520 is revised to read as follows:

§ 405.1520 Notice of revision.

Written notice of the revision of an initial or reconsidered determination (see § 405.1519) will be mailed to the institution, agency, clinic, laboratory, portable X-ray supplier, or end-stage renal disease treatment facility which was a party to the determination. The notice of revision will state the basis or reasons for the revised determination and, if the determination be that an independent laboratory, supplier of portable X-ray services, or end-stage renal disease treatment facility does not meet the conditions for coverage of the services subject to the determination (see Subparts M, N, and Appendix to Subpart B, of this Part 405), will contain findings on conditions with respect to which the laboratory, portable X-ray supplier, or end-stage renal disease treatment facility fails to meet the requirements of the law and regulations and will inform the laboratory, portable X-ray supplier, or end-stage renal disease treatment facility of its right to a hearing as provided in § 405.1530.

14. Section 405.1530 is revised to read as follows:

§ 405.1530 Hearing: right to hearing.

After an initial and reconsidered determination described in § 405.1502(a), (b)(1), (d)(1), and 405.1514, or after an initial determination described in § 405.1502(b)(2), (c), (d)(2), or (e); or after a revised determination described in § 405.1519, an institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person shall be entitled to a hearing with respect to such determination, if such person or the representative of the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person files a written request for hearing as provided in § 405.1531.

15. Section 405.1531 is revised to read as follows:

§ 405.1531 Filing a request for a hearing; time and manner of filing.

(a) The request for a hearing shall be made in writing, signed by the person, or a proper official of the institution, agency, clinic, laboratory, portable X-ray supplier, or end-stage renal disease treatment facility concerned and filed at an office of the Department of Health, Education, and Welfare or with an Administrative Law Judge or the Appeals Council of the Bureau of Hearings and Appeals. The request must be filed within 6 months after the date on which written notice of an initial determination provided for in § 405.1502(b)(2), (c), (d)(2), or (e), or a reconsidered or revised determination is mailed to the institution, agency, clinic, laboratory, portable X-ray supplier, or end-stage renal disease treatment facility, or person (see §§ 405.1503, 405.1516, and 405.1520), except where the time is extended for "good cause" (see § 405.1569).

(b) The request for a hearing shall contain a statement as to the specific issues or findings of fact and conclusions of law in the preceding determination with which the institution, agency, clinic laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person disagrees, and the basis for its contention that the specific issues and/or findings and conclusions were incorrect.

(c) The legal representative or any other authorized official of the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person shall be a proper person to file the request for hearing.

16. Section 405.1532 is revised to read as follows:

§ 405.1532 Parties to the hearing.

The parties to the hearing shall be the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person which was a party to the prior determination (see §§ 405.1502(b)(2), (c), (d)(2), and (e), 405.1514, and 405.1519) and the Bureau of Health Insurance (as well as the Bureau of Quality Assurance in the case of a determination regarding an end-stage renal disease treatment facility) as representing the Secretary. The Bureau of Health Insurance (as well as the Bureau of Quality Assurance in the case of a determination regarding an end-stage renal disease treatment facility) shall be represented at the hearing (see § 405.1543).

17. Section 405.1534 is revised to read as follows:

§ 405.1534 Disqualification of Administrative Law Judge.

No Administrative Law Judge shall conduct a hearing in a case in which he is prejudiced or partial with respect to the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person or where he has any interest in the matter pending for decision before him. Notice of any objection which a party to the hearing may have to the Administrative Law Judge who will conduct the hearing shall be made at the earliest opportunity. The Administrative Law Judge shall consider the objection(s) and shall, in his discretion, either proceed with the hearing or withdraw. If the Administrative Law Judge withdraws, another Administrative Law Judge shall be designated (see § 405.1533) to conduct the hearing. If the Administrative Law Judge does not withdraw, the objecting party may, after the hearing, present his objections to the Appeals Council as reasons why he believes the Administrative Law Judge's decision should be revised or a new hearing held before another Administrative Law Judge.

18. Section 405.1536 is revised to read as follows:

§ 405.1536 Time and place of prehearing conference.

The Administrative Law Judge shall fix a time and place for the prehearing conference, written notice of which shall be mailed to the parties not less than 10 days prior to the conference date. The notice shall inform the parties of the purpose of the prehearing conference and the issues sought to be resolved, stipulated to, or excluded. If a party has information which will involve additional issues for consideration at the prehearing conference, other than those set forth in the notice of determination (see §§ 405.1503, 405.1516, and 405.1520) and the request for hearing by the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person, timely notice should be given to the Administrative Law Judge and the other party of such information. The Administrative Law Judge may also raise any additional issues by including them in his notice of the prehearing conference or during the conference.

19. Section 405.1537 is revised to read as follows:

§ 405.1537 Conduct of prehearing conference.

The prehearing conference shall be open to the person or his representative, the representatives of the institution, agency, clinic, laboratory, portable X-ray supplier, or end-stage renal disease treatment facility and the representatives of the Secretary, to their technical advisors, and to such other persons as the Administrative Law Judge deems necessary or proper. The Administrative Law Judge may accept the agreement of the parties as to those facts which are not in controversy and as to questions which have been resolved favorably to the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person subsequent to the determination in dispute. The Administrative Law Judge may accept the agreement of the parties as to the remaining issues to be resolved. The parties may be requested to indicate what witnesses will be present to testify at the hearing, the qualifications of such witnesses, and the nature of other evidence to be submitted.

20. Paragraph (a) of § 405.1542 is revised to read as follows:

§ 405.1542 Hearing on new issues.

(a) On the application of either party, or on his own motion, the Administrative Law Judge may give notice at any time after a request for hearing has been filed (see § 405.1531), but prior to the closing of the record, that he will consider any specific new issue which may affect the rights of the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person, even though the Secretary has not made an initial and reconsidered determination with respect to the issue and even though the issue arose after the request for hearing or prehearing conference. Except that, in the case of an initial determination described in § 405.1502(b)(2), (c), (d)(2), or (e), or the Administrative Law Judge shall not consider any issue which arose on or after:

(1) The effective date of the termination of an institution's, agency's, or clinic's agreement with the Secretary, or

(2) The date on which it is determined that a laboratory, portable X-ray supplier, or end-stage renal disease treatment facility no longer meets its respective conditions for coverage of its services, or

(3) The effective date of the notification to an institution of its failure to remain in compliance with the qualifications for claiming emergency service reimbursement for a calendar year under the provisions of sections 1814(d) and 1835(b) of the Act, or (4) The effective date of the exclusion from coverage of items and services rendered by a provider or other person (see § 405.315a). Notice of the time and place of the hearing on any new issue shall, unless waived (see § 405.1550), be given to the parties within the time and manner prescribed in § 405.1540. Upon giving of such notice, the Administrative Law Judge shall, except as otherwise provided, proceed to hearing on such new issues in the same manner as he would on an issue in which an initial and reconsidered determination had been made by the Secretary and a hearing request with respect thereto had been filed.

* * * * *

21. Section 405.1543 is revised to read as follows:

§ 405.1543 Joint hearings.

When two or more institutions, agencies, clinics, laboratories, portable X-ray suppliers, end-stage renal disease treatment facilities, or persons have requested hearings and the same or substantially similar matters are in issue, the Administration Law Judge may, if all parties agree, fix the same times and places for each prehearing conference or hearing and conduct all such proceedings jointly. Where joint hearings are held, a single record of the proceedings shall be made and a separate decision issued with respect to each institution, agency, clinic, laboratory, portable X-ray supplier end-stage renal disease treatment facility, or person.

22. Section 405.1545 is revised to read as follows:

§ 405.1545 Conduct of the hearing.

The hearing shall be open to the person and his representative, the representatives of the institution, agency, clinic, laboratory, portable X-ray supplier, or end-stage renal disease treatment facility and the representatives of the Secretary, their technical advisors, and to such other persons as the Administrative Law Judge deems necessary or proper. The Administrative Law Judge shall inquire fully into all of the matters at issue (see § 405.1542) and shall receive in evidence the testimony of witnesses and any documents which are relevant and material to such matters. If the Administrative Law Judge believes that there is relevant and material evidence available which has not been presented at the hearing, the Administrative Law Judge may at any time prior to the mailing of notice of the decision, reopen the hearing for the receipt of such evidence. The order in which the evidence and the allegations shall be presented and the conduct of the hearing shall be at the discretion of the Administrative Law Judge.

23. Section 405.1550 is revised to read as follows:

§ 405.1550 Waiver of right to appear and present evidence.

If the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person waives its right to appear before the Administrative Law Judge and present testimony, it shall not be necessary for the Administrative Law Judge to give notice of and conduct an oral hearing. A waiver of this right shall be made in writing and filed with the Administrative Law Judge. A waiver may be withdrawn by an institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person for good cause shown, at any time prior to the mailing of notice of the decision in the case. Even though an institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person has filed a waiver of a hearing before an Administrative Law Judge, the Administrative Law Judge may nevertheless give notice of a time and place and conduct a hearing if he believes that testimony of the person or his representative, the representatives of the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility or other persons is needed to clarify the facts in issue, or on a showing of good cause by the Bureau of Health Insurance (as well as the Bureau of Quality Assurance in the case of a determination regarding an end-stake renal disease treatment facility) as representing the Secretary, of the need to present oral evidence. When such a waiver has been filed and no testimony received, the Administrative Law Judge shall make a record of the relevant written evidence, including applications, written statements, certificates, affidavits, reports, and other documents which were considered in connection with the initial, reconsidered, or revised determination (see §§ 405.1502, 405.1514, and 405.1519), and whatever additional relevant and material evidence was submitted by the parties for consideration by the Administrative Law Judge. Any additional evidence submitted by either party shall be furnished to the other party and that party shall be given a reasonable opportunity to submit further evidence in rebuttal. The parties may submit briefs or other written statements of evidence and/or proposed findings of fact or conclusions of law, copies of which shall be sent in accordance with § 405.1595. After the Administrative Law Judge sets the case for oral hearing and gives notice of the time and place set for the hearing, the request for hearing shall be dismissed in accordance with § 405.1552 where the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person fails to appear without good cause.

24. Section 405.1551 is revised to read as follows:

§ 405.1551 Dismissal of request for hearing.

The Administrative Law Judge, at any time prior to the mailing of notice of the decision (see § 405.1557), may dismiss a hearing request where a party withdraws its request for a hearing or where the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility or person asks that its request be dismissed. An institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person may request a dismissal by filing a writen notice with the Administrative Law Judge.

25. Section 405.1552 is revised to read as follows:

§ 405.1552 Dismissal by abandonment.

The Administrative Law Judge may dismiss a request for hearing upon its abandonment by the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person on whose behalf it was filed. An institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person may be deemed to have abandoned a request for hearing if the person, representative, or proper official:

(a) Does not appear at the prehearing conference or hearing and, prior to that time, has not shown good cause as to why he could not appear; or

(b) Within 10 days after the Administrative Law Judge mails a show cause notice to the representative, did not show good cause for failing to appear or to notify the Administrative Law Judge prior to the prehearing conference or hearing that he could not appear.

26. Paragraphs (a) and (c) of § 405.1553 are revised to read as follows:

§ 405.1553 Dismissal for cause.

* * * * *

(a) *Res judicata.* Where there has been a previous determination or decision by the Secretary with respect to the rights of the same institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person on the same facts and law pertinent to the same issue or issues which has become final either by judicial affirmance or, without judicial consideration, upon failure of the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person timely to request reconsideration, hearing, or review, or to commence a civil action with respect to such determination or decision.

* * * * *

(c) *Hearing request not timely filed.* Where an institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person has failed to file a hearing request timely and the time for filing such request has not been extended.

27. Section 405.1554 is revised to read as follows:

§ 405.1554 Notice of dismissal and right to request review thereof.

Notice of the Administrative Law Judge's dismissal action shall be mailed to the parties. Such notice shall advise the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person of its right to request review by the Appeals Council as provided in §§405.1561 and 405.1562.

28. Section 405.1563 is revised to read as follows:

§ 405.1563 Action by the Appeals Council on request for review.

The review or denial of the Administrative Law Judge's decision shall be conducted by a panel of at least two members of the Appeals Council designated by the Chairman or Deputy Chairman and one person from the U.S. Public Health Service designated by the Secretary. Except as provided in § 405.1568, the Appeals Council shall review the Administrative Law Judge's decision or dismissal where an institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person, files a request for review. The Appeals Council may dismiss, deny, or grant a request for review filed by the Bureau of Health Insurance (the Bureau of Quality Assurance may also file such a request in the case of a determination regarding an end-stage renal disease treatment facility) as representing the Secretary. If the review is granted, the Appeals Council may either modify, affirm, or reverse the Administrative Law Judge's decision. Notice of the action by the Appeals Council shall be mailed to the institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person and the Bureau of Health Insurance (as well as the Bureau of Quality Assurance in the case of a determination regarding an end-stage renal disease treatment facility).

29. Section 405.1567 is revised to read as follows:

§ 405.1567 Effect of the Appeals Council decision.

The decision of the Appeals Council shall be final and binding unless a civil action (see § 405.1501 (b), (e), and (f)) is filed by the institution, agency, clinic, or person in a district court of the United States as authorized by section 1862(d)(3) or 1869(c) of the Act, as appropriate, or unless the decision is revised in accordance with § 405.1570. (Section 1869(c) of the Act does not grant judicial review of the Secretary's decision with respect to whether an independent laboratory, supplier of portable X-ray services, or end-stage renal disease treatment facility meets the conditions for coverage, as required by Subparts M, N, or Appendix to Subpart B.)

30. Section 405.1569 is revised to read as follows:

§ 405.1569 Extension of time to request a hearing or review or begin civil action.

(a) Any institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person which is a party to an initial determination described in § 405.1502(b)(2), (c), (d)(2), or (e); or to a reconsidered determination that it does not qualify as a provider of services or does not qualify to elect to claim payment for all emergency hospital services furnished in a calendar year or does not meet the conditions for coverage; or to a revised determination described in § 405.1519; or which is a party to a decision of an Administrative Law Judge may request an extension of time for filing a request for hearing or review, as the case may be, although the time for filing the request has passed. If an extension of time for filing a request for hearing before an Administrative Law Judge is sought, the request may be filed with the Administrative Law Judge. In any other case, the request shall be filed with the Appeals Council. The request shall be in writing and shall state the reasons why the request was not filed within the required time. An institution, agency, clinic or person which is a party to a decision of the Appeals Council, may ask the Appeals Council for an extension of time for commencing civil action in a district court within 60 days from the date of the notice of the Appeals Council action and shall state the reasons an extension is required. For good cause shown, the Administrative Law Judge may extend the time for filing a request for hearing or the Appeals Council may extend the time for filing a request for review or civil action.

(b) The statute does not offer an independent laboratory, supplier of portable X-ray services, or end-stage renal disease treatment facility a judicial review of the Secretary's final decision after the hearing and review; except where such final decision relates to the exclusion of its items and services from coverage under title XVIII (see § 405.1502(e)).

31. Section 405.1590 is revised to read as follows:

§ 405.1590 Representation.

An institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person may appoint as its representative any individual except an individual disqualified or suspended from acting as a representative in proceedings before the Secretary or otherwise prohibited by law. Except where the representative appointed is an attorney, an institution, agency, clinic, laboratory, portable X-ray supplier, end-stage renal disease treatment facility, or person must give written notice of the appointment of a representative. The notice of appointment shall be filed at an office of the Secretary, or with the Administrative Law Judge or the Appeals Council. Where the representative appointed is an attorney, in the absence of information to the contrary, his representation that he has the authority to represent the party shall be accepted as evidence of his authority.

[FR Doc.76-5628 Filed 2-26-76;8:45 am]

Title 7—Agriculture

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—GENERAL REGULATIONS AND POLICIES—FOOD DISTRIBUTION

[Amdt. 33]

PART 250—DONATION OF FOODS FOR USE IN UNITED STATES, ITS TERRITORIES AND POSSESSIONS AND AREAS UNDER ITS JURISDICTION

Availability of Donated Foods for Nutrition Programs for the Elderly

The regulations for the operation of the Food Distribution Program (31 FR

14297), as amended, are further amended to (1) update the quoted provisions of section 707 of the Older Americans Act of 1965, as amended, (2) amend the minimum level of commodity assistance or, where applicable, cash in lieu thereof, to be provided to States in which nutrition programs for the elderly are operated, and (3) provide that when high protein food, meat, and meat alternates are purchased for distribution to nutrition programs for the elderly from funds appropriated therefor under the Older Americans Act, such foods shall not be considered donated commodities for purposes of meeting the annually programmed level of commodity assistance to be maintained for the programs.

Public Law 94–135 (89 Stat. 713), approved November 28, 1975, amended section 707 of the Older Americans Act of 1965, as amended, to prescribe new minimum levels of assistance in food commodities to be donated by the Secretary of Agriculture for each meal served by nutrition programs for the elderly during the period ending September 30, 1976, and the fiscal year ending September 30, 1977. In addition, section 707 now requires the Secretary, during the fiscal year ending June 30, 1976, and during the period July 1, 1976, through September 30, 1976, to purchase on the open market out of any funds appropriated under that section, high protein food, meat, and meat alternates for distribution to nutrition programs for the elderly. However, foods thus purchased shall not be considered donated commodities for purposes of meeting the mandated level of commodity assistance. Finally, section 707, as amended, provides that if a State had phased out its commodity distribution facilities before June 30, 1974, such State may elect to receive cash payments in lieu of commodities in an amount equivalent in value to the commodities it would otherwise have received for distribution to nutrition programs for the elderly.

Since the statutory provisions on which this amendment is based are mandatory, compliance with proposed rulemaking and public participation procedures is impracticable and unnecessary.

1. In § 250.1, paragraph (b) is amended by revising subparagraph (15) to read as follows:

§ 250.1 General Purpose and Scope.

* * * * *

(b) *Legislation.* * * *

* * * * *

(15) Section 707 of the Older Americans Act of 1965, as amended, which reads in part as follows:

(a)(1) Agricultural commodities and products purchased by the Secretary of Agriculture under section 32 of the Act of August 24, 1935, (7 U.S.C. 612c) shall be donated to a recipient of a grant or contract to be used for providing nutritional services in accordance with the provisions of this title.

(2) The Commodity Credit Corporation shall dispose of food commodities under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) by donating them to a recipient of a grant or contract to be used for providing nutritional services in accordance with the provisions of this title.

(3) Dairy products purchased by the Secretary of Agriculture under section 709 of the Food and Agriculture Act of 1965 (7 U.S.C. 1446a–1) shall be used to meet the requirements of programs providing nutritional services in accordance with the provisions of this title.

(4) In donating commodities pursuant to this subsection, the Secretary of Agriculture shall maintain an annually programmed level of assistance of not less than 15 cents per meal during the fiscal year ending September 30, 1976, and 25 cents per meal during the fiscal year ending September 30, 1977: *Provided*, That this amount shall be adjusted on an annual basis each fiscal year after June 30, 1975, to reflect changes in the series for food away from home of the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor. Such adjustment shall be computed to the nearest one-fourth cent. Among the commodities delivered under this subsection, the Secretary shall give special emphasis to high protein foods, meat, and meat alternates. The Secretary of Agriculture, in consultation with the Commissioner [on Aging], is authorized to prescribe the terms and conditions respecting the donating of commodities pursuant to this subsection, and within ninety days after the date of enactment of this paragraph, the Secretary shall issue regulations governing the donation of such commodities.

* * * * *

(c)(1) During each of the fiscal years ending June 30, 1975, and June 30, 1976, and during the period beginning July 1, 1976, and ending September 30, 1976, the Secretary of Agriculture shall purchase high protein foods, meat and meat alternates on the open market, at prices not in excess of market prices, out of funds appropriated under this section, as determined under paragraph (3), for distribution to recipients of grants or contracts to be used for providing nutritional services in accordance with the provisions of this title. High protein food, meat, and meat alternates purchased by the Secretary of Agriculture under this subsection shall be grown and produced in the United States.

(2) High protein food, meat, and meat alternates donated under this subsection shall not be considered donated commodities for purposes of meeting the requirement of subsection (a)(4) with respect to the annually programmed level of assistance under subsection (a).

(3) There are authorized to be appropriated such sums as may be necessary in order to carry out the program established under paragraph (1).

(d)(1) Notwithstanding any other provision of law, in any case in which a State has phased out its commodity distribution facilities before June 30, 1974, such State may, for purposes of the programs authorized by this Act, elect to receive cash payments in lieu of donated foods. In any case in which a State makes such an election, the Secretary of Agriculture shall make cash payments to such State in an amount equivalent in value to the donated foods which the State otherwise would have received if such State had retained its commodity distribution facilities.

(2) When such payments are made, the State agency shall promptly and equitably disburse any cash it receives in lieu of commodities to recipients of grants or contracts. Such disbursements shall be used by such recipients of grants or contracts to purchase United States agricultural commodities and other foods for their nutrition projects.

2. In § 250.4, the second sentence in paragraph (b) is deleted and two new sentences are inserted in lieu thereof, as follows:

§ 250.4 Availability of commodities.

* * * * *

(b) *Quantities.* * * * Beginning July 1, 1975, the quantity of commodities to be made available during the period ending September 30, 1976, for distribution in any State, other than a State which has phased out its commodity distribution facilities prior to July 1, 1974, to nutrition programs for the elderly shall be valued at not less than 15 cents for each meal which the State Agency on Aging, in accordance with current regulations and guidelines authorized by the Commissioner on Aging, estimates will be served within the State during that period: *Provided, however*, That high protein food, meat and meat alternates purchased with funds appropriated under section 707(c) of the Older Americans Act of 1965, as amended, shall not be considered in computing the value of donated commodities. A State which has phased out its commodity distribution facilities prior to June 30, 1974, may, in accordance with § 250.10(f) of this part, receive cash payments in an amount equivalent in value to the commodities it would otherwise have received for distribution to its nutrition programs for the elderly. * * *

3. In § 250.10, a new paragraph (f) is added, as follows:

§ 250.10 Miscellaneous provisions.

* * * * *

(f) *Cash in lieu of commodities for nutrition programs for the elderly.* (1) Where a State has phased out its commodity distribution facilities prior to July 1, 1974, such State may, for the purposes of the program authorized by title VII of the Older Americans Act of 1965, as amended, elect to receive cash payments in lieu of donated foods. Where such an election is made, the Secretary shall make cash payments to such State in an amount equivalent in value to the donated foods that the State would otherwise have received if it had retained its commodity distribution facilities. (2) Cash payments to such State shall be made by means of Letters of Credit issued by FNS on a quarterly basis through the appropriate United States Treasury Regional Disbursing Office in favor of the State Agency on Aging upon receipt of notification of the actual number of meals which were

served in nutrition programs for the elderly within the States during the previous Federal fiscal quarter. (3) The State Agency on Aging desiring to receive funds under this paragraph shall execute and submit to FNS a letter of acceptance agreeing to: (i) Promptly and equitably disburse any cash it receives in lieu of commodities to nutrition programs for the elderly to be used solely for the purpose of purchasing United States agricultural commodities and other foods for their feeding operations; (ii) maintain and retain for 3 years from the close of the Federal fiscal year to which they pertain, complete and accurate records of all amounts received and disbursed under this paragraph; and (iii) permit representatives of the Department and of the General Accounting Office of the United States to inspect, audit, and copy such records at any reasonable time.

* * * * *

NOTE.—The reporting and/or recordkeeping requirements contained herein have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

(Catalog of Federal Domestic Assistance Program No. 10.550, National Archives Reference Services.)

Effective date: February 27, 1976.

Dated: February 23, 1976.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.76-5445 Filed 2-26-76;8:45 am]

CHAPTER VII—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (AGRICULTURAL ADJUSTMENT), DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 7]

PART 711—MARKETING QUOTA REVIEW REGULATIONS

Revisions in Certain Areas of Venue

● **Basis and Purpose. The purpose of this amendment is to revise the marketing quota review committee areas of venue in seven States.** ●

Section 711.29 is amended for the seven States to read as follows:

§ 711.29 Establishment of areas of venue.

* * * * *

ARKANSAS

Counties of:

Area I—Clay, Craighead, Crittenden, Cross, Greene, Independence, Jackson, Lawrence, Mississippi, Poinsett, Randolph, St. Francis, Woodruff.

Area II—Arkansas, Conway, Faulkner, Lee, Lonoke, Monroe, Phillips, Prairie, Pulaski, White.

Area III—Ashley, Bradley, Calhoun, Chicot, Cleveland, Dallas, Desha, Drew, Grant, Jefferson, Lincoln, Union.

Area IV—Clark, Columbia, Garland, Hempstead, Hot Spring, Howard, Lafayette, Little River, Logan, Miller, Montgomery, Nevada, Ouachita, Perry, Pike, Polk, Saline, Scott, Sevier, Yell.

Area V—Baxter, Benton, Boone, Carroll, Cleburne, Crawford, Franklin, Fulton, Izard, Johnson, Madison, Marion, Newton, Pope, Searcy, Sebastian, Sharp, Stone, Van Buren, Washington.

* * * * *

GEORGIA

Counties of:

Area I—Banks, Barrow, Bartow, Carroll, Catoosa, Chattooga, Cherokee, Clarke, Cobb, Coweta, Dade, Dawson, Douglas, Elbert, Fannin, Floyd, Forsyth, Franklin, Fulton, Gilmer, Gordon, Greene, Habersham, Hall, Haralson, Hart, Heard, Jackson, Lincoln, Lumpkin, Madison, Murray, Oconee, Oglethorpe, Paulding, Pickens, Polk, Rabun, Stephens, Taliaferro, Towns, Troup, Union, Walker, White, Whitfield, Wilkes.

Area II—Baldwin, Bibb, Butts, Crawford, Chattahoochee, Clayton, Columbia, Crisp, De Kalb, Dooly, Fayette, Glascock, Gwinnett, Hancock, Harris, Henry, Houston, Jasper, Jones, Lamar, Lee, McDuffie, Macon, Marion, Meriwether, Monroe, Morgan, Muscogee, Newton, Peach, Pike, Putnam, Rockdale, Schley, Spalding, Stewart, Sumter, Talbot, Taylor, Turner, Twiggs, Upson, Walton, Warren, Washington, Webster, Wilkinson, Worth.

Area III—Baker, Ben Hill, Berrien, Bleckley, Brooks, Calhoun, Clay, Colquitt, Cook, Decatur, Dodge, Dougherty, Early, Grady, Irwin, Laurens, Mitchell, Miller, Montgomery, Pulaski, Quitman, Randolph, Seminole, Telfair, Terrell, Thomas, Tift, Treutlen, Wheeler, Wilcox.

Area IV—Appling, Atkinson, Bacon, Brantley, Bryan, Bulloch, Burke, Camden, Candler, Charlton, Chatham, Clinch, Coffee, Echols, Effingham, Emmanuel, Evans, Glynn, Jeff Davis, Jefferson, Jenkins, Johnson, Lanier, Liberty, Long, Lowndes, McIntosh, Pierce, Richmond, Screven, Tattnal, Toombs, Ware, Wayne.

* * * * *

INDIANA

Counties of:

Area I—Bartholomew, Brown, Decatur, Fayette, Fountain, Franklin, Greene, Hendricks, Henry, Johnson, Lawrence, Monroe, Morgan, Owen, Parke, Putnam, Rush, Shelby, Sullivan, Union.

Area II—Clark, Crawford, Dearborn, Dubois, Floyd, Harrison, Jackson, Jefferson, Jennings, Ohio, Orange, Perry, Ripley, Scott, Spencer, Switzerland, Warrick, Washington.

* * * * *

IOWA

Counties of:

Iowa has no commodity for which marketing quota programs are in effect, therefore, the areas of venue previously established will no longer be in effect.

* * * * *

MISSISSIPPI

Counties of:

Area I—Bolivar, Coahoma, De Soto, Panola, Quitman, Tallahatchie, Tate, Tunica.

Area II—Holmes, Humphreys, Issaquena, Leflore, Sharkey, Sunflower, Washington, Yazoc.

Area III—Alcorn, Benton, Calhoun, Grenada, Itawamba, Lowndes, Montgomery, Pontotoc, Prentiss, Webster, Yalobusha.

Area IV—Attala, Covington, Forrest, Greene, Hancock, Jefferson, Jones, Kemper, Lauderdale, Madison, Marion, Neshoba, Pike, Rankin, Simpson.

* * * * *

TEXAS

Counties of:

Area I—All Counties.

* * * * *

VIRGINIA

Counties of:

Area I—Brunswick, Chespeake, Chesterfield, Dinwiddie, Greensville, Isle of Wright, James City, Mathews, New Kent, Northampton, Prince George, Southampton, Suffolk, Surry, Sussex.

Area II—No Change.

Area III—No change.

* * * * *

(Secs. 301, 363–368, 375, 52 Stat. 38, as amended, 63, 64, as amended 66, as amended; 7 U.S.C. 1301, 1363–1368, 1375)

Effective Date: Since this amendment revises certain areas of venue which were recommended by the respective State committees and it may be necessary soon to review one or more marketing quotas in areas of venue that are changed by this amendment, it is hereby determined and found that compliance with the notice, public procedure, and effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest, and this amendment shall become effective on February 26, 1976.

Signed at Washington, D.C. on February 20, 1976.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.76-5500 Filed 2-25-76;8:45 am]

NOTE: This documents is reprinted without change from the issue of Thursday, February 26, 1976.

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

[Lemon Regulation 28]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period Feb. 29–Mar. 6, 1976. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.328 Lemon Regulation 28.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is

hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons continues good this week. Average f.o.b. price was $5.35 per carton the week ended February 21, 1976, compared to $5.13 per carton the previous week. Track and rolling supplies at 120 cars were down 45 cars from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on February 24, 1976.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period February 29, 1976, through March 6, 1976, is hereby fixed at 210,000 cartons.

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

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

Dated: February 25, 1970.

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

[FR Doc.76–5850 Filed 2–26–76;11:20 am]

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

[FmHA Instruction 424.1]

PART 1804—PLANNING AND PERFORMING DEVELOPMENT WORK

Surety Bonds

On November 17, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 53269) stating that the FmHA has under consideration the amendment of § 1804.4(d)(2)(i)(*a*) of Subpart A of Part 1804, Chapter XVIII, Title 7 of the Code of Federal Regulations (36 FR 18062). The change requires a Surety Bond when a construction contract exceeds $60,000 instead of the present $20,000 limit. Interested persons were afforded an opportunity to participate in the proposed rulemaking through the submission of written comments, suggestions, or objections regarding the amendment. No written objections have been received and the proposed regulation is hereby adopted without change as set forth below.

Effective date. This regulation is effective on February 27, 1976.

Dated: February 17, 1976.

FRANK B. ELLIOTT,
Administrator, Farmers Home Administration.

Subpart A of Part 1804 is amended by revising § 1804.4(d)(2)(i)(*a*) as follows:

§ 1804.4 Performing development.

* * * * *

(d) * * *
(2) * * *
(i) * * *

(*a*) The contract exceeds $60,000 unless an exception is made by the National Office.

* * * * *

(7 U.S.C. 1989; 42 U.S.C. 1480; Delegation of Authority by the Sec. of Agri., 7 CFR 2.23; Delegation of Authority by the Asst. Sec. for Rural Development, 7 CFR 2.70)

JOSEPH H. LINSLEY,
Certifying Officer, Farmers Home Administration.

[FR Doc.76–5611 Filed 2–26–76;8:45 am]

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

[FmHA Instruction 444.1]

PART 1822—RURAL HOUSING LOANS AND GRANTS

Rural Housing Loan Policies, Procedures and Authorizations

On Page 59447 of the FEDERAL REGISTER dated December 24, 1975, there was published a proposed amendment to Subpart A of Part 1822, Title 7, Code of Federal Regulations (39 FR 44993; 40 FR 42178) to include within the definition of "owner," the holder of possessory rights on Indian reservations or State-owned lands.

The amendment also allows mortgage insurance from a State Agency to be used as security for Rural Housing loans when the applicant is the holder of possessory rights on Indian Reservations or State-owned lands. These changes were made to facilitate the making of Section 502 Rural Housing loans on Indian Reservations and State-owned lands. The proposed amendment added a new subparagraph 5 to § 1822.3(e); amended § 1822.3(g); added a new paragraph (c) to § 1822.10, and redesignated the present §§ 1822.3(e)(5) and 1822.10(c) as subparagraph (6) and paragraph (d) respectively, without change. Editorial changes were made in paragraph (a)(1) and (3) of § 1822.10 to reflect the cross-referencing therein. Interested persons were invited to submit written comments suggestions or objections regarding the proposed amendment.

No written comments, suggestions or objections have been received. The proposed regulation, with a minor editorial change, is therefore adopted, and is set forth below:

§ 1822.3 Definitions.

* * * * *

(e) *Owner.* * * *

(5) The holder of possessory rights on an Indian Reservation or State-owned land when the loan is secured in accordance with § 1822.10(c).

* * * * *

(g) *Security.* "Security" includes any rights or interests in property of any kind subject to a mortgage. It also includes State-provided mortgage insurance guaranteeing a loan in case of default.

* * * * *

§ 1822.10 Security.

(a) *General.* Loans other than those excepted under paragraph (d) of this section * * *.

(1) Any loan of more than $5,000 and any loan scheduled for repayment in more than 15 years from the date of the note will be secured by a real estate mortgage as provided in paragraph (b) of this section, unless security is provided in accordance with paragraph (c) of this section.

* * * * *

(3) * * * in accordance with paragraph (d) of this section.

* * * * *

(c) *State-provided Mortgage Insurance.* When the applicant is the holder of possessory rights on an Indian Reservation or State-owned land, adequate security in the form of mortgage insurance from a State agency will be acceptable. Separate State regulations covering loan approval and title clearance and closing, appropriate loan documents and a Memorandum of Understanding with the State insuring agency should be developed and used with the approval of the State Director and the concurrence of the Office of General Counsel. Approval of such regulations by the National Office is required prior to participation in any such program.

(42 U.S.C. 1480; delegation of authority by the Sec. of Agri., 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70.)

Effective date. This regulation is effective on February 27, 1976.

Date: February 11, 1976.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.76-5612 Filed 2-26-76;8:45 am]

proposed rules

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

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

[12 CFR Part 7]

OTHER REAL ESTATE OWNED

Proposed Revision of Interpretive Ruling

The Comptroller of the Currency is considering revising the interpretive ruling (12 CFR 7.3025) requiring the annual write-down of "other real estate owned" by national banks.

The original objectives of this ruling were to encourage early disposal of other real estate held by national banks and to induce compliance with the five-year limitation imposed upon such holdings by 12 U.S.C. 29.

The Comptroller's Office has received numerous comments that the present interpretive ruling results in unrealistic charges against bank operating earnings and a consequent unrealistic carrying value for "other real estate owned" that has been written down. Under the proposed revision of the interpretive ruling, the mandatory amortization of "other real estate owned", is discontinued and a reporting requirement is substituted which is intended to result in more meaningful bank financial statement comparisons.

Specifically, the revision requires (1) that "other real estate owned" be recorded at the lower of (a) cost, or (b) fair market value as substantiated by an independent appraisal obtained at the time of acquisition; (2) that the appraisal be reviewed annually and the book value be reduced to appraised value; and (3) that the book value of the asset shall not be written up as a result of an increase in the fair market value in subsequent years.

The proposal emphasizes that the provisions of 12 U.S.C. 29 requiring that "other real estate owned" be disposed of within five years will be strictly enforced. Supervisory remedies, including use of 12 U.S.C. 1818(b), will be utilized to ensure compliance.

The proposed revision is, in most respects, a liberalizing amendment which will not adversely affect any bank. However, the proposed ruling will require different accounting treatment of "other real estate owned" from that presently being followed by national banks. Moreover, the revision notifies national banks that 12 U.S.C. 29 will be strictly applied to require timely dispositions of such real estate. If the proposal is adopted, 12 CFR 7.3025 will be revised retroactive to January 1, 1976, after which date, the amortization of "other real estate owned" will no longer be required. Amounts previously charged off shall not be reinstated.

The Comptroller of the Currency requests the comments of all interested parties on the proposed revision. Comments on the proposed revision should be in writing, addressed to Charles B. Hall, Deputy Comptroller for Banking Operations, Office of the Comptroller of the Currency, Washington, D.C. 20219, to be received by March 26, 1976.

It is proposed to amend Part 7 of 12 CFR by revising § 7.3025 to read as follows:

§ 7.3025 Other Real Estate Owned.

(a) "Other real estate owned" is real estate acquired by a national bank:

(1) through purchases at sales under judgments, decrees or mortgages where the property was security for debts previously contracted;

(2) through conveyance in satisfaction of debts previously contracted; or

(3) through purchase to secure debts previously contracted.

(b) The bank is under an affirmative duty to dispose of "other real estate owned" as soon as a price sufficent to reimburse the bank for its investment and costs of acquisition can be arranged. However, no national banking association shall hold "other real estate owned" for a longer period than five (5) years. Supervisory remedies, including use of 12 U.S.C. 1818(b), will be utilized to ensure compliance.

(c) "Other real estate owned" should be initially recorded at the lower of cost or fair market value.

(1) Cost includes: The unpaid loan balance (excluding accrued and uncollected interest); major replacements or renovations required to make the property saleable; assessments; taxes accrued up to the time of acquisition; court costs, legal fees, title and recording fees due in connection with the acquisition; and similar costs incurred in acquiring the property.

(2) Fair market value must be substantiated by a current appraisal prepared by an independent qualified appraiser at the time of acquisition.

(d) The bank must obtain annually a new appraisal or a certification in letter form from the independent appraiser substantiating that the property has not declined in value. In the event the book value exceeds the appraised value, the difference must be charged off; however, if a subsequent increase in appraised value occurs the book value shall not be written up beyond the original cost as described in (c)(1) of this section.

(e) Current documentation must be maintained reflecting the bank's persistent and diligent efforts to dispose of each parcel of "other real estate owned".

(f) If "other real estate owned" is an unfinished construction or development project, further prudent advances to complete the project may be included in investment cost. However, such additional advances will not be permissible unless the bank can provide evidence that the advances will result in a more salable property.

(g) After "other real estate owned" has been on the bank's books for four years and six months, the bank must publicly advertise the property for sale. Disposition of the property must occur through public or private sale within five years from the date of acquisition.

[SEAL] JAMES E. SMITH,
Comptroller of the Currency.

FEBRUARY 23, 1976.

[FR Doc.76-5669 Filed 2-26-76;8:45 am]

Customs Service

[19 CFR Part 4]

VESSELS IN FOREIGN AND DOMESTIC TRADES

Proposed Amendments to the Customs Regulations Relating to the Dutiability of Foreign Purchases of Vessel Equipment by American Fishing Vessels

Notice is hereby given that under the authority of R.S. 251, as amended, 19 U.S.C. 66), R.S. 4364 (46 U.S.C. 310), and section 466, 624, 46 Stat. 718, as amended, 759 (19 U.S.C. 1466, 1624), it is proposed to amend section 4.15 of the Customs Regulations (19 CFR 4.15) pertaining to the dutiability under section 466, Tariff Act of 1930, as amended (19 U.S.C. 1466), of vessel equipment purchased in foreign ports by American fishing boats.

An American vessel licensed to engage in the fisheries is not considered to be engaged in foreign trade and therefore is not subject to the duties arising under section 466 of the Tariff Act, except when such vessel exchanges its license for a registry or obtains a permit to touch and trade on Customs Form 1379 as required by section 4.15(a) of the Customs Regulations, or does in fact engage in foreign trade. The United States Customs Service has ruled, as reflected in footnote 28 to section 4.15(a), that a vessel licensed for the fisheries which "puts into a foreign port or place and only obtains bunkers, stores, or supplies suitable for a fishing voyage" is not considered to have touched and traded there. Furthermore, the Customs Service has not required American fishing vessels to obtain a clearance or a permit to touch and trade when they depart the United States with the intention of pur-

chasing foreign vessel equipment, including fish netting, outside the United States. Consequently, vessel equipment purchased in this manner by American fishing vessels has not been subject to the assessment of the 50% duty provided for in section 466, Tariff Act of 1930, as amended.

Upon review of its position in this matter, the United States Customs Service has determined that the term "vessel supplies" in footnote 28 does not include vessel equipment, such as fish netting. Thus, vessels which depart the United States for foreign ports with the intent of purchasing and lading preordered vessel equipment, or equipment to replace existing equipment (other than equipment which was damaged or lost on the voyage) should be required to obtain either a clearance for the foreign port (where the vessel holds a registry) or a permit to touch and trade (where the vessel is merely licensed to engage in the fisheries). As a result, vessel equipment purchased under these circumstances would be subject to the assessment of a 50% duty under section 466 inasmuch as vessels so used are considered to be engaged in the foreign trade.

In order to inform the public of the position of the Customs Service in this regard, it has been decided to propose an amendment to section 4.15 of the Customs Regulations to provide that fishing vessels departing from the United States where there is an intent to stop at a foreign port to lade preordered vessel equipment or to purchase and lade equipment to replace existing equipment, must either clear for the foreign port or obtain a permit to touch and trade, whether or not the vessel will engage in fishing on that voyage. Also included in the notice is a proposed amendment to footnote 28 to section 4.15(a) which would make it clear that fish netting is considered vessel equipment and not vessel supplies.

Accordingly, it is proposed to amend section 4.15(a) of the Customs Regulations (19 CFR 4.15(a)) and the last paragraph of footnote 28 to section 4.15(a) to read as follows:

4.15 Fishing vessels touching and trading at foreign places.

(a) Before any vessel enrolled and licensed or licensed to engage in the fisheries shall touch and trade at a foreign port or place, the master shall obtain from the district director a permit on Customs Form 1379 to touch and trade. When a fishing vessel departs from the United States and there is an intent to stop at a foreign port to lade preordered vessel equipment or to purchase and lade equipment to replace existing equipment, the master of the vessel must either clear for that foreign port or obtain a permit to touch and trade, whether or not the vessel will engage in fishing on that voyage.[28]

* * * * *

Consideration will be given to relevant written data, views, or arguments pertaining to the proposed amendments which are submitted to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229, and received not later than March 29, 1976.

Written material or suggestions submitted will be available for public inspection in accordance with section 103.8 (b) of the Customs Regulations (19 CFR 103.8(b)), at the Regulations Division, United States Customs Service, Washington, D.C. during regular business hours.

VERNON D. ACREE,
Commissioner of Customs.

Approved:

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

FEBRUARY 18, 1976.

[FR Doc.76-5603 Filed 2-26-76;8:45 am]

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* * * *

* * * * *

[28] If such a vessel puts into a foreign port or place and only obtains bunkers, stores, or supplies suitable for a fishing voyage, it is not considered to have touched and traded there. (Fish netting is considered vessel equipment and not vessel supplies.)

DEPARTMENT OF JUSTICE

Law Enforcement Assistance Administration

[28 CFR Part 30]

DRAFT REGULATION RELATING TO THE LEAA IMPLEMENTATION OF THE OMB CIRCULAR NO. A-95 REVISED: EVALUATION, REVIEW, AND COORDINATION OF FEDERAL AND FEDERALLY ASSISTED PROGRAMS AND PROJECTS

Proposed Revision of Current Guidelines

The Law Enforcement Assistance Administration hereby proposes to add a new Part 30 to Chapter I of Title 28 of the Code of Federal Regulations. This proposed regulation will revise current guidelines governing compliance with the OMB Circular No. A-95 Revised entitled "Evaluation, Review and Coordination of Federal and Federally Assisted Programs and Projects."

It is anticipated that this proposed revision shall be promulgated in final form and become effective on or about April 29, 1976.

Interested persons may submit written comments, suggestions, or objections concerning the proposed regulation relating to OMB Circular No. A-95 Revised to the Office of Regional Operations, Law Enforcement Assistance Administration, Washington, D.C. 20531, on or before March 22, 1976. All written comments received from the public through that date will be considered by LEAA in formulating the final regulation.

The proposed regulation was generated in response to OMB's revision of the Circular which was promulgated January 13, 1976, Part IV, FEDERAL REGISTER, Vol. 41, No. 8, pp. 2051-2065.

RICHARD W. VELDE,
Administrator.

THOMAS J. MADDEN,
Assistant Administrator, General Counsel.

Accordingly, Part 30 of Title 28 is proposed to read as follows:

Subpart A—General Provisions

Sec.
30.1 Purpose.
30.2 Scope.
30.3 Cancellation.
30.4 Authority.
30.5 Implementation.

Subpart B—Project Notification and Review System (Part I)

30.6 Establishment of clearinghouses.
30.7 Notification of intent.
30.8 Clearinghouse functions.
30.9 Consultation and review.
30.10 Subject matter of comments and recommendations.
30.11 Clearinghouse review requirement.
30.12 Coverage, exceptions, and variations.
30.13 Joint funding.

Subpart C—Direct Federal Development (Part II)

30.14 Direct Federal Development.

Subpart D—State Plans and Multisource Programs (Part III)

30.15 General.
30.16 Governor's comments.
30.17 Programs requiring State plans.
30.18 Multisource programs.

Subpart E—Coordination of Planning in Multijurisdictional Areas (Part IV)

30.19 Purpose.
30.20 Planning and development districts or regions.
30.21 Governor's review and comment.
30.22 Consultation in review boundaries.
30.23 Justification for variance.
30.24 Common and consistent planning bases and coordination of related activities in multijurisdictional areas.
30.25 Memorandum of agreement signatories.
30.26 Applicant for assistance to accomplish areawide planning.
30.27 SPA implementation of memorandum of agreement rquirements.
30.28 Inability to effectuate a memorandum of agreement.
30.29 Joint funding.

Subpart F—Definitions

30.30 Definitions.

Subpart G—Attachments

30.31 Attachment A—Circular No. A-95 Revised.
30.32 Attachment B—"A-95: What It Is and How It Works."
30.33 Attachment C—Directory of State and Areawide Clearinghouses.

Subpart A—General Provisions

§ 30.1 Purpose.

The purpose of the regulation is to furnish guidance to LEAA offices, whose programs are covered by this regulation as outlined in § 30.2, and to State Planning Agencies (SPA's) for cooperation with State and local governments in the evaluation, review, and coordination of Federal and federally assisted programs and projects. In addition to promulgating LEAA procedures to implement OMB Circular No. A-95 Revised, this regulation transmits the following attachments:

(a) Attachment A—Circular No. A-95 Revised.

(b) Attachment B—"A-95: What It Is and How It Works."

(c) Attachment C—Directory of State and Areawide Clearinghouse.

§ 30.2 Scope.

Full compliance with OMB Circular No. A-95 Revised is required by all applicants for funds under programs associated with section 202, section 306(a), section 455(a) and section 515(b) of the Crime Control Act of 1973, Pub. L. 93-83 as amended by Pub. L. 93-415 and with section 221 and section 224 of the Juvenile Justice and Delinquency Prevention Act of 1974, Pub. L. 93-415. This regulation will have applicability to all projects and activities (or significant substantive changes thereto) for which Federal assistance is being sought as outlined below:

(a) Subpart B covers the following programs:

(1) 16.500 Law Enforcement Assistance—Comprehensive Planning Grants.

(2) 16.501 Law Enforcement Assistance—Discretionary Grants.

(3) 16.502 Law Enforcement Assistance—Improving and Strengthening Law Enforcement and Criminal Justice.

(4) 16.515 Criminal Justice Systems development.

(5) 16.516 Law Enforcement Assistance—Juvenile Justice and Delinquency Prevention—Allocation to the States.

(6) 16.517 Law Enforcement Assistance—JJDP Special Emphasis Prevention and Treatment.

(b) Subpart D covers the following programs:

(1) 16.502 Law Enforcement Assistance—Improving and Strengthening Law Enforcement and Criminal Justice.

(2) 16.516 Law Enforcement Assistance—Juvenile Justice and Delinquency Prevention—Allocation to the States.

(c) Subpart E covers the same programs as listed in § 30.2a.

§ 30.3 Cancellation.

This regulation, upon its effective date, will cancel LEAA Guideline G 4063.1A, Transmittal of OMB Circular No. A-95 Revised: Evaluation, Review, and Coordination of Federal and Federally Assisted Programs and Projects, dated December 19, 1973.

§ 30.4 Authority.

This regulation has been prepared pursuant to:

(a) Section 401(a) of the Intergovernmental Cooperation Act of 1968;

(b) Title IV, section 403, of the Intergovernmental Cooperation Act of 1968;

(c) Section 204(c) of the Demonstration Cities and Metropolitan Development Act of 1966;

(d) Reorganization Plan No. 2 of 1970 and Executive Order No. 11541 of July 1, 1970; and

(e) OMB Circular No. A-95 Revised.

§ 30.5 Implementation.

The Intergovernmental Cooperation Act of 1968 encourages added cooperation with State and local government in the evaluation, review and coordination of federally assisted programs and projects. OMB Circular No. A-95 Revised spells out the requirements designed to implement the purpose of this Act.

Subpart B—Project Notification and Review Systems (Part I)

§ 30.6 Establishment of clearinghouses.

Part I of the OMB Circular No. A-95 Revised encourages the establishment of a network of State, regional and metropolitan planning and development clearinghouses which will aid in the coordination of federally assisted projects and programs with State, regional and local planning for orderly growth and development.

§ 30.7 Notification of intent.

(a) Any agency of State or local government or any organization or individual undertaking to apply for assistance to a project or major substantive modification thereto under a Federal program covered by this Subpart will be required to notify both the State and areawide planning and development clearinghouses in the jurisdiction of which the project is to be located, of its intent to apply for assistance at such time as it determines it will develop an application.

(b) In the case of applications for projects involving land or water use and development or construction in the National Capital (as defined in section 1(b) of the National Capital Planning Act of 1952, as amended) a copy of the notification will be sent to the National Capital Planning Commission (NCPC) in addition to the areawide clearinghouse and the appropriate State clearinghouse. NCPC is the official planning agency for the Federal Government in the National Capital Region.

(c) In the case of an application in any State for an activity that is statewide or broader in nature (such as for various types of research) and does not have specific applicability to nor affects areawide or local planning and programs, the notification needed to be sent only to the State clearinghouse. Involvement of areawide clearinghouses in the review of such cases will be at the initiative of the State clearinghouse.

(d) Notifications will include a summary description of the project for which assistance will be sought. The summary description will contain the following information, as appropriate and to the extent available:

(1) Identity of the applicant agency, organization, or individual.

(2) The geographic location of the project to be asssisted. A map should be provided, if appropriate.

(3) A brief description of the proposed project by type, purpose, general size or scale, estimated cost, beneficiaries, or other characteristics which will enable the clearinghouses to identify agencies of State or local government having plans, programs, or projects that might be affected by the proposed project.

(4) A statement as to whether or not the applicant has been advised by the funding agency from which assistance is being sought that he will be required to submit environmental impact information in connection with the proposed project.

(5) The Federal program title and number and agency under which assistance will be sought as indicated in Attachment D of the Circular itself or the latest Catalog of Federal Domestic Assistance. (The Catalog is issued annually in the spring and is updated during the year.) In the case of programs not listed therein, programs will be identified by Public Law Number or U.S. Code citation.

(6) The estimated date the applicant expects to formally file an application.

(e) Many clearinghouses have developed notification forms and instructions. Applicants are urged to contact their clearinghouses for such information in order to expedite clearinghouse review.

(f) In order to assure maximum time for effective coordination and so as not to delay the timing submission of the completed application to the funding agency, notifications containing the preliminary information indicated above should be sent at the earliest feasible time.

(g) Applications from federally recognized Indian tribes are not subject to the requirements of this Subpart. However, Indian tribes may voluntarily participate in the Project Notification and Review System and are encouraged to do so.

(h) LEAA will notify the appropriate State and areawide clearinghouses of any applications from federally recognized Indian tribes upon their receipt. Where a federally recognized Tribal Government has established a mechanism for coordinating the activities of Tribal departments, divisions, enterprises, and entities, LEAA will upon request of such Tribal Government transmitted through the Office of Management and Budget, require that applications for assistance under programs covered by this Subpart from such Tribal departments, division, enterprises, and entities be subject to review by such Tribal coordinating mechanism as though it were a State or areawide clearinghouse.

§ 30.8 Clearinghouse functions.

Clearinghouse functions include:

(a) Evaluating the significance of proposed Federal or federally assisted proj-

ects to State, areawide, or local plans and programs, as appropriate.

(b) Receiving and disseminating project notifications to appropriate State agencies and multistate agencies in the case of the State clearinghouse and to appropriate local governments and agencies and regional organizations in the case of areawide clearinghouses; and providing liaison, as may be necessary, between such agencies or bodies and the applicant. In the case of units of general local government, notifications of all projects affecting his jurisdiction will, if requested, be sent to the chief executive of such unit by the areawide clearinghouse or to such central agency as he may designate for review and reference to appropriate agencies of such unit.

(c) In the case of projects under programs covered by this Subpart located in the coastal zone, as defined in the Coastal Zone Management Act of 1972, assuring that the State agency, if other than the State clearinghouse, responsible for administration of the approved program for the management of the coastal zone, is given opportunity to review the project for its relationship to such program and its consistency therewith.

(d) Assuring, pursuant to section 102 (2)(C) of the National Environmental Policy Act of 1969, that appropriate State, multistate, areawide, or local agencies which are authorized to develop and enforce environmental standards are informed of and are given opportunity to review and comment on the environmental significance of proposed projects for which Federal assistance is sought.

(e) Providing public agencies charged with enforcing or furthering the objectives of State and local civil rights laws with opportunity to review and comment on the civil rights aspects of the project for which assistance is sought.

(f) In the case of a project for which Federal assistance is sought by a special purpose unit of local government, clearinghouses will assure that any unit of general local government having jurisdiction over the area in which the project is to be located has opportunity to confer, consult, and comment upon the project and the application.

(g) Where areawide clearinghouse jurisdictions are continguous, coordinative arrangements should be established between the clearinghouses in such areas to assure that projects in one area which may have an impact on the development of a contiguous area are joint studied. Any comments and recommendations made by or through a clearinghouse in one area on a project in a contiguous area will accompany the application for assistance to that project.

§ 30.9 Consultation and review.

(a) State and areawide clearinghouses may have a period of 30 days after receipt of a project notification in which to inform State and multistate agencies and local or regional governments or agencies that may be affected by the proposed project and arrange, as may be necessary, to consult with the applicant thereon. The review may be completed in this period and comments may be submitted to the applicant.

(b) If the review is not completed during this period, the clearinghouse may work with the applicant in the resolution of any problems raised by the proposed project during the period in which the application is being completed.

(c) In cases where no project notification has been submitted and the clearinghouse receives only a completed application, it may have 60 days to review the completed application. If a completed application is submitted during the first 30 days after a notification has been submitted, the clearinghouse may have 30 days plus the number of days remaining in the initial 30 day notification period to complete its review. In all other cases, the clearinghouse may have 30 days to review a completed application. Where clearinghouses have not completed their reviews during the 30 day notification period, they are strongly urged to give the applicant formal notice to that effect. Where reviews have been completed prior to completion of an application, an information copy will be supplied to the clearinghouse, upon request, when the application is submitted to the funding agency.

(d) Written comments submitted to the areawide clearinghouse by other jurisdictions, agencies, or parties will be included as attachments to the comments of areawide clearinghouses, when they are at variance with the clearinghouse comments; and others from whom comments were solicited and received should be listed.

(e) Applications submitted to clearinghouses for review from non-governmental applicants are not required to include confidential information concerning the financial status or structure or the personnel of the applicant organization, even though, under some programs, such information would be required to be sent to the funding agency as part of the application.

(f) Applicants will include completed application as submitted to LEAA or the SPA, as appropriate:

(1) All comments and recommendations made by or through clearinghouses, along with a statement that such comments have been considered prior to submission of the application; or

(2) Where no comments have been received from a clearinghouse, a statement that the procedures outlined in this section have been followed and that no comments or recommendations have been received.

(g) Applications for renewal or continuation grants or applications not submitted to or acted upon by the funding agency within one year after completion of clearinghouse review will be subject to re-review upon request of the clearinghouse.

§ 30.10 Subject matter of comments and recommendations.

Comments and recommendations made by or through clearinghouses with respect to any project are for the purpose of assuring maximum consistency of such project with State, areawide, and local comprehensive plans.

§ 30.11 Clearinghouse review requirement.

(a) All applications for assistance under programs covered by this Subpart must be submitted to appropriate clearinghouses for review prior to their submission to LEAA or the SPA, as appropriate. Applications that do not carry evidence that both areawide and State clearinghouses have been given an opportunity to review the application will be returned to the applicant with instructions to fulfill the requirements of this Subpart. The SPA's will insure that all applications contain a State Application Identifier (SAI) number. This is mandatory for use in notifying clearinghouses of action taken on the application.

(b) The funding agency must notify such clearinghouses within seven working days of any major action taken on such applications that have been reviewed by said clearinghouses. Major actions will include awards, rejections, returns for amendment, deferrals, or withdrawals. The standard multipurpose form, SF 424, as prescribed by Treasury Circular TC 1082 (as revised, October, 1975) will be used for this purpose.

(c) Where a clearinghouse has recommended against approval only with specific and major substantive changes and LEAA, or in the case of subgrants, the SPA approves the application substantially as submitted, LEAA or the SPA, as appropriate, will provide the clearinghouse with, along with the action notice, an explanation therefor.

(d) Where a clearinghouse has recommended against approval of a project because it conflicts with or duplicates another Federal or federally assisted project, LEAA or the SPA, as appropriate, will consult with the agency assisting the referenced projects prior to acting if it plans to approve the application.

§ 30.12 Coverage, exceptions, and variations.

Generally, this Subpart and the laws and OMB Circular No. A-95 Revised on which it is based are concerned with programs providing financial assistance to projects and activities which have an impact on State, areawide, and local development of natural, economic, and human resources. This Subpart is concerned with achieving the most effective and efficient utilization of Federal assistance programs through coordination among and between Federal, multistate, State, areawide, and local plans and programs and the elimination of conflict, overlap, and duplication of projects and activities under such programs. Coverage under this Subpart includes, or will be extended from time to time as deemed necessary and practicable to include programs bearing upon these concerns and objectives.

(a) OMB will consider Federal agency requests for exemption of certain classes of projects or activities under programs otherwise covered which:

(1) Meet any of the characteristics of programs inappropriate for coverage under paragraph 8b of OMB Circular No. A-95 Revised;

(2) Are of small scale or size or are highly localized as to impact, or

(3) Display other characteristics which might make review impractical.

(b) OMB will consider Federal agency requests for procedural variations from normal review processes:

(1) On a temporary basis for programs with time constraints brought about because of start up requirements or other unusual circumstances beyond the control of the funding agency. (Note: Delay in fund availability is not normally an acceptable reason for a variation. When a delay is anticipated, applicants should be instructed to have their applications reviewed by clearinghouses in readiness for submission when funds become available.)

(2) For programs where statutory or related procedural limitations make the normal review processes impracticable.

(c) All requests from LEAA offices for exemptions or procedural variations should be routed through the Office of Regional Operations, LEAA.

(d) Individual clearinghouses may exempt certain types of projects from review for reasons indicated above or for other reasons appropriate to the State or area.

(e) Applicants should be made aware that in various States State law requires review of applications for Federal assistance under various programs not covered by this Subpart. Implementation of such law is enforced through State rules and regulations, and applicants are urged to ascertain the existence of such laws and to acquaint themselves with applicable State procedures.

§ 30.13 Joint funding.

Applications for assistance to activities under the Joint Funding Simplification Act (P.L. 93-510) or any other joint funding authority, which involves activities funded under one or more of the programs covered under this Subpart, will be subject to the requirements of this Subpart.

Subpart C—Direct Federal Development (Part II)

§ 30.14 Direct Federal Development.

This section of the OMB Circular No. A-95 Revised does not apply to LEAA.

Subpart D—State Plans and Multisource Programs (Part III)

§ 30.15 General.

The purpose of this Subpart is to provide LEAA with information about the relationship to State or areawide comprehensive planning of the Annual Comprehensive State Plan.

§ 30.16 Governor's comments.

If current SPA procedures do not require the Governor's concurrence in the Annual Comprehensive Plan, then the Governor must be given an opportunity to comment (up to 45 days) on the relationship of the Plan to comprehensive and other State plans and programs and to those of affected local or areawide jurisdictions. Any comments must be submitted with the Plan.

§ 30.17 Programs requiring State plans.

The programs which require State plans are limited to:

(a) 16.502 Law Enforcement Assistance—Improving and Strengthening Law Enforcement and Criminal Justice; and

(b) 16.516 Law Enforcement Assistance—Juvenile Justice and Delinquency Prevention—Allocation to the States.

§ 30.18 Multisource programs.

(a) A multisource program under this Subpart is a program or programs which may have an impact on State, areawide, or local developments for which assistance is sought, on a combined or coordinated basis involving two or more Federal programs for funding authorities.

(b) LEAA, should it participate in a multisource program, will require that appropriate State and areawide clearinghouses be given the opportunity to comment on the relationship of any proposed multisource program to State or areawide comprehensive plans and programs. Clearinghouses will be afforded a period of 45 days in which to make such comments, and any comments will be transmitted with the application for assistance under such multisource program.

(c) Multisource programs include the following programs, plus such other programs as the Office of Management and Budget shall specify from time to time:

(1) Joint Funding Projects (P.L. 93-510).

(2) Unified Work Program (DOT 1130.2).

(3) Environmental Protection—Consolidated Program Grants (EPA) (Catalog 66.600).

Subpart E—Coordination of Planning in Multijurisdictional Areas (Part IV)

§ 30.19 Purpose.

The purposes of this Subpart are to:

(a) To encourage and facilitate State and local initiative and responsibility in developing organizational and procedural arrangements for coordinating comprehensive and functional planning activities.

(b) To eliminate overlap, duplication, and competition in areawide planning activities assisted or required under Federal programs and to encourage the most effective use of State and local resources available for planning.

(c) To minimize inconsistency among Federal administrative and approval requirements placed on areawide planning activities.

(d) To encourage the State to exercise leadership in delineating and establishing a system of planning and development districts or regions in each State, which can provide a consistent geographic base for the planning and coordination of Federal, State, and local development programs.

(e) To encourage Federal agencies administering programs assisting or requiring areawide planning to utilize agencies that have been designated to perform areawide comprehensive planning, planning and development districts or regions established pursuant to paragraph (d) of this section (generally, areawide clearinghouses designated pursuant to Part I of OMB Circular No. A-95 Revised) to carry out or coordinate planning under such programs. In the case of interstate metropolitan areas, agencies designated as metropolitan areawide clearinghouses should be utilized to the extent possible to carry out or coordinate Federally assisted or required areawide planning.

§ 30.20 Planning and development districts or regions.

It is expected that States will exercise leadership in delineating and establishing a system of planning and development districts or regions in each State which can provide a consistent geographic base for the coordination of Federal, State, and local development programs.

§ 30.21 Governor's review and comment.

Prior to the designation or redesignation (or the approval thereof) of any planning and development district or region under the LEAA programs, the Governor(s) of the State(s) in which the district or region will be located must be allowed a period of 30 days to review the boundaries thereof and comment on its relationship to planning and development districts or regions established by the State. Where the State has established such planning and development districts the boundaries of areas designated under the LEAA programs will conform to them unless there is clear justification for not doing so.

§ 30.22 Consultation in review boundaries.

Where the State has not established planning and development districts or regions which provides a basis for evaluation of the boundaries of the area proposed for designation, major units of general local government and the appropriate Federal Regional Council (FRC) will also be consulted prior to designation of the area to assure consistency with districts established under interlocal agreements and under related Federal programs.

§ 30.23 Justification for variance.

The Office of Management and Budget will be notified through the appropriate FRC by the SPA of any proposed designation and will be informed of such designation when it it made, including such justifications as may be required under § 30.21 above.

§ 30.24 Common and consistent planning bases and coordination of related activities in multijurisdictional areas.

Each SPA will develop procedures and requirements for applications for multi-

jurisdictional planning and development assistance under appropriate programs to assure the fullest consistency and coordination with planning and development being carried on by the areawide comprehensive planning agency or clearinghouse designated under Part I of the OMB Circular No. A–95 Revised. These procedures shall include provision for submission to the funding agency by any applicant for multijurisdictional planning assistance, if the applicant is other than an areawide comprehensive planning agency referred to in § 30.20, of a memorandum of agreement between the applicant and such areawide comprehensive planning agency covering the means by which their planning activities will be coordinated. The agreement will cover but need not be limited to the following matters:

(a) Identification of relationships between the planning proposed by the applicant and that of the SPA and of similar or related activities that will require coordination;

(b) The organization and procedural arrangements for coordinating such activities, such as: overlapping board membership, procedures for joint review of project activities and policies, information exchange, etc.;

(c) Cooperative arrangements for sharing planning resources (funds, personnel, facilities, and services);

(d) Agreed upon base data, statistics and projections (social, economic, demographic) on the basis of which planning in the area will proceed.

§ 30.25 Memorandum of agreement signatories.

The signatories to the memorandum of agreement are:

(a) The areawide comprehensive planning agency (usually the areawide A–95 clearinghouse) and

(b) The applicant for assistance to carry out areawide planning if other than (a) above. [Not infrequently (a) and (b) are the same, in which case no memorandum of agreement is required.]

§ 30.26 Applicant for assistance to accomplish areawide planning.

The applicant referred to in § 30.25b will in most cases mean any Regional Planning Units within the State that do not conform to the same boundaries of the A–95 clearinghouse and do not operate under the auspices of the Council of Governments.

§ 30.27 SPA implementation of memorandum of agreement requirement.

The SPA is required to assure that the memorandum of agreement requirement is followed. Its regulations must reflect that requirement. Under some programs, the applicant (assume it is a hypothetical State agency in this example) will carry out areawide planning under a Federal program. In this example the memorandum of agreemnt would be between the areawide comprehensive planning agency (areawide clearinghouse) and the hypothetical State agency doing the planning. The objective is to assure that federally assisted functional planning in any area is coordinated with the framework of comprehensive planning for that area.

§ 30.28 Inability to effectuate a memorandum of agreement.

Where an applicant has been unable to effectuate such an agreement, he will submit a statement indicating the efforts he has made to secure agreement and the issues that have prevented it. In such case, the funding agency in consultation with the FRC and the designated State clearinghouse, will undertake, within a 30 day period after receipt of the application, resolution of the issue before approving the application, if it is otherwise in good order.

§ 30.29 Joint funding.

Where it will enhance the quality, comprehensive scope, and coordination of planning in multijurisdictional areas, LEAA will, to the extent practicable, provide for joint funding of planning activities being carried on therein.

Subpart F—Definitions

§ 30.30 Definitions.

(a) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Trust Territory of the Pacific Islands, and any territory of possession of the United States.

(b) "Unit of general local government" means any city, county, township, town, borough, parish, village or other general purpose political subdivision of State, an Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior, or, for the purpose of assistance eligibility, any agency of the District of Columbia government performing law enforcement functions in and for the District of Columbia and funds appropriated by the Congress for the activities of such agency may be used to provide the non-Federal share of the cost of programs or projects funded under this title.

(c) "Special purpose unit of local government" is any special district, public purpose corporation, or other strictly limited purpose political subdivision of a State.

(d) "Federal assistance, Federal financial assistance, Federal assistance program, or federally assisted programs" are programs that provide assistance through grant or contractual arrangements. They include technical assistance programs, or programs providing assistance in the form of loans, loan guarantees, or insurance. The term does not include any annual payment by the United States to the District of Columbia authorized by article VI of the District of Columbia Revenue Act of 1947 (D.C. Code sec. 47–2501a and 47–2501b).

(e) "Funding agency" is the Law Enforcement Assistance Administration or, in the case of certain formula grant programs, the State Planning Agency which is responsible for final approval of applications for assistance.

(f) "Metropolitan area" is a standard metropolitan statistical area as established by the Office of Management and Budget, subject, however, to such modifications and extensions as the Office of Management and Budget may determine to be appropriate for the purpose of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, and the OMB Circular No. A–95 Revised.

(g) "Areawide" means comprising, in metropolitan areas, the whole of contiguous urban and urbanizing areas; and in non-metropolitan areas, contiguous counties or other multijurisdictional areas having common or related social, economic, or physical characteristics indicating a community of developmental interests; or, in either, the area included in a sub-State district designated pursuant to paragraph 1d, Part IV, Attachment A of the OMB Circular No. A–95 Revised.

(h) "Planning and development clearinghouse or clearinghouse" includes:

(1) "State Clearinghouse" which is an agency of the State government designated by the Governor or by State law to carry out the requirements of paragraph 3, Part I, Attachment A of the OMB Circular No. A–95 Revised.

(2) "Areawide clearinghouse" means:

(i) In non-metropolitan areas a comprehensive planning agency designated by the Governor (or Governors in the case of regions extending into more than one State) or by State law to carry out requirements of OMB Circular No. A–95 Revised.

(ii) In metropolitan areas an areawide agency that has been recognized by the Office of Management and Budget as an appropriate agency to perform review functions under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, Title IV of the Intergovernmental Cooperation Act of 1968, and OMB Circular No. A–95 Revised.

(i) "Multijurisdictional area" means any geographical area comprising encompassing, or extending into more than one unit of general local government.

(j) "Planning and developmental district or region" means a multijurisdictional area that has been formally designated or recognized as an appropriate area for planning under State law or Federal program requirements.

(k) "Direct Federal development" means planning and construction of public works, physical facilities, and installations or land and real property development (including the acquisition, use, and disposal of real property) undertaken by or for the use of the Federal Government or any of its agencies; or the leasing of real property for Federal use where the use or intensity of use of such property will be substantially altered.

Subpart G—Attachments

§ 30.31 Attachment A—Circular No. A–95 Revised.

[Reserved]

§ 30.32 Attachment B—"A–95: What it is and how it works".

[Reserved]

§ 30.33 Attachment C—Directory of State and areawide clearinghouses.

[Reserved]

[FR Doc.76-5632 Filed 2-26-76;8:45 am]

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Part 7]

MOUNT RAINIER NATIONAL PARK, WASHINGTON

Snowmobile Routes

Notice is hereby given that pursuant to the authority contained in the Act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. 3), and by Section 2 of the Act of March 2, 1899 (30 Stat. 994, as amended; 16 U.S.C. 92); 245 DM 1 (34 F.R. 13879), as amended; EO 11644 (37 F.R. 2877); 36 CFR 2.34; National Park Service Order No. 77 (38 F.R. 7478), as amended; and Pacific Northwest Region Order No. 3 (37 F.R. 6325), as amended; it is proposed to add Section 7.5(c) of Title 36 of the Code of Federal Regulations as set forth below.

The purpose of this proposal is to designate snowmobile routes in Mount Rainier National Park.

In order to properly designate the snowmobile routes, it is considered necessary to define the portions of the routes where snowmobile use will be permitted.

In arriving at the designations of the snowmobile routes, we have been guided by the criteria contained in Sections 3 and 4 of Executive Order 11644 (37 F.R. 2877) and also have considered factors such as other visitor uses, safety, wildlife management, noise, erosion, geography, weather, vegetation, resource protection, and other management considerations.

An environmental assessment has been prepared on the designation of the snowmobile routes and is available for public review in the office of the Park Superintendent.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed regulation to the Park Superintendent, Mount Rainier National Park, Longmire, Washington 98397, on or before March 29, 1976.

Paragraph (c) of Section 7.5 is added follows:

§ 7.5 Mount Rainier National Park.

* * * * *

(c) *Snowmobile Use.*

(1) *Available Roadway:* On routes designated for snowmobile use, only that portion of the roadway intended for wheeled vehicle use may be used by snowmobiles. Such roadway is available for snowmobile use only when the designated roadway is closed to all other public motor vehicle use.

(2) *Designated Routes:*

(i) That portion of the West Side Road south of Round Pass.

(ii) The Mather Memorial Parkway (State Route 410) from its intersection with the White River Road north to the park boundary.

(iii) The White River Road from its intersection with the Mather Memorial Parkway to the White River Campground.

(iv) The Cougar Rock Campground road system.

(v) The Stevens Canyon Road from Stevens Canyon Entrance to the Stevens Canyon Road tunnel at Box Canyon.

DANIEL J. TOBIN, Jr.
Superintendent,
Mount Rainier National Park.

[FR Doc.76-5572 Filed 2-26-76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Administration on Aging

[45 CFR Part 901]

GRANT ADMINISTRATIVE REGULATIONS

Notice of Proposed Rule Making

Notice is hereby given that the Commissioner of the Administration on Aging with the approval of the Secretary of Health, Education, and Welfare proposes to amend Chapter IX of Title 45 of the Code of Federal Regulations by revising § 901.5 of Part 901.

Section 901.5, covering general administration requirements with respect to grants, is proposed to be amended by adding the remaining subparts of 45 CFR 74 to those already made applicable in section 901.5 to grants to private nonprofit organizations. The purpose of this proposed amendment is to make all Subparts of 45 CFR 74, setting forth uniform requirements for the administration of HEW grants to State or local governments, applicable to all grants made under parts 903, 904, 905, 909, and 910 including those to private nonprofit organizations. Thus administration of all grants made under Chapter IX will be on a uniform and consistent basis.

Written comments concerning this proposed regulation are invited from interested persons. Comments may be addressed to the Director, Office of Administration and Management, Office of Human Development, Department of Health, Education, and Welfare, South Portal Building, 200 Independence Avenue, S.W., Washington, D.C. 20201, on or before March 29, 1976. Comments received will be available for public inspection in Room 337.F of the Office of Human Development at the above address on Monday through Friday of each week from 9:00 a.m. to 5:30 p.m. (area code (202) 245-2897), Federal holidays excepted.

It is proposed to amend 45 CFR 901 by revising § 901.5 to read as set forth below:

(Catalog of Federal Domestic Assistance Program Number is 13.609)

Dated: November 24, 1975.

ARTHUR S. FLEMMING,
Commissioner on Aging.

Approved: December 22, 1975.

STANLEY B. THOMAS, Jr.,
Assistant Secretary
for Human Development.

Approved: February 23, 1976.

MARJORIE LYNCH,
Acting Secretary.

It is proposed to revise 45 CFR 901.5 to read as follows:

§ 901.5 General administrative requirements.

The provisions of part 74 of this title shall apply to all grants made under Parts 903, 904, 905, 909, and 910 of this chapter to units of State and local government and to private nonprofit organization.

(79 Stat. 218-226, 81 Stat. 106-108, 82 Stat. 1101, 83 Stat. 108-115, 86 Stat. 88-95, 87 Stat. 30-64, 42 U.S.C. 3001 et seq.)

[FR Doc.76-5630 Filed 2-26-76;8:45 am]

Food and Drug Administration

[21 CFR Part 510]

[Docket No. 75N-0297]

NEW ANIMAL DRUGS FOR WHICH AN APPROVED APPLICATION IS IN EFFECT

Submission of Advertising and Promotional Data

The Commissioner of Food and Drugs is proposing to amend § 510.302 *Reporting forms* (21 CFR 510.302) to provide for use of Form FD-2301 in submitting new animal drug promotional material to the Food and Drug Administration. Comments may be submitted on or before April 27, 1976.

Section 510.302 provides that Form FD-2301 "Transmittal of Periodic Reports and Promotional Material for New Animal Drugs" shall be used for submitting to the Food and Drug Administration the information described in § 510.300 *Records and reports concerning experience with new animal drugs for which an approved application is in effect* (21 CFR 510.300) other than that submitted under paragraph (b) (1), (2), and (3) of that section.

Paragraph (b)(3) of § 510.300 sets forth requirements for submission of mailing pieces, any other labeling, and advertising devised for promotion of an approved new animal drug. Use of Form FD-2301 to submit such promotional material is fully consistent with the format and intended use of the form, as its name indicates. Exclusion of Form FD-2301 from such use by § 510.302 resulted from an oversight, which the Commissioner proposes to rectify by amending § 510.302 as set forth below.

The Commissioner has carefully considered the environmental effects of the proposed regulation and, because the proposed action will not significantly affect the quality of the human environment, has concluded that an environmental impact statement is not required. The Commissioner has also carefully considered the inflation impact of the proposed regulation and no major inflation impact has been found, as defined in Executive Order 11821, OMB circular A–107, and interim guidelines issued April 1, 1975 by the Department of Health, Education, and Welfare. Copies of the FDA environmental and inflation impact assessments are on file with the Hearing Clerk, Food and Drug Administration.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 512, 701 (a), 52 Stat. 1055, 82 Stat. 343–351 (21 U.S.C. 360b, 371(a))) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes to amend Part 510 in § 510.302 by revising paragraph (a) to read as follows:

§ 510.302 Reporting forms.

(a) The information described in § 510.300, except that described in paragraph (b) (1) and (2) of that section, shall be submitted appropriately identified with the new animal drug application(s) to which they relate in duplicate on Form FD–2301 "Transmittal of Periodic Reports and Promotional Material for New Animal Drugs."

* * * * *

Interested persons may, on or before April 27, 1976, submit to the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate and identified with the Hearing Clerk docket number found in brackets in the heading of this document) regarding this proposal. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: February 23, 1976.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.76–5598 Filed 2–26–76;8:45 am]

FEDERAL ENERGY ADMINISTRATION

[10 CFR Part 213]

TECHNICAL AMENDMENTS

Proposed Rulemaking

In accordance with its continuing review of the Mandatory Oil Import Program, the Federal Energy Administration (FEA) has determined that Section 213.22(a) of the Oil Import Regulations does not fully implement the requirements of Section 4(b)(3) of Proclamation No. 3279, as amended, dealing with the use of imported crude oil and unfinished oils. Accordingly, FEA hereby proposes to amend Part 213 of Chapter II, Title 10 of the Code of Federal Regulations, so that § 213.22(a) fully carries out Section 4(b)(3) of the Proclamation.

Under Section 4(b)(3), all fee-exempt crude oil and unfinished oils, with certain exceptions, must be processed in the licensee's own facility. Section 213.22(a), which implements this provision, presently provides that subject to the exchange privileges in paragraphs (b) and (c) of the regulation:

> . . . each person who imports crude oil or unfinished oils under a license issued pursuant to an allocation made under sections 213.9, 213.12, 213.13, 213.20, 213.29 or 213.30 must process the oils so imported in his own [facility].

However, under the terms of the Proclamation, Sections 213.10 (Allocations based on exports), 213.11 (Allocations for conversion of heavy liquid feedstocks to petrochemicals), and 213.37 (Mexican imports) are also required to be included in the processing restriction contained in § 213.22(a). The proposed regulation would accomplish this result, and require that all persons who utilize licenses issued pursuant to the covered sections (including purchasers of such licenses under § 213.22(d)) process the imported material in their own facilities.

In addition, FEA is also proposing clarification in §§ 213.9(d), 213.10(i), 213.11(j), and 213.12(d), 213.13(d), 213.20(b), and 213.29(f), 213.30(h), and 213.37(e), in order to make clear that these sections prohibit the sale of allocations issued thereunder, and permit the sale of licenses issued pursuant to such allocations only in accordance wtih Section 213.22 (see 40 FR 59195, December 22, 1975).

Finally, FEA is amending § 213.27 in order to remove the reference to Section 206, which is no longer in effect.

Interested persons are invited to submit written data, views, or arguments with respect to these amendments to Executive Communications, Room 3309, Federal Energy Administration, Box FL, the Federal Building, Washington, D.C. 20461. Comments should be identified on the outside of the envelope and on the documents submitted to the Federal Energy Administration with the designation "Technical Amendments." Fifteen (15) copies should be submitted. All comments received by 4:30 p.m., March 17, 1976, will be considered by the Federal Energy Administration in evaluating the amendments.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination.

Opportunity for oral presentation of views, data, and arguments, prescribed by Section 7(i)(1)(C) of the Federal Energy Administration Act, is hereby waived, in accordance with that Section, because this amendment is not "likely to have a substantial impact on the Nation's economy or large numbers of individuals or businesses."

The Administrator of the Environmental Protection Agency (EPA) has reviewed this proposal in accordance with the review provisions of section 7(c)(2) of the Federal Energy Administration Act of 1974, providing for submission of proposed rules for comment by the Administrator. He has advised FEA that he has no comment.

This proposal has been reviewed in accordance with Executive Order 11821 and OMB Circular No. A–107 and has been determined not to require evaluation of its inflationary impact as provided therein.

[Federal Energy Administration Act of 1974, Pub. L. 93–275; E.O. 11790, 39 FR 23185; Trade Expansion Act of 1962, P.L. 88–794, as amended; Proclamation No. 3279, as amended].

In consideration of the foregoing, it is proposed that Part 213 of Chapter II, Title 10 of the Code of Federal Regulations be amended as set forth below.

Issued in Washington, D.C., February 24, 1976.

DAVID G. WILSON,
Acting General Counsel, Federal Energy Administration.

§§ 213.9, 213.10, 213.11, 213.13, 213.20, 213.29, 213.30 and 213.37 [Amended]

1. Section 213.9 is amended in paragraph (d), section 213.10 is amended in paragraph (i), section 213.11 is amended in paragraph (j), section 213.13 is amended in paragraph (d), section 213.20 is amended in paragraph (b), section 213.29 is amended in paragraph (f), section 213.30 is amended in paragraph (h), and section 213.37 is amended in paragraph (e), by deleting the text of such paragraphs and substituting therefor: "No allocation made pursuant to this section may be sold, assigned, or otherwise transferred, and any license issued pursuant to such allocation may be sold only in accordance with § 213.22."

2. Section 213.12 is amended in paragraph (d) to read as follows:

§ 213.12 Allocations; Refiners; Districts I–IV and the Virgin Islands.

* * * * *

(d) No license issued pursuant to an allocation made under this section may be sold, assigned, or otherwise transferred, except in accordance with § 213.22, and no license issued pursuant to such allocation shall permit the importation of Canadian imports as defined in section 11(j) of Proclamation No. 3279, as amended, except as may be authorized by this section.

* * * * *

3. Section 213.22 is amended in paragraph (a) to read as follows:

§ 213.22 Use of imported crude oil and unfinished oils.

(a) Except as provided in paragraphs (b) and (c) of this section, each person who imports crude oil or unfinished oils under a license issued pursuant to an allocation made under sections 213.9,

213.10, 213.11, 213.12, 213.13, 213.20, 213.29, 213.30, or 213.37 must process the oils so imported in his own refinery, petrochemical plant, or petrochemical capacity.

* * * * *

4. Section 213.27 is amended in the clause preceding paragraph (a) to read as follows:

§ 213.27 Definitions.

As used in Part 213:

* * * * *

[FR Doc.76-5529 Filed 2-24-76;11:56 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 275]

[Release No. IC-9168, IA-497, File No. S7-462]

INVESTMENT ADVISORS

Withdrawal of Proposed Rule

Notice is hereby given that the Securities and Exchange Commission hereby withdraws its proposal to adopt § 275.-202-2 [1] under the Investment Advisers Act of 1940 [15 U.S.C. 80b-1 et seq.] ("Act"). The proposed rule was intended to provide guidelines with respect to the applicability of the Act's definition of "investment adviser" to persons controlling registered investment advisers and affiliates of such controlling persons.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

FEBRUARY 19, 1976.

[FR Doc.76-5646 Filed 2-26-76;8:45 am]

[17 CFR Part 270]

[Release No. IC-9169, File No. S7-469]

INVESTMENT COMPANIES

Withdrawal of Proposed Rule

Notice is hereby given that the Securities and Exchange Commission hereby withdrawals its proposal to adopt § 270.-17j-1 [1] under the Investment Company Act of 1940 [15 U.S.C. 80a-1 et seq.] ("Act"). § 270.17j-1 was proposed for the purpose of defining fraudulent, deceptive, or manipulative acts, practices or courses of business within the meaning of Section 17(j) [15 U.S.C. 80a-17(j)] of the Act, requiring certain persons to report their personal securities transactions, and requiring investment companies and their investment advisers and principal underwriters to adopt Codes of Ethics.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

FEBRUARY 19, 1976.

[FR Doc.76-5645 Filed 2-26-76;8:45 am]

[1] Proposed as § 275.202-1 in Investment Company Act Release No. 7565, Investment Advisers Act Release No. 353, December 18, 1972, published in the FEDERAL REGISTER on January 17, 1973 (38 FR 1649), but redesignated as proposed § 275.202-2 in Investment Company Act Release No. 7682, Investment Advisers Act Release No. 363, February 21, 1973, published in the FEDERAL REGISTER on March 5, 1973 (38 FR 5912).

[1] Investment Company Act Release No. 7581, December 26, 1972 published in the FEDERAL REGISTER on January 22, 1973 (38 FR 2180).

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1036]

[Docket No. AO-179-A42]

MILK IN THE EASTERN OHIO-WESTERN PENNSYLVANIA MARKETING AREA

Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Eastern Ohio-Western Pennsylvania marketing area.

Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, on or before March 15, 1976. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The above notice of filing of the decision and of opportunity to file exceptions thereto is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

PRELIMINARY STATEMENT

The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Cleveland, Ohio, on December 3, 1975, pursuant to notice thereof which was issued November 14, 1975 (40 FR 53405).

The material issue on the record of the hearing relates to the application of charges on overdue accounts.

FINDINGS AND CONCLUSIONS

The following findings and conclusions on the material issue are based on evidence presented at the hearing and the record thereof:

Charges on overdue accounts. The current charge on overdue accounts should be increased to 1 percent per month. Such charge should be applied on the first day that a payment is overdue.

The order now applies a charge of .5 percent per month on handler obligations to the market administrator that are overdue. Such obligations include those due the producer-settlement fund, the administrative expense fund and the marketing service fund, all of which are maintained by the market administrator. A similar charge applies on any overdue payments by the market administrator to handlers. Presently, the late-payment charge does not apply until the beginning of the first month following the date that the payment was due. Unpaid obligations are further increased by .5 percent on the first day of each month thereafter until the obligations are paid.

A cooperative association with member-producers in the market proposed that the charge on overdue accounts be increased to 1 percent per month and that the charge be applied on the first day that the payment is overdue. In support of its proposal, the cooperative indicated that such changes are necessary to encourage prompt payments to the market administrator by regulated handlers. Proponent cited the collection problems being experienced by the market administrator and indicated that producers have an interest in timely payments by handlers. It was pointed out that late payments can result in the market administrator having insufficient money in the producer-settlement fund to make the necessary equalization payments to handlers, with handlers in turn being unable to pay their producers. Proponent also pointed out that late payments result in money due the market administrator not being available for investment by him to maximum advantage, such as during the heavy-production months when money from handlers is withheld under the "Louisville Plan" for later payment to producers during the short-production months. In addition, the cooperative indicated that those handlers making late payments have a competitive advantage in their business operations relative to handlers making timely payments.

In support of a late-payment charge of 1 percent per month, the proponent cooperative contended that such a charge must be related to current interest rates since delinquent handlers are in effect borrowing money from producers. Proponent indicated that the 1 percent rate was in line with interest rates on business loans. Proponent also stressed that if a late-payment charge is to serve the purpose of encouraging prompt payments the charge must be applied on the first day the obligation is overdue rather than at some later date. The cooperative noted that this perhaps would necessitate announcing the uniform price at an earlier date in order to provide handlers sufficient opportunity to make their payments to the market administrator on a timely basis.

The proponent cooperative's position was supported by three other cooperative associations supplying the Order 36 market.

A number of handlers in the market took varying positions at the hearing on

the proposal. A group of handlers expressed opposition on the basis that the proposed late-payment charge is too severe for an infraction of the payment requirements. Opponents contended that the payment schedule prescribed by the order does not allow handlers sufficient time to receive their billings from the market administrator and make payment to him by the due date. They claimed that on the basis of current experience regarding payments handlers thus would often be subject to a penalty under the cooperative's proposal. The handlers also pointed out that the proposed charge would apply the day after a handler's obligation is due and that this was contrary to the spirit of recent legislation providing that individual consumers must have 14 days' notice of any billing before application of an interest or penalty charge. In addition, the handlers claimed that the proposed late-payment charge is not related to the current cost of borrowing money since the full charge would apply even though a handler may be no more than one day late in making his payment to the market administrator.

In their brief, these handlers indicated that while the cooperative's proposal should not be adopted certain changes in the current application of late-payment charges could be made to encourage prompt payments. The handlers stated that the penalty on overdue accounts should be at a rate that does not encourage a delay in paying the market administrator and yet should not be so excessive as to be unduly punitive. They contended that the penalty rate should approximate the cost of borrowing money on the commercial market, and suggested a late-payment charge of .75 percent per month. The handlers contended also that they should be given a reasonable time after receiving the market administrator's billing to make the required payments. They suggested that payments to the market administrator not be due until 7 days after the market administrator mails his billings to handlers, with a late-payment penalty applying the day after the due date. However, it was suggested that a payment received by the market administrator on the first business day following the due date not be subject to a penalty.

A somewhat similar position was taken at the hearing by another handler. While also suggesting a late-payment charge of .75 percent per month, the handler proposed that obligations not be considered overdue if payment is received by the market administrator by the sixth day after the due date. In this way, the handler contended, adequate recognition would be given to the normal time that it takes for billings to reach handlers and for handlers to process payments and get them to the market administrator.

Another handler, while basically supporting provisions for encouraging prompt payments by handlers, stressed that handlers should be given adequate time to receive billings and make payments by mail. In addition, the handler contended that the imposition of the proposed charge on a payment that is one day late is unduly harsh and that the charge should be prorated on a daily basis.

It is essential to the effective operation of the order that handlers make their payments to the market administrator on time. Under the present marketwide pooling arrangement, it is necessary that handlers with Class I utilization higher than the market average pay part of their total use value of milk to the producer-settlement fund. Through this means, money is made available to handlers with lower than average Class I utilization so that all handlers in the market, irrespective of the way they use the milk, can pay their producers the uniform price. The success of this arrangement depends on the solvency of the producer-settlement fund.

Also, the prompt payment of amounts due the administrative expense and marketing service funds is essential to the performance by the market administrator of the various administrative functions prescribed by the order. Delinquent payments to these funds could impair the ability of the market administrator to carry out his duties in a timely and efficient manner.

Payment delinquency also results in an inequity among handlers. Handlers who pay late are, in effect, borrowing money from producers. In the absence of any late-payment charge that is at least commensurate with the cost of borrowing money from commercial sources, handlers who are delinquent in their payments have a financial advantage relative to those handlers making timely payments.

Although the order now contains provisions intended to encourage prompt payments by handlers to these several funds, it is evident that such provisions are not adequately serving this purpose. Data placed in the record by a representative of the market administrator's office indicate a late-payment experience in this market of a flagrant and continuing nature. For the 12-month period of September 1974 through August 1975, the market administrator issued 688 charge billings to handlers. These covered the monthly obligations of handlers to the producer-settlement, administrative expense and marketing service funds, all of which were due (postmarked, if mailed) by the 16th day of the following month. For this period, only 261 payments were received by the market administrator by the 19th of the month, the third day after such payments should have been mailed. Under the present mail service, about 95 percent of the mail to the market administrator from handlers is delivered within three days. By the 21st day of the month, which is more than ample time for the completion of mail service, only 421 payments, or 61 percent of the payments due, were received within five days after the due date. On a monthly basis, the percentage of payments received by the 21st ranged from 49 percent to 72 percent. It is noteworthy that all but 76 of the 688 payments due for the 12-month period were received before the first day of the following month, when the late-payment charge first applies.

In terms of money owed, the payment delinquency experience for this period was little better. On the average, only 68 percent of the money was received by the market administrator by the 21st of the month. For the months of April, May, June and July, when "Louisville Plan" monies are due for immediate investment by the market administrator, the portion of the total handler obligations due that was received by the 21st ranged from 59 percent to 75 percent.

On the basis of this experience, it is appropriate to increase the monthly charge on overdue accounts to 1 percent of the unpaid balance and to apply this charge the first day the obligation is overdue. Whether a penalty of 1 percent per month will be a sufficient inducement to handlers to make their payments on time can be determined only through experience. However, if such penalty is to have any impact it must be an amount that is at least comparable to what a delinquent handler would be charged by commercial banks for money borrowed for short-term purposes. If this is not so, handlers who may have financial problems would be encouraged to delay their payments, knowing that the penalty is cheaper than borrowing money commercially at a higher loan rate. Under the present conditions, a monthly penalty of 1 percent should provide reasonable assurance that producer funds do not represent the cheapest source of money.

A penalty charge of this amount should apply irrespective of whether the obligation is paid one or two days late or nearly a month late. If the late-payment charge were treated as interest and computed on a daily basis, as suggested by handlers, the order would merely represent a banking service for handlers who desire to use producer funds as an alternative source of money at the going interest rate. This is not the intended purpose of the late-payment charge. Rather, it is to be a penalty that will induce handlers to pay their obligations to the market administrator on time.

Under the current arrangement whereby the late-payment charge does not apply until the first of the next month, it is obvious that hardlers have little incentive to have their payments arrive at the market administrator's office prior to that time. While enforcement action may be taken to seek strict handler compliance with the payment dates, this is a cumbersome administrative route. Under the present circumstances, it is thus desirable to have an unpaid obligation subject to a penalty charge the first day that the payment is overdue. Payments that are not postmarked by the due date should be considered as late and should be subject to a penalty. While the mail service is the common method in this market of conveying money from handlers to the market administrator, it is possible that

a handler may wish to deliver the payment in person or transmit the money through an interbank transfer. Such payments should be completed by the due date if the handler intends to avoid a late-payment charge.

Handlers urged that the due date for handler payments to the market administrator be 6 or 7 days after the market administrator mails his billings to handlers, which is done immediately after the announcement of the uniform price. Handlers considered that at least this amount of time is necessary for the billings to reach handlers and for the handlers to process the billings and have their payments reach the market administrator.

Because of the prescribed schedules of payments to handlers and to producers, which was not proposed to be changed, it is necessary to retain the present due date for payments to the market administrator by fully regulated handlers, i.e., the 16th day of the month. The market administrator is required to make equalization payments to handlers from the producer-settlement fund by the 17th of the month. Handlers must pay individual producers by the 18th day. Although the market administrator has customarily drawn on the producer-settlement fund reserve when payments from handlers are not yet available, such reserve normally is not sufficient to cover his total pay-outs. Actually, the due date probably should be earlier. However, with one-day mail delivery from handlers in the Cleveland area, where the market administrator's office is located, sufficient handler payments by the 16th normally reach the market administrator in time for him to complete his payments by the 17th day of the month.

Steps can be taken to assure handlers that they will have a reasonable time to receive and process the market administrator's billings. In this regard, the order should provide for the announcement of the uniform price by the 13th day of the month, rather than the 14th day as at present. Past experience of the market administrator suggests that this is feasible. For the 12-month period cited earlier, the market administrator mailed the handler billings on or before the 13th day for all but three months. It is apparent that this schedule can be met in all months if necessary.

Also the market administrator can shorten the time that it customarily takes to notify handlers of their monthly obligations. Options include telephoning handlers and sending mailgrams, for example. Through such means handlers could receive notice of their obligations by the day after the announcement of the uniform price. This procedure would not be intended to replace the detailed written billings that are now being sent to all handlers. However, the preliminary notification of the net amount due the market administrator could provide handlers with at least two days for mailing their payments to the market administrator.

Under the provisions adopted herein, overdue handler obligations that are payable to the market administrator would be increased by 1 percent on the day after the due date. Any remaining unpaid portion of the original obligation would be further increased by 1 percent on the same date of each succeeding month until the obligation is paid. The additional late-payment charge would apply not only to the original obligation but also to any unpaid penalty charges previously assessed.

At the time the adopted provisions become effective, which would be at the first of a month, there may be handlers with obligations overdue. Under the provisions existing prior to the amendments, a late-payment charge would have applied on the first day of the following month. With the amendments, however, there would be no provision existing on that date for applying such a charge at that time. Thus, for transitional purposes, obligations that are outstanding on the effective date of the amended order should not be increased until the first day that such type of obligation would be overdue under the amended order. However, such obligations should be increased at the newly-established penalty rate even though incurred prior to the time the order was amended.

As proposed at the hearing, the order should apply a penalty charge on overdue obligations of a handler operating a partially regulated distributing plant. Under certain conditions, such a handler may be required to make payments to the producer-settlement and administrative expense funds. Although the order does not now provide for a penalty charge on such obligations if overdue, it is appropriate that the order do so. In the absence of any penalty, a partially regulated handler could have an advantage on his order obligations relative to fully regulated handlers who are subject to the additional charge when they fail to make timely payments. Also, as pointed out earlier, prompt payments to the administrative expense fund are essential to the market administrator's performance of his duties.

The order should not provide for any penalty charge on payments to handlers from the producer-settlement fund by the market administrator. There are no circumstances in which the market administrator would not promptly disperse payments to handlers from the producer-settlement fund except when the fund is insolvent because of substantial delinquencies in payments to the fund by other handlers. The order provides that in this circumstance the market administrator shall reduce uniformly his payments to handlers and shall complete his payments as soon as the necessary funds are available. The order also provides that when a handler has not received full payment from the market administrator he in turn may reduce pro rata his payments to producers by the amount of the underpayment. Producer payments must then be completed following receipt of the balance due from the market administrator. Thus, under any situation in which the market administrator is late in paying handlers, the handlers are excused from paying the deficit to producers until the market administrator completes his payments. Hence, there is no reasonable basis for handlers to be the beneficiaries of a late-payment charge imposed upon the market administrator.

Rulings on Proposed Findings and Conclusions

Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General Findings

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the tentative marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended Marketing Agreement and Order Amending the Order

The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended. The following order amending the order, as amended, regulating the handling of milk in the Eastern Ohio-Western Pennsylvania marketing area is recommended as the detailed and ap-

propriate means by which the foregoing conclusions may be carried out:

1. In § 1036.62, paragraph (b) is revised as follows:

§ 1036.62 Announcement of uniform price and butterfat differential.

* * * * *

(b) The 13th day of each month, the uniform price for the preceding month.

2. Section 1036.78 is revised as follows:

§ 1036.78 Charges on overdue accounts.

Any unpaid obligation of a handler pursuant to §§ 1036.71, 1036.76, 1036.77, 1036.85 and 1036.86 shall be increased 1 percent on the day after the due date of such obligation and on the same day of each succeeding month until such obligation is paid.

Signed at Washington, D.C. on February 23, 1976.

DONALD E. WILKINSON,
Administrator.

[FR Doc.76-5542 Filed 2-26-76;8:45 am]

Food and Nutrition Service

[7 CFR Part 271]

[AMDT. No. 80]

FOOD STAMP PROGRAM

Modifications and Revisions of Program Regulations

Pursuant to the authority contained in the Food Stamp Act of 1964, as amended (7 U.S.C. 2011–2026), notice is hereby given that the Food and Nutrition Service, Department of Agriculture, proposes to amend the regulations governing the Food Stamp Program. These changes are being proposed in response to the directive contained in Chapter I of the Supplemental Appropriations Act of 1976, P.L. 94–157, that $100,000 of the Supplemental Appropriation be immediately available "only for revising program regulations as authorized by existing law." The Report of the House Committee on Appropriations on the Supplemental Appropriation Bill, 1976, House Report 94–645, pp. 6–9, urged that changes be made in the regulations to "put an end to many existing violations." The Conference Report (H. Rep. 94–689) on the Second Concurrent Resolution on the Budget indicated that the resolution assumes that "reform(s) in the food stamp program are essential and that such reforms will be implemented in Fiscal Year 1976 to achieve a reduction in program costs of $0.1 billion in budget authority and outlays." If such changes are not made, coupon allotments to participating households must be reduced as provided in Section 16(b) of the Food Stamp Act of 1964, as amended (7 U.S.C. 2025(b)).

In addition, these proposals will bring about other needed improvements in the administration of the program.

The proposed changes will simplify the certification process, thereby reducing the probability of errors in certification and reduce the expenditure of program funds associated with such errors.

Operating experience, including intolerably high certification and payment error rates, shows that changes are needed to simplify and improve the present program.

Proposed changes relative to the institution of a standard deduction will speed the certification process, thereby allowing prompter delivery of benefits to applicants.

Use of the income poverty guidelines prescribed by OMB is consistent with the intent of the Food Stamp Program to deal only with one basic need, the need for food assistance. Households with income above that level have resources adequate to maintain a subsistence level which includes the food need.

Accordingly, the following changes in the regulations and Appendices thereto are proposed:

(1) Redefine "income"; provide for determinations of gross household income to be made on the basis of the average income of the household during the 90 days preceding the day on which application is made to participate in the program; and, provide for standard deductions in lieu of itemized deductions in adjusting gross income for the purpose of determining eligibility and basis of issuance for households;

(2) Modify existing income standards for eligibility to provide, as a test of eligibility, the income poverty guidelines prescribed by the Office of Management and Budget.

(3) Set the purchase requirements so that the share a household contributes toward its coupon allotment will be 30 percent of its adjusted gross income; and, reduce the minimum bonus received by households categorically eligible by reason of participation in programs of public assistance including thte SSI Program;

(4) Tighten coupon and cash (purchase requirement) accountability of State agencies and issuing agents;

(5) Limit participation by minors to those for whom no adult person is legally responsible;

(6) Require monthly income reports from participating households; and

(7) Require job searches in addition to registration with the State and Federal agencies by members of households subject to the existing work registration requirement and otherwise strengthen work registration requirements.

The proposed amendments are set forth below:

(1) *Three Month Retrospective Income Accounting and Utilization of Standard Deduction.*

The existing system bases the determination of eligibility and purchase requirements on anticipated income. This procedure has made it more difficult to detect and correct program mistakes and fraud in income reporting. Data show that certification or issuance errors occur in about 36.5 percent of the non-assistance cases. Establishment of eligibility and purchase requirements on the basis of past earnings would be simpler to administer. Such a system of income reporting would permit easy verification of income data and permit accurate determinations of elibility and purchase requirements to be made by State agency certification workers.

The present use of itemized deductions for adjusting anticipated income also presents barriers to the effective and efficient administration of this program. As in the case of income determinations, the size and nature of deductions must also be forecast—a practice which produces certification errors and leads to overstatement or understatement of actual income in many instances. The present practice also tends to favor households with higher incomes because such households are able to afford high cost housing, and college and private school tuition expenses—all allowable deductions from income. Use of standard deductions would simplify certification of households, and afford more equitable treatment to those of lower incomes. Provision of a special deduction for aged persons in a household would recognize the special expenses of the aging who generally are burdened with additional medical costs, and high housing costs during the period of their lives when their earning capacities and income are reduced.

It is proposed, therefore, 7 C.F.R. 271.-3(c)(1) and 7 C.F.R. 271.3(c)(2) be amended to read as follows:

§ 271.3 Household Eligibility.

* * * * *

(c) Income and resource eligibility standards of other households. * * *

(1) *Gross monthly income.* (i) Subject to the provisions of 7 C.F.R. 271.3 (c)(2), gross monthly income means all income which was received during the 90 day period immediately preceding the day on which application for participation in the program is filed divided by three. Gross monthly income includes but is not limited to, the following:

(*a*) All compensation for services performed as an employee;

(*b*) Net income from self-employment, which shall be the total gross income from such enterprise including the total gain received from the sale of any capital goods or equipment related to such enterprise, less the cost of producing that income. The following shall not be considered as the cost of producing income:

(*1*) Payments on the principal of the purchase cost of income-producing real estate;

(*2*) Payments on the principal of the purchase cost of capital assets, equipment, machinery, and other goods;

(*3*) Depreciation; and

(*4*) A net loss sustained in any previous period;

(*c*) The total amount of a roomer's payment to the household;

(*d*) The total payment received from each boarder less a deduction for each boarder of the value of the monthly coupon allotment for a one-person household;

(*e*) Payments received as an annuity; pension; retirement or disability benefit;

veterans', workmen's or unemployment compensation; and old-age, survivors, or strike benefit;

(f) Payments received from federally aided public assistance programs, general assistance programs, or other assistance programs based on need;

(g) Payments received from Government-sponsored programs such as Agricultural Stabilization and Conservation Service programs, the Work Incentive Program, or Manpower Training Program;

(h) Payments, except those for medical costs, made on behalf of the household by a person other than a member of the household;

(i) Cash gifts or awards for support, maintenance, or the expenses of education;

(j) Scholarships, educational grants, fellowships, and veteran's educational benefits;

(k) Support and alimony payments;

(l) Rents, dividends, interest, royalties, trust income, and all other payments from any source whatever which may be construed to be a gain or benefit; and

(m) The actual value of housing received from an employer by members of a household as income in kind in lieu of or supplemental to household income, not to exceed $25 per month.

(ii) The following shall not be considered income to the household. (This list is inclusive and no other exclusions from income shall be allowed):

(a) Payments for medical costs made on behalf of the household.

(b) Income which must be excluded from gross income for Food Stamp Program purposes by express provision of Federal law.

(c) Payments in kind received by the household except for the actual value of housing received from an employer by members of a household as income in kind, but not to exceed $25 per month which shall be included as income in accordance with 7 C.F.R. 271.3(c)(1)(m).

(iii) For the purpose of determining eligibility and basis of issuance, a standard deduction of (A) $10[illegible] per month shall be made from the gross monthly income (after allowance of any applicable exclusions) of all households; plus, (B) an additional deduction of $25 a month for any household for which there is at least one member whose age is 65 or older: No other deductions shall be allowed.

(2) *Handling of income.* (i) To determine the eligibility and basis of issuance of households, income shall be averaged (90 day total divided by 3) for the 90 days period immediately preceding the day or which application for participation in the program is filed except as otherwise set forth in (ii), (iii), and (iv) of this paragraph.

* * * * *

2. *Income Poverty Guidelines.* The Food Stamp Program Regulations now provide that the national income standards of eligibility shall be the higher of poverty guidelines issued by the Secretary of Agriculture on the basis of data reported by the Census Bureau, or the level at which the total coupon allotment equals 30 percent of income. Utilization of this income standard of eligibility has resulted in escalation of the maximum income levels at which households may participate in the program. As a result, ever increasing numbers of the population become eligible to participate in the Food Stamp Program. This occurs in spite of the fact that the generally accepted criteria for determining poverty levels are the income poverty guidelines prescribed by the Office of Management and Budget. In this connection, the declared policy of the Act points out that its purpose is to "raise levels of nutrition among low-income households." (7 U.S.C. 2011). Other provisions of the law require that "participation in the Food Stamp Program shall be limited to those households whose income and other financial resources are determined to be substantial limiting factors in permitting them to purchase a nutritionally adequate diet." (7 U.S.C. 2014(a)). The fact that OMB guidelines, as a practical matter, define "low income households" make them suitable for use as an operative factor in the income standards provided in the regulations.

It is proposed, therefore, that 7 C.F.R. 271.3(c)(3) be amended to read as follows:

(c) *Income and Resource Eligibility Standards of Other Households.* * * *

(3) *Income Standards.* The uniform national income standard of eligibility for participation of nonassistance households in the program shall be the income poverty guidelines prescribed by the Office of Management and Budget pursuant to section 625 of the Economic Opportunity Act of 1964, as amended.

3. *Purchase Requirements and Minimum Bonus.* The percentage of income represented by the existing purchase requirements reflect historical differentials which show a wide variation of the percentage of income by household size and income. Additionally, there are further distortions due to the use of income intervals which result in varying percentages of income within these intervals.

Under the proposed amendment, the amount that each household will pay for its coupon allotment will be 30 percent of adjusted gross monthly income; i.e., gross monthly income after all standard deductions and other allowable exclusions have been made.

Thus, under the proposed amendment, the differentials and distortions in the Appendices to 7 C.F.R. Part 271 will be removed as every household with the same income will pay the same purchase requirement.

It is also proposed that such appendices be amended to provide that all households (including those households categorically eligible) will receive a bonus of no less than $5. The households which will receive reduced benefits largely consist of households who reside in States where public or general assistance benefits are at the highest levels and whose cash benefits now exceed the maximum income eligibility standard of the Food Stamp Program, but who are categorically eligible to participate in the program because they are receiving such public or general assistance cash benefits. Because the cash benefits they now receive are greater than the maximum amount of income of all others generally determined to be in need of food assistance, they have more cash resources to buy food than other participating households. For this reason, while they will remain categorically eligible to participate, the amount of free coupons they will receive would be reduced under the amendment.

It is proposed, therefore, that Appendix A to 7 C.F.R. Part 271 be amended to read as follows and that Appendices to such Part for Alaska, Hawaii, Puerto Rico, the Virginia Islands, and Guam also be amended accordingly.

APPENDIX A.—MAXIMUM MONTHLY ALLOWABLE INCOME STANDARDS AND BASIS OF COUPON ISSUANCE: 48 STATES AND DISTRICT OF COLUMBIA

Households in which all members are included in the federally-aided public assistance grant, general assistance grant, or supplemental security income benefit shall be determined to be eligible to participate in the program while receiving such grants without regard to the income and resources of the household members.

The maximum allowable income standards for determining eligibility of all other applicant households, including those in which some members are recipients of federally-aided public assistance, general assistance, or supplemental security income benefit, in any State (other than Alaska, Hawaii, Puerto Rico, the Virgin Islands and Guam) or in the District of Columbia, shall be the income poverty guidelines prescribed by the Office of Management and Budget pursuant to section 625 of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 297.1(d)).

The poverty guidelines by household size are as follows:

Household size:	*Monthly income Standards*[1]
1	233
2	308
3	383
4	458
5	533
6	608
7	683
8	758
Each additional member	75

[1] Maximum allowable monthly income standards, 48 States and District of Columbia.

"Income" as the term is used in this appendix is as defined in paragraph (c) of § 271.3 of this subchapter.

The total monthly coupon allotments for some households are not divisible by four. This results in total coupon allotments of uneven dollar amounts for those households which choose to purchase one-fourth or three-fourths of their total coupon allotment. For such households, the State agency shall round the face value of one-fourth or three-fourths of the total coupon allotment up or down to the nearest whole dollar amount and shall not change the purchase requirements for such allotments.

* * * * *

PURCHASE REQUIREMENTS

Pursuant to section 7(b) of the Food Stamp Act, as amended (7 U.S.C. 2016, Pub. L. 91–671), the amount that each household shall be required to pay for its total coupon allotment shall be 30 percent of adjusted gross monthly income; i.e., gross monthly income atfer all allowable deductions have been made: *Provided*, however, that the maximum purchase requirement for any eligible household size shall be the coupon allotment for that household minus $5.

4. *Accountability for Coupons and Cash.* Experience with the Food Stamp Program has indicated a need to revise the procedures relating to distribution, issuing, and accounting for coupons and receipts.

Accordingly, it is proposed to amend section 271.6 to assure that all interested parties are promptly advised of shipment and delivery of coupons. Provision is also made for a monthly reconciliation by the State or local agency, where appropriate, of all records related directly or indirectly to the disbursement of food stamp coupons. The results of such reconciliation shall be forwarded to FNS by the appropriate State or local agency so that current accounts will be maintained at the Federal level. This amendment would also provide that sums collected from the sale of coupons be deposited by issuance agents according to FNS instructions in a State agency bank account. The State agency, on a daily basis, would transmit a consolidated deposit to the appropriate Federal Reserve Bank covering prior day deposits made by issuance agents.

The amendment would also specifically provide that funds received by issuing agents from food stamp recipients for food coupons be immediately set aside and not used in any manner prior to deposit in accordance with program requirements. State agencies are required to include in contracts with issuing agents a provision for the payment of interest where funds are not promptly deposited, and also, to the extent applicable law permits, a provision for fiscal sanctions against the issuing agent if he fails to meet the depositing requirements.

Further, Section 271.7 is revised to require FNS to submit to each State agency a monthly statement of account based upon the report of coupon issuance activity submitted in accordance with Section 271.6(f).

In § 271.6, paragraphs (a) and (f) are revised, and new paragraphs (g) and (h) added. Current paragraph (g) is relettered (i), a new paragraph (j) is added and current paragraphs (h) and (i) are relettered (k) and (l), respectively.

The new and revised paragraphs of Section 271.6 read as follows:

§ 271.6 Methods of distributing, issuing, and accounting for coupons and receipts.

(a)(1) FNS will distribute coupons, printed in such denominations as it may determine necessary, directly to the receiving points designated by the State agency in the Plan of Operation. While in the course of shipment receiving points coupons shall be considered to be at the risk of the Department.

(2) FNS will promptly forward to the State agency copies of the "Advice of Shipment" when coupons are shipped to receiving points.

(3) FNS will compute any adjustment made to any receiving point's coupon order and notify the State agency. In addition, FNS will notify the State agency each time there is a change in food stamp coupon allotment tables.

(4) FNS will inform the State agency each time a receiving point's coupon order is adjusted regardless of who requested the change.

(5) The State agencies must furnish FNS with the name of the person or persons authorized to sign receipts acknowledging delivery of coupons, and armored car and other deliveries of coupons shall be made only upon the signing of a receipt therefor by such an authorized person.

(6) FNS will continue to monitor coupon inventories and all aspects of shipping activities supplemented by periodic, unannounced spot checks of inventory levels at selected issuing points.

* * * * *

(f) The State agency, and local governmental officials, where appropriate, shall on a monthly basis reconcile coupon inventories, coupon issuances, sums collected from eligible households, vouchers, warrants accepted from public or private agencies, and other receipts so that a current account of such records may be maintained. In any issuance system utilizing ATP cards, coupon issuances shall further be reconciled to the master file of certified eligible households. The results of such reconciliation shall be reported to FNS by the State or local agency, where appropriate FNS shall review on a monthly basis FNS–250 reports for adequacy, accuracy and reasonableness; reconcile cash reports from the Federal Reserve Banks with the Department of the Treasury and the FNS–250 reports; assess the reasonableness and propriety of food stamp requisitions by States based on prior cash flow, inventory and depositing transactions; bill States on a monthly basis for fiscal discrepancies, as provided in § 271.7 of this subchapter and initiate corrective measures for operational weaknesses found.

(g) All receipts from coupon sales shall be safeguarded at all times and promptly deposited, in accordance with FNS instructions, to an account maintained by the State agency solely for that purpose. Each day the State agency shall transmit, through the appropriate Federal Reserve Bank, all previous day's deposits to the Treasurer of the United States for credit to the Food and Nutrition Service.

(h) Notwithstanding paragraph (g) of this section, funds collected from the sale of food coupons may be transmitted to the appropriate Federal Reserve Bank by the United States Postal Service in those areas where the State agency has contracted with the United States Postal Service for the issuance of food coupons.

* * * * *

(j) Funds received by an issuing agent as a result of the sale of coupons shall be immediately set aside and shall not be used in any manner for the benefit of any individual, corporation, association, organization, or entity other than the Federal Government. State agencies shall include in contracts with issuing agents fiscal sanctions, to the maximum extent permitted by applicable law, in the event the issuing agent fails to meet any depositing requirement established under this subchapter. Such contracts shall also provide for the payment of interest at the maximum commercial rate in the area at the time of breach in the event of failure of the issuing agent to make timely deposit.

* * * * *

In § 271.7, a new paragraph (d) is added, current paragraphs (d) and (e) are relettered (e) and (f), respectively. Newly designated paragraph (d) reads as follows:

§ 271.7 [Amended]

* * * * *

(d) FNS shall, on a monthly basis, make demand on each State agency for any losses of cash or coupons reported in accordance with § 271.6(f) of this subchapter.

* * * * *

(5) *Minors.* It is proposed to add a new section 271.3(f) to Part 271 which would eliminate from consideration as a member of a household in which he is residing a minor to whom the duty of support is owed by an individual not residing in such household who is financially able to perform such duty. This provision is designed to relieve the Food Stamp Program of providing benefits for minors living away from home who are legally entitled to support from persons financially able to give such support. The new section 271.3(f) would read as follows:

§ 271.3 [Amended]

(f) *Minors.* (1) No individual who is a minor in the State where application is made shall be considered a household member for Food Stamp Program purposes if such minor resides in a household in which no other member has a legal duty to support such minor, unless (a) the individual who has a duty to support such minor cannot be located and no persons or public or private agencies stand in *loco parentis* with respect to such minor and such facts are so certified by the State agency; or such individual is financially unable to perform such duty and so certifies; or (b) no individual with such duty exists.

(2) Notwithstanding any other provisions of this subchapter, the income and resources of an individual who is not considered a household member under subparagraph (1) of this paragraph and who resides with eligible household members or elderly persons, shall not be considered available to the household members or elderly persons nor shall his

presence be considered in determining the household coupon allotment.

(3) Notwithstanding any other provisions of this subchapter, verification of the financial inability of an individual having a duty to support a minor, even though he has a duty to do so, will be required whenever the financial status of such individual is questionable. Because the individual having the duty of support is ordinarily the best source of the information, the failure of such an individual to respond to the request for verification will be grounds for considering the minor as not being a household member of the household in which he resides, although the remainder of such household may be certified if otherwise eligible. However, the minor shall, through the fair hearing procedures under § 271.1(o), have an opportunity to demonstrate that the individual having the duty of support is unable to do so.

6. *Monthly Income Reporting.* Section 271.3(a)(1)(iii) presently requires households to report certain changes in income and other factors within 10 days of the date such changes become known to the household. It is proposed to amend this provision to require that a report be made once each month by all households showing any change in gross income, household size, resources, and other household circumstances required to be reported by the application form whether or not such changes occur. The provision would be amended to read as follows:

§ 271.3 Household Eligibility.

(a) * * *

(iii) Households shall report or cause to be reported to the State agency, in such form and manner as may be required by the State agency pursuant to FNS instructions, once each month as to whether or not changes in the circumstances of the household have occurred. The filing of such a report shall be a precedent condition for eligibility and failure of a household to file such a report in the form prescribed within 10 days of its specified reporting date shall make the household ineligible to participate in the program. Information about household circumstances during the preceding month which affects eligibility and basis of issuance shall be reported. Such information shall include, but not be limited to the following: (a) gross income; (b) household size; (c) resources; and (d) other household circumstances which are required to be reported by the application form.

7. *Job Searches and Work Requirements.* In accordance with the provision of section 5(c) of the Food Stamp Act of 1964, as amended (7 U.S.C. 2014(c)), the regulations now provide that as a condition of eligibility persons between the ages of 18 and 65 (with certain exceptions) must register for employment with appropriate State or Federal agencies. Except for the requirement that they accept employment if referred by such agencies, they are under no affirmative obligation to seek employment on their own or to accept employment if offered outside the auspices of such an agency. Since such employment opportunities may be offered, it is only equitable that persons subject to the work registration requirement who participate in the program be required to seek and accept employment whether or not such employment is related to registration with State or Federal employment services. It is, therefore, proposed that 7 CFR 271.3(d)(1), d(2), d(3), and d(4) be amended to read as follows:

§ 271.3 [Amended]

(d) *Work Registration Requirement.* * * *

(1) Such member who is required to register shall also:

(i) Report for an interview to the State or Federal employment office where he is registered upon request;

(ii) Respond to a request from the State or Federal employment office requiring supplemental information regarding employment status or availability for work;

(iii) Report to an employer to whom he has been referred by such office;

(iv) Accept an offer of employment to which he is referred by such office, inquire regularly about employment with prospective employers whether or not such member is referred to such employers by such office, and, regularly engage in activities directly related to securing employment; and

(v) Accept any offer of employment and continue such employment. Such household member shall continue such employment until the household member becomes exempt from the work requirement, as provided in this paragraph, or he is terminated beyond his control.

(2) If the State agency determines that a household member has refused without good cause to comply with the requirements of this paragraph, the household of which he is a member shall be ineligible to participate in the program. Such ineligibility shall continue:

(i) For so long as such member remains a member of the household; or

(ii) Until such household member complies as follows, whichever is earlier;

(*a*) Refusal to register—registration by the household member.

(*b*) Refusal to report for an interview to the State or Federal employment office where he is registered—reporting for the required interview.

(*c*) Refusal to respond to a request from the State or Federal employment office requiring supplemental information regarding employment status or availability for work—response to the employment office correspondence.

(*d*) Refusal to report to an employer to whom he has been referred by such office—reporting to such employer or another employer to whom he is referred.

(*e*) Refusal to accept an offer of employment to which he was referred by such office or any other offer of employment—acceptance of such employment or of other employment of at least 30 hours per week.

(*f*) Refusal to continue employment—returning to such employment or acceptance of other employment of at least 30 hours per week.

(*g*) Refusal to inquire regularly about employment or otherwise regularly engage in activities directly related to securing employment—resumption of such activities.

(iii) In determining whether good cause existed for failure to comply, the State agency shall consider all facts and circumstances, including information submitted by the State or Federal employment office, the employer, and the registrant or recipient himself.

(3) For the purposes of this paragraph the term "employment" means any public or private work at not less than (i) the applicable State minimum wage, (ii) the applicable Federal minimum wage, (iii) the applicable wage established by a valid regulation of the Federal Government authorized by existing law to establish such regulations, or (iv) $1.30 per hour if there is no applicable wage as described in (d) (i), (ii), or (iii) of this section. It shall not include work at a plant or site subject to a strike or a lockout for the duration of such strike or lockout.

(4) Any employment offered a particular registrant shall be accepted unless he can demonstrate that:

(i) He is physically or mentally unfit to perform the employment, as established by documentary medical evidence.

(ii) The distance of the employment from his residence is unreasonable. Determinations in this connection shall be based upon estimates of the time required for going to and from work by means of transportation that is available or expected to be used, and whether or not it would be reasonable for the registrant to expend the time and cost involved for the expected remuneration from the work. In no event shall commuting time per day represent more than 25 percent of the registrant's total work time.

* * * * *

Interested persons should submit written comments, suggestions, or objections regarding the proposed amendment to the Food Stamp Division, Food and Nutrition Service, U.S. Department of Agriculture, Washington, D.C. 20250 not later than March 29, 1976. All comments, suggestions, or objections received by such date will be considered before the final notice is issued.

Comments, suggestions, or objections will be open to public inspection pursuant to 7 CFR 1.27(b) at the Office of the Director during regular business hours (8:30 a.m. to 5:00 p.m.) at 500 12th Street, SW., Washington, D.C., Room 650.

This revision will become effective upon publication of the final rule. The new provisions governing the definition of income and deductions, the net income eligibility limit, and the computation of the purchase requirement shall be put into effect for all certified households, new

applicants, and any subsequent applicants by no later than June 1, 1976. All other provisions, including retrospective income accounting and monthly reporting, shall be put into effect for new applicants and any subsequent certifications within 90 days of initial implementation, and for all other households not later than 120 days thereafter.

It is hereby certified that the economic and inflationary impacts of this proposed regulation have been carefully evaluated in accordance with Executive Order 11821.

(78 Stat. 703, as amended; 7 U.S.C. 2011–2026)

(Catalog of Federal Domestic Assistance Programs, No. 10.551, National Archives Reference Services)

Dated: February 25, 1975.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.76-5834 Filed 2-26-76;8:45 am]

COMMUNITY SERVICES ADMINISTRATION

[45 CFR Part 1067]

FUNDING OF COMMUNITY ACTION PROGRAMS

CSA Procedures for the Federal Project Notification and Review System (PNRS)

The purposes of this subpart are to implement checkpoint coordination procedures required to achieve the intergovernmental and inter-agency coordination required by OMB Circular A–95, Part I; to inform CSA grantees of the recent changes to A–95 and provide them with copies of the revised Circular; and to require submission of and provide details on the use of the new form SF 424, Federal Assistance.

The basic clearinghouse process remains unchanged from that currently described in CSA Instruction 6710–3. The changes which impact at the grantee level are:

a. Coverage has been extended to certain Title VII grants (see § 1067.10–1 Applicability),

b. Confidential information concerning the financial status or structure or the personnel of a nongovernmental applicant is not to be provided to the clearinghouses;

c. Applications for renewal or continuation grants not submitted to or acted on by the funding agency within a year after completion of clearinghouse review will be subject to re-review upon request of the clearinghouse; and

d. The clearinghouse review process has been clarified. These are filed as proposed regulations; final regulations will be published April 1, 1976. Interested parties will note that the attachments discussed above and in the text are not included with this publication as they have previously been published in the FEDERAL REGISTER. OMB Circular A–95 appeared in Vol. 40, No. 148, Friday, October 10, 1975. Standard Form 424, Federal Assistance (Preappliaction, Application, Notification of Intent or Report of Federal Action) appeared in Vol. 40, No. 226, Friday, November 21, 1975. However, they will be included as part of the final regulations forwarded to grantees in the form of CSA Instruction 6710–3a.

Interested parties, especially grantees, are invited and encouraged to submit written comments on these proposed regulations. Please address all comments to: Mr. Angel Rivera, Associate Director for Operations, Community Services Administration, 1200 19th Street NW., Washington, D.C. 20506. Comments due: March 22, 1976.

45 CFR Chapter X is proposed to be amended to read as set forth below:

Subpart—CSA Procedures for the Federal Project Notification and Review System (PNRS)

Sec.

AUTHORITY: The provisions of this subpart issued under sec. 602, 78 Stat. 530; 42 U.S.C. 2942.

BERT A. GALLEGOS,
Director.

Subpart—CSA Procedures for the Federal Project Notification and Review System

§ 1067.10–1 Applicability.

(a) Title II: (1) This subpart is applicable to applications for grants under Sections 221, 222(a) (5), (7), (12) and 231 of the Community Services Act of 1974 (CFDA Nos. 40.992, 49.095, 49.010, 49.014, and 49.013 respectively) when the funds are administered by the Community Services Administration.

(i) EXCEPTIONS: applications from Federally-recognized Indian Tribes; and applications or portions of applications for funds under the above-mentioned Sections when such funds are for general administration, training and technical assistance, research, and evaluation.

(b) Title VII: (1) This subpart in its entirety is applicable to applications or portions of applications requesting funds under the following sections of Title VII (CFDA No. 49.011) for the purposes specified:

(i) *Section 747*—Planning Grants.

(ii) *Section 712*—Investment capital (budget category 2.5) for specific "community development programs" (as defined in CSA Instruction 6158–3).

(iii) *Section 712*—Investment capital for "training, public service employment, and social service programs" (as defined in CSA Instruction 6158–3).

(2) *Only § 1067.10–6 § 1067.10–4(d) are applicable to applications or portions of applications requesting funds under the following section of Title VII for the purposes specified:*

(i) *Section 712*—Administrative costs (all budget categories other than 2.5), investment capital for specific "business development programs" (as defined in CSA Instruction 6158–3), or investment capital unearmarked at time of application to specific ventures.

(3) EXCEPTION: Applications from Federally-recognized Indian Tribes.

§ 1067.10–2 Policy.

(a) CSA will not approve any request for funds from any applicant unless the applicant follows the Project Notification and Review Systems (PNRS) procedures (See § 1067.10–4) for all programs identified in § 1067.10–1.

(b) In the past OEO Form 394 has been used by Title II grantees to checkpoint with local agencies and officials and with SEOOs. Since an active A–95 review process is a direct duplication of the Form 394 checkpoint procedure, the Form will no longer be required where there is an areawide clearinghouse. However, Title II grantees who wish to continue additional coordination activities with local agencies and local units of government may continue to use the Form 394 on an optional basis.

(c) Effective with the issuance of this subpart applicants for initial funding or refunding will be required to submit SF 424 as a coversheet for each grant application submitted to CSA. (See §1067.–10–4). In addition the SF 424 may be used as the initial notification to clearinghouses where clearinghouses do not require their own forms. (See § 1067.–10–4.)

§ 1067.10–3 Responsibilities.

(a) *State Governments and Governors.* State governments and Governors may designate State and/or areawide or metropolitan clearinghouses which, among other things, perform functions relating to the coordination of Federal grant program plans. (The Office of Management and Budget (OMB) has issued, and will periodically update, a directory listing of these designated clearinghouses.)

(b) *Clearinghouses.* The areawide and metropolitan clearinghouse(s) will inform specific local governments and agencies, including CSA grantees if they have so requested (See § 1067.10–5), of any proposed projects from other agencies which would have an impact on their programs. Also, State clearinghouses notify state agencies, such as SEOOs, of any proposed projects which would affect their statewide plans and programs.

(c) *Applicants/grantees.* Applicants are required to notify the clearinghouse(s) of the State(s) and either the areawide or the metropolitan area clearinghouse(s) in which the project is to be located of their intent to apply for CSA funds.

(d) *Community Services Administration.* (1) *CSA Headquarters* is responsible for informing grantees and prospective grantees of the current requirements to notify clearinghouses.

(2) *Regional and Headquarters Administering Offices* are responsible for assuring that:

(i) Grantees are advised of the new or redesignated State and/or areawide clearinghouses;

(ii) Grantees seeking initial funding are informed of A–95 requirements and provided copies of SF 424 at time CSA indicates its willingness to accept their applications.

(iii) Each application has received clearinghouse review where such review is required;

(iv) Each application is accompanied by a completed (Sections I and II) SF 424;

(v) Clearinghouses are notified within seven work days of any major action taken on an application that has been reviewed by the clearinghouses; and

(vi) The appropriate State and areawide clearinghouses have been notified of any application from federally-recognized Indian tribes upon its receipt.

§ 1067.10–4 Procedures.

(a) *Applicant Notification to Clearinghouses of Intent to Apply.* (1) Applicants must simultaneously notify both State and areawide clearinghouses of their intent to apply for CSA funds at least sixty days before the anticipated date of the submission of the final funding application to CSA. This 60-day lead time is necessary to allow each clearinghouse 30 days to consult with State and local agencies and regional/local governments that may be affected by the proposed project, and to submit written comments on the proposal to the applicant; and an additional 30 days, if a clearinghouse chooses, to review the final completed funding application.

(2) For applicants seeking initial funding, notification to the clearinghouse will only begin after CSA indicates its willingness to consider applications at which time the development of an application will take place. For grantees requesting refunding, initial notification should follow immediately upon receipt of the program and funding guidance or other notice from CSA that it is willing to consider refunding.

(3) OMB Circular A–95 contains a provision allowing Federal agencies to request procedural variations from normal review processes under certain circumstances. CSA will make use of this provision on a case-by-case basis, e.g. when funds are appropriated at the end of a Fiscal Year.

(4) Many clearinghouses have developed notification forms and instructions. Where such forms exist applicants shall use them to notify clearinghouses.[1]

(5) Where clearinghouses do not require use of their own forms or formats, applicants have the option of submitting one of the following to the clearinghouses. However, as the SF 424 must accompany every application submitted to CSA it is assumed that most applicants will use the SF 424 as Notice of Intent to Apply.

(i) SF 424,[1] Federal Assistance, with Section I completed PLUS a statement as to whether environmental impact information will be required; OR

(ii) A summary of the following:

(A) Identity of the applicant agency; [1]

(B) Geographic coverage of the program proposed;

(C) A brief description of the proposed program including type;

(D) Purpose;

(E) General size or scale;

(F) Estimated cost;

(G) Beneficiaries; or

(H) Other characteristics which will enable the clearinghouse to identify agencies of a State or local government having plans, programs, or projects that might be affected by the proposed programs.

(I) A statement as to whether environmental impact information will be required;

(J) The Federal program title and number and agency under which assistance will be sought as indicated in the latest "Catalog of Federal Domestic Assistance"; and

(K) The estimated date the applicant expects to formally file its funding request.

(b) *Review by Clearinghouses of Notification.* (1) The clearinghouse will notify the applicant, within 30 days of receipt of notice, of its own or other State or local interests. During this period differences may arise between clearinghouses or particular State agencies or local governments as to the merit and/or designation of the planned project. The clearinghouses may work with the applicant in the resolution of any problems. If differences are not resolved, the clearinghouse may inform the applicant of its desire to review, and its intention to prepare comments to accompany, the completed funding application.

(2) Applications for refunding not submitted to or acted on by CSA within one year after completion of clearinghouse review will be subject to rereview upon request of the clearinghouse.

(c) *Submission of the Completed Application to the Clearinghouse.* (1) When within the initial 30 days period the clearinghouse signs off or indicates that it has no comments regarding the proposed project, the applicant may proceed to submit the final funding application to CSA without further delay. In such cases the applicant is not required to submit a copy of its funding application to the clearinghouse. However, the clearinghouse may request an information copy.

(2) However, if within the initial 30 day period the clearinghouse asks to review the final application, the applicant will submit a copy of the funding application to the clearinghouse. In such cases, the clearinghouse(s) shall have an additional 30 days to submit their formal comments on the subject application. If the applicant failed to submit to the clearinghouse an initial notification of its intent to apply for CSA funds and submitted only a completed application, the clearinghouse shall have a full 60 days to review and submit comments on the application.

(3) It should be noted that areawide clearinghouses must submit to applicants any written comments received from other jurisdicitons or agencies or parties when the comments are at variance with the clearinghouse comments. They also must list others who were solicited and from whom they received comments.

(d) *Submission of Clearinghouse Comments to CSA.* The applicant will submit to the appropriate CSA Regional or Headquarters administering office a SF 424 with each application regardless of whether or not the program account is covered by the A–95 process. Grant applications will be considered unacceptable if not accompanied by the completed SF 424.

(1) For programs *not* covered by the A–95 process or for which CSA has received an exemption, the applicant will complete information required in Section I of the SF 424 and indicate "NOT APPLICABLE" in Section II, Item 22.b.

(2) For programs covered by the A–95 process, the applicant will complete all information required in Sections I and II of SF 424 and attach any comments or recommendations received from the clearinghouse(s) along with a statement that such comments have been considered prior to submission of the application. In addition, the applicant will submit to CSA a position statement on any conflicts that have not been resolved between the clearinghouses and the applicant.

(i) Applications that do not carry evidence that both areawide and State clearinghouses have been given an opportunity to review the application will be returned to the applicant to comply with A–95 procedures.

(ii) CSA will make no final grant decisions until the comments have been received or until the final 30 day period has elapsed.

(e) *Notification to Clearinghouses by CSA of Major Grant Actions.* (1) Within seven working days of any major action taken on an application, i.e. award, deferral, return for amendment, or withdrawal, the appropriate CSA Regional Office or Headquarters office will notify the clearinghouse(s) which reviewed the application. In addition if a clearinghouse recommended against the funding of the application and CSA has decided to award the grant, CSA will include a statement of explanation to the clearinghouse.

(2) CSA will notify the clearinghouse(s) by completing Section III of the SF 424 and returning the form, along with any explanatory attachments, to the clearinghouse.

§ 1067.10–5 CSA Grantee Participation in A–95 Coordination Process.

Since OEO Form 394 is no longer required, CSA reminds those SEOOs who currently are not receiving applications for CSA-funded programs for review through the clearinghouse, that they inform the clearinghouse of their interest in receiving these applications for review. CSA grantees, particularly CAAs

[1] In accordance with OMB Circular A–95 Revised private non-profit applicants are not required to include confidential information concerning the financial status or structure or the personnel of their agency even though this information might be required to be sent to CSA as part of the funding process.

and SEOOs, should actively seek to review, in addition, applications for Federal assistance from other agencies in their clearinghouse area for programs included in the A–95 process. (See attachments C and D of Circular A–95.) Comments on notification and applications for Federal funds should be directed to those programs which could have an impact on the poor.

§ 1067.10–6 Section 712 Grants—On-Going and Post-Grant Coordination.

(a) Because of the nature of the Section 712 Special Impact Program and the funding process followed by CSA's Office of Economic Development for community development corporations (CDCs) under Section 712, there is limited opportunity for, or value to, clearinghouse review of CDC grant applications prior to funding by CSA and, therefore, the A–95 process is applicable only to certain Title VII grants. (See § 1067.-10–1.) For example:

(1) Once a CDC has received its initial funding from CSA through a planning grant (which is subject to clearinghouse review), the basic issue of the community's need for the CDC has been resolved. Therefore, subsequent refundings of the CDC central administrative budget are exempted from clearinghouse review.

(2) Since CDCs are refunded for two-year periods, much of the investment capital funding requested in refunding applications is not earmarked to specific ventures; only in the subsequent two years, *following* grant approval, are specific plans for most ventures developed and submitted to CSA for approval. Accordingly, there is little in the CDC's investment capital budget for clearinghouses to review prior to grant approval.

(3) The bulk of the CDC's proposed ventures, whether specified in the refunding application to CSA or identified and developed after grant approval, fall into the "business development program" category, and are accordingly exempt from clearinghouse review because of their proprietary nature. Most of the feasibility data for such ventures, whether submitted to CSA as part of a refunding application or subsequently, could not be released to the clearinghouses.

(b) Accordingly, only that small portion of a CDC's refunding application which is earmarked for specific ventures in the "community development" and "training, public service employment, and social services" categories is appropriate for review by the clearinghouse prior to funding. Even some data related to community development ventures, such as land acquisition plans and costs are exempted from clearinghouse review due to the proprietary nature of the data.

(c) Despite such limitations, it is the policy of CSA that CDCs coordinate their programs with local governments and related private agencies and organizations, and that CDCs develop meaningful mechanisms with their local clearinghouses for insuring such coordination on an on-going basis. Such coordination should include, at a minimum, (1) periodic discussions of the CDC's overall program and objectives, and (2) appropriate reviews, prior to CSA *release of funds* (though generally not prior to *grant approval*), of non-proprietary venture plans.

(d) Each CDC, including planning grantees, must include in its next funding application submitted to CSA after 60 days from the effective date of this subpart, a copy of an agreement signed by the CDC and the appropriate area-wide or metropolitan clearinghouse(s) which specifies how this required on-going and post-grant coordination shall be implemented. All future grant applications and post-grant venture feasibility proposals must include evidence that the required coordination, as provided in the signed agreement, has in fact taken place.

§ 1067.10–7 Standard Form 424—Availability.

An initial supply of SF 424, Financial Assistance, will be distributed to all grantees. When this supply has been exhausted additional forms may be obtained by writing to:

CSA Publications and Distribution Center, 5458 3rd Street NE., Washington, D.C. 20001.

[FR Doc.76–5782 Filed 2–26–76;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

[Customs Delegation Order No. 54; T.D. 76-53]

REGIONAL COMMISSIONERS AND ASSISTANT COMMISSIONER, OFFICE OF ADMINISTRATION

Delegation of Authority

FEBRUARY 19, 1976.

Order of the Commissioner of Customs delegating authority, with respect to the withholding from compensation due Customs employees any amounts erroneously paid such employees, to the Regional Commissioners and the Assistant Commissioner, Office of Administration.

By virtue of the authority vested in me by 5 U.S.C. 5514, and by Treasury Department Circular No. 871, First Supplement, dated November 12, 1954, I hereby delegate to the Assistant Commissioner, Office of Administration, insofar as employees in the Customs Service headquarters are concerned, and to the Regional Commissioners of Customs, insofar as employees in their regions are concerned, the authority to withhold from compensation due Customs employees any amount erroneously paid such employees. The deductions shall be in accordance with the provisions of 5 U.S.C. 5514 and Treasury Department Circular No. 871, First Supplement, dated November 12, 1954.

This order shall take effect February 27, 1976.

VERNON D. ACREE,
Commissioner of Customs.

[FR Doc.76-5605 Filed 2-26-76;8:45 am]

[T.D. 76-57]

FOREIGN CURRENCIES—CERTIFICATION OF RATES

Rates of Exchange Certified to the Secretary of the Treasury by the Federal Reserve Bank of New York

FEBRUARY 11, 1976.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372 (c)), has certified the following rates of exchange which varied by 5 per centum or more from the quarterly rate published in Treasury Decision 76-30 for the following country. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

Italy lira:

Feb. 2, 1976	$0.001307
Feb. 3, 1976	.001305
Feb. 4, 1976	.001323
Feb. 5, 1976	.001323
Feb. 6, 1976	.001336

JAMES D. COLEMAN,
Acting Director,
Duty Assessment Division.

[FR Doc.76-5604 Filed 2-26-76;8:45 am]

Fiscal Service

[Dept. Circ. 570, 1975 Rev., Supp. No. 13]

CONSTELLATION REINSURANCE COMPANY AND AMERICAN EMPIRE INSURANCE COMPANY

Surety Companies Acceptable on Federal Bonds; Termination of Authority

Constellation Reinsurance Company, a New York corporation, which holds a Certificate of Authority as an acceptable reinsuring company on Federal bonds under Treasury Circular 297, Revised February 10, 1975 (31 CFR Part 223), merged into Great American Insurance Company, effective June 30, 1975. Confirmation of this action has been received and filed in the Treasury. Accordingly, the certificate issued to Constellation Reinsurance Company July 1, 1975 (40 FR 29259, July 10, 1975), is hereby terminated as of June 30, 1975, the effective date of the merger.

American Empire Insurance Company, a New York corporation, which holds a Certificate of Authority as an acceptable surety on Federal bonds under Sections 6 to 13 of Title 6 of the United States Code, also merged into Great American Insurance Company effective September 30, 1975. Confirmation of this action has been received and filed in the Treasury. Accordingly, the certificate issued to American Empire Insurance Company July 1, 1975 (40 FR 29247, July 10, 1975), is hereby terminated as of September 30, 1975, the effective date of the merger.

The surviving corporation, Great American Insurance Company, a New York corporation, has acquired the assets and assumed the liabilities of both merged corporations and retains its Certificate of Authority issued July 1, 1975 (40 FR 29250, July 10, 1975).

In view of the foregoing, no action need be taken by bond-approving officers by reason of the merger of Constellation Reinsurance Company and merger of American Empire Insurance Company with respect to any bond or other obligation in favor of the United States, or in which the United States has an interest, direct or indirect executed by either of these companies prior to September 30, 1975 pursuant to a Certificate of Authority issued by the Treasury.

Certificates of Authority expire on June 30 each year, unless sooner revoked, and new certificates are issued on July 1 so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1, in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact surety business and other information. Copies of the circular, when issued, may be obtained from the Treasury Department, Bureau of Government Financial Operations, Audit Staff, Washington, D.C. 20226.

Dated: February 20, 1976.

DAVID MOSSO,
Fiscal Assistant Secretary.

[FR Doc.76-5626 Filed 2-26-76;8:45 am]

Office of Revenue Sharing

ENTITLEMENT DATA

Procedure for Improvement

The data used by the Office of Revenue Sharing in calculating initial revenue sharing allocations for State governments pursuant to the State and Local Fiscal Assistance Act of 1972 (Pub. L. 92-512, 31 U.S.C.A. Chapter 24), for the Seventh Entitlement Period (July 1, 1976 through December 31, 1976) will be mailed to the Governor of each State and to the Mayor of Washington, D.C. on or about February 23, 1976. For purposes of the revenue sharing program, the District of Columbia is treated as a State. The collective data for all State governments and units of local government will be available in final form from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, after April 22, 1976.

These data have been compiled by the Bureau of the Census, Bureau of Economic Analysis and Internal Revenue Service. The definitions of each data element are provided in this notice. If State governments believe that there are errors in this data, relative to these definitions and effective dates, they should so inform the Office of Revenue Sharing in writing and provide evidence and documentation to fully justify the proposed corrections of data. This may be accomplished by writing to the Office of Revenue Sharing with full justification to support proposed corrections of data. The written justification must be received by the Office of Revenue Sharing on or before March 15, 1976 in order that corrections to data elements may be used

in determining initial Seventh Entitlement Period allocations.

The data of record in the Office of Revenue Sharing for those State governments which do not respond by March 15, 1976 will be used to calculate their initial allocation for the Seventh Entitlement Period.

Upon receipt of any written response from State governments, the Office of Revenue Sharing, in conjunction with the appropriate Federal agency, will substantiate or correct all data questioned and advise the State governments of its findings.

In order to assure equitable treatment of each recipient, the books will be kept open until all evidence and documentation received in the Office of Revenue Sharing on or before March 15, 1976 have been reviewed, and data determined to be erroneous have been corrected.

Dated: February 24, 1976.

JOHN K. PARKER,
Acting Director,
Office of Revenue Sharing.

I. POPULATION

The population of a State for revenue sharing purposes for Entitlement Period 7 is the total resident population as of July 1, 1975 as determined by the Bureau of the Census. The July 1, 1975 State populations are provisional estimates which were published by the Bureau of the Census in a report entitled "Estimates of the Population of States, July 1, 1974 and 1975" ("Current Population Reports," Series P-25, No. 615) dated December 1975. Incorporated in these population totals for the year ending July 1, 1975, are estimates of population change, including migration, which are based on vital statistics, key population indicators, and extrapolations of past trends. For a complete description of the methodology used, please consult the full report in the Bureau of the Census' Series P-25.

II. URBANIZED POPULATION

The urbanized population of a State for revenue sharing purposes for Entitlement Period 7 is the 1970 urbanized population of the State as determined by the Bureau of the Census. A State's urbanized 1970 population is the amount of that State's 1970 population which was classified as the population of an urbanized area according to the Bureau of the Census' 1973 Urbanized Area Criteria. (The Bureau of the Census revised its definitional criteria in 1973 for urbanized areas to make them more consistent with the criteria for Standard Metropolitan Statistical Areas (SMSAs). An urbanized area was defined for each SMSA using 1970 population.)

1. An urbanized area must include a central city or cities that qualify under one of the criteria listed below. *All population criteria refer to 1970 census population counts (except as specified in item 1a).*

a. A city of 50,000 inhabitants or more according to the 1970 census, a special census taken between 1960 and 1970 or the 1960 census provided that the city is located in an SMSA and is not included in an existing urbanized area.

b. A city having a population of at least 25,000 which, with the addition of the population of contiguous places, (incorporated or unincorporated) each of which has a population density of at least 1,000 persons per square mile, and which together constitute for general economic and social purposes a single community with a combined population of at least 50,000, provided that the city is located within an SMSA and is not included in an existing urbanized area.

2. In addition to a central city or cities, an urbanized area includes contiguous territory meeting the following criteria:

a. Incorporated places of 2,500 inhabitants or more but excluding the rural portions of extended cities.

b. Incorporated places with fewer than 2,500 inhabitants, provided that each has a closely settled area of 100 housing units or more; and all unincorporated places recognized in the 1970 census.

c. Contiguous small parcels of unincorporated land (delineated as either enumeration districts or block parcels prior to the 1970 census) determined to have a 1970 census population density of 1,000 inhabitants or more per square mile. (In this instance the areas of large nonresidential tracts devoted to such urban land uses as railroad yards, airports, factories, parks, golf courses, and cemeteries are excluded in computing the population density.)

d. Other similar small areas in unincorporated territory without regard to population density provided that they serve

To eliminate enclaves, or

To close indentations of one mile or less in width across the open end of the urbanized areas in order to eliminate narrow fingers of "rural" area, or

To link outlying areas of qualifying density provided that these are not more than 1½ miles from the main body of the urbanized area.

III. INCOME

The per capita income (PCI) of a State for revenue sharing purposes for Entitlement Period 7 is the 1972 per capita income of the State as determined by the Bureau of the Census. The per capita income is the estimated mean or average amount of total money income received during calendar year 1972 by all persons residing in the State in April 1973. The 1972 PCI estimates are based on data from the 1970 census, or later special censuses, and reflect corrections to the census data which have been made since 1970.

Total money income is the sum of:

Wage or salary income;

Net nonfarm self-employment income;

Net farm self-employment income;

Social Security or railroad retirement income;

Public assistance income; and

All other income such as interest, dividends, veteran's payments, pensions, unemployment insurance, alimony, etc.

The total represents the amount of income received before deductions for personal income taxes, Social Security, bond purchases, union dues, medicare deductions, etc.

Receipts from the following sources are not included as income: Money received from the sale of personal property; capital gains; the value of income "in kind" such as food produced and consumed in the home or free living quarters; withdrawals of bank deposits; money borrowed; tax refunds; exchange of money between relatives living in the same household; gifts and lump sum inheritances, insurance payments, and other types of lump sum receipts.

The 1970 census PCI data were updated to 1972, based on income data from the 1969 and 1972 Federal income tax returns and State income estimates prepared by the Bureau of Economic Analysis to measure the change from 1969 to 1972.

At the State level, 1972 per capita income estimates were developed by carrying forward the 1970 census aggregates for each type of income (as itemized above) and dividing the sum of the 1972 aggregates for each State by the estimated April 1973 population. The perecnt change in wage and salary income as reflected by the IRS data, was used to update the 1970 census wage and salary amount, while the remaining income types were carried forward using the percent change implied in estimates developed by the Bureau of Economic Analysis.

The 1972 PCI estimates were published by the Bureau of the Census in "Current Population Reports," Series P-25 in State reports numbered in alphabetical sequence from number 546 for Alabama through number 595 for Wyoming. The estimates being used for revenue sharing purposes may not agree exactly with the figures in the P-25 reports since corrections have been made to the estimates subsequent to the publication of the reports.

IV. STATE INDIVIDUAL INCOME TAX

The State individual income tax data of a State for Entitlement Period 7 of revenue sharing is the total calendar year 1975 collections of the tax imposed upon the income of individuals by such State and described as a State income tax under section 164(a)(3) of the Internal Revenue Code of 1954. These are collections of taxes on individuals measured by net income and taxes on special types of income (e.g., interest, dividends, income from intangibles, etc.).

Actual calendar year 1975 State individual income tax collections data were obtained from the Bureau of the Census' publication entitled "Quarterly Summary of State and Local Tax Revenue, October–December 1975." The calendar year 1975 State individual income tax collections data used for revenue sharing may not agree exactly with the figures in the Census Bureau's "Quarterly Summary of State and Local Tax Revenue," if corrections to these data were made subsequent to its publication.

V. FEDERAL INDIVIDUAL INCOME TAX LIABILITIES

The Federal individual income tax liability of a State for revenue sharing purposes is the total annual Federal individual income taxes after credits attributed to the residents of the State by the Internal Revenue Service. Income tax after credits is determined by subtracting statutory credits from the total of income tax before credits and the tax surcharge. It does not include self-employment tax or tax from recomputing prior year investment credit, nor does it take into account refundable credits.

Income tax before credits is the tax liability computed on taxable income based on:

1. The regular combined normal tax and surcharge including tax from the optional tax tables,
2. Alternative tax, or
3. Tax computed using the income averaging provisions.

Examples of credits which are applied against income taxes are:

1. Retirement income credit,
2. Investment credit,
3. Foreign tax credit, and
4. Other tax credits.

The State and Local Fiscal Assistance Act of 1972 (Revenue Sharing Act) specifies that, if available, data on Federal individual income tax liabilities should be "for taxable years ending * * * during the last calendar year ending before the beginning of such entitlement period."

The most recent Federal individual income tax liabilities available for revenue sharing use in Entitlement Period 7 are the 1974 IRS estimates of Federal individual income tax liabilities of States. These estimated tax amounts for calendar year 1974 are the pre-

liminary 1974 estimates from the Internal Revenue Service's "Statistics of Income."

VI. STATE AND LOCAL TAXES

The State and local taxes data of a State are the compulsory contributions exacted by the State (or by any unit of local government or other political subdivision of the State) for public purposes (other than employee and employer assessments and contributions to finance retirement and social insurance systems, and other than special assessments for capital outlay) as such contributions are determined by the Bureau of the Census for general statistical purposes.

State and local taxes data used for revenue sharing purposes in Entitlement Period 7 are the Fiscal Year 1973–74 State and local taxes as reported by the Bureau of the Census in Table 17 of "Government Finances 1973–74" (GF74, No. 5). Fiscal Year 1973–74 is a government's 12-month accounting period that ended between July 1, 1973 and June 30, 1974 except for the State governments of Alabama and Texas (as well as school districts in those States). These latter governments have fiscal years which end at the end of September and August, respectively, and are treated as though they were part of the group with fiscal years ending June 30.

Tax revenue comprises amounts collected from all taxes which are imposed by a government and collected by that government or which are collected for it by another government acting as its agent. This includes interest and penalties but does not include amounts paid under protest and amounts refunded. For purposes of this definition, local governments and political subdivisions include counties (parishes in Louisiana and boroughs in Alaska), municipalities, townships, school districts, and special districts. A unit of government also includes, in addition to the central authority of the unit, any semiautonomous boards, commissions, or other agencies dependent on it that do not in themselves meet requirements as to fiscal and administrative independence even though as to accounting records and other specific administrative aspects such agencies may operate outside the central accounting and administrative pattern of the unit.

The State government information contained in State and local taxes is based on the annual Bureau of the Census survey of State finances. State finances statistics are compiled by representatives of the Bureau of the Census from official records and reports of the various States. The local government portion of the State and local taxes data are estimates based on information received from a sample of such governments. The sample consisted of approximately 16,000 local governments and included all counties having a 1970 population of 50,000 or more, all cities having a 1970 population of 25,000 or more, all other governments whose relative importance in their State based on expenditure or debt was above a specified size, and a random sample of remaining units.

The Fiscal Year 1973–74 State and local taxes data may not agree exactly with the figures in "Governmental Finances 1973–74," because corrections may have been made to these data subsequent to its publication.

VII. GENERAL TAX EFFORT FACTOR

The general tax effort factor of a State used for Entitlement Period 7 is the amount of Fiscal Year 1973–74 State and local taxes of the State divided by the aggregate personal income of the State for 1973. State and local taxes for Fiscal Year 1973–74 are as defined above, and as reported by the Bureau of the Census in Table 17 of "Governmental Finances 1973–74" (GF74, No. 5).

Aggregate personal income of a State in calendar year 1973 is the income of individuals as estimated by the Bureau of Economic Analysis of the Department of Commerce for national income accounts purposes and as reported in Table 1 of "Survey of Current Business" August 1975, Volume 55, Number 8.

Aggregate personal income represents the total current income received by persons residing in the State from all sources, including transfers from government and business but excluding transfers among "persons." Not only individuals (including owners of unincorporated enterprises) but also non-profit institutions, private trust funds, and private pension, health and welfare funds are classified as "persons." Personal income is measured on a before-tax basis, as the sum of wages and salary disbursements, other labor income, proprietors' and rental income, interest and dividends, and transfer payments, minus personal contributions for social insurance, etc.

[FR Doc.76-5568 Filed 2-24-76;10:08 am]

Office of the Secretary

SKI BINDINGS AND PARTS THEREOF FROM AUSTRIA

Antidumping; Withholding of Appraisement Notice

Information was received on June 24, 1975, from Safety Systems, Inc., of Chicago, Illinois, alleging that ski bindings and parts thereof from Austria were being sold in the United States at less than fair value, thereby causing injury to, or likelihood of injury to, or the prevention of establishment of an industry in the United States, 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"). On the basis of this information and subsequent preliminary investigation by the Customs Service, an "Antidumping Proceeding Notice" was published in the FEDERAL REGISTER of July 23, 1975 (40 FR 30847).

The Secretary determined that it was inadvisable to take tentative action within the normal six-month investigatory period. The investigatory period in this case was therefore extended to seven months and a "Notice of Extension of Investigatory Period" to that effect was published in the FEDERAL REGISTER of January 20, 1976 (41 FR 2834).

Tentative Determination of Sales at Less Than Fair Value. On the basis of the information developed in Customs' investigation and for the reasons noted below, pursuant to Section 201(b) of the Act (19 U.S.C. 160(b)), I hereby determine that there are reasonable grounds to believe or suspect that the purchase price of ski bindings and parts thereof from Austria is less, or is likely to be less, than the fair value, and thereby the foreign market value, for such or similar merchandise.

Statement of Reasons. The reasons and bases for the above tentative determination are as follows:

a. *Scope of the Investigation.* It appears that all imports of the subject merchandise from Austria were manufactured by Wiener Metallwaren Fabrik Smolka & Co. Therefore, the investigation was limited to this 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 appears to be between purchase price and the home market price of such or similar merchandise. Purchase price, as defined in Section 203 of the Act (19 U.S.C. 162), was used since all export sales appear to be made to non-related distributors in the United States. Home market price, as defined in Section 153.3, Customs Regulations (19 CFR 153.3), was used since such or similar merchandise appears to be sold in the home market in sufficient quantities to provide a basis of comparison for fair value purposes.

c. *Purchase Price.* For the purpose of this tentative determination of sales at less than fair value, adjustments have been made on the following bases. In accordance with Section 153.31(b), Customs Regulations (19 CFR 153.31(b)), pricing information was obtained concerning imports of ski bindings and parts thereof from Austria during the period June 1974 through August 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 has been calculated on the basis of the packed price, f.o.b. Hamburg, Germany. Deductions have been made for inland freight and insurance charges from the factory or warehouse to the port of Hamburg.

d. *Home Market Price.* For the purposes of this tentative determination of sales at less than fair value, adjustments have been made on the following bases. The home market price has been calculated on the basis of the packed, delivered price to distributors, with respect to sales occurring in 1974. The home market price has been calculated on the basis of the packed, delivered price to dealers, with respect to sales occurring in 1975.

An adjustment for differences in circumstances of sale in accordance with Section 153.8, Customs Regulations (19 CFR 153.8), for technical services performed in the home market was claimed by the manufacturer. The adjustment claimed relates to expenses incurred in providing seminars for persons at the dealer level. It has not been sufficiently shown that these expenses bear a direct relationship to the sales under consideration and no adjustment has been made at this time.

Allowances will generally be made for bona fide differences in circumstances of sale in the two markets, including technical services rendered after the sales under consideration. Adjustments for after-sale technical services rendered by a foreign company in its home market for purchasers of its product may be allowable if shown to be directly related to the sales under consideration, rather

than a service provided for all potential purchasers. After-sale technical services rendered to customers in the foreign market for advice on items, other than those primarily directed to product research and development, are an allowable adjustment and are granted to the extent to which the specific direct costs of the services rendered are documented.

Adjustments have also been made for advertising and promotional expenses, provision of free merchandise, early payment bonuses, local stamp taxes, credit expenses, provision of sample packages, and cash discounts, in connection with sales during 1974 to unrelated distributors, in accordance with Section 153.8, Customs Regulations (19 CFR 153.8).

Adjustments have been made for provision of free merchandise, credit expenses, provision of sample packages, cash discounts, and discounts given for payment by a certain date, in connection with sales during 1975 to unrelated dealers, in accordance with Section 153.8, Customs Regulations (19 CFR 153.8).

Adjustment has also been made for certain royalty expenses incurred in connection with the sale of several of the items marketed during both 1974 and 1975.

Adjustment has been made for the costs of freight and insurance, from the factory or warehouse to the distributors in 1974, and from the factory or warehouse to dealers in 1975.

With respect to sales to dealers in 1975, an adjustment has been claimed for quantity discounts granted in the home market, within the meaning of Section 153.7, Customs Regulations (19 CFR 153.7). This adjustment has been allowed.

Adjustments have been claimed with respect to sales to dealers in 1975, for a royalty bonus paid at the end of the year, for expenses on potential bad debts, and for funds to pay royalties which may or may not become due. No adjustment will be made for bad debts, whether potential or actually incurred. No adjustments have been made for contingent liabilities in the form of a loyalty bonus or royalties. Adjustments may be made subsequently if bonuses or royalties are shown to have actually been paid and are directly related to the sales under consideration.

An adjustment for differences in levels of trade, in respect to sales during 1975, and based upon certain selling, administrative and warehousing expenses incurred by the manufacturer's wholly-owned distributor, has been requested by the manufacturer. This adjustment has been disallowed. No adjustment for differences in levels of trade can be given based upon the above-mentioned expenses. If, however, sufficient documentation is received to indicate that an adjustment for differences in levels of trade is appropriate, an adjustment may be granted subsequently.

e. *Result of Fair Value Comparisons.* Using the above criteria, preliminary analysis suggests that purchase price probably will be lower than the home market price of such or similar merchandise. Comparisons were made on over 93 percent of sales of ski bindings to the United States, during the period of investigation. Margins were tentatively found, ranging from one percent to 60 percent.

Accordingly, Customs officers are being directed to withhold appraisement of ski bindings and parts thereof from Austria, in accordance with Section 153.48, Customs Regulations (19 CFR 153.48).

In accordance with Sections 153.32(b) and 153.37, Customs Regulations (19 CFR 153.32(b), 153.37) interested persons may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any request that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 1301 Constitution Avenue NW., Washington, D.C. 20229, in time to be received by his office not later than March 8, 1976. Such request must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than March 29, 1976.

This notice, which is published pursuant to section 153.34(b), Customs Regulations (19 CFR 153.34(b)), shall become effective upon February 27, 1976. It shall cease to be effective at the expiration of 6 months from the date of this publication, unless previously revoked.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

February 23, 1976.

[FR Doc.76-5562 Filed 2-26-76;8:45 am]

SKI BINDINGS AND PARTS THEREOF FROM SWITZERLAND

Antidumping; Withholding of Appraisement Notice

Information was received on June 24, 1975, from Safety Systems, Inc., of Chicago, Illinois, alleging that ski bindings from Switzerland were being sold in the United States at less than fair value, thereby causing injury to, or the likelihood of injury to, or the prevention of establishment of an industry in the United States, 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"). On the basis of this information and subsequent preliminary investigation by the Customs Service, an "Antidumping Proceeding Notice" was published in the FEDERAL REGISTER of July 23, 1975 (40 FR 30847).

The Secretary determined that it was inadvisable to take tentative action within the normal six-month investigatory period. The investigatory period in this case was therefore extended to seven months and a "Notice of Extension of Investigatory Period" to that effect was published in the FEDERAL REGISTER of January 20, 1976 (41 FR 2834).

Tentative Determination of Sales at Less Than Fair Value. On the basis of the information developed in Custom's investigation and the reasons noted below, pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), I hereby determine that there are reasonable grounds to believe or suspect that the purchase price of ski bindings and parts thereof from Switzerland is less, or is likely to be less, than the fair value, and thereby the foreign market value, of such or similar merchandise.

Statement of Reasons. The reasons and bases for the above tentative determination are as follows:

a. *Scope of the Investigation.* It appears that all imports of the subject merchandise from Switzerland were manufactured by E. & U. Gertsch AG and by Otto Suhner AG. Importations of bindings manufactured by Otto Suhner AG, although subject to this notice, accounted for less than one percent of importations during the period and have not been specifically investigated.

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 appears to be between purchase price and the home market price of such or similar merchandise. Purchase price, as defined in section 203 of the Act (19 U.S.C. 160), was used since all export sales appear to be made to a non-related distributor in the United States. Home market price, as defined in section 153.3, Customs Regulations (19 CFR 153.3), was used since such or similar merchandise appears to be sold in the home market in sufficient quantities to provide a basis of comparison for fair value purposes.

c. *Purchase Price.* For the purposes of this tentative determination of sales at less than fair value, adjustments have been made on the following basis. In accordance with section 153.31(b), Customs Regulations (19 CFR 153.31(b)) pricing information was obtained concerning imports of ski bindings and parts thereof from Switzerland during the period January through August 1975.

In the import transactions, all of the merchandise was purchased or agreed to be purchased, prior to the time of exportation, by the person by whom or for whose account the merchandise is imported, within the meaning of section 203 of the Act. The purchase price has been calculated on the basis of the packed price to one exclusive unrelated distributor, f.o.b. Reichenbach, Switzerland.

d. *Home Market Price.* For the purposes of this tentative determination of sales at less than fair value, adjustments have been made on the following bases. The home market price has been calculated on the basis of the packed delivered price.

An adjustment for differences in circumstances of sale in accordance with

section 153.8, Customs Regulations (19 CFR 153.8), will generally be made for bona fide differences in circumstances of sale in the two markets. Adjustments have been made for freight charges from the factory or warehouse to the railway station nearest the purchaser.

Adjustment has been claimed for certain advertising and promotional expenses. This adjustment has been disallowed, but may be granted subsequently if it is shown that the expenses in question were incurred for the benefit of later purchasers and were directly related to the sales under consideration.

Adjustment has been claimed for certain financing expenses in connection with potential bad debts or late payments. No adjustment can be made for these expenses, whether potential or actually incurred.

Adjustment has been claimed for royalty expenses incurred in the home market. No adjustment has been made for these expenses, pending receipt of documentation showing that these expenses are not also incurred with respect to sales to the United States.

Adjustment has been claimed for an early payment discount available to home market purchasers. No adjustment for these expenses has been made. Adjustment may be made subsequently, if it is shown that this expense was actually incurred with respect to the sales under consideration.

Adjustment has been claimed with respect to selling commissions paid in the home market. This adjustment has been granted.

Adjustment has been claimed for certain expenses relating to general product research and development. General product research and development benefits sales in all markets and is thus not directly related to the home market sales under consideration. This claim has therefore been disallowed.

Adjustment has been claimed for quantity discounts granted in the home market, within the meaning of section 153.7, Customs Regulations (19 CFR 153.7). This adjustment has been allowed insofar as such discounts were actually given.

e. *Result of Fair Value Comparison.* Using the above criteria, preliminary analysis suggests that purchase price probably will be lower than the home market price of such or similar merchandise. Comparisons were made on 100 percent of ski bindings sold to the United States during the period of investigation. Margins were tentatively found, ranging from 25 percent to 53 percent on the sales of Gertsch.

Accordingly, Customs officers are being directed to withhold appraisement of ski bindings and parts thereof from Switzerland in accordance with section 153.48, Customs Regulations (19 CFR 153.48).

In accordance with section 153.32(b) and 153.37, Customs Regulations (19 CFR 153.32(b), 153.37), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any request that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 1301 Constitution Avenue NW., Washington, D.C. 20229, in time to be received by his office not later than March 8, 1976. Such request must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise by addressed to the Commissioner of Customs in time to be received by his office not later than March 29, 1976.

This notice, which is published pursuant to section 153.34(b) Customs Regulations (19 CFR 153.34(b)), shall become effective upon February 27, 1976. It shall cease to be effective at the expiration of 6 months from the date of this publication, unless previously revoked.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

FEBRUARY 23, 1976.

[FR Doc.76-5570 Filed 2-26-76;8:45 am]

SKI BINDINGS AND PARTS THEREOF FROM WEST GERMANY

Antidumping; Withholding of Appraisement Notice

Information was received on June 24, 1975, from Safety Systems, Inc., of Chicago, Illinois, alleging that ski bindings from West Germany were being sold in the United States at less than fair value, thereby causing injury to, or the likelihood of injury to, or the prevention of establishment of an industry in the United States, 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"). On the basis of this information and subsequent preliminary investigation by the Customs Service, an "Antidumping Proceeding Notice" was published in the FEDERAL REGISTER of July 23, 1975 (40 F.R. 30847).

The Secretary determined that it was inadvisable to take tentative action within the normal six-month investigatory period. The investigatory period in this case was therefore extended to seven months and a "Notice of Extension of Investigatory Period" to that effect was published in the FEDERAL REGISTER of January 20, 1976 (41 F.R. 2835).

Tentative Determination of Sales at Less Than Fair Value. On the basis of the information developed in Custom's investigation and the reasons noted below, pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), I hereby determine that there are reasonable grounds to believe or suspect that the purchase price of ski bindings and parts thereof from West Germany is less, or is likely to be less, than the fair value, and thereby the foreign market value, of such are similar merchandise.

Statement of Reasons. The reasons and bases for the above tentative determination are as follows:

a. *Scope of the Investigation.* It appears that all imports of the subject merchandise from West Germany were manufactured by Vereinigte Baubeschlagfabriken Gretsch & Co. (Gretsch); by Hannes Marker Sicherheits-Skibindungen K.G. (Marker); by Heinrich Wunder K.G. Metallwarenfabrik (Wunder); and by Alfred Gembruch K.G. (Gembruch). Importations of bindings manufactured by Gembruch although subject to this notice, accounted for less than one percent of importations during the period and have not been specifically investigated.

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 for all three manufacturers investigated appears to be between purchase price and the home market price of such or similar merchandise. Purchase price, as defined in section 203 of the Act (19 U.S.C. 160), was used since all export sales appear to be made to non-related distributors in the United States. Home market price, as defined in section 153.3, Customs Regulations (19 CFR 153.3, was used since such or similar merchandise appears to be sold in the home market in sufficient quantities to provide a basis of comparison for fair value purposes.

c. *Purchase Price.* For the purpose of this tentative determination of sales at less than fair value, adjustments have been made on the following bases. In accordance with section 153.31(b), Customs Regulations (19 CFR 153.31(b)) pricing information was obtained concerning imports of ski bindings and parts thereof from West Germany during the period June, 1974, through July, 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 the merchandise is imported, within the meaning of section 203 of the Act. The purchase price has been calculated on the basis of the packed price to exclusive unrelated distributors, f.o.b. seaport, Germany. Deductions have been made for inland freight from the factory or warehouse to the seaport in Germany. In the case of Gretsch, advertising materials furnished the importer free of charge have been adjusted for in the home market price.

d. *Home Market Price.* For the purposes of this tentative determination of sales at less than fair value, adjustments have been made on the following bases. The home market price has been calculated on the basis of the packed ex-factory price.

An adjustment for differences in circumstances of sale in accordance with section 153.8, Customs Regulations (19 CFR 153.8), will generally be made for bona fide differences in circumstances of sale in the two markets. Adjustments have been made for certain advertising and promotional expenses incurred for the benefit of later purchasers and for

discounts given for the placement of early season orders and payment by cash. Further adjustments claimed in respect of advertising expenses may be granted subsequently, if it is shown that the expenses in question were incurred for the benefit of later purchasers and were related to sales of the merchandise under consideration.

Adjustment for certain rebates paid subsequent to the sales under consideration has also been claimed. These expenses may be the subject of an adjustment later on if it is shown that these expenses were directly related to the sales under consideration.

Adjustment has been claimed for quantity discounts granted in the home market, within the meaning of section 153.7, Customs Regulations (19 CFR 153.7). This adjustment has been allowed insofar as such discounts were actually given.

An adjustment for differences in levels of trade, based upon certain selling and administrative expenses incurred by the manufacturer has been requested by the manufacturer. This adjustment has been disallowed. No adjustment for differences in levels of trade can be given based on the above-mentioned expenses. If, however, sufficient documentation is received to indicate that an adjustment for differences in levels of trade is appropriate, an adjustment may be granted subsequently.

e. *Result of Fair Value Comparison.* Using the above criteria, preliminary analysis suggests that purchase price probably will be lower than the home market price of such or similar merchandise. Comparisons were made on all ski bindings sold to the United States during the period of investigation. Margins were tentatively found, ranging from 5 percent to 120 percent on the sales of the three manufacturers investigated.

Accordingly, Customs officers are being directed to withhold appraisement of ski bindings and parts thereof from West Germany in accordance with section 153.48, Customs Regulations (19 CFR 153.48).

In accordance with section 153.32(b) and 153.37, Customs Regulations (19 CFR 153.32(b), 153.37), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any request that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 1301 Constitution Avenue NW., Washington, D.C. 20229, in time to be received by his office not later than March 10, 1976. Such request must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than March 29, 1976.

This notice, which is published pursuant to section 153.34(b), Customs Regulations (19 CFR 153.34(b)), shall become effective upon February 27, 1976. It shall cease to be effective at the expiration of 6 months from the date of this publication, unless previously revoked.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

FEBRUARY 23, 1976.

[FR Doc.76-5571 Filed 2-26-76;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Army

ARMY FINANCIAL MANAGEMENT ADVISORY COMMITTEE

Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92-463), announcement is made of the following Committee meeting:

Name of committee: Army Financial Management Advisory Committee.
Date of meeting: March 16-17, 1976.
Place: Room 2D 680, The Pentagon.
Time: 0800-1730 16 March 1976; 0800-1530 17 March 1976.
Proposed agenda:

The first day agenda consists of an overview of Army Financial Management problems to include a presentation of the Army's financial management system described as a document flow process. This will be followed by a presentation of specific problem areas and a discussion of corrective actions underway. On the second day the Committee will determine its internal organizational procedures and proceed with a general discussion leading to a specific plan of action. This meeting is open to the public; however, space accommodations are limited. Persons wishing to attend, appear before, or file statements with the Committee at the time and in the manner permitted by the Committee should advise the Deputy Chairman of the Committee, in writing prior to the meeting at the following address: Office, Assistant Secretary of the Army (Financial Management), Room 2E 665, the Pentagon, Washington, D.C. 20310.

By authority of the Secretary of the Army.

R. W. HAMPTON,
Colonel, U.S. Army Director of Administrative Management.

FEBRUARY 24, 1976.

[FR Doc.76-5649 Filed 2-26-76;8:45 am]

Department of the Army

AD HOC TANK PRODUCTION FACILITY ADVISORY COMMITTEE

Establishment, Organization and Functions

In accordance with the provisions of Public Law 92-463, Federal Advisory Committee Act, notice is hereby given that the Army Ad Hoc Tank Production Facility Advisory Committee has been found to be in the public interest in connection with the performance of duties imposed on the Department of Defense by law. The Office of Management and Budget has also reviewed the Justification for this advisory committee and concurs with its establishment.

The nature and purpose of this Committee is to advise and make recommendations to the Assistant Secretary of the Army (Installations and Logistics) on matters pertinent to the Army's tank production programs and plans. It is designed to provide him with an objective analysis and assessment as to the adequacy of proposed tank production facilitization programs and plans including any alternate production facility proposals in order to help insure that:

a. Army tank production programs and plans are executed in an efficient and cost effective manner.

b. Established programs designed to enhance our readiness posture in the near term are attainable.

c. Planned tank production capacity is sufficient to meet the demands of the Army and the Marine Corps plus firm security assistance commitments.

d. The replacement tank for the M60, with its increased armor protection, firepower and mobility, is delivered to high-priority units on the required schedule and within established cost goals.

e. The tank production base is capable of accommodating current and projected (including surge) requirements so that our readiness posture will be maintained.

The Committee will meet three to five times during its existence, at times convenient to the majority of the members.

The Committee will consist of a minimum of three and a maximum of five members selected entirely from the non-Government sector. Members will be selected on the basis of their background and experience in the field of manufacturing and production and related disciplines such as industrial engineering, civil engineering, business, finance, and purchasing to provide a balanced representation of views and assessments. Members will serve for 90 days unless the task is completed earlier.

The Committee will terminate 90 days from the date of its charter or when its objective has been attained, whichever is sooner, and will operate in accordance with PL 92-463, the Federal Advisory Committee Act.

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

FEBRUARY 25, 1976.

[FR Doc.76-5842 Filed 2-26-76;11:04 am]

Defense Mapping Agency

PRIVACY ACT OF 1974

Notice of Proposed Change to System of Records

In FR Doc 75-21075 published in the FEDERAL REGISTER (40 FR 35151) of August 18, 1975 setting forth the systems of records prescribed by the Privacy Act of 1974 within the Department of Defense,

the Defense Mapping Agency published a notice of a system of records entitled "BO502–03 HQ, T, H, A, Billet Access Record," the FEDERAL REGISTER of August 18, 1975 (40 FR 35309).

Notice is hereby given that the Defense Mapping Agency has submitted proposed changes to this system of records pursuant to the provisions of Office of Management and Budget (OMB) Circular No. A–108 dated September 30, 1975 which provides supplemental guidance to Federal agencies regarding the preparation and submission of reports of their intention to establish or alter systems of personal records as required by the Privacy Act of 1974 (P.L. 93–579, 5 U.S.C. 552a(o)). This supplemental OMB guidance was set forth in the FEDERAL REGISTER (40 FR 45877) on October 3, 1975.

The Defense Mapping Agency invites public comment to be considered on all parts of the following proposed system notice as changed. Interested persons are invited to submit written data, views and arguments to the system manager identified in the system notice on or before March 29, 1976.

BO502–03 HQ, T, H, A

System name. 502–03 Master Billet/Access Record.

System location. Primary System—Special Security/Activities Division, DMA Topographic Center. Decentralized segments—HQ DMA, DMA Aerospace Center and DMA Hydrographic Center. See DMA Directory for complete address listing.

Transcript and IBM card inputs are submitted to and batch produced output is received from the computer system and terminal operated by the Department of Computer Services (51000), DMA Topographic Center.

Categories of individuals covered by the system. All DMA employees and contractor personnel authorized and indoctrinated for access to Sensitive Compartmented Information (SCI). In addition employees of other Government agencies are included for the period during which their SCI access status is permanently certified to DMA.

Categories of records in the system. File may contain for an individual the following: name, rank/grade, military component or civilian status, social security number, SCI billet number and title, SCI accesses authorized and held, date Background Investigation completed, date indoctrinated or debriefed, date and state of birth, DMA badge number and expiration date, and whether an authorized courier of SCI material.

Authority for maintenance of the system. E. O. 11652—Classification and Declassification of NS Information and Materials. 3/10/72.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses. File used to produce Confidential rosters of personnel authorized SCI access for control of access to areas accredited for use of this information and for certification of SCI access status to other Government agencies; for updating of Defense Intelligence Agency (DIA) Security Management Information System (SMIS) file.

Policies and practices for storing, retrieving, accessing, retaining and disposing of records in the system.—

Storage. Records filed on magnetic tape.

Retrievability. Information recorded alphabetically by last name and numerically by billet number.

Safeguards. Secured in alarmed vault in guarded building. Vault accessible only to properly cleared, authorized personnel. Transmission of system data between DMAAC and DMATC is by Secure (encrypted) teletype circuit.

Retention and disposal. Active records only are maintained. Records of personnel debriefed for SCI access are dumped on a debrief tape which is printed as an alphabetical listing cumulatively each month for one year, then the tape is erased. Old printed listing is destroyed when replaced by new printed listing (weekly).

System manager and address. Director, Defense Intelligence Agency (DS–6C2), the Pentagon, Washington, D.C. 20301.

Notification procedure. Information may be obtained from Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, Telephone: Area Code 202/254–4411.

Record access procedures. Requests from individuals should be addressed to above.

Written requests for information should contain the full name of the individual, Social Security Number, current address and telephone number.

For personal visits, the individual should be able to furnish personal identification containing his/her full name, Social Security Number, physical description, photograph and signature.

Contesting record procedures. The agency's rules for access to records and for contesting contents and appealing initial determinations by the individual concerned may be obtained from the Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305. Telephone: Area Code 202/254–4411.

Record source categories. Information originated by maintaining office. Bases of billet entries are approval messages or correspondence from DIA; bases for incumbent entries are indoctrination oaths executed by Incumbents at time of indoctrination.

Systems exempted from certain provisions of the act. None.

Dated: February 23, 1976.

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

[FR Doc.76–5608 Filed 2–26–76;8:45 am]

DEPARTMENT OF JUSTICE

FEDERAL ADVISORY COMMITTEE ON FALSE IDENTIFICATION

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C. Appendix I) that the twelfth meeting of the Federal Advisory Committee on False Identification will be held at 9:30 a.m., Thursday, March 11, 1976, at the Briefing and Conference Center of the Department of Justice (opposite Room 1315), 10th and Constitution Avenue NW., Washington, D.C.

The Committee was established by the Attorney General to study the criminal use of false identification at Federal, state, and local levels and to recommend measures to prevent such use.

At the plenary session of the March 11th meeting, the Committee will begin voting on suggested solutions to various aspects of the false identification problem. Each agency or organization (or individual if applicable) which is a member of the Committee will have one vote regardless of the number of representatives it sends to the Committee's meetings. An exception will be made only in cases where such a procedure clearly would be unfair. For example, both the Passport Office and the Visa Office of the State Department will have one vote each, despite the fact that both are a part of the State Department. Simliarly, both the Social Security Administration and the Division of Vital Statistics, Department of Health, Education, and Welfare (HEW), will have one vote, although both are a part of HEW. Any comments on such a voting procedure or objections thereto, should be made in writing to David J. Muchow, at the address below, on or before March 11, 1976. Following the plenary session each of the Committee's five Task Forces will meet separately if the need arises. Finally, a copy of the Committee's membership list is available upon request.

The meeting, which will adjourn at approximately 2:00 p.m. is open to the public. The Committee welcomes a broad spectrum of ideas from the public to assist the Committee in its efforts to protect each citizen's right to privacy and to aid in preventing the criminal use of false identification.

Further information concerning this meeting may be obtained from David J. Muchow, General Crimes Section, Criminal Division, Department of Justice, Room 516, Federal Triangle Building, 315 9th Street NW., Washington, D.C. 20530, telephone (202) 739–3750. Minutes of the meeting will be available for public inspection two weeks after the meeting in Room 516, Federal Triangle Building.

RICHARD L. THORNBURGH,
Assistant Attorney General.

[FR Doc.76–5783 Filed 2–26–76;8:45 am]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

ENDANGERED SPECIES PERMIT

Receipt of Addendum to Application

On February 9, 1976, a notice was published in the FEDERAL REGISTER (41 FR 5647-48) that an application had been filed with the Fish and Wildlife Service, U.S. Department of the Interior, by the Tennessee Valley Authority, Norris, Tennessee, for a permit: "For scientific study, transplantation and enhancement of survival of the SNAIL DARTER."

Notice is hereby given that on February 15, 1976, the Director, U.S. Fish and Wildlife Service, was advised by telegram submitted by Thomas H. Ripley, Director, Division of Forestry, Fisheries, and Wildlife Development, Tennessee Valley Authority, of additional research proposals of TVA which would amend the original application.

A part of the text of the telegram containing the substantive portion of the additional research proposals is as follows:

A constructive meeting for further consultation of TVA's Snail Darter Conservation Program was held (yesterday) February 14, 1976, at TWRA offices, Nashville, Tennessee. Present were representatives from your Washington and Atlanta offices; TWRA; University of Tennessee, Ecology Program; and TVA.

Group concurs in TVA's Snail Darter Conservation Program, and resumption of transplant efforts.

(*Below are the research proposals.*)

1. Collect "eggs" from 10 females and "milt" from 10 males in the little "T" (TVA requests, because of laboratory capacity and potential for loss, 22 of each).

2. Sacrifice at frequent (probably 48-hour) intervals, to document embryological development and identification characters, no more than 15 captive eggs, larvae or young fish.

3. Periodically collect (once a week) and sacrifice Snail Darter larvae and young fish from river ichthyoplankton samples at source and transplant sites.

4. Salvage and preserve such eggs, larvae, young fish and adult fish as may be unavoidably lost or sacrificed under study plans.

Documents and other information submitted in connection with this addendum and the 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 addendum to the 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 within 30 days of the date of publication will be considered.

Dated: February 24, 1976.

C. R. BAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.76-5687 Filed 2-26-76;8:45 am]

Office of Hearings and Appeals

[Docket No. M 76-109]

THE HELEN MINING COMPANY

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), Helen Mining Company has filed a petition to modify the application of 30 CFR 75.1700 to its Homer City Mine, Indiana County, Pennsylvania.

30 CFR 75.1700 provides:

Each operator of a coal mine shall take reasonable measures to locate oil and gas wells penetrating coalbeds or any underground area of a coal mine. When located, such operator shall establish and maintain barriers around such oil and gas wells in accordance with State laws and regulations, except that such barriers shall not be less than 300 feet in diameter, unless the Secretary or his authorized representative permits a lesser barrier consistent with the applicable State laws and regulations where such lesser barrier will be adequate to protect against hazards from such wells to the miners in such mine, or unless the Secretary or his authorized representative requires a greater barrier where the depth of the mine, other geologic conditions, or other factors warrant such a greater barrier.

In support of its petition, Petitioner states as follows:

1. Petitioner's Homer City Mine has a gas well, Number 31193, which was abandoned in 1953 when gas in a commercial quantity was not found. The borehole of the well penetrates the Upper Freeport Coal Seam where Petitioner intends to mine. The well is presently plugged with stone and earth.

2. The barrier around the well, required by Section 75.1700, interferes with Petitioner's (1) maintenance of effective roof control by requiring a hazardous and time-consuming relocation of the shortwall shield supports to avoid the barrier, (2) simplification of the mine ventilation system by requiring unnecessary air course changes, and (3) improvement of mining safety and conservation by requiring a barrier of coal when more efficient and secure methods to prevent well gas leaks are available.

3. Extensive research conducted by the U.S. Bureau of Mines and U.S. Energy Research and Development Administration ("ERDA") has developed feasible and safe methods to plug abandoned gas wells and eliminate the need for coal barriers around such wells. Reports of this research (Attachment 1)[1] have concluded that certain plugging methods can effectively prevent explosive well gases from entering the mine during regular mining operations and allow additional safety and operational benefits that are not possible under Section 75.-1700. These methods which Petitioner proposes to follow, guarantee no less than the same measure of protection afforded miners as Section 75.1700.

4. In lieu of Section 75.1700, Petitioner proposes to plug the well by one of the techniques described in Attachments 2 and 3[1], depending upon conditions discovered on reopening the borehole and mining through part of the plugged borehole in a normal mining cycle. Petitioner will notify the Mining Enforcement and Safety Administration (MESA) and Morgantown Energy Research Center, ERDA, before any plugging and mining activity is conducted in this regard. At MESA's option, such activity will be conducted in the presence and under the supervision of its personnel. Any changes in the procedures set forth in Attachments 2 and 3 will be made only on approval of MESA's District Manager or his delegate.

5. The following procedures, as more specifically set forth in Attachments 2 and 3, will be followed for plugging the well: Petitioner will attempt to reopen the well to its total depth and take gamma ray, neutron, and caliper logs to determine respectively the depth of all coal beds, the most competent formation for the placement of certain plugs, and the wellbore diameter. A tracer unit of sulfur hexafluoride (an inert, permeable, and easily detectable gas) will be placed in the well and a mechanical bridge plug or other device set above it to provide a secure base for subsequent plugs. Expanding cement, flyash cement, and/or gel-water slurry will be injected to various depths in the remainder of the borehole, depending on geologic conditions.

6. The following procedures will be followed for mining through the plug: All mining operations within one hundred and fifty (150) feet of the well will be conducted with the utmost caution and in a nonexplosive atmosphere. In addition to the methane testing procedures in 30 CFR, Part 75, a fireboss dateboard will be established in the affected area and methane examinations made and recorded at least one per shift by a qualified examiner. Petitioner will take air samples immediately before, during, and after mining through the concrete section of the plug between the mine floor and roof. Mining operations will be conducted during Petitioner's normal mining cycle, and, at MESA's option, in the presence and under the supervision of MESA personnel. In cooperation with MESA, Petitioner will monitor the mine atmosphere for traces of sulfur hexafluoride for six (6) months after mining through the plug.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before March 29, 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

[1] Attachments 1, 2, and 3 are available for inspection at the address contained in the last paragraph of the notice.

the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

FEBRUARY 18, 1976.

[FR Doc.76-5540 Filed 2-26-76;8:45 am]

[Docket No. M 76-86]

OWL CREEK COAL CO., INC.

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), Owl Creek Coal Co., Inc. has filed a petition to modify the application of 30 CFR 75.1710 to its Owl Creek Mine, St. Charles, Kentucky.

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710-1 which in pertinent part provides:

* * * Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

(1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;

(2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;

(3) On and after January 1, 1975, in coal mines having mining heights of 43 inches or more, but less than 60 inches;

(4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;

(5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches, and

(6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. * * *

In support of its petition, Petitioner states:

(1) During the summer of 1975 Petitioner purchased the following rebuilt equipment which included cabs or canopies: two shuttle cars, one cutting machine, one coal drill, and one roof bolter. This equipment was purchased and delivered to the site of Owl Creek Coal Company, Inc., in St. Charles, Kentucky, during the summer of 1975. At the time this equipment was delivered, the canopies or cabs were installed and several of Petitioner's employees attempted to operate the equipment outside the underground coal mine. The two shuttle cars could not be operated without the driver hanging his head and shoulders out of the side, and the cutting machine, coal drill, and roof bolter could not be operated at all because the driver could not sit on this equipment and operate the levers. There was not enough room on or in the equipment to operate the equipment with the cabs or canopies attached to them.

(2) Petitioner mines a number six vein of coal and the measured minimum height on each section is 40 inches with irregular tops and irregular bottoms. Taking into account the 12-inch allowance which has been prescribed by the U.S. Department of the Interior, the mining height at the subject mine is 28 inches. The foregoing equipment measures approximately 33 inches in height. It is impossible to use smaller equipment at the mine due to the irregularity, roughness, softness and wetness of the bottom.

(3) Petitioner avers that it is impossible for it to use cabs or canopies on the foregoing equipment in that the structures would create extremely hazardous working conditions in the mine. The operators of the equipment would not have ample room to operate the equipment. Consequently, the operators would have to hang their head and shoulders out to the sides of the equipment and thus would not have ample room to fully observe the bottom.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before March 29, 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.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

FEBRUARY 17, 1976.

[FR Doc.76-5541 Filed 2-26-76;8:45 am]

Bureau of Indian Affairs

MENOMINEE INDIAN RESERVATION IN WISCONSIN

Acceptance of Offer to Retrocede Jurisdiction

FEBRUARY 20, 1976.

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

The Governor of the State of Wisconsin, acting pursuant to Title IV of Public Law 90-284, 82 Stat. 79, as codified at 25 U.S.C. § 1323, and the Menominee Restoration Act, 87 Stat. 770, as codified at 25 U.S.C. Sections 903-903f, offered, by a proclamation issued on February 19, 1976, to retrocede to the United States of America all civil and criminal jurisdiction acquired by the State of Wisconsin under Public Law 83-661, 68 Stat. 795, amending Public Law 83-280, 67 Stat. 583, as codified at 18 U.S.C. Section 1162 and 28 U.S.C. Section 1360 and the Menominee Restoration Act, 87 Stat. 770, as codified at 25 U.S.C. Sections 903-903f, over the Menominee Indian Reservation.

Pursuant to Section 403 of the Act of April 11, 1968 (82 Stat. 79, 25 U.S.C. § 1323(a)) and authority vested in the Secretary of the Interior by Executive Order No. 11435 (33 FR 17339) and redelegated to the Commissioner of Indian Affairs by 230 DM 1, I hereby accept the offer to retrocede criminal and civil jurisdiction to the United States of America with respect to the Menominee Indian Reservation. Retrocession of jurisdiction over the Menominee Indian Reservation shall be effective on March 1, 1976 at 12:01 a.m., c.s.t.

MORRIS THOMPSON,
Commissioner of Indian Affairs.

[FR Doc.76-5780 Filed 2-26-76;8:45 am]

Bureau of Land Management

ALASKA

Meeting

Notice is hereby given that the Alaska State Multiple Use Advisory Board will meet in the Alaska Native Claims Appeal Board Hearing Room, Fourth Floor, 716 West Fourth Avenue, Anchorage, Alaska, March 11-12, 1976, at 9:00 a.m. The meeting will be devoted principally to presentations and discussions on the following topics: coordination and interim management on D-2 lands; easements and corridor planning; national petroleum reserve #4; management of pipeline corridor; and future business.

The meeting will be open to the public. Time will be made available beginning at 1:00 p.m. on Thursday, March 11, for brief statements by members of the public. Such statements should be limited to matters set forth in the agenda. Those wishing to make an oral statement on an agenda topic should notify the State Director, Bureau of Land Management by close of business March 5, 1976. Any interested person or organization may file a written statement with the Board for its consideration. Such statements may be submitted at the meeting or mailed to the State Director, Bureau of Land Management, 555 Cordova, Anchorage, Alaska 99501. Further information concerning the meeting may be obtained from Heidi Thomas, Acting Chief, Public Affairs, 555 Cordova, Anchorage, Alaska, telephone 277-1561 (ext. 158).

CURTIS V. MCVEE,
State Director, Alaska.

[FR Doc.76-5097 Filed 2-26-76;8:45 am]

National Park Service

CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK COMMISSION

Meeting

Notice is hereby given in accordance with Federal Advisory Committee Act that a meeting of the Chesapeake and Ohio Canal National Historical Park Commission will be held on Saturday, March 20, 1976, at 9 a.m., at the Stephen Mather Training Center, Harpers Ferry, West Virginia.

The Commission was established by Public Law 91–664 to meet and consult with the Secretary of the Interior on general policies and specific matters related to the administration and development of the Chesapeake and Ohio Canal National Historical Park.

The members of the Commission are as follows:

Miss Nancy Long (Chairman), Glen Echo, Maryland.
Mrs. Carolina Freeland, Bethesda, Maryland.
Mr. Donald Frush, Hagerstown, Maryland.
Honorable Vladimir A. Wahbe, Baltimore, Maryland.
Mr. Anthony Abar, Annapolis, Maryland.
Mr. John C. Lewis, Hamilton, Virginia.
Mrs. Dorothy Grotos, Arlington, Virginia.
Mr. Burton C. English, Berkeley Springs, West Virginia.
Mr. Henry W. Miller, Jr., Paw Paw, West Virginia.
Mr. Lorenzo W. Jacobs, Jr., Washington, D.C.
Mr. Joseph H. Cole, Washington, D.C.
Mr. Ronald A. Clites, LaVale, Maryland.
Mrs. Mary Miltenberger, Cumberland, Maryland.
Dr. James H. Gilford, Frederick, Maryland.
Dr. Kenneth Bromfield, Frederick, Maryland.
Mr. Grant Conway, Brookmont, Maryland.
Mr. Edwin F. Wesely, Chevy Chase, Maryland.
Mr. John C. Frye, Gapland, Maryland.
Mr. Rome F. Schwagel, Keedysville, Maryland.

The matters to be discussed at this meeting include:

1. Potomac National River Legislation.
2. Legislation to Dedicate C&O Canal National Historical Park to Justice William O. Douglas.
3. Georgetown Waterfront.
4. Status Reports: General Plan, Interpretive Prospectus, Jellystone Park, Land Acquisition, Canal Budget, Abner Cloud House Restoration.
5. Recommendations on Guidelines for Use of Buildings along the Canal.
6. Status—Canal Construction Projects.
7. Superintendent's Report.
8. County, State, and D.C. Reports.

The meeting will be open to the public. However, facilities and space for accommodating members of the public are limited and it is expected that not more than 30 persons will be able to attend the sessions. Any members of the public may file with the Committee a written statement concerning the matters to be discussed.

Persons wishing further information concerning this meeting, or who wish to submit written statements, may contact Richard L. Stanton, Associate Director, Cooperative Activities, National Capital Parks, at Area Code 202–426–6715. Minutes of the meeting will be available for public inspection 2 weeks after the meeting at the Office of National Capital Parks, Room 208, 1100 Ohio Drive SW., Washington, D.C.

Dated: February 20, 1976.

J. L. DUNNING,
Acting Director,
National Capital Parks.

[FR Doc.76–5573 Filed 7–26–76;8:45 am]

HOWARD T. ROSE CO.

Intention to Negotiate Concession Contract

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 Director of the National Park Service, proposes to negotiate a concession contract with the Howard T. Rose Company, Inc., authorizing it to continue to provide concession facilities and services for the public at Fire Island National Seashore 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 Office of the Superintendent, Fire Island National Seashore, Patchogue, New York 11772.

The foregoing concessioner has performed its obligations to the satisfaction of the Secretary under an existing contract which expired by limitation of time on December 31, 1975, and therefore, pursuant to the Act of October 9, 1965, as cited above, is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract. 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 March 29, 1976.

Interested parties should contact the Assistant Director, Concessions Management, National Park Service, Washington, D.C. 20240, for information as to the requirements of the proposed contract.

Dated: February 19, 1976.

RAYMOND L. FREEMAN,
Acting Associate Director,
National Park Service.

[FR Doc.76–5575 Filed 2–26–76;8:45 am]

WESTERN REGIONAL ADVISORY COMMITTEE

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a field trip and public meeting of the Western Regional Advisory Committee will be held in Death Valley National Monument and Las Vegas, Nevada. The field trip will begin on March 25, 1976 in Las Vegas and traveling to Death Valley with return to Las Vegas that evening. The public meeting will be held at 9:00 a.m. PST on March 26, 1976 in Room B–3 of the Las Vegas Convention Center, 3150 Paradise Road, Las Vegas, Nevada.

The purpose of the Western Regional Advisory Committee is to provide for the free exchange of ideas between the National Park Service and the public and to facilitate the solicitation of advice or other counsel from members of the public on programs and problems pertinent to the Western Region of the National Park Service.

The members of the Advisory Committee are as follows:

Lewis S. Eaton, Fresno, California (Chairman)
Ben Avery, Phoenix, Arizona
Bernard Fontana, Tucson, Arizona
Jean Ford, Las Vegas, Nevada
Sonya Thompson, San Francisco, California
Jack Walston, San Marino, California

The matters of general discussion by the public and the committee will be the active mining situation in Death Valley, the mineral leasing program in Lake Mead National Recreation Area and other resource management activities concerning both areas.

Due to a lack of available space, only the Advisory Committee members and required National Park Service personnel will be provided transportation for the field trip.

The meeting will be open to the public. Any member of the public will also be able to file, with the committee, a written statement concerning the matters to be discussed.

Persons wishing further information concerning this meeting or who wish to submit written statements may contact Ray C. Foust, Executive Assistant to the Regional Director, Western Regional Office at (415) 556–8227.

Minutes of the meeting will be available for public inspection eight weeks after the meeting at the Western Regional Office, National Park Service, 450 Golden Gate Avenue, San Francisco, California.

Dated: February 18, 1976.

HOWARD H. CHAPMAN,
Regional Director,
Western Region.

[FR Doc.76–5574 Filed 2–26–76;8:45 am]

INDEPENDENCE NATIONAL HISTORICAL PARK ADVISORY COMMISSION

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Independence National Historical Park Advisory Commission will be held at 10:30 a.m. on March 25, 1976, at 313 Walnut Street, Philadelphia, Pennsylvania.

The Commission was established by Public Law 80–795 to render advice on such matters relating to the park as may from time to time be referred to them for consideration.

The members of the Commission are as follows:

Mr. Arthur C. Kaufmann (Chairman)
Mr. John P. Bracken
Hon. Michael J. Bradley
Hon. James A. Byrne
Mr. Michael J. Byrne
Mr. Filindo B. Masino
Mr. Frank C. P. McGlinn
Mr. John B. O'Hara
Mr. Howard D. Rosengarten
Mr. Charles R. Tyson

The matters to be considered at this meeting include:

1. Cover on Independence Mall.
2. New City Bicentennial Organization.
3. Superintendent's Progress Report.

The meeting will be open to the public. Any person may file with the Commission an oral or written statement concerning the matters to be discussed. Persons desiring further information concerning this meeting, or who wish to submit statements, may contact Hobart G. Cawood, Superintendent, Independence National Historical Park, Philadelphia, Pennsylvania, at Area Code 215, 597–7120.

Minutes of the meeting shall be available for inspection two weeks after the meeting at the office of the Independence National Historical Park, 313 Walnut Street, Philadelphia, Pennsylvania.

Dated: February 5, 1976.

CHESTER L. BROOKS,
Regional Director, Mid-Atlantic Region National Park Service.

[FR Doc.76–5576 Filed 2–26–76;8:45 am]

Office of the Secretary

TECHNOLOGY TASK GROUP OF THE COMMITTEE ON ENHANCED RECOVERY TECHNIQUES FOR OIL AND GAS IN THE UNITED STATES

Notice of Meeting

Notice is hereby given for the following meeting:

The Technology Task Group of the National Petroleum Council's Committee on Enhanced Recovery Techniques for Oil and Gas in the United States will meet on Wednesday and Thursday, March 17 and 18, 1976, starting at 8:30 a.m. both days in the 7th Floor Conference Room, Chevron Oil Company, the California Building, 1111 Tulane Avenue, New Orleans, Louisiana.

The agenda includes the following items for discussion:

1. Discuss decisions reached by the Coordinating Subcommittee at its February 26 and 27, 1976, meeting.
2. Review individual submissions, including detailed studies of some sample reservoirs.
3. Discuss future assignments.
4. Discuss any other matters pertinent to the overall assignment of the Task Group.

The purpose of the National Petroleum Council is to provide to the Secretary of the Interior, upon request, advice, information, and recommendations upon any matter relating to petroleum or the petroleum industry.

The meeting will be open to the public to the extent that space and facilities permit. Any member of the public may file a written statement with the Council either before or after the meeting. Interested persons who wish to speak at the meeting must apply to the Council and obtain approval in accordance with its established procedures.

Further information about the meeting may be obtained from Ben Tafoya, Office of the Assistant Secretary—Energy and Minerals, Department of the Interior, Washington, D.C. (telephone: 343–6226).

Dated: February 24, 1976.

WILLIAM L. FISHER,
Acting Assistant Secretary of the Interior.

[FR Doc.76–5620 Filed 2–26–76;8:45 am]

LITTLE BEAVER NATIONAL SCENIC RIVER

Approval for Inclusion in the National Wild and Scenic Rivers System as State Administered Scenic River Area

Pursuant to the authority granted the Secretary of the Interior by Section 2 of the Wild and Scenic Rivers Act (82 Stat. 906, 907) and upon proper application of the Governor of the State of Ohio, the Little Beaver Creek, Ohio is designated a State administered scenic river area in the National Wild and Scenic Rivers System.

The segments of Little Beaver Creek designated in the national system include: Little Beaver Creek main stem, from the confluence of the West Fork with the Middle Fork near Williamsport to the mouth (16⅔ miles); North Fork of Little Beaver Creek, from the confluence of Brush Run and the North Fork to the confluence of the North Fork with the main stem at Fredericktown (4¼ miles); Middle Fork of Little Beaver Creek, from the vicinity of County Road 901 (Elkston Road) bridge crossing to the confluence of the Middle Fork with the West Fork near Williamsport (7⅔ miles); West Fork of Little Beaver Creek, from the vicinity of County Road 914 (Y-Camp Road) bridge crossing east to the confluence of the West Fork with the Middle Fork near Williamsport (4¼ miles).

The State has fulfilled the requirements of Section 2(a)(ii) of the Act by designating Little Beaver Creek as a wild river under the provisions of the State Scenic Rivers Act; adopting the management plan for the river recommended in the Department's Little Beaver Creek River Report; and by initiating an acquisition and development program for the lands and waters along Little Beaver Creek.

Notice is hereby given that as of October 23, 1975, Little Beaver Creek, as described herein, was approved for inclusion in the National Wild and Scenic Rivers System as a scenic river area to be administered by the State of Ohio.

THOMAS S. KLEPPE,
Secretary of the Interior.

FEBRUARY 16,1976.

[FR Doc.76–5615 Filed 2–26–76;8:45 am]

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

[Notice of Designation Number A308]

SOUTH DAKOTA

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in Corson County, South Dakota, as a result of snowstorms and cold, long-lingering wet weather March 22 through April 15, 1975.

Therefore, the Secretary has designated this area as eligible for Emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Public Law 94–68, and the provisions of 7 CFR 1832.3 (b) including the recommendation of Governor Richard F. Kneip that such designation be made.

Applications for Emergency loans must be received by this Department no later than April 12, 1976, for physical losses and November 12, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 19th day of Feb., 1976.

FRANK B. ELLIOTT,
Administrator, Farmers Home Administration.

[FR Doc.76–5613 Filed 2–26–76;8:45 am]

Office of the Secretary

COMBINED FOREST PEST R&D PROGRAM BOARD

Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given that a meeting of the Combined Forest Pest R&D Program Board will be held Friday, April 2, 1976, beginning at 1 p.m. in Room 218–A, Administration Building, U.S. Department of Agriculture.

The purpose of this Program Board is to advise and make recommendations to the Assistant Secretary for Conservation, Research and Education, U.S. Department of Agriculture, regarding activities pertaining to the Combined Forest

Pest R&D Program concerning the gypsy moth, Douglas fir tussock moth, and southern pine beetle. Subjects to be discussed include the Plan of Work and Budget for July 1 to September 30, 1976, program progress and accomplishments, adjustments or changes in program direction, and other matters related thereto.

This meeting is open to the public, but space and facilities are limited. Comments of interested persons may be filed with the Program Board before or after the meeting.

Information pertaining to the meeting may be obtained from Keith R. Shea, Room 307–A, Administration Building, Department of Agriculture, 14th and Independence Avenue SW., Washington, D.C. Telephone area code (202) 447–6827.

KEITH R. SHEA,
Executive Secretary.

FEBRUARY 23, 1976.

[FR Doc.76–5614 Filed 2–26–76;8:45 am]

PRIVACY ACT OF 1974

Systems of Records

Notice is hereby given of one additional records system (which was inadvertently omitted from the group of notices published on August 27, 1975, 40 FR 38897) maintained by the Office of Management and Finance of the Department of Agriculture at the National Finance Center, New Orleans, Louisiana 70160, and required to be published in the FEDERAL REGISTER and in annual compilation form pursuant to the provisions of the Privacy Act of 1974 (P.L. 93–579). Although this act requires only that the portion of each system which describes the "routine uses" of that system be published for public comment, the Department of Agriculture invites such comment on all portions of such notice.

Interested persons may submit written comments on this proposed notice to: Director, Research and Operations Division, Office of the General Counsel, U.S. Department of Agriculture, Washington, D.C. 20250, on or before the thirtieth day following publication of this notice. All comments submitted will be available for public inspection during regular business hours in Room 2321 of the South Building, USDA, 14th Street and Independence Avenue SW., Washington, D.C. 20250.

Dated: February 20, 1976.

EARL L. BUTZ,
Secretary.

SYSTEM OF RECORDS

USDA/OMF–4

System Name: Uniform Allowance System, USDA/OMF.

Location: USDA, Office of Management and Finance, National Finance Center, New Orleans, Louisiana.

Category of Individuals: All USDA employees entitled to and receiving allowances for uniforms required in their work.

Category of Records: This system consists of complete files on advances, accruals and payments, to individuals within the Department, for uniform allowances.

Authority: 5 U.S.C. 301; 7 CFR 2.75.

Routine Uses: None.

Records Management Policy and Practice: Storage—Records and maintained on computer tapes and disks at the National Finance Center addressed above.

Retrievability—Records are indexed by Social Security Number and by name of individual.

Safeguards—Limited access by authorized personnel and passwords on the Data Base.

Retention and Disposal—Master history magnetic tapes are retained indefinitely. Manual records are transferred for storage and disposition by the Federal Records Center in accordance with General Services Administration regulations.

System Manager: Director, National Finance Center, Office of Management and Finance, USDA, New Orleans, Louisiana.

Notification: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, National Finance Center, Office of Management and Finance, USDA, P.O. Box 60,000, New Orleans, Louisiana 70160.

Access: Same as above. Individuals should provide the appropriate identifying information as required pursuant to 18 CFR 3b.224.

Contest: Same as above. Individuals should provide the appropriate identifying information as required pursuant to 18 CFR 2b.224.

Sources: Information in this system comes primarily from individuals that request payments of uniform allowances.

[FR Doc.76–5609 Filed 2–26–76;8:45 am]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Organization Order 10–2]

ASSISTANT SECRETARY FOR POLICY

Delegation of Authority and Statement of Functions

This order effective February 2, 1976, supersedes the material appearing at 40 FR 42765 of September 15, 1975.

SECTION 1. *Purpose.* This order establishes the position of Assistant Secretary for Policy and prescribes the authority and functions of the Assistant Secretary for Policy.

SEC. 2. *Administrative designation.* The position of Assistant Secretary of Commerce, established by the Act of February 14, 1903 (15 U.S.C. 1504), is hereby designated as the Assistant Secretary for Policy (the "Assistant Secretary"). The Assistant Secretary is appointed by the President, by and with the advice and consent of the Senate.

SEC. 3. *Functions.* The Assistant Secretary shall: a. Serve as the principal adviser to the Secretary on matters relating to the assessment of regulatory impacts on business and industry, on matters of energy and resource policy development, on international economic policy coordination, and on other selected policy development matters of direct concern to the Secretary;

b. Provide for the Secretary coordinative and integrative services on broad policy matters concerning more than one operating unit of the Department; and

c. Serve as Executive Director of the Department Policy Council.

SEC. 4. *Office of the Assistant Secretary for Policy.* The Office of the Assistant Secretary shall consist of:

a. A Special Assistant and Director of Special Studies; and

b. Such Departmental offices as the Assistant Secretary, in conjunction with the Assistant Secretary for Administration, may establish for the purpose of assisting him in carrying out his functions and responsibilities. A list of these offices is appended hereto, and shall be kept current by the Assistant Secretary. A copy of the appendix is on file with the original of this document in the Office of the Federal Register.

Effective date: February 2, 1976.

JOSEPH E. KASPUTYS,
Acting Assistant Secretary for Administration.

[FR Doc.76–5544 Filed 2–26–76;8:45 am]

[Dept. Organization Order 35–2A]

BUREAU OF THE CENSUS

Delegation of Authority and Statement of Function

This order effective February 2, 1976 further amends the materials appearing at 40 FR 42765 of September 16, 1975 and 40 FR 58879 of December 19, 1975.

Department Organization Order 35–2A of August 4, 1975 is hereby amended as shown below. The purpose of this amendment is to replace "Assistant Secretary for Economic Affairs" with "Chief Economist of the Department" as the individual to whom the Director shall report and be responsible.

In Section 2. Status and line of authority, paragraph .02 is revised to read as follows:

.02 The Director of the Census (the "Director"), who is appointed by the President, by and with the advice and consent of the Senate, is the head of the Bureau. The Director shall report and be responsible to the Chief Economist of the Department.

Effective date: February 2, 1976.

JOSEPH E. KASPUTYS,
Acting Assistant Secretary for Administration.

[FR Doc.76–5549 Filed 2–26–76;8:45 am]

[Dept. Organization Order 25-1A]

BUREAU OF ECONOMIC ANALYSIS

Delegation of Authority and Statement of Function

This order effective February 2, 1976 amends the material appearing at 40 FR 42766 of September 19, 1975.

Department Organization Order 35-1A of August 4, 1975 is hereby amended as shown below. The purpose of this amendment is to replace "Assistant Secretary for Economic Affairs" with "Chief Economist of the Department" as the individual to whom the Director shall report and be responsible.

In Section 2. Status and line of authority, paragraph .02 is revised to read as follows:

.02 The Bureau of Economic Analysis shall be headed by a Director who shall report and be responsible to the Chief Economist of the Department. The Director shall be assisted by a Deputy Director who shall perform the functions of the Director during the latter's absence.

Effective date: February 2, 1976.

JOSEPH E. KASPUTYS,
Acting Assistant Secretary for Administration.

[FR Doc.76-5548 Filed 2-26-76;8:45 am]

[Dept. Organization Order 10-9]

CHIEF ECONOMIST OF THE DEPARTMENT

Delegation of Authority and Statement of Function

This order effective February 2, 1976 revokes the materials appearing at 40 FR 12533 of March 19,1975 and 40 FR 56707 of December 4, 1975.

SECTION 1. *Purpose.* This order establishes the position of Chief Economist of the Department (the "Chief Economist") and prescribes the scope of authority and functions of the Chief Economist.

SEC. 2. *General.* The Chief Economist shall report and be responsible to the Secretary of Commerce.

SEC. 3. *Functions.* .01 The Chief Economist shall serve as the principal economic adviser to the Secretary; shall serve as adviser to other Commerce officials with respect to economic matters; and shall serve as the Department's liasion with the Council of Economic Advisers and with other high-level economic officials of the Government.

.02 The Chief Economist shall also exercise policy direction and general supervision over the Bureau of the Census and the Bureau of Economic Analysis.

SEC. 4. *Office of the Chief Economist.* In carrying out the functions in section 3. above, the Chief Economist shall be assisted by such staff personnel as may be assigned.

Effective date: February 2, 1976.

JOSEPH E. KASPUTYS,
Acting Assistant Secretary for Administration.

[FR Doc.76-5545 Filed 2-26-76;8:45 am]

[Dept. Organization Order 15-7]

FIELD PROGRAMS STAFF

Statement of Functions

SECTION 1. *Purpose.* This order establishes, and sets forth the functions of, the Field Programs Staff.

SEC. 2. *General.* .01 The Field Programs Staff is hereby established. The Staff shall be headed by the Deputy Under Secretary for Field Programs, who shall report and be responsible to the Secretary.

.02 The Deputy Under Secretary shall coordinate the activities of the Secretarial Representatives, who shall be representatives of the Secretary to business, government, and other individuals and organizations in the Standard Federal Regions described in OMB Circular A-105. There shall be ten Secretarial Representatives, one stationed in each of the ten Standard Federal Regional cities. The Secretarial Representatives shall be responsible to the Secretary.

SEC. 3. *Functions.* .01 The Field Programs Staff shall be responsible for assuring that the Department's policies and programs are communicated to, and are responsive to the needs of, the public and business, government, and other individuals and organizations in the Standard Federal Regions; and that Department programs which affect the Regions are coordinated with related programs of other government agencies.

.02 The "Deputy Under Secretary for Field Programs" shall coordinate the activities of the Secretarial Representatives on behalf of the Secretary; he shall assist the Under Secretary in his function as a member of the Under Secretaries' Group for Regional Operations established in Executive Order 11647, as amended by Executive Order 11892; and he shall be the liaison between the Secretarial Representatives and Washington-based officials in the Department and other Federal agencies.

.03 The "Secretarial Representatives" shall:

a. Represent the Secretary to individuals and organizations in the Regions.

b. As authorized by Executive Order 11892, represent the Department on, and provide staff support to, the Federal Regional Councils.

c. Maintain continuing liaison with the regional program operating officials of the Department to insure coordination both among the Department's programs and between these programs and the programs of other Federal agencies, states, and local governments.

d. Initiate, plan, and conduct studies and reviews to identify conditions which may limit the ability of the Department's operating officials to coordinate their programs with other programs of the Department, and those of other Federal agencies, states, and local governments; recommend to the Secretary and to other officials in the Department, in other Federal agencies, and in state and local governments, the policy and procedural changes which could eliminate these conditions; and work with these officials to implement decisions consequent thereto.

e. Maintain continuing liaison with the public, and with business, government, and other officials in the Regions to facilitate the delivery of the Department's services within these Regions.

f. Make periodic reviews of the effectiveness of the Department's programs in meeting the needs of the Regions, and report the findings and recommendations of such reviews to the Secretary.

g. Provide the Secretary with information on developments and activities in the Regions, particularly on legislative, business, and economic issues which may affect the Department's programs in the Regions.

h. Perform such other functions as the Secretary may from time to time direct.

SEC. 4. *Limitation on authority.* Nothing in this order shall alter, amend, modify, or repeal any parts of other standing orders which delineate the duties and responsibilities of program officials operating in the Regions.

Effective date: February 6, 1976.

JOSEPH E. KASPUTYS,
Acting Assistant Secretary for Administration.

[FR Doc.76-5546 Filed 2-26-76;8:45 am]

[Dept. Organization Order 25-6B]

NATIONAL FIRE PREVENTION AND CONTROL ADMINISTRATION

Statement of Organization and Functions

This order effective January 29, 1976 supersedes the material appearing at 40 FR 25702 of June 19, 1975.

SECTION 1. *Purpose.* .01 This order prescribes the organization and assignment of functions within the National Fire Prevention and Control Administration (the "NFPCA"). The scope of authority and functions of the NFPCA are set forth in Department Organization Order 25-6A.

.02 This revision provides for the Deputy Administrator to perform the duties of the Administrator in the latter's absence (paragraph 3.02); retitles the Office of the Legal Adviser as the Office of the Chief Counsel, and gives the Chief Counsel responsibility for administering the claims program prescribed in Section 11 of the Federal Fire Prevention and Control Act of 1974 (paragraph 3.03); establishes the Office of Administration and the Office of Information Services within the Office of the Administrator (paragraphs 3.04 and 3.05); clarifies the function of the Public Education Office (Section 5.); and clarifies the NBS consultation and coordination functions of the Associate Administrator for the National Fire Safety and Research Office (Section 7.).

SEC. 2. *Organization structure.* The principal organization structure and line of authority shall be as depicted in the attached organization chart. A copy of the organization chart is on file with the original of this document with the Office of the Federal Register.

SEC. 3. *Office of the administrator.* .01 The "Administrator," NFPCA, formu-

lates policies and programs for achieving the objectives of NFPCA, directs the execution of these programs, and assigns other responsibilities as required.

.02 The "Deputy Administrator" assists the Administrator in formulating policies and programs and in managing the NFPCA, and shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the Office of the Administrator.

.03 The "Office of the Chief Counsel" shall provide legal services to all components of NFPCA, subject to the overall authority of the Department's General Counsel as provided in Department Organization Order 10-6. The Chief Counsel shall administer the claims program prescribed by Section 11 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq., 278f.) (the "Act"), and shall perform such other functions as the Administrator shall assign.

.04 The "Office of Administration" shall develop and maintain the internal administration management control systems of the NFPCA; perform budget formulation and management functions; perform evaluative, analytic, and developmental work on administrative systems and procedures; arrange for and facilitate the provision of administrative services from the Department as required; and perform such other administrative management functions as the Administrator shall assign.

.05 The "Office of Information Services" shall coordinate nonprogrammatic information activities within NFPCA; maintain liaison with the communications media; advise the Administrator and other NFPCA officials on all news media, public communication and information policies and techniques; coordinate NFPCA conference activities; and perform such other functions as the Administrator shall assign. These information activities will be carried out in collaboration with the Departmental Office of Communications.

SEC. 4. *National Academy for Fire Prevention and Control.* .01 The National Academy for Fire Prevention and Control (the "Academy"), hereby established as prescribed by section 7(a) of the Act, shall be headed by a Superintendent (appointed by the Secretary of Commerce) who shall report and be subject to the direction of the Administrator.

.02 The Academy shall:

a. Advance the professional development of fire service personnel and of other persons engaged in fire prevention and control activities;

b. Encourage new programs and recommend strengthening of existing programs of education and training at State and local levels and through private institutions by providing assistance as prescribed by the Act; and

c. Perform other functions as prescribed by the Act or as the Administrator shall assign.

SEC. 5. *Public Education Office.* The Public Education Office, headed by an Associate Administrator who shall report and be responsible to the Administrator, shall:

a. Educate the public and overcome public indifference to fire and fire prevention;

b. Provide specialized fire education information to those groups particularly vulnerable to fire hazards;

c. Conduct research, testing, and experimentation to determine the most effective means of public education; and

d. Perform such other functions as the Administrator shall assign.

SEC. 6. *National Fire Data Center.* The National Fire Data Center, headed by an Associate Administrator who shall report and be responsible to the Administrator, shall:

a. Operate directly, or through contracts or grants, a comprehensive system for the selection, analysis, publication, and dissemination of information related to the prevention, occurrence, control, and results of fires of all types;

b. Encourage and assist State, local, and other agencies, public and private, in developing and reporting information;

c. Develop standardized data reporting methods;

d. Make full use of existing data sources;

e. Effect maximum dissemination of the data collected and developed by the Center in appropriate forms to Federal agencies, State and local governments, private organizations, industry, business, and other interested parties; and

f. Perform other functions as the Administrator shall assign.

SEC. 7. *National Fire Safety and Research Office.* .01 The National Fire Safety and Research Office, headed by an Associate Administrator who shall report and be responsible to the Administrator, shall:

a. Plan and direct a continuous program of development, testing, and evaluation of equipment for use by the Nation's fire, rescue, and civil defense services;

b. Encourage and assist local jurisdictions in the development of master plans for fire prevention and control;

c. Review, evaluate, and suggest improvements in State and local fire prevention codes, building codes and regulations;

d. Administer the Fire Safety Effectiveness Statement Program as described in the Act;

e. Upon request, assist the Consumer Product Safety Commission in the development of fire safety standards or codes for consumer products;

f. Directly, or through contracts or grants, conduct research as authorized; conduct studies of the operations and management aspects of fire services and of the productivity and efficiency of fire service personnel; sponsor demonstration projects to introduce and encourage acceptance of new technology, standards, operating methods, command techniques, and management systems by fire services; and measure and evaluate, on a cost-benefit basis, the effectiveness of the programs of individual fire services;

g. Provide assistance to the National Institutes of Health in establishing an expanded program of research on burns, treatment of burn injuries, and rehabilitation of victims of fires; and

h. Perform other functions as assigned by the Administrator.

.02 The Associate Administrator shall be responsible for consulting and coordinating with the National Bureau of Standards Fire Research Center on the conduct of basic and applied research as prescribed in the Act.

Effective date: January 29, 1976.

JOSEPH E. KASPUTYS,
Acting Assistant Secretary for Administration.

[FR Doc.76-5547 Filed 2-26-76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health Administration

MINORITY ADVISORY COMMITTEE

Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. Appendix I), announcement is made of the following National Advisory body scheduled to assemble during the month of March 1976:

Minority Advisory Committee, ADAMHA.
March 17-19—Open Meeting.
March 17, 1:30 p.m., DHEW Regional Office, John F. Kennedy Federal Building, Cambridge Street, Boston, Massachusetts.
March 18, 9:00 a.m., Boston City-Wide Coordination Council, 31 Milk Street, Boston, Massachusetts; 1:30 p.m., Boston University School of Medicine, Doctors Office Building, 6th floor, 720 Harrison Ave., Boston, Massachusetts; 7:00 p.m., Freedom House, 14 Crawford Street, Boston, Massachusetts.
March 19, 9:00 a.m., Office of Civil Rights, HEW, RKO Building, 5th floor Conference Room, New Sudbury Street, Boston, Massachusetts.
Contact: Ernest F. Hurst, Parklawn Building, Room 13C-15, 5600 Fishers Lane, Rockville, Maryland, 20852, 301-443-3838.

Purpose. The Minority Advisory Committee, ADAMHA, advises the Secretary, Department of Health, Education, and Welfare, and the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, on needs, programs, and activities regarding minority alcohol, drug abuse and mental health matters, and makes recommendations for possible solutions which meet the needs and concerns of minority groups throughout the United States. The Committee functions in an advisory capacity to the Administrator, ADAMHA, on these matters which relate to the National Institute on Alcohol Abuse and Alcoholism, National Institute on Drug Abuse, and the National Institute of Mental Health.

Agenda. This meeting will be open to the public. On March 17, the Committee will discuss Reports on FY 1976-1977 Priority Issues including (1) High Rates of Homicides and Suicides Among Minority Youth, (2) Credentialing Systems and Paraprofessionals, (3) Indian and

Hispanic Health Services, (4) Indirect Space Cost, and (5) Volunteer Services. On March 18, from 9:00 a.m. to 12 noon, the Committee will meet with the Boston City-Wide Coordination Council; from 1:30 to 3:00 p.m., the Committee will meet with the Boston Area Coordinated Social Services Group, and from 3:00 to 5:00 p.m. with the Solomon, Carter, Fuller Crisis Intervention Team. The Committee will reconvene at approximately 7:00 p.m. to meet with the Community Representatives and staffs of Boston area Alcoholism, Drug Abuse and Mental Health Programs to discuss (1) special Alcohol, Drug Abuse and Mental Health needs and concerns of Minority groups, and (2) Impact of the Current School desegregation and Busing Problems on the Mental Health of Minority Groups. On March 19, the Committee will meet with Federal, State, and local officials for a review and discussion of Special Alcohol, Drug Abuse, and Mental Health Needs and Concerns of Minority Groups in Region I. Agenda items are subject to change as priorities dictate. Attendance by the public will be limited to space available.

Substantive program information may be obtained from the contact person listed above.

Mr. James C. Helsing, Deputy Director, Office of Public Affairs, ADAMHA, will furnish, on request, summaries of the meeting and a roster of the committee members. Mr. Helsing is located in Room 16–95, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852, 301–443–3783.

Dated: February 24, 1976.

CAROLYN T. EVANS,
Committee Management Officer, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc.76–5596 Filed 2–26–76;8:45 am]

Center for Disease Control

COAL MINE HEALTH RESEARCH ADVISORY COMMITTEE

Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), the Center for Disease Control announces the following National Institute for Occupational Safety and Health Committee meeting:

Name: Coal Mine Health Research Advisory Committee.

Date: March 26, 1976.

Place: Conference Room G, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852.

Time: 9 a.m.

Type of meeting: Open: 9 a.m. to 2:30 p.m., on March 26. Closed: Remainder of meeting.

Contact person: Jack Butler, M.D., Interim Executive Secretary, Parklawn Building, Room 3–30, NIOSH, 5600 Fishers Lane, Rockville, Maryland 20852. Phone: 301–443–6437.

Purpose. The Committee is charged with advising the Secretary, Department of Health, Education, and Welfare, on matters involving or relating to coal mine health research, including grants and contracts for such research.

Agenda. Agenda items for the open portion of the meeting will include announcements, consideration of minutes of previous meeting, administrative and staff reports, report of NIOSH Planning Considerations in Occupational Respiratory Disease, Mortality Study on Coal Miners, and Survey of Hearing Loss in Coal Miners. During the closed session beginning at 2:45 p.m., the Committee will be performing the final review of coal research grant applications for Federal assistance, and will not be open to the public, in accordance with the provisions set forth in section 552(b)(5) and (6), Title 5, U.S. Code, and the Determination by the Director, Center for Disease Control, pursuant to Pub. L. 92–463.

Agenda items are subject to change as priorities dictate.

The portion of the meeting so indicated is open to the public for observation and participation. A roster of members and other relevant information regarding the meeting may be obtained from the contact person listed above.

Dated: February 17, 1976.

WILLIAM C. WATSON, Jr.,
Acting Director, Center for Disease Control.

[FR Doc.76–5537 Filed 2–26–76;8:45 am]

VENEREAL DISEASE CONTROL ADVISORY COMMITTEE

Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), the Center for Disease Control announces the following Committee meeting:

Name: Venereal Disease Control Advisory Committee.

Dates: March 18–19, 1976.

Place: Room 207, Building 1, Center for Disease Control, 1600 Clifton Road NE., Atlanta, Georgia 30333.

Time: 9:00 a.m.

Type of meeting: Open.

Contact person: Joe H. Miller, Executive Secretary of Committee, Building 1, Room 3070, Center for Disease Control, Atlanta, Georgia 30333. Phone: AC–404 633–3311, Extension 3345.

Purpose. The Committee is charged with advising on means and methods of implementing venereal disease control programs, reviewing current and proposed program operations and suggesting new areas of control emphasis.

Agenda. Items will include: Status of venereal disease control efforts; syphilis therapy recommendations; model clinics; professional education plans; prototype self-referral system; and program development activities.

Agenda items are subject to change as priorities dictate.

The meeting will be open to public observation and participation. A roster of members and other relevant information regarding the meeting may be obtained from the contact person listed above.

Dated: February 17, 1976.

WILLIAM C. WATSON, Jr.,
Acting Director, Center for Disease Control.

[FR Doc.76–5538 Filed 2–26–76;8:45 am]

Food and Drug Administration

[Docket No. 76N–0038]

A–1 BIOLOGICAL OF COLORADO, INC.

Revocation of Establishment and Product Licenses to Manufacture Source Plasma (Human)

Notice is hereby given that on June 26, 1975, the Food and Drug Administration revoked U.S. License No. 476, the establishment and product licenses for manufacture of Source Plasma (Human) issued to A–1 Biological of Colorado, Inc., 1534 Blake St., Denver, CO.

Pursuant to section 351(d) of the Public Health Service Act (42 U.S.C. 262(d)) and the authority delegated to the Commissioner of Food and Drugs under § 2.120(a)(5) (21 CFR 2.120(a)(5)), U.S. License No. 476 was revoked as a result of the establishment's failure to comply with the standards prescribed in the biologics regulations designed to protect plasma donors and assure continued safety, purity, potency, and effectiveness of Source Plasma (Human). Specific violations of the regulations included: The responsible head failed to exercise control of the establishment as required by § 600.10(a) (21 CFR 600.10(a)); the volume of blood drawn from donors during the plasmapheresis procedures exceeded the amounts permitted by § 640.65(b)(4) and (6) (21 CFR 640.65(b)(4) and (6)); plasma was shipped by air carrier without a refrigerant to assure maintenance of the required temperature of —5° C or colder during shipment as required by § 600.15(a) (21 CFR 600.15(a)); and a donor whose plasma was intended for fractionated injectable products and who had previously tested positive for hepatitis B surface antigen was not removed from the plasmapheresis program as required by § 610.41 (21 CFR 610.41).

Pursuant to § 601.4 (21 CFR 601.4), the Commissioner notified A–1 Biological of Colorado, Inc., of his intention to revoke U.S. License No. 476, the reasons and facts that appeared to warrant such action, and offered an opportunity for a hearing on the proposed revocation. The establishment waived the opportunity for a hearing, and the Commissioner revoked U.S. License No. 476, for the manufacture of Source Plasma (Human). This notice is published pursuant to § 601.43 (21 CFR 601.43).

Dated: February 23, 1976.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.76–5600 Filed 2–26–76;8:45 am]

[Docket No. 75N-0316]

DEFINITION FOR "PAID" AND "VOLUNTEER" BLOOD DONORS

Public Meeting

The Food and Drug Administration announces a public meeting to give all interested persons an opportunity to present their views and discuss the comments on appropriate definitions for "volunteer" and "paid" blood donors. The meeting will be held at 1:30 p.m., Thursday, March 18, 1976 at Wilson Hall, Bldg. 1, National Institutes of Health, 9000 Rockville Pike, Bethesda, MD.

The Commissioner of Food and Drugs proposed, in a notice published in the FEDERAL REGISTER of November 14, 1975 (40 FR 53040), to amend the biologics regulations in Parts 610 and 640 (21 CFR 610 and 640) to require that whole blood and red blood cells bear: (1) A statement distinguishing blood from volunteer donors and blood from paid donors; and (2) a warning that blood collected from paid donors has a higher risk of transmitting hepatitis than blood from volunteer donors. Many comments on the proposal asked that it be reissued to define "volunteer" and "paid" donors; a number of other recommendations were made on the proposed rule.

Subsequently, the Commissioner issued a notice in the FEDERAL REGISTER of February 3, 1976 (41 FR 4955), asking for more data and information by March 3, 1976 for use in formulating a definition for "volunteer" and "paid" blood donors.

The March 18 meeting will discuss the following subjects:

1. Data documenting the risk of post-transfusion hepatitis associated with blood collected from volunteer and paid donors.

2. Summary of comments received in response to the FEDERAL REGISTER proposal of November 14, 1975.

3. Recomendations for a reproposal, including definitions for "volunteer" and "paid" donors and other suggestions recommended in the comments on the proposal.

4. General discussion of various viewpoints on the proposal.

Interested person may present their views regarding the proposal to label blood to distinguish between blood collected from volunteer and paid donars and to include a statement that blood from paid donors is assocated with a higher risk of transmitting hepatitis than is blood from volunteer donors.

Dated: February 23, 1976.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.76-5601 Filed 2-26-76;8:45 am]

[Docket No. 76N-0020]

DRUG PRODUCT CONTAINING URETHAN

Opportunity for Hearing on Proposal to Withdraw Approval of New Drug Application for Profenil Injection

This notice proposes to withdraw approval of the new drug application (NDA 5-695) for the product Profenil Injection, which contains urethan as an inactive ingredient. Although urethan is not widely used in drug products, the Food and Drug Administration is concerned about any such use, in view of its carcinogenicity. Persons who wish to request a hearing may do so on or before March 29, 1976.

Urethan is the United States Adopted Names for the chemical ethyl carbamate. The name urethan is not to be confused with the term "urethane", which is sometimes used to describe high molecular weight polyurethanes used as foams, elastomers, and coatings. Such products are not made from the chemical ethyl carbamate and do not generate it upon decomposition.

In February 1974, a Working Group of the International Agency for Research on Cancer (IARC) considered the biological data relevant to the evaluation of the carcinogenic risk to man from exposure to urethan. With respect to animal data, the Group concluded as follows: Urethan has been shown to be carcinogenic in mice, rats, and hamsters following administration by the oral, inhalation, subcutaneous, or intraperitoneal routes, producing, among others, lung tumors, lymphomas, hepatomas, melanomas, and vascular tumors. It is an initiator for skin carcinogenesis in mice when given orally or topically. It has also been shown to enhance the leukaemogenic effect of x radiation. It is carcinogenic in single-dose experiments and following prenatal exposure. Neonatal and infant mice are more susceptible to cancer induction by urethan than are adult mice. With respect to observations in man, no case reports or epidemiological studies were available to the Group. The discussion of the Group's study is contained in IARC Monographs on the Evaluation of Carcinogenic Risk of Chemicals to Man, Volume 7, 1974.

In addition, the United States Government has been informed that the Japanese Ministry of Health and Welfare has recently prohibited further manufacture and sale of an injectable analgesic product (Pyrabital) which contains urethan as a solubilizer for the active ingredient. This action was prompted by the recent findings of Dr. T. Nomura, a scientist at Osaka University, to the effect that urethan has carcinogenic potential. Nomura reportedly gave hypodermic injections of urethan to approximately 40,000 mice in different doses and discovered dose-related tumorigenicity (Nomura did not use the term malignant neoplasm or cancer in his papers) in the lung, liver, and other organs.

In its Drug Information No. 163, dated October 31, 1975, the World Health Organization (WHO) announced the actions of the Japanese Ministry of Health and Welfare and the findings of Dr. Nomura.

Copies of the IARC monograph on urethan, the communication reporting the action of the Japanese Ministry of Health and Welfare, and WHO Drug Information No. 163 are on file in the Office of the Hearing Clerk, Food and Drug Administration (address given below) and may be seen in that office during working hours, Monday through Friday.

Urethan has been used as an active ingredient in drug products for the treatment of neoplastic diseases, as a hypnotic, as an adjunct to sulfonamide therapy, as a component (with quinine) of a sclerosing solution for varicose veins, and as a topical bactericide. It has also been used as an inactive component in liquid preparations as a solubilizer for an active ingredient.

Several drug products containing urethan were reviewed in or affected by the Drug Efficacy Study. Oral urethan was found to be effective, although not the drug of choice, for chronic granulocytic leukemia, and less than effective for its other indications. The holders of the new drug applications neither attempted to support the less-than-effective indications nor revised the labeling to delete them. All holders waived opportunity for hearing, stating that the products are no longer marketed. In a notice published in the FEDERAL REGISTER of August 21, 1970 (35 FR 13404), approval of the applications for products containing urethan as an active ingredient was withdrawn.

The following new drug application is the only one currently in approved status which provides for a product that contains urethan. The application became effective on the basis of safety prior to October 10, 1962. The urethan is present as an inactive ingredient.

That part of NDA 5-695 pertaining to Profenil Injection containing alverine hydrochloride as the active ingredient and urethan as an inactive ingredient; Chemetron Corporation, 111 E. Wacker Dr., Chicago, IL 60611. The product is no longer marketed. NDA 5-695 also provides for Profenil Tablets which contain alverine citrate as the active ingredient but do not contain urethan. Profenil Tablets are not affected by this notice.

On the basis of the carcinogenic nature of urethan discussed above, the Director of the Bureau of Drugs concludes that Profenil Injection, because of its urethan component, has not been shown to be safe for use. Because of the potential hazard, any person marketing any product containing urethan as either an active or an inactive ingredient is requested to immediately cease marketing it, notify the Food and Drug Administration, and recall the product.

Therefor, notice is given to the holder of the new drug application and to all other interested persons that the Director of the Bureau of Drugs proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), withdrawing approval of that part of the new drug application listed above and all amendments and supplements thereto on the ground that tests by methods not deemed reasonably applicable when the application was approved, evaluated together with the evidence available when the application was approved, reveal that neither the drug product nor its inactive component urethan is shown to be safe

for use under the conditions of use upon the basis of which the application was approved.

In addition to the holder of the new drug application specifically named above, this notice of opportunity for hearing applies to all persons who manufacture or distribute a drug product which contains urethan as either an active or an inactive ingredient or an ingredient which is related or similar to urethan, as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice of opportunity for hearing to determine whether it covers any drug product he manufactures or distributes. Any person may request an opinion of the applicability of this notice to a specific drug product he manufactures or distributes that may be identical, related, or similar to the drug product named in this notice by writing to the Food and Drug Administration, Bureau of Drugs, Division of Drug Labeling Compliance (HFD–310), 5600 Fishers Lane, Rockville, MD 20852.

In addition to the ground for the proposed withdrawal of approval stated above, this notice of opportunity for hearing encompasses all issues relating to the legal status of the drug products subject to it (including identical, related, or similar drug products as defined in 21 CFR 310.6) e.g., any contention that any such product is not a new drug because it is generally recognized as safe and effective within the meaning of section 201(p) of the act or because it is exempt from part or all of the new drug provisions of the act pursuant to the exemption for products marketed prior to June 25, 1938, contained in section 201(p) of the act, or pursuant to section 107(c) of the Drug Amendments of 1962, or for any other reason.

In accordance with the provisions of section 505 of the act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Parts 310, 314), the applicant and all other persons subject to this notice pursuant to 21 CFR 310.6 are hereby given an opportunity for a hearing to show why approval of the new drug application should not be withdrawn and an opportunity to raise, for administrative determination, all issues relating to the legal status of a drug product named above and of all identical, related, or similar drug products.

If an applicant or any other person subject to this notice pursuant to 21 CFR 310.6 elects to avail himself of the opportunity for a hearing, he shall file (1) on or before March 29, 1976, a written notice of appearance and request for hearing, and (2) on or before April 26, 1976, the data, information, and analyses on which he relies to justify a hearing, as specified in 21 CFR 314.200. Any other interested person may also submit comments on this notice. The procedures and requirements governing this notice of opportunity for hearing, a notice of appearance and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and a grant or denial of hearing, are contained in 21 CFR 314.200 et seq.

The failure of an applicant or any other person subject to this notice pursuant to 21 CFR 310.6 to file timely written appearance and request for hearing as required by 21 CFR 314.200 constitutes an election by such person not to avail himself of the opportunity for a hearing concerning the action proposed with respect to such drug product and a waiver of any contentions concerning the legal status of any such drug product. Any such drug product may not thereafter lawfully be marketed, and the Food and Drug Administration will initiate appropriate regulatory action to remove such drug products from the market. Any new drug product marketed without an approved NDA is subject to regulatory action at any time.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for the hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application, or when a request for hearing is not made in the required format or with the required analyses, the Commissioner will enter summary judgment against the person(s) who requests the hearing, making findings and conclusions, denying a hearing.

All submissions pursuant to this notice shall be filed in quintuplicate with the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852.

All submissions pursuant to this notice, except for data and information prohibited from public disclosure pursuant to 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the office of the Hearing Clerk during working hours, Monday through Friday.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1052–1053), as amended (21 U.S.C. 355), and under authority delegated to the Director of the Bureau of Drugs (21 CFR 2.121).

Dated: February 13, 1976.

J. RICHARD CROUT,
Director, Bureau of Drugs.

[FR Doc.76–5599 Filed 2–26–76;8:45 am]

Office of Education

ORGANIZATION AND FUNCTIONS

Part 2 (Office of Education), Section 2–B, Organization and Functions, of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare is hereby amended as follows:

The statement published in the FEDERAL REGISTER of April 26, 1974, at 39 FR, 14739 immediately after the heading "Bureau of Postsecondary Education, Accreditation and Institutional Eligibility Staff", and the heading, "Accreditation and Institutional Eligibility Staff" are deleted in their entirety.

The following new statement is added immediately after the statement following the heading "Bureau of Postsecondary Education, College and University Staff" to read as follows:

Division of Eligibility and Agency Evaluation. Determines the eligibility of institutions to participate in the Federal education assistance programs. Secures initial and renewed recognition for accrediting agencies and State educational approval agencies.

Dated: February 19, 1976.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.76–5616 Filed 2–26–76;8:45 am]

PRIVACY ACT OF 1974

Systems of Records and Notice of Proposed Routine Uses Therefor

Pursuant to the Privacy Act of 1974 (Public Law 93–579) as prescribed in 5 U.S.C. 552a(e)(4), the following notice of routine uses for systems of records that are maintained by the Department of Health, Education, and Welfare is published as set forth below. These routine uses were inadvertently omitted from previous FEDERAL REGISTER notice publications and are not new uses for the systems involved. In addition, some of the information in the Routine Uses and Retrievability portions of the notices is amended and clarified. The information on these routine uses includes the FEDERAL REGISTER system identification number, the name of the system, and the date and page number where the notice of a system of records was published in the FEDERAL REGISTER. Where a reference is made to Appendix B, of the Department's Privacy Act regulation, 45 CFR 5b, this can be found in the FEDERAL REGISTER issue of October 8, 1975, page 47415.

Prior to the final adoption of the proposed routine uses, consideration in accordance with the requirements of 5 U.S.C. 552a(e)(11) will be given to comments which are submitted in writing on or before March 29, 1976. Comments should be addressed to the Director, Fair Information Practice Staff, Department of Health, Education, and Welfare, 330 Independence Ave., SW., Washington, D.C. 20201. Comments received will be available for inspection in Room 4513 at the above address.

Dated: February 19, 1976.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

The following list of systems and routine uses relate to the descriptions of systems of records set forth on pages 1408–1424 of the FEDERAL REGISTER of January 7, 1976.

1. In the system "Applicants for Employment Records HEW/OS/ASAM/PT" (Federal Register system identification number OS ASAM PT 01.03), the following routine use is added: See Appendix B Departmental Regulations (45 CFR, Part 5b), Item 5.

2. In the system "Conflict of Interest Records System HEW/OS/ASAM/PT" (Federal Register system identification number OS ASAM PT 03.03), the following routine use is added: See Appendix B Departmental Regulations (45 CFR, Part 5b), Item 5.

3. In the system "Employee Appraisal Program Records HEW/OS/ASAM/PT" (Federal Register system identification number OS ASAM PT 06.02), the following routine use is added: See Appendix B Departmental Regulations (45 CFR, Part 5b), Item 5.

4. In the system "Suitability for Employment Records HEW/OS/ASAM/PT" (Federal Register system identification number OS ASAM PT 15.03), the following routine use is added: See Appendix B Departmental Regulations (45 CFR, Part 5b), Item 5.

5. In the system "Volunteer EEO Support Personnel Records HEW/OS/ASAM/PT" (Federal Register system identification number OS ASAM PT 17.03), the following routine use is added: See Appendix B Departmental Regulations (45 CFR, Part 5b), Item 5.

6. In the system "Unfair Labor Practice Records HEW/OS/ASAM/PT" (Federal Register system identification number OS ASAM PT 18.02), the following routine use is added: To the Civil Service Commission in carrying out its functions under Executive Order 11491.

In the system "Pay, Leave and Attendance Records HEW/OS/ASAM/PT" (Federal Register system identification number OS ASAM PT 12.03), which is set forth on pages 1416–1421 of the FEDERAL REGISTER of January 7, 1976, the first routine use is amended and clarified to read as follows: To prepare W–2 forms to submit to the Internal Revenue Service, and to state and city revenue departments with which the Treasury Department has entered into agreements under 5 USC 5517 and 5520, for the purpose of informing them of the employee's earned income and amount of Federal, state and city taxes withheld, if any.

In the system "Grant Files containing information on individual grantees and personnel at grantee institution—HEW/ADAMHA" (Federal Register system identification number ADAMHA NIMH 0029.01), which is set forth on page 1424 of the FEDERAL REGISTER of January 7, 1976, the following routine uses are added: See Appendix B, Departmental regulation (45 CFR, Part 5b) Items 6, 8, and 9.

System name: Survey of Low Income Aged and Disabled.

Federal Register system identification number: SSA PP RSS 0275.00.

Date/page last published: 8/27/75; Vol. 40, No. 167, Page 38555.

Changes/additions to be made: Routine use—retrievability.

1. Delete Current Entry under Routine Use.

2. Insert the following in the Routine Use category; Disclosures from this system are made to contractors for research and statistical activities directed by the Social Security Administration, and to the Bureau of Census when it performs as a collecting agent or data processor for research and statistical purposes directly relating to the Social Security Act.

3. Delete the third sentence under Retrievability.

System name: Master Files of Social Security Number Holders HEW–SSA.

Federal Register system identification number: SSA PO DP 0175.01.

Date/page last published: 10/1/75; Vol. 40, No. 191, Page 45405.

Changes/additions to be made: Routine use.

Add the following under Routine Uses:

11. Disclosures to contractors under contract to the Social Security Administration for the ongoing conversion of paper documents to machine readable form for entry into magnetic tape files.

System name: Medicare Physician Supplier Master File HEW–SSA.

Federal Register system identification number: SSA HI CAR 0575.00.

Date/page last published: 1/7/76; Vol. 40, No. 4, Page 1406.

Changes/additions to be made: Routine use.

1. Delete Current Entry.

2. Insert the following:

Records from this system may be disclosed to a provider, the claimant or a prospective claimant, the name of a physician who has been found ineligible to submit claims under Section 1814(h) (Payment for Posthospital Extended Care Services) or Section 1814(i) (Payment for Posthospital Home Health Services) of Title XVIII of the Social Security Act.

System name: Matches of Internal Revenue Service and SSA Data with Census Survey Data (Joint SSA/Census Statistics Development Project) HEW–SSA.

Federal Register system identification number: SSA PP RSL 0175.00.

Date/page last published: 8/27/75; Vol. 40, No. 167, Page 38546.

Changes/additions to be made: Routine use.

1. Delete current entry.

2. Insert the following in the Routine Use category. Disclosures from this system are made to the Bureau of Census when it performs as a collecting agent or data processor for research and statistical purposes directly relating to the Social Security Act.

System name: Continuous Work History Sample (Statistics) HEW–SSA.

Federal Register system identification number: SSA PP RSO 1075.01.

Date/page last published: 10/1/75; Vol. 40, No. 191, Page 45414.

Changes/additions to be made: Routine use.

1. Change the word "packages" to "programs" in last sentence.

2. Add the following in the Routine Use category: In addition, disclosures from this system are made to the Civil Service Commission for the study of the relationship of civil service annuities to minimum social security benefits, and the effects on the trust fund, and to the Bureau of Census when it performs as a collecting agent or data processor for research and statistical purposes directly relating to the Social Security Act.

System name: Current Medicare Survey (Statistics) HEW SSA.

Federal Register system identification number: SSA PP RSH 0875.00.

Date/page last published: 8/27/75; Vol. 40, No. 167, Page 38544.

Changes/additions to be made: Routine use—Retrievability.

1. Delete current entry under Routine Use.

2. Insert the following in the Routine Use category; Disclosures from this system are made to the Bureau of Census when it performs as a collecting agent or data processor for research and statistical purposes directly relating to the Social Security Act.

3. Delete second sentence under Retrievability.

System name: Survey of Disabled Adults (Statistics) HEW SSA.

Federal Register system identification number: SSA PP RSD 0175.01.

Date/page last published: 8/27/75; Vol. 40, No. 167, Page 38538.

Changes/additions to be made: Routine use—retrievability.

1. Delete current entry under Routine Use.

2. Insert the following in the Routine Use category; Disclosures from this system are made to the Bureau of Census when it performs as a collecting agent or data processor for research and statistical purposes directly relating to the Social Security Act.

3. Delete second sentence under Retrievability.

System name: Longitudinal Retirement History Study (Statistics) HEW SSA.

Federal Register system identification number: SSA PP RSR 0175.00.

Date/page last published: 8/27/75; Vol. 40, No. 167, Page 38552.

Changes/additions to be made: Routine use—retrievability.

1. Delete current entry under Routine Use.

2. Insert the following in the Routine Use category; Disclosures from this system are made to the Bureau of Census when it performs as a collecting agent or data processor for research and statistical purposes directly relating to the Social Security Act.

3. Delete third sentence under retrievability.

System name: Study to Determine Impact of State Supplementation of Domiciliary Care of Supplemental Security Income Recipients HEW SSA.

Federal Register system identification number: SSA PP RSS 0575.00.

Date/page last published: 8/27/75; Vol. 40, No. 167. Page 38556.

Changes/additions to be made: Routine use.

1. Delete Current Entry.

2. Insert the following in the Routine Use category; disclosures from this system are made to contractors for research and statistical activities directed by the Social Security Administration.

System name: Survey of Institutionalized. Supplemental Security Income Recipients (1974) HEW SSA.

Federal Register system identification number: SSA PP RSS 0475.00.

Date/page last published: 8/27/75; Vol. 40, No. 167, Page 38556.

Changes/additions to be made: Routine use.

1. Delete Current Entry.

2. Insert the following in the Routine Use category; Disclosures from this system are made to contractors for research and statistical activities directed by the Social Security Administration.

System name: Supplemental Security Income Impact Research Project of Persons in Multnomah County, Oregon HEW SSA.

Federal Register system identification number: SSA PP RSS 0375.00.

Date/page last published: 8/27/75; Vol. 40, No. 167, Page 38555.

Changes/additions to be made: Routine use.

1. Delete Current Entry.

2. Insert the following in the Routine Use category; Disclosures from this system are made to contractors for research and statistical activities directed by the Social Security Administration.

System name: Social Security and the Changing Life Ethos (Statistics) HEW SSA.

Federal Register system identification number: SSA PP RSR 0475.00.

Date/page last published: 8/27/75; Vol. 40, No. 167, Page 38553.

Changes/additions to be made: Routine use.

1. Delete Current Entry.

2. Insert the following in the Routine Use category; Disclosures from this system are made to contractors for research and statistical activities directed by the Social Security Administration.

System name: Study of Medical Use Under the United Medical Clinic Plan or the Kaiser Health Plan HEW SSA.

Federal Register system identification number: SSA PP RSH 1375.00.

Date/page last published: 8/27/75; Vol. 40, No. 167, Page 38545.

Changes/additions to be made: Routine use.

1. Delete Current Entry.

2. Insert the following in the Routine Use category: Disclosures from this system are made to contractors for research and statistical activities directed by the Social Security Administration.

System name: Evaluation of the Impact of Surgical Screening Based Upon Union Member Utilization of the Pre-Surgical Consultant Benefit HEW SSA.

Federal Register system identification number: SSA PP RSH 0975.00.

Date/page last published: 8/27/75; Vol. 40, No. 167, Page 38544.

Changes/additions to be made: Routine use.

1. Delete Current Entry.

2. Insert the following in the Routine Use category; Disclosures from this system are made to contractors for research and statistical activities directed by the Social Security Administration.

System name: Analysis of Factors in Recurring Dependency Among Welfare Cases Closed in New York City HEW SSA.

Federal Register system identification number: SSA PP RSG 0375.00.

Date/page last published: 8/27/75; Vol. 40, No. 167, Page 38541.

Changes/additions to be made: Routine use.

1. Delete Current Entry.

2. Insert the following in the Routine Use category; Disclosures from this system are made to contractors for research and statistical activities directed by the Social Security Administration.

System name: Ambulatory Prescription Drug Study HEW SSA.

Federal Register system identification number: SSA PP RSH 1075.00.

Date/page last published: 8/27/75; Vol. 40, No. 167, Page 38544.

Changes/additions to be made: Routine use—retrievability.

1. Delete Current Entry under Routine Use.

2. Insert the following in the Routine Use category: Disclosures from this system are made to contractors for research and statistical activities directed by the Social Security Administration.

3. Delete second sentence under Retrievability.

System name: Survey of Student Beneficiaries (1973) (Statistics) HEW SSA.

Federal Register system identification number: SSA PP RSR 0675.00.

Date/page last published: 8/27/75; Vol. 40, No. 167, Page 38554.

Changes/additions to be made: Routine use—retrievability.

1. Delete Current Entry under Routine Use.

2. Insert the following in the Routine Use category: Disclosures from this system are made to contractors for research and statistical activities directed by the Social Security Administration.

3. Delete third sentence under Retrievability.

System name: Analysis of Narcotics Addicts in Baltimore HEW SSA.

Federal Register system identification number: SSA PP RSG 0175.00.

Date/page last published: 8/27/75; Vol. 40, No. 167, Page 38540.

Changes/additions to be made: Routine use—Retrievability.

1. Delete Current Entry under routine use.

2. Insert the following in the routine use category; Disclosures from this system are made to contractors for research and statistical activities directed by the Social Security Administration.

3. Delete second sentence under retrievability.

[FR Doc.76-5624 Filed 2-26-76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Assistant Secretary for Community Planning and Development

[Docket No. D-76-407]

REGIONAL ADMINISTRATORS, ET AL.

Redelegation of Authority With Respect to the Community Planning and Development Programs

Each Regional Administrator, Deputy Regional Administrator and Assistant Regional Administrator for Community Planning and Development is authorized with respect to the Community Planning Assistance Grant Program under section 701 of the Housing Act of 1954 (40 U.S.C. 461), except the authority under section 701 (b), to (a) authorize grants and establish the terms thereof; (b) execute agreements for grants and amendments thereto; (c) approve requisitions for funds and third-party contracts; and (d) approve authorizations for letters of credit.

Effective date. This redelegation of authority shall be effective as of January 1, 1976. This redelegation of authority shall not affect the validity of any actions taken or duties performed by an official or officials of the HUD Area Offices prior to the effective date of this redelegation.

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

WARREN H. BUTLER,
Deputy Assistant Secretary for Community Planning and Development.

[FR Doc.76-5623 Filed 2-26-76;8:45 am]

[Docket No. D-76-406]

REGIONAL ADMINISTRATORS, ET AL.

Redelegation of Authority With Respect to the Community Planning and Development Programs

The Department is revising the administration of its Comprehensive Planning Assistance Grant Program under section 701 of the Housing Act of 1954 (40 U.S.C. 461) to facilitate the carrying out of various program requirements in HUD Regional Offices. Thus, certain responsibilities for the program are being withdrawn from Area Offices, and an amended redelegation of authority to Regional Officials is being published concurrently with this amendment to confer the authority upon Assistant Regional Administrators for Community Planning and Development. Accordingly, the Redelegation of Authority to Regional Administrators et al published October 2, 9170 (35 FR 15408) and the Redelegation of Authority to Regional Administrators et al published October 30, 1975 (40 FR 50557) are amended as follows:

1. Section A.I of Redelegation of Authority at 35 F.R. 15408 is amended by deleting subparagraph 7 regarding Comprehensive Planning Assistance Grant Program.

2. Section A.I of Redelegation of Authority at 40 F.R. 50557 is amended by adding "and 6" and deleting "through 7" on line 14.

Effective date. This amendment to redelegations of authority shall be effective as of January 1, 1976.

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

WARREN H. BUTLER,
Deputy Assistant Secretary for Community Planning and Development.

[FR Doc.76-5622 Filed 2-26-76;8:45 am]

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

COMMITTEE ON COMPLIANCE AND ENFORCEMENT PROCEEDINGS

Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Committee on Compliance and Enforcement Proceedings of the Administrative Conference of the United States, to be held at 2:00 p.m., March 19, 1976 in the offices of the Administrative Conference of the United States, 2120 L Street, NW., Suite 500, Washington, D.C.

The Committee will meet to consider a revised version of proposed recommendations regarding "Consent Decree Settlements by Administrative Agencies: Optimizing Public and Private Interests." The recomendations are based on a revised report of the same name by Professor Michael J. Zimmer. The meeting will also consider other Committee business.

Attendance is open to the interested public, but limited to the space available. Persons wishing to attend should notify this office at least one day in advance. The Committee Chairman, if he deems it appropriate, may permit members of the public to present oral statements at the meeting; any member of the public may file a written statement with the Committee before, during or after the meeting.

For further information concerning this Committee meeting contact Stephen Klitzman, (202-254-7065). Minutes of the meeting will be available on request.

RICHARD K. BERG,
Executive Secretary.

FEBRUARY 23, 1976.

[FR Doc.76-5543 Filed 2-26-76;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 21162]

OHIO/INDIANA POINTS NONSTOP SERVICE INVESTIGATION

Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on May 19, 1976, at 10:00 a.m. (local time), in Room 1003, Hearing Room A, Universal Building North, 1875 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge William H. Dapper.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and six copies to the Judge of (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before April 27, 1976, and the other parties on or before May 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., February 23, 1976.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.76-5641 Filed 2-26-76;8:45 am]

[Docket 28374]

TRADEWINDS AVIATION, LTD.

Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in this proceding is assigned to be held on March 17, 1976, at 9:30 a.m. (local time), in Room 1003, Hearing Room "B", North Universal Building, 1875 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge Janet D. Saxon.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before March 3, 1976.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., February 10, 1976.

[SEAL] ROSS I. NEWMANN,
Associate Chief Administrative Law Judge.

[FR Doc.76-5642 Filed 2-26-76;8:45 am]

CIVIL RIGHTS COMMISSION

FLORIDA

Hearing

Notice is hereby given pursuant to the provisions of the Civil Rights Act of 1957, 71 Stat. 634, as amended, that a public hearing of the U.S. Commission on Civil Rights will commence on March 29, 1976, at the Curtis Hixon Convention Hall, Ybor Room, 600 Ashley Drive, Tampa, Florida. An executive session, if appropriate, may be convened at any time before or during the hearing.

The purpose of the hearing is to collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, or national origin, or in the administration of justice, particularly concerning public school desegregation and equal educational opportunity; to appraise the laws and policies of the Federal Government with respect to denials of equal protection of the laws under the Constition because of race, color, religion, sex, or national origin, or in the administration of justice, particularly concerning public school desegregation and equal educational opportunity; and to disseminate information with respect to denials of equal protection of the laws under the Constitution because of race, color, religion, sex, or national origin, or in the administration of justice, particularly concerning public school desegregation and equal educational opportunity.

Dated at Washington, D.C., February 19, 1976.

ARTHUR S. FLEMMING,
Chairman.

[FR Doc.76-5697 Filed 2-26-76;8:45 am]

CIVIL SERVICE COMMISSION

DEPARTMENT OF DEFENSE

Grant of Authority To Make Noncareer Executive Assignment

Under authority of section 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Principal Deputy Director, Telecommunications and Command and Control Systems, Immediate Office, Office of the Director, Telecommunications and Command and Control Systems, Office of the Secretary of Defense.

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

[FR Doc.76-5633 Filed 2-26-76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Revocation of Authority To Make a Noncareer Executive Assignment

Under authority of section 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Housing and Urban Development to fill by noncareer executive assignment in the excepted service the position of Executive Assistant to the Secretary, Office of the Secretary.

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

[FR Doc.76-5636 Filed 2-26-76;8:45 am]

DEPARTMENT OF JUSTICE

Grant of Authority To Make Noncareer Executive Assignment

Under authority of section 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil

Service Commission authorizes the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Executive Assistant to the Deputy Attorney General, Office of the Deputy Attorney General.

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

[FR Doc.76-5635 Filed 2-26-76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

Grant of Authority To Make a Noncareer Executive Assignment

Under authority of section 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Securities and Exchange Commission to fill by noncareer executive assignment in the excepted service the position of Director of Economic and Policy Research.

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

[FR Doc.76-5634 Filed 2-26-76;8:45 am]

FEDERAL EMPLOYEES PAY COUNCIL

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, March 17, 1976. This meeting will be held in room 5323 of the U.S. Civil Service Commission building, 1900 E. Street, NW., 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.76-5637 Filed 2-26-76;8:45 am]

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST 1976

Addition to Procurement List

Notice of Proposed Additions to Procurement List 1976, November 25, 1975 (40 FR 54742) was published in the FEDERAL REGISTER on November 14, 1975 (40 FR 53068).

Pursuant to the above notice the following commodity is added to the Procurement List:

CLASS 8465

Strap, Webbing, Cargo Tie Down, 8465-00-001-6477.

By the Committee.

E. R. ALLEY Jr.,
Acting Executive Director.

[FR Doc.76-5638 Filed 2-26-76;8:45 am]

PROCUREMENT LIST 1976

Addition to Procurement List

Notice of Proposed Addition to Procurement List 1976, November 25, 1975 (40 F.R. 54742) was published in the FEDERAL REGISTER on November 3, 1975 (40 F.R. 51081).

Pursuant to the above notice the following commodity is added to the Procurement List:

CLASS 7530

Notebook, Stenographer's, 7530-00-223-7939.

1,720,800 each will be furnished annually by the National Industries for the Blind.

By the Committee.

E. R. ALLEY, Jr.,
Acting Executive Director.

[FR Doc.76-5639 Filed 2-26-76;8:45 am]

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 December 22, 1975 (40 FR 59239).

Pursuant to the above notice the following commodity is added to the Procurement List:

CLASS 7530

Pad, Writing Paper (Canary Yellow), 7530-00-286-6173, GSA Regions 2 and 3 only.

By the Committee.

E. R. ALLEY, Jr.,
Acting Executive Director.

[FR Doc.76-5640 Filed 2-26-76;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENT

Availability

Environmental impact statements received by the Council on Environmental Quality from February 17 through February 20, 1976. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the *minimum* period for public review and comment on draft environmental impact statements in forty-five (45) days from this FEDERAL REGISTER notice of availability. (April 12, 1976) The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies will also be available at cost from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: Dr. Fowden G. Maxwell, Coordinator of Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 359-A, Washington, D.C. 20250, 202-447-3965.

FOREST SERVICE

Draft

Curtis Creek Unit, Pisgah National Forest, McDowell County, N.C., February 20: Proposed is the ten year management plan for the 20,690 acre Curtis Creek Unit of Pisgah National Forest. Management decisions will affect major forest resources such as wildlife, water, soils, vegetative cover, aesthetics, roads, trails, and recreation. Adverse environmental effects will result from operation of motor vehicles and from movement of soil into streams from logging operations. Scenic values may be adversely affected by construction activities, timber harvesting, and littering. (ELR Order No. 60261).

Final

Herbicide Use, Pacific Northwest Region, Oreg., Wash., and Calif., February 17: The action covered by the statement involves the use of the following herbicides: 2,4-D, 2,4,5-T, silvex, atrazine, dicamba, dalapon, amitrole, picloram, monosodium methanearsenate, and cacodylic acid on National Forest lands of Oregon, Washington, and California. The herbicide program will result in the death or subordinate position of target species so that more desirable species can increase. Herbicides will be used to maintain rights-of-way for power transmission lines, railroads and highways, and to control poisonous plants. Comments made by: USDA, DOC, COE, HUD, DOI, DOT, EPA, State and local agencies. (ELR Order No. 60238.)

SOIL CONSERVATION SERVICE

Draft

Wet Walnut Creek Watershed, Kansas, and several counties, N.C., February 17: Proposed are projects for watershed protection, flood prevention, and recreation in Bargon, Lane, Mess, Pawnee, Rush, and Scott Counties, North Carolina. Planned project measures include land treatment, single purpose floodwater retarding structures, and multipurpose floodwater retarding-recreation structures. Adverse effects include the elimination of agricultural and terrestrial wildlife habitat use of 2,030 acres, and the displacement of 24 people on nine farm operations. (ELR Order No. 60232).

Big Pipe Creek Watershed, Carroll County, Md., February 17: Proposed is a watershed protection and flood prevention project located in Carroll County, Maryland. The project will consist of land treatment measures on 26,687 acres and structural measures. One multiple purpose structure with floodwater, municipal water supply, and recreation storage is included. Basic recreation facilities are also included. The project will result in the inundation of 4.3 miles of warm water stream fishery and seasonally flooded woodlands. Project implementation will cause displacement of 10 families and 3 associated farm operations. (ELR Order No. 60225).

Beaver Creek Watershed, Ohio, several counties, Ohio, February 20: Proposed is a project for watershed protection and flood prevention in Hancock, Henry, Putnam, and Wood Counties, Ohio. Project measures will

consist of land treatment and 42.8 miles of stream channel work. Adverse effects include the reduction of 158 acres of woody vegetation by channel work until plantings can be established, and reduction in populations of fishes and other aquatic life in the construction areas of the channel work. Type I wetland will be reduced by 1,304 acres. (ELR Order No. 60259).

DEPARTMENT OF COMMERCE

Contact: Dr. Sidney R. Galler, Deputy Assistant Secretary for Environmental Affairs, Department of Commerce, Washington, D.C. 20230, 202–967–4335.

NATIONAL OCEANIC AND ATMOSPHERIC ADMIN.

Draft

Florida Area Cumulus Experiment of 1976, Fla., February 19: This statement is a supplement to a final EIS filed with CEQ April 6, 1971. The statement concerns continuation of a research program for seeding of single clouds to increase precipitation over a target area. It is possible that the augmented precipitation from an individually seeded cloud may also redistribute or even decrease the precipitation over a fixed target. (ELR Order No. 60254).

DEPARTMENT OF DEFENSE

ARMY CORPS

Contact: Dr. C. Grant Ash, Office of Environmental Policy Development, Attn: DAEN–CWR–P, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue, SW., Washington, D.C. 20314, 202–693–6795.

Draft

Crescent City Outer Harbor, Maintenance, Del Norte County, Calif., February 17: Proposed is the maintenance dredging of the Crescent City Outer Harbor basin, which would incorporate an area approximately 500 feet wide by 900 feet long. The long axis of the dredged area would parallel the Dutton Harbor Wharf. The project objective is to remove sidements from the lumber loading area near the Dutton Wharf in order to make it physically possible again to accommodate barges for the shipment of lumber from the Outer Harbor. (San Francisco District). (ELR Order No. 60227).

Upper Pointe Coupee & Johnson Bayou Project, Pointee Coupee County, La., February 17: The proposed project encompasses the Johnson Bayou PL 566 project and the US Army Corps of Engineers Upper Pointe Coupee Loop areas. Both projects concern the same area. The PL 566 project is for watershed protection, flood prevention, and drainage in Pointe Coupee Parish, Louisiana. The US Army Corps of Engineers project is a companion project for the PL 566 project, and includes the construction of a pumping station, 1,600 feet of inlet channel, 1,600 feet of discharge channel, and the construction of a setback levee. Adverse effects include the loss of 549 acres of potential habitat for forest dwelling wildlife species. (New Orleans District). (ELR Order No. 60234).

Fall River Harbor Improvement, Brown's Ledge, R.I., and Mass., February 17: Proposed is Federal harbor improvement and maintenance dredging in Fall River-Mt. Hope Bay. Phase I will consist of improvement dredging in the Tiverton portion of the project as authorized and maintenance dredging of the Fall River channel to the authorized depth of 35 feet. Dredge material will be disposed of at an ocean dump site located 15 miles southeast of Brown's Ledge. Adverse effects include siltation along the channel edges and destruction and redistribution of benthos. (New England District). (ELR Order No. 60237).

Waterway Connecting Pamlico Sound-Beaufort Harbor, Carteret County, N.C. February 18: The proposed action involves maintenance dredging of the channel connecting Pamlico Sound and Beaufort Harbor, North Carolina, and the associated side channels. Dredging activities are to be accomplished by hydraulic pipeline dredge and consist of maintaining the existing projects to their authorized dimensions. Dredged materials are to be confined in highland diked disposal areas, confined in underwater diked areas, or used to create disposal uplands. Terrestrial life will be buried in the upland diked disposal areas and primarily benthic organisms covered in overboard disposal sites. (Wilmington District). (ELR Order No. 60240).

Lockwoods Folly Inlet, Brunswick County, N.C., February 18: Proposed is the modification of an existing navigation project at Lockwoods Folly Inlet, North Carolina. Plans consist of deepening the existing channel to 12 feet by a channel excavation-sand bypassing system with the disposal of excavated material in the surf zone of Long Beach at a distance of 1 to 1.5 miles from the inlet. Adverse effects include loss of some bottom organisms, and increased turbidity during dredging and excavated material disposal. (Wilmington District). (ELR Order No. 60243).

Coos Bay, Channel Maintenance Dredging, Coos County, Oreg., February 19: The proposed Federal actions covered by this statement include maintenance dredging of the present 30-foot navigation channel at Coos Bay, maintenance dredging of a proposed 35-foot channel at Coos Bay, maintenance dredging of 5-foot navigation channels in Coos and Millicoma Rivers, and disposal of dredged materials from these projects. Project implementation would cause short term disruption to commercial and recreational fisheries. The filling of 130 acres of diked pasture land in upper Bay will irreversibly foreclose the option to return to wetland status. (Portland District). (ELR Order No. 60249).

Lower Jordan River Improvements, Salt Lake, and Davis County, Utah, February 20: Proposed is a "Floodway-Parkway Detention Basin Plan" to provide flood protection for an 8.5 mile stretch of the Lower Jordan River between 21st South Street and I–215. The project would provide leveed protection to developed areas and would utilize undeveloped flood plain areas for parks and related uses compatible with occasional flooding. An estimated 18 to 20 permanent homes and 11 mobile homes would have to be removed from within the boundaries of the modified floodway. Construction would remove vegetation and cause temporary disruption. (Sacramento District). (ELR Order No. 60263).

Final

Wolf and Jourdan Rivers, Mississippi, February 20: The proposed action is the maintenance of the navigation project at the mouths of the Wolf and Jourdan Rivers in St. Louis Bay, Mississippi, providing for 7 by 100 foot channels from the six foot contour in St. Louis Bay to the seven foot contour in each stream. All spoil material will be placed in open water. Channel lengths are 1.6 miles for the Wolf River and 2 miles for the Jourdan River. Primary adverse effects include an increase in turbidity near the dredge and disposal areas, and temporary elimination of fish and crab habitat. Comments made by: DOC, DOI, EPA, HUD, DOT, USDA, and State agencies and private groups. (ELR Order No. 60256).

Keystone Lake, Arkansas River, Okla., February 20: The statement refers to operation and maintenance activities at Keystone Lake. Included are: reservoir regulation, flood control, hydroelectric power generation, management of land resources and facilities, and related functions. The major adverse impacts occur to the lake shoreline, and result from lake fluctuations and heavy recreational use. (Tulsa District). Comments made by: EPA, HUD, DOI, DOT, USDA, AHP, DOC, HEW, and State and local agencies and citizen groups. (ELR Order No. 60258).

Chetco, Coquille and Rogue River Estuaries, Oreg., February 20: The statement concerns the maintenance dredging of Chetco, Coquille, and Rogue River Estuaries and Port Orford, Oregon. Adverse impacts include disruption and removal of river bottom habitat and organisms, resuspension of bottom sediments, smothering of aquatic and terrestrial habitat and organisms during disposal, the possible shoaling of Battle Rock Historical site, and augmented housing shortages. (Portland District).

Comments made by: EPA, USDA, DOC, DOI, HUD, USCG, FPC, and State and local agencies. (ELR Order No. 60255).

ENVIRONMENTAL PROTECTION AGENCY

Contact: Mr. Sheldon Meyers, Director, Office of Federal Activities, Room 3630 Waterside Mall, Washington, D.C. 20460, 202–755–0940.

Draft

Emission Standards for New Light Duty Trucks, February 20: The EPA is proposing to set more stringent emission standards for new likht duty trucks, and to enlarge the current light duty truck class to include trucks up to 8500 pounds gross vehicle weight rating (GVWR). The proposed standards which would apply to trucks up to 8500 pounds GVWR are 1.7 grams/mile hydrocarbons, 18g/m carbon monoxide, and 2.3 g/m oxides of nitrogen. The standards are being proposed for 1978 and later model light duty trucks. (ELR Order No. 60248).

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Room 7258, 451 7th Street, SW., Washington, D.C. 20410, 202–755–6308.

Draft

Centrex Home Development, Neighborhood One, Contra Costa County, Calif., Febuary 17: Proposed is the residential development of Neighborhood One by Centrex of California, Inc. in Hercules, California. Project plans involve development of a vacant parcel containing 500.5 acres into a residential neighborhood of some 1683 single-family detached homes and townhouses plus a school, park, and open space. Major potential impacts are infrastructure development and conversion of vacant grazing land to residential developments. (ELR Order No. 60229).

London Woods Development, Prince George's County, Md., February 20: Proposed is the development of a 82.5 acre tract of land over a period of approximately five to six years. Development will include construction of 690 townhouse dwelling units in two communities. Adverse impacts of the project include conversion of woodlands to urban use, increased air pollution and storm runoff, traffic congestion and short-term overcrowding of nearby schools. (ELR Order No. 60257).

Fall River Central Business District Renewal, Mass., February 17: Proposed is the Central Business District Urban Renewal Project which encompasses approximately 32 acres in the center of Fall River, Massachusetts. There are a total of 87 buildings in this project. Of this number 74 are to be cleared because they are structurally substandard or deficient for the intended use. Ten buildings are designated for rehabilita-

tion, while no action is necessary on the remaining three. Adverse effects include displacement and relocation of several residents and businesses within the renewal area. (ELR Order No. 60226).

The Preserve Planned Unit Development, Hennepin County, Minn., February 19: The proposed project involves application for mortgage insurance for Northmark Single Family Subdivisions (28 lots), Winslope Apartments (168 units), Neill Lake Apartments (84 units), and East-West Parkway Apartments (129 units) in the City of Eden Prairie, Minnesota. Development of the Preserve will entail the eventual construction of approximately 5000 housing units on 1200 acres in north central Eden Prairie. Adverse effects include removal of farmland from production, and removal of some existing vegetation and wildlife. (ELR Order No. 60253).

Final

Pier Point Development, Arapahoe County, Colo., February 19: Proposed is the approval of FHA mortgage insurance for the construction of Pier Point, a Planned Development, in Aurora, Colorado. The complex would contain 834 units of multifamily and single family attached housing. Construction of Pier Point would result in significant disruption of the existing plant and animal communities on the site, an increase in the load on the Aurora and Denver area infrastructure, and an increase in automobile generated pollutants. Comments made by: DOT, DOI, DOC, EPA, USDA, HEW, COE, AHP, and State and local agencies. (ELR Order No. 60247).

Section 104(h)

The following are Community Development Block Grant statements prepared and circulated directly by applicants pursuant to section 104(h) of the 1974 Housing and Community Development Act. Copies may be obtained from the office of the appropriate local chief executive. (Copies are not available from HUD).

Draft

Lake Alma Project, Alma-Bacon County, Ga., February 17: The purpose of the proposed project is to construct and develop a 1,400-acre public reservoir principally to provide water-oriented outdoor recreation opportunities in Alma-Bacon County, Georgia and the surrounding area. Adverse effects include erosion and slumping of the banks, sedimentation in the reservoir, and increased noise levels. Elimination and inundation of approximately 1,400 acres of bay and branch swamp habitat would also result. (ELR Order No. 60223).

Depot Street Improvement, Berea, Ohio, February 18: The city of Berea proposes to acquire, with local funds, a strip of Penn Central railroad property, extending from Front Street on the east, approximately 1900 feet to the west. On the acquired property a 29 foot wide, two lane road with curbs will be constructed utilizing Community Development Block Grant Funds. The road will be suitable for industrial traffic and will extend from Front Street west, connecting with the existing Depot Street immediately west of the cemetery. No significant adverse effects are anticipated from project implementation. (ELR Order No. 60245).

Final

Osceola Water Treatment Plant Improvements, Mississippi County, Ark., February 20: The proposed project is the renovation of existing facilities to double the capacity of the present 1.5 MGD Osceola water treatment plant. Project construction will cause temporary community disruption. Operation of the plant will result in the possibility of surface water quality degradation from sewage sludge lagoon overflow and of ground water quality degradation from sewage sludge lagoon seepage. Comments made by: EPA, CEQ, and state agencies. (ELR Order No. 60251).

Burke-Gilman Trail, Seattle, King County Wash., February 18: The statement concerns the development of a 7.2 mile segment of the former Burlington-Northern right-of-way into a hike and bike trail. Phase I of the construction will be from N.E. 47th Street to about N.E. 65th Street. Phase II will complete development to the City Limits. Adverse impacts include temporary increases in peak-noise frequencies and congestion of city streets from trail users arriving by car. Litter in the area will increase. Comments made by: DOI, DOT, and State and local agencies and interested individuals. (ELR Order No. 60242).

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, 202-343-3891.

BUREAU OF LAND MANAGEMENT

Draft

345 kV Transmission Lines, Greenlee Co. to El Paso, Arizona, and Tex., February 17: Proposed is the granting of rights-of-way to Public Service Company of New Mexico and El Paso Electric Company to construct two 345 kV transmisison lines, running parallel on a single right-of-way for about four-fifths of the distance from Tucson Gas and Electric Company's Greenlee County substation to El Paso, Texas. The proposed lines will be an extension of the transmission line network from San Juan (Four Corners) generation complex and will be completed in two phases. Adverse effects include the stripping of vegetation and some change in water runoff patterns. (ELR Order No. 60235).

BONNEVILLE POWER ADMINISTRATION

Final

BPA—FY 1977 Proposed Program, February 19: Proposed is the construction of the following fiscal year 1977 new facility additions and modifications to BPA's electric transmission system: 88 miles of new transmission lines, six new substations, maintenance of 12,600 miles of existing lines and related structures, and vegetation control on 18,000 acres of transmission line rights-of-way and 860 acres of substation land. Adverse effects will be conversion of 300 acres of forestland for transmission line rights-of-way, permanent removal of 75 acres of vegetative cover, visual impacts to 3 waterways and 3 roadways, increased turbidity and siltation in waterways and several streams, air pollution during slash burning. Comments made by: DOI, USDA, EPA, ERDA, FPC, AHP, USA, and State and local agencies. (ELR Order No. 60250).

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, U.S. Department of Transportation, 400 7th Street, S.W., Washington, D.C. 20500, 202-426-4357.

FEDERAL AVIATION ADMINISTRATION

Draft

Hillsdale Municipal Airport, New Runway, Hillsdale County, Mich., February 17: Proposed is the construction of a new primary Northeast-Southwest runway (5000 feet by 100 feet) with medium intensity runway lights, visual approach slope indicator, and a lighted parallel taxiway at Hillsdale Municipal Airport, Michigan. Phases II and III of the project include strengthening and extending of existing runways and expansion of aircraft parking apron. Adverse effects include loss of approximately 370 acres and the relocation of eight households. (ELR Order No. 60224).

Final

Brookneal Municipal Airport, Campbell County, Va., February 19: Proposed is the construction of a general aviation airport to serve Campbell County, Virginia, and areas in neighboring counties. Project plans provide for construction of a paved runway, paved aircraft parking apron, taxiway, and paved airport access road. The Airport will initially be constructed to FAA general utility airport standards and ultimately to basic transport standards. Adverse effects include the clearing of up to 250 acres of land. Comments made by: DOT, EPA, FPC, DOI, DOC, and COE. (ELR Order No. 60252).

FEDERAL HIGHWAY ADMINISTRATION

Draft

U.S. 71 Relocation, Fayetteville to McKissick Creek, Benton, and Washington counties Ark., February 17: Proposed is the construction of a four-lane freeway-type facility on new location in Northwest Arkansas. The facility will connect the Fayetteville Bypass with U.S. Highway 71 at McKissick Creek and will extend 23 miles in length. Adverse effects include disturbance of archeological sites and disruption of wildlife habitat. Nine businesses, 10 farms, and 39 dwelling units will be displaced by project implementation. (ELR Order No. 60228).

State Route 231, Middlesex County, Mass., February 17: Proposed is the construction of Route 213, on new location, beginning at a new interchange with U.S. Route 3 in Chelmsford, bridging the Merrimack River westerly of the Lowell central city and terminating at State Route 113 in Dracut. Project length is approximately 7 miles. Project implementation would displace between 40 and 52 families and 10 businesses. The Hadley Field playground in Lowell and a small baseball field from the Dracut School complex would also be relocated. (ELR Order No. 60233).

I-80, Elko County, Nev., February 20: Proposed is the design and construction of a 6.5 mile section of Interstate Route 80 which lies between a point 0.6 miles northeast of the north city limits. Adverse effects include division of a parcel of Indian Colony lands. Five residential relocations will result from project implementation. (ELR Order No. 60264).

Daly Avenue Route, Wisconsin Rapids, Wood County, Wis. February 17: The proposed action involves construction of an urban, four-lane divided street located within the city limits of Wisconsin Rapids, Wisconsin. The project termini are the intersection of West Grand Avenue (S.T.H. 13, 73) on the west and Eighth Street (S.T.H. 13) on the east. Project length is approximately two miles. The construction will require acquisition of two acres of right-of-way. A 4(f) statement is included concerning encroachment upon Lyons and Demitz parks. (ELR Order No. 60236).

Park and Lake Freeways, Milwaukee, Milwaukee County, Wis. February 20: Proposed is the construction of Park Freeway east from its present terminus at Milwaukee Street to a junction with the Lake Freeway, a distance of 0.9 mile, and that portion of the Lake Freeway from the Park Freeway south to Layton Avenue, a distance of 3.2 miles. The project will function as a portion of Milwaukee's Downtown Freeway Loop. Adverse impacts of the project include the acquisition of some park land and the relocation of businesses and families. A 4(f)

statement is included. (ELR Order No. 60262).

Final

West Lee St., I-65 Interchange, Chickasaw, Mobile County, Ala., February 18: The proposed action is the construction of an interchange for Interstate 65 with West Lee Street in the City of Chickasaw, Alabama. The total distance covered by the project is 0.7 mile. The project is located in a primarily residential area and pressures for commercial development are expected. A number of businesses and families will be displaced. Comments made by: DOI, DOT, and State and local agencies. (ELR Order No. 60244).

U.S. 61, Muscatine Bypass, Iowa, Muscatine County, Iowa, February 20: The proposed project involves an improvement of U.S. 61 in the vicinity of the City of Muscatine through the construction of a bypass to the west and north of the city. Project termini have been established on U.S. 61 one-half mile west of the west corporate limits and one-half mile northeast of the intersection of U.S. 61 and Iowa 38. Adverse effects include the removal of approximately 300 acres for right-of-way including 188 acres of productive cropland. A considerable amount of wildlife habitat will also be removed. comments made by: USCG, USDA, HEW, DOI, EPA, and State and local agencies. (ELR Order No. 60260).

I-88 Binghamton to the Capital District, several counties, N.Y., February 18: The eis considers two actions: the construction of I-88, Susquehanna Expressway between Sanataria Springs, Broome County, to the Broome County/Chenango County line east of Harpursville, and I-88, the Oneonta Bypass; and the comprehensive plan for construction of I-88 between the Binghamton Metropolitan area and the Capital District, Albany. Land acquisition and family and business displacements have already been accomplished, and three 4(f) statements are included in the eis. Comments made by: FPC, COE, DOC, EPA, AHP, DOI, HEW, and State and local agencies. (ELR Order No. 60239).

Charlotte Inner Loop, Mecklenburg County, N.C., February 17: Proposed is the construction of a portion of the Charlotte Inner Loop from NC 49 and Woodlawn Road to I-85 at Mulberry Church Road. Also included is a connector from the Inner Loop to Douglas Municipal Airport. The 6.7 mile project will be constructed entirely on new location. Adverse effects include those normally associated with highway construction. Five businesses and 15 families will be displaced by project implementation. Comments made by: DOT, COE, DOC, EPA, FPC, GSA, HEW, HUD, DOI, OEO, and State and local agencies. (ELR Order No. 60231).

SR 55 Bypass, Warren County Tenn., February 19: The project involves the construction of S.R. 55 bypass beginning near at S.R. 55 near Smartt and extending in a northerly direction to S.R. 1 at the junction McMinnville. The project length is approximately 3.8 miles. Adverse impacts are the displacement of residences and businesses, loss of natural resources, increased noise and air pollution, and increased siltation in Barren Fork River during construction. Comments made by: EPA TVA, USDA, DOI, AHP, DOT, COE, and State and local agencies. (ELR Order No. 60246).

SR 500, I-5 to SR 503, Vancouver, Clark County Wash., February 17: Proposed is the construction of a 5.9 mile segment of State Route 500 from the 39th Street interchange on Interstate 5 in Vancouver to a junction with SR-503 immediately east of the community of Orchards. One mile of the 4-lane, limited access highway is already under construction. The project will displace 120 families, 5 businesses, 1 church, and 1 non-profit organization. Since the proposed location falls within a residential area never before used for a highway with heavy traffic, the clearing of wooded land, noise, and air pollution will result. Comments made by: USDA, DOC, HUD, DOI, EPA, DOT, and State and local agencies. (ELR Order No. 60230).

I-180, Cheyenne, Laramie County Wyo., February 18: Proposed is the construction of a 1.1 mile segment of I-180 from Central Avenue Interchange on Interstate Highway 80 south of Cheyenne to the intersection with 16th Street which is Interstate Business Loop 80. This project will construct an expressway and new viaducts. The property acquisition will require the dislocation of 36 residences, 23 businesses, 2 apartments, 3 combined businesses and residences, and 2 non-profit organizations. A small part of a creek will be relocated, and an inadequate structure will be replaced. Comments made by: DOI, EPA, HUD, and State agencies. (ELR Order No. 60241).

GARY L. WIDMAN,
General Counsel.

[FR Doc.76-5501 Filed 2-26-76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 495-7]

N. V. PHILIPS' GLOEILAMPENFABRIEKEN

Ambient Air Monitoring Reference and Equivalent Methods; Receipt of Application for Reference or Equivalent Method Determination

Notice is hereby given that on February 3, 1976, the Enivronmental Protection Agency received an application from N. V. Philips' Gloeilampenfabrieken, to determine if its model PW9755 SO_2 analyzer should be designated by the Administrator of the EPA as an equivalent method under 40 CFR Part 53, promulgated February 18, 1975 (40 FR 7044). If, after appropriate technical study, the Administrator determines that this method be so designated, notice thereof will be given in a subsequent issue of the FEDERAL REGISTER.

WILSON K. TALLEY,
Assistant Administrator for Research and Development.

FEBRUARY 23, 1976.

[FR Doc.76-5680 Filed 2-26-76;8:45 am]

[FRL 495-8]

AMBIENT AIR MONITORING REFERENCE AND EQUIVALENT METHODS

Equivalent Method Designation

Notice is hereby given that EPA, in accordance with 40 CFR Part 53 (40 FR 7044, February 18, 1975), has designated another equivalent method for the measurement of ambient concentrations of sulfur dioxide. The new equivalent method is an automated method (analyzer) which utilizes a measurement principle based on pulsed fluorescent detection of SO_2. The method is:

EQSA-0275-009, "Thermo Electron Model 43 Pulsed Fluorescent SO_2 Analyzer," operated on the 0-0.5 range, with or without any of the following options:

001—Rack Mounting for standard 19 inch relay rack.

002—Automatic actuation of zero and span solenoid valves.

This method is available from Thermo Electron Corporation, Environmental Instruments Division, 85 First Avenue, Waltham, MA 02154.

A test analyzer representative of this method has been tested by its manufacturer, in accordance with the test procedures specified in 40 CFR Part 53. After reviewing the results of these tests and other information submitted by the applicant, EPA has determined, in accordance with Part 53, that this method should be designated as an equivalent method. The information submitted by the applicant will be kept on file at the address shown below and will be available for inspection to the extent consistent with 40 CFR Part 2 (EPA's regulations implementing the Freedom of Information Act).

As an equivalent method, this method is acceptable for use by States and other control agencies for purposes of section 51.17(a) of 40 CFR Part 51 ("Requirements for Preparation, Adoption, and Submittal of Implementation Plans") as amended on February 18, 1975 (40 FR 7042). For such use, the method must be used in strict accordance with the operation or instruction manual provided with the method and subject to any limitations (*e.g.*, operating range) specified in the applicable designation (see description of method above). Vendor modifications of a designated method used for purposes of § 51.17(a) are permitted only with prior approval of EPA, as provided in Part 53. Provisions concerning modification of such methods by users were proposed on February 18, 1975 (40 FR 7064) and are expected to be promulgated shortly.

In general, the designation applies to any analyzer which is identical to the analyzer described in the designation. In many cases, similar analyzers manufactured prior to the designation may be upgraded (*e.g.*, by minor modification or by substitution of a new operation or instruction manual) so as to be identical to the designated method and thus achieve designated status at modest cost. The manufacturer should be consulted to determine the feasibility of such upgrading.

Part 53 requires that sellers of designated methods comply with certain conditions. These conditions are: (1) a copy of the approved operation or instruction manual must accompany the analyzer when it is delivered to the ultimate purchaser, (2) the analyzer must generate no unreasonable hazard to operators or to the environment, and (3) the analyzer must function within the limits of the performance specifications given in Table B-1 of Part 53 for at least 1 year after delivery when maintained and operated in accordance with the operation or instruction manual. Certain additional conditions of designation were proposed on February 18, 1975 (40 FR 7064), and are expected to be promulgated shortly.

Aside from occasional breakdowns or malfunctions, consistent or repeated non-compliance with any of these conditions should be reported to: Director, Environmental Monitoring and Support Laboratory, Department E (MD–76), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Designation of this equivalent method will provide assistance to the States in establishing and operating their air quality surveillance systems under 40 CFR 51.17(a). Additional information concerning this action may be obtained by writing to the address given above.

WILSON K. TALLEY,
Assistant Administrator for Research and Development.

FEBRUARY 23, 1976.

[FR Doc.76–5681 Filed 2–26–76;8:45 am]

[FRL 496–3; OPP–50068]

AMERICAN HOECHST CORP.

Issuance of Experimental Use Permit

Pursuant to section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136), an experimental use permit has been issued to American Hoechst Corporation, Somerville, New Jersey 08876. Such permit is in accordance with, and subject to, the provisions of 40 CFR Part 172; Part 172 was published in the FEDERAL REGISTER on April 30, 1975 (40 FR 18780), and defines EPA procedures with respect to the use of pesticides for experimental purposes.

This experimental use permit (No. 8340–EUP–1) allows the use of 3,144 pounds of active ingredient of the herbicide methyl 2-[4-(2,4-dichlorophenoxy) phenoxy] propanoate on seeded wheat and barley to evaluate control of wild oats and other annual grasses. A total of 3,668 acres is involved; the program is authorized only in the States of Arizona, California, Colorado, Idaho, Minnesota, Montana, North Dakota, Oregon, South Dakota, Tennessee, Washington, and Wyoming. The experimental use permit is effective from January 26, 1976, to January 26, 1977. Temporary tolerances have been established for residues of the active ingredient in or on wheat and barley.

Interested parties wishing to review the experimental use permit are referred to Room E–315, Registration Division (WH–567), Office of Pesticide Programs, EPA, 401 M St. SW., Washington, D.C. 20460. It is suggested that such interested persons call 202/755–4851 before visiting the EPA Headquarters Office, so that the appropriate permit may be made conveniently available for review purposes. These files will be available for inspection from 8:30 a.m. to 4:00 p.m. Monday through Friday.

Dated: February 23, 1976.

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

[FR Doc.76–5682 Filed 2–26–76;8:45 am]

[FRL 496–4, PP5G1645/T30]

STAUFFER CHEMICAL CO.

Renewal of Temporary Exemption From Requirement of a Tolerance for Cross-Linked Polyurea Type Encapsulating Material

On August 4, 1975, the Environmental Protection Agency (EPA) announced (40 FR 32780) that in response to a pesticide petition (PP 5G1645) submitted by Stauffer Chemical Co., 1200 S. 47th St., Richmond CA 94804, a temporary exemption from the requirement of a tolerance was established for residues of the cross-linked polyurea type encapsulating material, formed by the reaction of toluene diisocyanate and polymethylene polyphenylisocyanate, used as an inert encapsulating material in connection with the herbicide S-ethyl diisobutylthiocarbamate applied to growing corn (field and sweet). This temporary exemption from the requirement of a tolerance expired December 31, 1975.

Stauffer Chemical Co. has requested a one-year renewal of this temporary exemption to permit continued testing to obtain additional data and to permit the marketing of the above raw agricultural commodity treated in accordance with an experimental use permit that is to be renewed concurrently under the Federal Insecticide, Fungicide, and Rodenticide Act.

An evaluation of the data submitted in the petition and other relevant material has shown that a renewal will protect the public health, and it has been concluded, therefore, that the temporary exemption from the requirement of a tolerance should be renewed on condition that the encapsulating material be used in accordance with the experimental use permit with the following provisions:

1. The total amount of the encapsulated herbicide to be used must not exceed the quantity authorized by the experimental use permit.

2. Stauffer Chemical Co. must immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The company must also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

This temporary exemption from the requirement of a tolerance expires February 23, 1977. Residues of the encapsulating material remaining in or on the above raw agricultural commodity after this expiration date will not be considered actionable if the pesticide is legally applied during the term of and in accordance with the provisions of the experimental use permit and temporary exemption from the requirement of a tolerance. This temporary exemption may be revoked if the experimental use permit is revoked or if any scientific data or experience with this pesticide indicate such revocation is necessary to protect the public health.

Dated: February 23, 1976.

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

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

[FR Doc.76–5683 Filed 2–26–76;8:45 am]

[FRL 496–2; OPP 30108]

PESTICIDE PROGRAMS

Receipt of Applications to Register Pesticide Products Containing New Active Ingredients

Applications have been submitted to the Environmental Protection Agency (EPA) to register pesticide products containing active ingredients which have not been included in any previously registered pesticide products. Applications were made pursuant to the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 136 et seq.), and the regulations thereunder (40 CFR 162). Notice of receipt of these applications is made in accordance with the provisions of Sections 3(c)(4) of FIFRA [40 CFR 162.6(b)(6)] and does not indicate a decision by the Agency on the applications.

Any Federal agency or other interested persons are invited to submit written comments on any applications referred to in this notice to the Federal Register Section, Technical Services Division (WH–569), Office of Pesticide Programs, Environmental Protection Agency, Room 401, East Tower, 401 M St. SW., Washington D.C. 20460. Three copies of the comments should be submitted to facilitate the work of the Agency and others interested in inspecting them. The comments must be received on or before March 29, 1976, and should bear a notation indicating the EPA File Symbol number of the application to which the comments pertain. Comments received within the specified time period will be considered before a final decision is made with respect to the pending applications. Comments received after the specified time period will be considered only to the extent possible without delaying processing of the application. Notice of approval or denial of the applications to register pesticide products listed will be announced in the FEDERAL REGISTER. The labels furnished by each applicant as well as all written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4:00 p.m. Monday through Friday.

Dated: February 23, 1976.

MARTIN H. ROGOFF,
Acting Director,
Registration Division.

APPLICATIONS RECEIVED

EPA File Symbol 38330–T. Arco Chemical Co., Div. Atlantic Ritchfield Co., PO Box 370, Sand Springs OK 74063. ACROCIDE B–615. Active Ingredients: *N-Alkyl (derived from oleic acid) 1,3-propylene diamine diacetate* 42%. Application proposes that this product be classified for general use as an industrial microbiocide. PM31.

EPA File Symbol 38104-R. Away Chemical Corp., 5826 Schumacher, PO Box 27375, Houston TX 77027. PAN-TABLETS. Active Ingredients: *n-Alkyl (C14 60%, C16 30%, C12 6%, C18 4%) dimethylbenzyl ammonium dichloroisocyanurate(s)* 100%. Application proposes that this product be classified for general use to control slime, fungi, bacteria, and algae (black) in condensate drain pans & humidifiers. PM34

EPA File Symbol 10065-L. Fisons Corp., Ag. Div., 2 Preston Court, Bedford MA 01730. NORTON HERBICIDE. Active Ingredients: *2 - ethoxy - 2,3-dihydro-3,3-dimethyl-5-benzofuranyl methanesulfonate* 19%. Application proposes that this product be clasified for general use in the selective control of weeds in sugar beets. PM24.

EPA File Symbol 7946-A. J. J. Mauget Co., PO Box 3422, Burbank CA 91504. FUNGISOL. Active Ingredients: [*2-(2-ethoxyethoxy)ethyl-2-benzimidazole carbamate*] 1.0%. Application proposes that this product be classified for general use as an internal treatment by injection as a systemic aid in the control of certain fungus disease for pine and oak. PM22

[FR Doc.76-5684 Filed 2-26-76;8:45 am]

[PP6G1669/T32]

FMC CORP.

Establishment of a Temporary Tolerance for Carbofuran

FMC Corp., Agricultural Chemical Div., 100 Niagara St., Middleport NY 14105, has submitted a pesticide petition (PP 6G1669) to the Environmental Protection Agency (EPA). This petition requested that a temporary tolerance be established for combined residues of the insecticide carbofuran (2,3-dihydro-2,2-dimethyl - 7 - benzofuranyl - 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 in or on the raw agricultural commodity oranges at 3 parts per million (ppm) of which no more than 2.5 ppm are carbamates.

An evaluation of the scientific data reported in the petition has shown that the requested tolerance is adequate to cover residues resulting from the proposed exprimental use, and it has been determined that the tolerance will protect the public health. The temporary tolerance is established for the insecticide, therefore, with the following provisions:

1. The total amount of the insecticide to be used must not exceed the quantity authorized by the experimental use permit.

2. FMC Corp. must immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The firm must also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

This temporary tolerance expires February 23, 1977. Residues not in excess of 3 ppm, of which no more than 2.5 ppm are carbamates, remaining in or on the above raw agricultural commodity after expiration of this temporary tolerance will not be considered actionable if the insecticide has been legally applied during the term of and in accordance with the provisions of the experimental use permit and temporary tolerance. This temporary tolerance may be revoked if the experimental use permit is revoked or if any scientific data or experience with this insecticide indicate such revocation is necessary to protect the public health.

Dated: February 23, 1976.

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

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

[FR Doc.76-5685 Filed 2-26-76;8:45 am]

FEDERAL ENERGY ADMINISTRATION

IOWA SOUTHERN UTILITIES CO., ET AL.

Cases Filed for the Week of February 6 Through February 13, 1976

Notice is hereby given that during the week of February 6 through February 13, 1976 the appeals and applications for exception or other relief listed in the Appendix to this notice were filed with the Federal Energy Administration's Office of Exceptions and Appeals.

Under the FEA's procedural regulations, 10 CFR Part 205, any person who will be aggrieved by the FEA action sought in such cases may file with the FEA written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of those regulations, the date of service of notice shall be deemed to be the date of publication of this notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first.

Dated: February 23, 1976.

DAVID G. WILSON,
Acting General Counsel.

APPENDIX.—*List of cases received by the Office of Exceptions and Appeals, Feb. 6 to 13, 1976*

Date	Name and location of applicant	Case No.	Type of submission
Feb. 6, 1976	Iowa Southern Utilities Co., Centerville, Iowa (If granted: FEA's Nov. 17, 1975, decision and order would be rescinded and Iowa Southern Utilities Co. would be permitted to burn No. 2 fuel oil rather than coal under the electrical generating units of its Bridgeport plant.)	FEA-0750	Appeal of FEA's exception decision and order in Iowa Southern Utilities, 3 FEA Par. 80,510 (Nov. 17, 1975).
Do	La-Tex Barge, Inc. (Chaisson) Luling, La. (If granted: La-Tex Barge would not be subject to FEA audit.)	FSG-0020	Petition for special redress.
Do	Lowell Light & Power Board, Lowell, Mich. (If granted: FEA's Dec. 12, 1975, amended order which was issued to Consumers Power Co. would be rescinded and Lowell Light and Power Board would be supplied natural gas by Consumers Power Co.)	FEA-0748	Appeal of FEA's Dec. 12, 1975 amended order.
Do	Texas Asphalt & Refining Co., Houston, Tex. (If granted: FEA's December 31, 1975 entitlement notice would be modified and Texas Asphalt & Refining Co. would be issued entitlements on the basis of its natural gasoline runs as well as crude oil runs.)	FEA-0747	Appeal of FEA's entitlement notice.
Do	Wallace & Wallace Fuel Oil Co., Washington, D.C. (If granted: Wallace and Wallace Fuel Oil Co. would receive an increase in its base period use of fuel oil based on increased demand by its customers.)	FEE-2229	Exception to increase base period use.
Feb. 9, 1976	Exxon Company, U.S.A., Washington, D.C. (If granted: FEA's October 1975 entitlement notice published Jan. 7, 1976, would be rescinded and Exxon Co. would receive an adjustment in its entitlement purchases.)	FEA-0749	Appeal of FEA's October entitlement notice.
Feb. 10, 1976	Clayton Bottled Gas Co., Inc., Dayton, Ohio. (If granted: Clayton Bottled Gas Co. would be assigned a new lower priced supplier of propane to replace its base period suppliers, Burmah LP Gas, Inc. and Union 76.)	FEE-2230	Exception to change suppliers.
Do	Incontrade, Inc., Stamford, Conn. (If granted: The FEA's Sept. 30, 1975, decision and order would be rescinded and Incontrade would receive an additional fee-exempt import allocation.)	FSG-0021	Petition for special redress; See *Incontrade, Inc.*, 2 FEA Par. 80, 692 (Sept. 30, 1975).
Do	Schuab Oil Co., Madison Lake, Minn. (If granted: Schuab Oil Co. would be assigned a new, lower priced supplier of motor gasoline, heating fuel and diesel fuel to replace its base period supplier, Inter City Oil.)	FEE-2231	Exception to change suppliers.
Feb. 11, 1976	Amoco Oil Co., Chicago, Ill. (If granted: Amoco Oil Co. would be permitted to continue importing and using Canadian crude oil at currrent levels in its Mandan refinery.)	FEE-2233	Exception to part 214.
Do	Good Hope Refineries, Inc., Metairie, La. (If granted: FEA's Nov. 25, 1975, decision and order would be rescinded and Good Hope Refineries would receive an increase in the quantity of crude oil it is entitled to purchase from refiner-sellers pursuant to the provisions of the crude oil buy-sell program.)	FEA-0751	Appeal of FEA's exception decision and order in *Good Hope Refineries, Inc.*, 3 FEA Par. 83,025 (Nov. 25, 1975.

APPENDIX.—*List of cases received by the Office of Exceptions and Appeals, Feb. 6 to 13, 1976*—Continued

Date	Name and location of applicant	Case No.	Type of submission
Do	Koch Refining Co., Wichita, Kans. (If granted: Koch Refining Co.'s allocation of Canadian crude oil would be based on its runs to stills rather than its base period volume.)	FEE-2232	Exception to section 214.31.
Feb. 12, 1976	City of Long Beach, Long Beach, Calif. (If granted: Crude oil produced from the Wilmington Oil Field would be sold at prices above the ceiling price.	FEE-2234	Price exception (section 212.71).
Do	R. A. Campbell Co., Vidalia, La. (If granted: Crude oil which was produced from the Nolan-Henderson well during the period December 1973–March 1974 would be classified as stripper well production and Campbell would not be required to refund revenues realized in excess of the ceiling price.)	FEE-2235	Price exception (section 212.72).
Feb. 13, 1976	Shell Oil Co., Houston, Tex. (If granted: Shell Oil Co. would receive an extension of the price relief granted in FEA's Jan. 6, 1976, decision and order.)	FEX-0031	Supplemental to FEA's decision and order; *Shell Oil Company*, 3 FEA Par (Jan. 6, 1976).

[FR Doc.76-5536 Filed 2-24-76;9:56 am]

FEDERAL POWER COMMISSION

[Docket No. RP75-80]

ALABAMA-TENNESSEE NATURAL GAS COMPANY

Notice of Filing of Stipulation and Agreement

FEBRUARY 23, 1976.

Take notice that on February 17, 1976, Alabama-Tennessee Natural Gas Company (A–T) tendered for filing a Stipulation and Agreement with accompanying tariff sheets with effective dates of September 25, 1975 or March 1, 1976, providing for settlement and termination of A–T's wholesale rate increase in the above-captioned docket.

Copies of the Stipulation and Agreement with tariff sheets are on file with the Commission and are available for public inspection. Any person desiring to comment on matters contained therein should file comments with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before March 10, 1976.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5559 Filed 2-26-76;8:45 am]

[Docket No. AR64-2, *et al.*]

AREA RATE PROCEEDINGS, ET AL.

Order Directing Disbursement and Flow Through of Refunds

FEBRUARY 23, 1976.

On May 6, 1971, the Commission issued its Opinion and Order No. 595 establishing just and reasonable rates for jurisdictional sales of natural gas produced in the Texas Gulf Coast area. (45 FPC 674) Pursuant to Ordering Paragraph (E) of the opinion, each producer owing refunds was required to file with the Commission a refund report showing the amounts required to be refunded and the amount of interest thereon. Pursuant to Ordering Paragraph (F) of the Opinion, those producers who did not elect to discharge their refund obligations through credits to be received for the dedication of new reserves in accordance with Ordering Paragraph (F) were directed to retain their refunds pending further order of the Commission, subject to the payment of further interest on such refunds as provided therein. In addition, those producers who elected to discharge their refund obligations by additional dedications pursuant to Ordering Paragraph (G) of the opinion but who have not completely discharged such refund obligations by January 1, 1976, are required to refund in cash the outstanding refund obligation, plus 7 percent interest effective from August 1, 1971 in accordance with that ordering paragraph, as amended by Opinions No. 595–A.

We now require the producers to disburse their refund monies.

In order to insure the orderly administration and review of the refunds to be made pursuant to this order, we shall require that all refunds by working interest owners whose gas was sold under the rate schedule of another producer be coordinated with and reported by the producer under whose rate schedule the sale was made.

Once the refunds have been disbursed to the respective purchasers, the purchasers shall flow the refunds through to their jurisdictional customers; see order issued March 17, 1975, in Docket No. AR64–1, *et al.*; provided, however, that purchasers shall not be required to flow-through those refunds, if any, as to which they may assert a claim of entitlement under the terms of prior rate settlement agreements approved by the Commission.

The Commission finds: It is necessary and proper in the public interest and in carrying out the provisions of the Natural Gas Act that the refunds subject to this order be disbursed and flowed-through as hereinafter ordered.

The Commission orders: (A) On or before April 1, 1976, each respondent seller owing refunds under Opinion No. 595 shall (1) file three copies of a final refund report showing for each rate schedule and each docket separately the amounts required to be refunded, the interest thereon under Ordering Paragraph (E) of that opinion, and the additional interest under Ordering Paragraph (F) or Ordering Paragraph (G) of that opinion, as amended by Opinion No. 599–A, (2) disburse the refunds to the purchaser, and (3) file a copy of a release from the purchaser with respect to such refunds.

(B) All refunds and reports made pursuant to Ordering Paragraph (A) above shall be coordinated with and reported by the producer under whose rate schedule the sale was made.

(C) On or before June 1, 1976, each purchaser shall submit three copies of a plan for the flow-through of the refunds herein ordered to be disbursed and any refunds previously disbursed and presently being retained by the purchaser, applicable to jurisdictional sales, indicating the amount payable to each jurisdictional customer, the basis used to compute the amount payable, the periods involved, and the applicable FPC docket numbers. Copies of the flow-through plans shall be served on each of the purchaser's jurisdictional customers and upon interested state regulatory commissions.

(D) Upon notification by the Commission's Secretary, and to the extent directed thereby, purchasers shall proceed with the distribution of refunds to their jurisdictional customers.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-5567 Filed 2-26-76;8:45 am]

[Docket No. AR67-1, *et al.*]

AREA RATE PROCEEDING, ET. AL.

Order Directing Disbursement and Flow Through of Refunds

FEBRUARY 23, 1976.

On October 29, 1971, the Commission issued its Opinion and Order No. 607 establishing just and reasonable rates for jurisdictional sales of natural gas produced in the Other Southwest area. (46 FPC 900) Pursuant to Ordering Paragraph (F) of Opinion No. 607, each producer owing refunds was required to file with the Commission a refund report showing the amounts required to be refunded and the amount of interest thereon. Pursuant to Ordering Paragraph (G) of the opinion, as amended by Ordering Paragraph (F) in Opinion No. 607–A issued January 17, 1962 (47 FPC 99), those producers who did not elect to discharge their refund obligations through credits to be received for the dedication of new reserves in accordance with Ordering Paragraph (E) of Opinion No. 607–A were directed to retain their refunds pending further order of the Commission, subject to the payment of further interest on such refunds as provided therein. In addition, those producers who elected to discharge their refund obligations by additional dedications pursuant to Ordering Paragraph (E) of Opinion No. 607–A but who have not completely discharged such refund obligations by January 1, 1976, are required to refund in cash the outstanding refund obligation, plus 7 percent interest effective from the date of the refund report

in accordance with that ordering paragraph.

We now require the producers to disburse their refund monies.

In order to insure the orderly administration and review of the refunds to be made pursuant to this order, we shall require that all refunds by working interest owners whose gas was sold under the rate schedule of another producer be coordinated with and reported by the producer under whose rate schedule the sale was made.

Once the refunds have been disbursed to the respective purchasers, the purchasers shall flow the refunds through to their jurisdictional customers; see order issued March 17, 1975, in Docket No. AR64–1, *et al;* provided, however, that purchasers shall not be required to flow-through those refunds, if any, as to which they may assert a claim of entitlement under the terms of prior rate settlement agreements approved by the Commission.

The Commission finds: It is necessary and proper in the public interest and in carrying out the provisions of the Natural Gas Act that the refunds subject to this order be disbursed and flowed-through as hereinafter ordered.

The Commission orders: (A) On or before April 1, 1976, each respondent seller owing refunds under Opinion Nos. 607 and 607–A shall (1) file three copies of a final refund report showing for each rate schedule and each docket separately the amounts required to be refunded, the interest thereon under Ordering Paragraph (F) of Opinion No. 607, and the additional interest under Ordering Paragraph (G) of Opinion No. 607 or Ordering Paragraph (E) of Opinion No. 607–A, (2) disburse the refunds to the purchaser, and (3) file a copy of a release from the purchaser with respect to such refunds.

(B) All refunds and reports made pursuant to Ordering Paragraph (A) above shall be coordinated with and reported by the producer under whose rate schedule the sale was made.

(C) On or before June 1, 1976, each purchaser shall submit three copies of a plan for the flow-through of the refunds herein ordered to be disbursed and any refunds previously disbursed and presently being retained by the purchaser, applicable to jurisdictional sales, indicating the amount payable to each jurisdictional customer, the basis used to compute the amount payable, the periods involved, and the applicable FPC docket numbers. Copies of the flow-through plans shall be served on each of the purchaser's jurisdictional customers and upon interested state regulatory commissions.

(D) Upon notification of the Commission's Secretary, and to the extent directed thereby, purchasers shall proceed with the distribution of refunds to their jurisdictional customers.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76–5566 Filed 2–26–76;8:45 am]

[Docket No. RP75–91]

CONSOLIDATED GAS SUPPLY CORPORATION

Notice of Further Extension of Procedural Dates

FEBRUARY 23, 1976.

On January 30, 1976, Staff Counsel filed a motion to extend the procedural dates fixed by order issued May 19, 1975, as most recently modified by notice issued December 12, 1975, in the above-designated proceeding.

On February 13, 1976, Rochester Gas and Electric Corporation filed a response to Staff's motion, stating no objection to the extension of time, but requesting additional time to file Intervenor's Testimony.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff, Testimony, March 17, 1976.
Service of Intervenor, Testimony, April 28, 1976.
Service of Company, Testimony, May 19, 1976.
Hearing, June 8, 1976 (10 a.m., e.d.t.).

By direction of the Commission.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76–5564 Filed 2–26–76;8:45 am]

[Docket No. ER76–227]

IOWA SOUTHERN UTILITIES COMPANY

Notice of Filing of Supplemental Data

FEBRUARY 23, 1976.

Take notice that on February 12, 1976 the Iowa Southern Utilities Company (Iowa Southern) tendered for filing data intended to make complete its original filing in this docket of October 30, 31, 1975. The information is provided in response to a deficiency letter from the Secretary of the Federal Power Commission dated December 10, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with 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 March 5, 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.76–5560 Filed 2–26–76;8:45 am]

[Docket No. RP73–91, (PGA76–2)]

MCCULLOCH INTERSTATE GAS CORPORATION

Notice of Purchased Gas Adjustment

FEBRUARY 20, 1976.

Take notice that on February 17, 1976, McCulloch Interstate Gas Corporation (McCulloch Interstate) tendered for filing two copies of Seventh Revised Sheet No. 32 to its FPC Gas Tariff Original Volume No. 1, as required under the Commission's Rules and Regulations under the Natural Gas Act.

McCulloch Interstate's Seventh Revised Sheet No. 32 provides for a Purchased Gas Adjustment rate increase of 12.12¢ per MMBtu, effective April 1, 1976. According to McCulloch Interstate the filing is made in order to: (1) recover the balance in McCulloch Interstate's Unrecovered Purchased Gas Cost Account as of December 31, 1974 and December 31, 1975 and (2) to provide for a current Gas Cost Adjustment in order to permit McCulloch Interstate to recover the higher cost of gas purchases which it is currently incurring.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with 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 March 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.76–5556 Filed 2–26–76;8:45 am]

[Docket No. ER76–46]

MONTAUP ELECTRIC COMPANY

Notice of Conference on Rates and Charges

FEBRUARY 20, 1976.

Take notice that on March 17, 1976, a conference of all parties to intervene in

this proceeding, Montaup Electric Company, and the Commission Staff will be held in the Commission's Conference Room No. 8402, at 825 North Capitol Street, NE., Washington, D.C., at 10:00 a.m. (e.s.t.).

Copies of this notice are being mailed this date to all jurisdictional customers and interested State Commissions.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5554 Filed 2-26-76;8:45 am]

NORTHWEST PIPELINE CORPORATION

[Docket No. RP74-72 (DCA No. 76-2)]

Notice of Change in Rates Pursuant to Demand Charge Credit Adjustment

FEBRUARY 20, 1976.

Take notice that Northwest Pipeline Corporation (Northwest), on February 13, 1976, tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1 to compensate Northwest for demand charge credits given to certain of its customers as a result of Northwest being unable to deliver its firm contract obligations because of a gas supply deficiency on its system. As of December 31, 1975, Northwest states it has a debit balance of $4,414,428 in FPC Account No. 142, representing its unrecovered Demand Charge Credits.

According to Northwest, the notice of change in rates is being filed pursuant to the Commission's issued March 29, 1974 at Docket No. RP74-72 and Article 13.4 of Northwest's FPC Gas Tariff, Original Volume No. 1. The change in rates will result in an adjustment of .230¢ per therm for Rate Schedules ODL-1, DS-1 and PL-1.

Northwest states that it is concurrently filing a notice of change in rates applicable to Article 16, Purchased Gas Cost Adjustment Provision ("PGAC") contained in its Original Volume No. 1 Tariff. Both the Demand Charge Credit Adjustment and PGAC Adjustment are reflected on the tendered Twelfth Revised Sheet No. 10, which is proposed to become effective on April 1, 1976.

Copies of this filing have been served upon Northwest's jurisdictional customers and affected state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with 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 March 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.76-5552 Filed 2-26-76;8:45 am]

[Project No. 559]

SAN DIEGO GAS & ELECTRIC COMPANY

Notice of Issuance of Annual License

FEBRUARY 19, 1976.

On March 4, 1974, San Diego Gas & Electric Company, Licensee for Project No. 559, located in San Diego County, California, filed an application for a new license under the Federal Power Act and Commission regulations thereunder.

The minor-part license for Transmission Line Project No. 559 was issued effective March 5, 1925, for a period ending March 4, 1975. Since the original date of expiration, the project has been under annual license. In order to authorize the continued operation of the project, pending completion of Licensee's application and Commission action thereon, it is appropriate and in the public interest to issue an annual license to San Diego Gas & Electric Company for continued operation and maintenance of Project No. 559.

Take notice that an annual license is issued to San Diego Gas & Electric Company (Licensee) under the Federal Power Act for the period March 5, 1976, to March 4, 1977, for the project, whichever comes first, for the continued operation and maintenance of Project No. 559, subject to the terms and conditions of its present license.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5551 Filed 2-26-76;8:45 am]

[Docket No. RP75-84]

SOUTHERN NATURAL GAS COMPANY

Notice of Further Extension of Procedural Dates and Establishment of Prehearing Conference

FEBRUARY 23, 1976.

On February 11, 1976, Alabama Gas Corporation filed a motion to extend the procedural dates fixed by order issued May 15, 1975, as most recently modified by notice issued December 12, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Intervenor Testimony, April 22, 1976.
Service of Company Rebuttal, May 10, 1976.
Hearing, May 25, 1976 (10 a.m., e.d.t.).

A prehearing conference will be held at 10:00 a.m., local time, on March 10, 1976, in a hearing room of the Federal Power Commission, Washington, D.C.

By director of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5562 Filed 2-26-76;8:45 am]

[Docket No. RP76-53]

SOUTH TEXAS NATURAL GAS GATHERING COMPANY

Notice of Filing

FEBRUARY 20, 1976.

Take notice that on February 17, 1976, South Texas Natural Gas Gathering Company tendered for filing changes in its Rate Schedule No. 2 with Transcontinental Gas Pipe Line Corporation. The filing was made pursuant to Ordering Paragraph B of the Commission's order issued February 10, 1976, in the above-captioned proceeding, which paragraph reads as follows:

(B) Within 15 days of the date of issuance of this order, South Texas may file substitute rate schedule supplements to Rate Schedule No. 2 to become effective February 12, 1976, reflecting the reduction of the PGA notice period from 45 to 30 days.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with 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 March 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.76-5553 Filed 2-26-76;8:45 am]

[Docket Nos. CP63-247, CP65-93 and CP75-53]

TENNESSEE GAS PIPELINE COMPANY, A DIVISION OF TENNECO INC.

Notice of Tariff Filing To Implement Settlement Agreement

FEBRUARY 20, 1976.

Take notice that on February 17, 1976, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee) tendered for filing proposed changes to Sixth Revised Volume No. 2 of its FPC Gas Tariff, consisting of the following tariff sheets:

First Revised Sheet No. 19, Original Sheet Nos. 249 through 2490, A sheet reserving Original Sheet Nos. 250 through 299 for future use.

Tennessee states that the sole purpose of these tariff sheets is to implement various provisions of the "Amended 1975 Stipulation and Agreement of Settlement" approved by the Commission's order of December 2, 1975 in *Valley Gas Transmission, Inc., et al.*, in Docket Nos. G-19618, *et al.* In order to implement the Agreement, Tennessee states that the revised tariff sheets reflect the cancellation of its Rate Schedule T-2 and the initiation of its Rate Schedule T-28.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with 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 March 12, 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; provided, however, that any person who has previously filed a petition to intervene in this proceeding is not required to file a further petition. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5558 Filed 2-26-76;8:45 am]

[Docket No. RP75-73]

TEXAS EASTERN TRANSMISSION CORPORATION

Notice of Further Extension of Procedural Dates

FEBRUARY 23, 1976.

On February 10, 1976, Staff Counsel filed a motion to extend the procedural dates fixed by order issued April 30, 1975, as most recently modified by notice issued January 2, 1976, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff Testimony, February 27, 1976.
Service of Intervenor Testimony, March 26, 1976.
Service of Company Rebuttal, April 23, 1976.
Hearing, May 4, 1976 (10 a.m. e.d.t.).

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5561 Filed 2-26-76;8:45 am]

[Docket No. CP76-257]

TEXAS GAS TRANSMISSION CORPORATION

Notice of Application

FEBRUARY 20, 1976.

Take notice that on February 11, 1976, Texas Gas Transmission Corporation (Texas Gas), Post Office Box 1160, Owensboro, Kentucky 42301, filed in Docket No. CP76-257 an application pursuant to Section 7 of the Natural Gas Act, as amended, the Rules and Regulations of the Federal Power Commission issued thereunder, and Section 2.79 of the Commission's General Policy and Interpretations, for a certificate of public convenience and necessity authorizing Texas Gas to transport a quantity of natural gas up to 3,840 Mcf per day at 14.73 psia on an interruptible basis for The Anaconda Company, Aluminum Division (Anaconda), an existing industrial customer of Terre Haute Gas Corporation (Terre Haute), one of Texas Gas's resale customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Texas Gas states that the gas will be purchased by Anaconda from production in Claiborne Parish, Louisiana, and delivered to Texas Gas at a meter station to be constructed and installed near the site of Block Valve No. 1 on Texas Gas's Sharon-Carthage 20-inch pipeline in Section 35, Township 20 North, Range 6 West, in Claiborne Parish, Louisiana. Texas Gas will redeliver the transportation volumes to Terre Haute at an existing point or points of delivery for the account of Anacoda. Anaconda will pay Texas Gas an initial charge of 19.03 cents per Mcf for volumes delivered to Terre Haute for Anaconda's account, and Texas Gas will retain 9.0 percent of the transportation volumes for compressor fuel and line loss makeup.

The application states that the gas is intended for high-priority process use in Anaconda's Terre Haute, Indiana, facility.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations Under the Natural Gas Act (157.10) on or before March 8, 1976.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, or if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5555 Filed 2-26-76;8:45 am]

[Docket No. RP74-52 (PGA76-2)]

TRANSWESTERN PIPELINE COMPANY

Notice of Proposed Changes in FPC Gas Tariff

FEBRUARY 20, 1976.

Take notice that Transwestern Pipeline Company (Transwestern) on February 17, 1976, tendered for filing as part of its FPC Gas Tariff, Second Revised Volume No. 1, the following sheets:

Revised Second Revised Sheet No. 5
Revised Second Revised Sheet No. 6
Second Revised Sheet No. 5
Second Revised Sheet No. 6
Alternate Revised Second Revised Sheet No. 5
Alternate Revised Second Revised Sheet No. 6
Alternate Second Revised Sheet No. 5
Alternate Second Revised Sheet No. 6

These sheets are issued pursuant to Transwestern's Purchased Gas Cost Adjustment tariff provision and ordering paragraph (C) of the Commission's Opinion No. 749. This change in rates reflects a Cost of Gas Adjustment to track increased purchased gas costs and a Surcharge Adjustment to clear the balance of the Gas Cost Adjustment Account and also to recover the considerable increase in such account balance which will result from producer increases because of Opinion No. 749. Transwestern proposes to include in its Surcharge Adjustment the three-month, July 1, 1976—September 30, 1976, impact of Opinion No. 749. The alternate tariff sheets exclude such July 1, 1976 amount. Transwestern has submitted tariff sheets which both include and exclude amounts associated with emergency and small producer purchases in excess of the prescribed national rate levels.

The proposed effective date of the above tariff sheets is April 1, 1976.

Copies of the filing were served upon the company's jurisdictional customers and the interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with 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 March 5, 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.76-5557 Filed 2-26-76;8:45 am]

[Docket No. RP75-109]

UNITED GAS PIPE LINE COMPANY

Notice of Further Extension of Procedural Dates

FEBRUARY 23, 1976.

On February 12, 1976, Staff Counsel filed a motion to extend the procedural dates fixed by order issued July 7, 1975, as most recently modified by notice issued December 12, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff Testimony, June 22, 1976.
Service of Intervenor Testimony, July 27, 1976.
Service of Company Rebuttal, August 27, 1976.
Hearing, September 14, 1976 (10 a.m. e.d.t.).

By direction of the Commission.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-5565 Filed 2-26-76;8:45 am]

[Docket No. E-9147 (Phase II)]

VIRGINIA ELECTRIC AND POWER COMPANY

Notice of Further Extension of Procedural Dates

FEBRUARY 23, 1976.

On February 12, 1976, ElectriCities of North Carolina filed a motion to extend the procedural dates fixed by order issued January 22, 1975, as most recently modified by notice issued January 2, 1976, in the above-designated proceeding.

Upon consideration, notice is hereby given that the pocedural dates in the above matter are modified as follows:

Service of Staff Testimony, June 28, 1976.
Service of Intervenor Testimony, June 7, 1976.
Service of Company Rebuttal, July 12, 1976.
Service of Intervenor Rebuttal, August 2, 1976.
Hearing, August 16, 1976 (10 a.m., e.d.t.).

By direction of the Commission.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-5563 Filed 2-26-76;8:45 am]

[Docket No. ER76-514]

CONSUMERS POWER CO.

Tariff Change

FEBRUARY 24, 1976.

Take notice that Consumers Power Company (Consumers) on February 17, 1976 tendered for filing an Electric Coordination Agreement dated (and effective) on January 5, 1976 between Consumers and The Detroit Edison Company (Detroit Edison). Consumers states that on its effective date, the new Coordination Agreement cancelled and superseded an earlier Coordination Agreement between the same two parties dated May 1, 1973, as amended and supplemented, designated Consumers Power Company Rate Schedule FPC No. 33, and The Detroit Edison Company Rate Schedule FPC No. 17.

Consumers states that the new Coordination Agreement provides for reasonable assistance by one party to the other when a capacity deficiency exists on one party's system, but the deficient party no longer has a prior claim on any surplus of the other party. Consumers states that the new Agreement provides that the costs and benefits arising from connections with third parties will be shared equitably as agreed by an Administrative Committee established by the Agreement. Consumers states that the new Agreement also provides for the exchange of coordinated maintenance power and energy.

Consumers states that the changes reflect the desire of the parties to share costs and benefits of interconnected operation on an equitable basis and to assure adequate and fair compensation for any services rendered.

Consumers states that the proposed charges for Short Term and Operating Reserve Capacity would have increased payments by Consumers Power to Detroit Edison during the 12 months ending December 1975 by 2% for Short Term Capacity and by 22% for Operating Reserve Capacity.

Consumers states that copies of the filing were mailed to Detroit Edison and to the Michigan Public Service Commission.

Consumers requests an effective date of January 5, 1976.

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 March 9, 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.76-5564 Filed 2-26-76;8:45 am]

[Docket No. ER76-513]

CONSUMERS POWER CO.

Tariff Change

FEBRUARY 23, 1976.

Take notice that Consumers Power Company (Consumers) on February 17, 1976, tendered for filing Supplemental Agreement No. 5 to the Interconnection Agreement dated September 1, 1973, between Consumers Power Company and Northern Michigan Electric Cooperative, Inc., Wolverine Electric Cooperative, Inc., City of Grand Haven, Michigan, and City of Traverse City, Michigan, collectively denoted the "MMCPP members." Consumers states that the Interconnection Agreement is designated Consumers Power Company Rate Schedule FPC No. 34.

Consumers states that Supplemental Agreement No. 5, dated and effective on January 1, 1976, establishes a third interconnection point between the parties, to be termed the "Hersey Interconnection Point." Consumers states that this interconnection point will be located in Osceola County, Michigan, and is expected to go into service on or about March 1, 1976.

Consumers states that the Supplemental Agreement No. 5 also provides for the payment by Consumers Power Company to Wolverine Electric Cooperative, Inc., of annual carrying charges expected to total less than $7,500 per year on the capital cost of equipment and facilities either existing or to be installed by Wolverine Electric Cooperative, Inc.

Consumers requests that Supplemental Agreement No. 5 and Supplement E (Revision 2) to be accepted for filing effective January 1, 1976, and on the in-service date of the Hersey Interconnection Point respectively.

Consumers states that copies of the filing were mailed to the MMCPP members and to the Michigan Public Service Commission.

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 March 9, 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.76-5655 Filed 2-26-76;8:45 am]

[Docket Nos. CP75-96, *et al;* CP 74-241]

EL PASO ALASKA CO., ET AL. AND PACIFIC GAS TRANSMISSION CO.

Amendment to Application

FEBRUARY 23, 1976.

Take notice that on February 12, 1976, Pacific Gas Transmission Company (Applicant), 245 Market Street, San Francisco, California 94105, filed in Docket No. CP74-241 a further amendment to the application filed in said docket pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a natural gas pipeline extending from the Kingsgate Meter Station on the international boundary between the United States and Canada to the Malin meter station on the border of Oregon and California, all as more fully set forth in the amendment on file with the Commission and open to public inspection.

Applicant states that on March 21, 1974, it filed in Docket No. CP74-241 an application for a certificate of public convenience and necessity authorizing the construction of a 42-inch 1440/1250 psig natural gas pipeline extending from Kingsgate, British Columbia, to the Oregon-California border which pipeline was designed to import, transport, and sell 1,200,000 Mcf of natural gas per day produced in Alaska and Canada. Applicant states that on March 3, 1975, it amended its application and, among other things, submitted an alternative pipeline design consisting of a 36-inch pipeline operating at a maximum pressure of 1440/1250 psig and designed to import 850,000 Mcf of gas per day.

It is stated that in July of 1975 Applicant submitted additional alternative pipeline designs for the Commission's consideration and that one design, the

"1180 Design" consists of the partial looping of Applicant's existing pipeline requiring construction of 319.6 miles of 36-inch pipeline loops at twelve locations, operating at a maximum pressure of 911 psig. Applicant indicates that this design would enable it to transport and sell to Pacific Gas and Electric Company (PG and E) an additional 200,000 Mcf of gas per day, which is the approximate volume expected to be available to PG and E through its contractual arrangements with Exxon Company, U.S.A. Applicant states that the other pipeline design submitted is entitled the "1580 Design" and consists of the complete looping of Applicant's existing pipeline by the construction of 591.9 miles of 36-inch pipeline operating at a pressure of 911 psig. It is stated that the pipeline could transport and deliver in excess of 600,000 Mcf of gas per day and that the capacity of the pipeline could be increased, if required, to an average daily capacity of approximately 1.1 million Mcf simply by adding compression.

By the instant filing, Applicant has elected its "1180 Design" as its primary pipeline design to import and transport the volumes of natural gas produced in Alaska which are, or will be, available to it for sale to PG and E and states that in support of this election and for the convenience of all parties, it has compiled in the instant filing all exhibits pertaining to the "1180 Design" which previously have been introduced into evidence in this proceeding plus additional exhibits which provide further information relative to this pipeline design. Applicant also filed herewith additional information on its previously proposed "1580 Design" and states that for illustrative purposes, it and PG and E have prepared all exhibits necessary to demonstrate the capability of the "1580 Design" to transport and deliver all Alaskan natural gas presently expected to be received by PG and E, Northwest Pipeline Corporation (Northwest) and Pacific Interstate Transmission Company (Pacific Interstate). It is stated that these exhibits demonstrate that construction of a single western pipeline delivery system in conjunction with the existing Applicant/PG and E pipeline system can provide economical pipeline service to the Pacific Northwest, northern California and southern California without utilizing complex nationwide gas displacement schemes. Applicant states that it and PG and E stand ready to provide this transportation service for Northwest and Pacific Interstate using the illustrative design, or any other reasonable direct delivery design which may be certificated by the Commission.

Applicant has elected the 1180 Design as its primary pipeline design and states that the 1180 Design is the optimum pipeline design assuming the initial transportation of only 200,000 Mcf of gas per day which PG and E believes will be initially available to it from Alaska. It is stated that the partial pipeline looping involved would utilize Applicant's existing right-of-way, except for one small deviation, and that in addition, it would allow Applicant to use several sections of existing pipe previously installed at a number of major river crossings. Applicant avers that the 1180 Design would cause a minimum of physical disruption to the environment and would optimize the conservation of natural gas.

Applicant further avers that the 1180 Design is the least expensive design submitted to transport existing gas supplies available to Applicant, plus Alaskan gas, directly to the San Francisco Bay Area. Applicant estimated the cost of the 1180 Design to be $138,589,000, with an additional $69,000,000 of construction required on the PG and E system to receive this gas. This is said to offer a capital cost savings of more than $185,000,000 over any other design submitted to transport Alaskan gas directly to San Francisco.

Applicant claims that the illustrative 1580 Design, which is the complete looping of the Applicant/PG and E pipeline with 36-inch 911 psig pipe, will enable it and PG and E to transport and deliver all Alaskan gas presently expected by western pipeline companies. Applicant indicates that the 1580 Design offers the same benefits of the 1180 Design and that the 1580 would mainly utilize the existing pipeline right-of-way and existing second river crossings. Further, Applicant indicates that compression would be supplied by existing compressors, with no additional fuel gas required, thus minimizing environmental impacts while maximizing the savings of gas.

Applicant states that the 1580 Design can easily transport the 22,000 Mcf per day of Alaskan gas expected by Northwest. Applicant presently provides transportation service for Northwest, and Applicant alleges that it could deliver the Alaskan gas at Stanfield, Oregon, where the two systems interconnect.

The subject amendment indicates that the 1580 Design will also allow Applicant and PG & E to transport the 437,000 Mcf of Alaskan gas expected to be initially available to southern California markets. Applicant proposes to transport this gas to the Oregon-California border where it would be delivered to PG and E for transportation to Antioch, California. It is stated that delivery of equivalent volumes to the southern California market can be effected from supplies available and projected to be available to PG and E at the southern end of its intrastate transmission and distribution system and that only minor modifications to the PG and E intrastate system south of Antioch would be necessary. Applicant indicates that if projected sources are not available to PG and E, additional modifications to the PG and E system south of Antioch would be required.

Applicant also states that should Pacific Interstate desire to have 200,000 Mcf of its expected 437,000 Mcf per day of Alaskan gas delivered at Stanfield, Oregon, for transport through the Northwest and El Paso Natural Gas Company systems, the illustrative 1580 Design could easily be modified to accomplish this.

Applicant states that the incremental cost of transportation over its system utilizing the 1580 Design will be 8.22 cents per Mcf for Northwest and 22.13 cents per Mcf for Pacific Interstate and PG and E. Further, Applicant states that PG and E's cost of transporting gas to San Francisco is estimated to be 12.15 cents per Mcf and the cost of transporting gas from the Oregon-California border to southern California is estimated to be 31.63 cents per Mcf.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before March 18, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules. Any person who has heretofore filed a protest, petition to intervene, or notice of intervention in the instant docket or in the consolidated proceeding in Docket No. CP75-96, *et al.*, need not file again.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5653 Filed 2-26-76;8:45 am]

[Docket No. ES76-30]

IDAHO POWER CO.

Application

FEBRUARY 23, 1976.

Take notice that on February 6, 1976, the Idaho Power Company (Applicant) filed an application, pursuant to Section 204 of the Federal Power Act, seeking authorization to engage in negotiations with underwriters regarding the proposed issuance and sale of preferred stock in the total amount of $25 million, via negotiated offering. Applicant proffers that it is particularly desirous of having the flexibility to negotiate with several underwriters so that the preferred stock issue it offers to the public will be the type of security the market is receptive to and which will produce the lowest net cost to the company.

Applicant is incorporated under the laws of the State of Maine, with its principal business office at Boise, Idaho and is qualified to do business in the States of Idaho, Oregon, Nevada and Wyoming. Applicant is engaged in the generation, transmission, distribution and sale of electrical energy in the above-mentioned states.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 12, 1976, file with the Federal Power Com-

mission, Washington, D.C. 20426, petitions or protests in accordance with the Commissions' Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5660 Filed 2-26-76;8:45 am]

[Docket No. ER76-515]

IOWA POWER AND LIGHT CO.

Establishment of Additional Point of Delivery

FEBRUARY 24, 1976.

Take notice that Iowa Power and Light Company (Iowa Power) on February 7, 1976, tendered for filing a revised Service Schedule A to the Electric Interchange Agreement dated December 31, 1973 between Iowa Power and the City of Indianola, Iowa (now Indianola Waterworks and Electric Light and Power Board of Trustees, hereinafter referred to as "Trustees"). The revised Service Schedule A is intended to replace the previous Service Schedule A dated December 31, 1973, and designated as Supplement No. 1 to Iowa Power Rate Schedule FPC No. 45.

The proposed Service Schedule A provides for the establishment of an additional point of delivery between Iowa Power and the Trustees, and the installation, operation, ownership and maintenance of facilities necessary for the establishment of said point.

Service Schedule A was revised in order to further increase the interchange and displacement capabilities between the systems of the two utilities and to facilitate coordinated development of adequate transmission capacity for service to customers of both utilities at minimum cost.

Iowa Power requests that the Commission waive the prior notice requirements and accept the filing with a retroactive effective date of December 18, 1975. Iowa Power states that copies of the filing have been served upon the Iowa State Commerce Commission and the Trustees.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with 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 March 11, 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 application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5663 Filed 2-26-76;8:45 am]

[Docket No. E-7732]

IOWA ELECTRIC LIGHT AND POWER CO.

Application

FEBRUARY 23, 1976.

Take notice that on February 17, 1976, Iowa Electric Light and Power Company (Applicant) filed an application with the Federal Power Commission seeking a supplemental order pursuant to Section 204 of the Federal Power Act authorizing the issuance of notes in the aggregate principal amount not to exceed $60,000,000.

Applicant is incorporated under the laws of the State of Iowa and is authorized to do business in the States of Iowa, Minnesota, Colorado and Nebraska with its principal business office at Cedar Rapids, Iowa. Applicant is engaged primarily in the generation, transmission and sale at retail of electric energy in 58 counties in the State of Iowa.

The underlying reasons in seeking modification of the original Order are to adopt changes made in the revised Bank Credit Agreement to be dated as of March 1, 1976, which will:

(1) Reduce the cost of money to the Applicant for the period the promissory notes are anticipated to be outstanding.

(2) Permit greater flexibility in the refinancing of promissory notes presently outstanding in the event of restricted or otherwise adverse conditions in the public money market by extension of the maturity date.

The notes are to be issued solely to commercial banks and will have a final maturity date of not later than January 15, 1980. The notes shall bear interest from the date thereof until paid, (a) at a rate per annum equal to 120% of the prime rate of interest charged by The First National Bank of Chicago (herein called the "Prime Rate") until August 15, 1978, and (b) at a rate per annum equal to 125% of the Prime Rate from August 15, 1978, until final maturity of the notes. No compensating balances are required to be maintained with the Banks as a condition to the issuance of the notes and loans may be repaid and the authorized amount of credit may be reduced at any time without penalty.

Any person desiring to be heard or to make any protest with reference to this application should on or before March 19, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5661 Filed 2-26-76;8:45 am]

[Docket Nos. ES76-36, ES76-37]

IOWA ELECTRIC LIGHT & POWER CO.

Application

FEBRUARY 23, 1976.

Take notice that on January 23, 1976, the Iowa Electric Light and Power Company (Applicant) filed an application pursuant to Section 204 of the Federal Power Act, seeking authorization to engage in negotiations with underwriters regarding the proposed issuance and sale of 75,000 shares of Preferred Stock, par value $100 per share via negotiated offering (ES76-36). Applicant by application filed February 6, 1976, with the Commission, also seeks authorization to engage in negotiations with the present holders of its $12,150,000, Series C Bonds, maturing June 30, 1976. Applicant proffers that the principal holder of these securities has indicated an interest in purchasing not only its pro-rata share of new Bonds to be issued in exchange for the Series C Bonds but also any or all New Bonds not acquired by present holders (Docket No. ES76-37). Applicant believes that by negotiating directly with the present holders of the Bonds no underwriter's fees or commissions will be paid and the other costs associated with a public offering will be avoided.

Applicant is incorporated under the laws of the State of Iowa and is authorized to do business in the States of Iowa, Minnesota, Colorado and Nebraska, with its principal business office at Cedar Rapids, Iowa. Applicant is engaged primarily in the generation, transmission and sale at retail of electric energy in 51 counties in the State of Iowa.

Any person desiring to be heard or to make any protest with reference to the applications should on or before March 12, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5651 Filed 2-26-76;8:45 am]

[Docket No. ES76-38]

IOWA PUBLIC SERVICE CO.

Application

FEBRUARY 23, 1976.

Take notice that on February 12, 1976, the Iowa Public Service Company (Applicant), filed an application, pursuant to Section 204 of the Federal Power Act, for authorization to negotiate privately with the City of Salix, Iowa, for the purpose of financing the Company's Neal 4 Pollution Control Facilities through the issuance by the City of the City's Pollution Control Revenue Bonds. The Company-City arrangement would commit the applicant to complete the construction of the Company's Neal 4 Pollution Control Facilities, and commit the city to issue and sell to purchasers its Pollution Control Revenue Bonds in a principal amount necessary to pay the cost of such facilities.

Applicant is incorporated under the laws of the State of Iowa, with its principal business office at Sioux City, Iowa and is engaged in the generation, transmission, distribution and sale of electrical energy in northwestern, north-central and east central Iowa and a few small communities in South Dakota.

Any person desiring to be heard or to make any protest with reference to the application, should on or before, March 12, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5659 Filed 2-26-76;8:45 am]

[Docket No. ER76-438]

KANSAS CITY POWER & LIGHT CO.

Tariff Change

FEBRUARY 24, 1976.

Take notice that on February 7, 1976, there was tendered for filing by Kansas City Power & Light Company (Company) a copy of a Third Amendatory Agreement dated January 1, 1976, modifying Associated Wholesale Firm Power Contract dated June 1, 1963, as amended. The Third Amendatory Agreement has been executed in order to bring the fuel adjusmtent clause of the rate schedule into conformance with the Regulations of the Commission pursuant to Section 35.14 as modified by Order No. 517. Rate Schedule AWFP-1A, attached to the Third Amendatory Agreement, contains a modified fuel adjustment clause and supersedes and replaces AWFP-1, the Company's Rate Schedule FPC No. 35, Supplement No. 1.

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 March 9, 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.76-5662 Filed 2-26-76;8:45 am]

[Docket No. G-2762]

KERR-MCGEE CORP.

Application

FEBRUARY 23, 1976.

Take notice that on February 6, 1976, Kerr-McGee Corporation (Applicant), P.O. Box 25861, Oklahoma City, Oklahoma 73215, filed in Docket No. G-2762 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon partially the sales of natural gas made to Phillips Petroleum Company (Phillips) from Applicant's interest in certain leases in Moore County, Texas, all as more fully set forth in the application on file with the Commission and open to public inspection.

By order issued January 3, 1955 (13 FPC 1198), Applicant was granted a certificate of public convenience and necessity pursuant to Section 7(c) of the Natural Gas Act in the subject docket authorizing the sale of natural gas to Phillips from certain leases or units situated in the West Panhandle Field in Sherman and Moore Counties, Texas, containing approximately 22,200 acres. Applicant states that seven of the leases covered by such certificates, containing approximately 5,280 acres, are 50-year, fixed-term leases and will expire within the first half of 1976. The leases are said to be as follows:

(1) S-542 Breyfogle Lease, dated March 19, 1926, covering 640 acres, more or less, upon which one gas well is said to be located presently producing approximately 39,474 Mcf of natural gas per month. Applicant states that Phillips holds a reversion in the mineral rights under this leasehold acreage.

(2) S-393 Jacobson Lease, dated May 1, 1926, covering 640 acres, more or less, upon which one gas well is said to be located presently producing approximately 10,161 Mcf of natural gas per month. Applicant states that Julia Green, as trustee for the Jacobson Trust, holds a reversion in the mineral rights under this leasehold acreage.

(3) S-392 Wilson Lease, dated May 26, 1926, covering 640 acres, more or less, upon which one gas well is said to be located presently producing approximately 37,609 Mcf of natural gas per month. Applicant states that Emily Loving Bird, *et al.*, hold a reversion in the mineral rights under this leasehold acreage.

(4) S-303 Strunk Lease, dated March 24, 1926, covering 640 acres, more or less, upon which one gas well is said to be located presently producing approximately 48,404 Mcf of natural gas per month. Applicant states that N. A. Abbe Strunk, *et al.*, hold a reversion in the mineral rights under this leasehold acreage.

(5) S-302 Sullivan Lease, dated March 23, 1926, covering 640 acres, more or less, upon which one gas well is said to be located presently producing approximately 40,540 Mcf of natural gas per month. Applicant states that Henry Clay Sullivan, *et al.*, hold a reversion in the mineral rights under this leasehold acreage.[1]

(6) S-147 Taylor "A" Lease, dated June 1, 1926, covering 1,760 acres, more or less, upon which three gas wells are said to be located presently producing approximately 76,958 Mcf of natural gas per month. Applicant states that J. M. Hawley, Executor and Trustee of the W. H. Taylor Estate, holds a reversion in the mineral rights under this leasehold acreage.

(7) S-148 Taylor "C" Lease, dated June 1, 1926, covering 320 acres, more or less, upon which one gas well is said to be located presently producing approximately 23,936 Mcf of natural gas per month. Applicant states that J. M. Hawley, Executor and Trustee of the W. H. Taylor Estate, holds a reversion in the mineral rights under this leasehold acreage.

Applicant states that upon the expiration of the aforestated leases the mineral rights covered by each lease will revert to the mineral interest owners, leaving Applicant without right, title or interest in or to any of the natural gas hereafter produced from and attributable to lands covered by such leases, under the principles of Texas oil and gas law.[2] Therefore, Applicant proposes to

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[1] The reversioners of the S-302 Sullivan Lease, Henry Clay Sullivan *et al.*, are said by Applicant to have filed on December 30, 1975, a petition for the issuance of a declaratory order in Docket No. CI76-316, for the resolution of issues similar to those raised in the proceeding styled *El Paso Natural Gas Company, et al.*, in Docket No. CP75-209, *et al.*, and addressed in Commission Opinion Nos. 737, 737-A, and 737-B, issued July 11, September 3, and December 18, 1975, respectively.

[2] Applicant cites *Gulf Oil Corporation* v. *Southland Royalty Co.*, 496 S.W. 2d 547 (Tex. Sup. Ct. 1973), in support of such proposition.

abandon the sale of natural gas authorized in Docket No. G–2762, from the aforestated 50-year leases.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 15, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commision's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–5657 Filed 2–26–76;8:45 am]

[Docket No. CP76–14, et al.]

NATURAL GAS PIPELINE CO. OF AMERICA, ET AL.

Further Extension of Procedural Dates

FEBRUARY 23, 1976.

On February 17, 18, and 19, 1976, Mid Louisiana Gas Company, Continental Oil Company, Getty Oil Company and Kerr-McGee Corporation respectively filed motions to extend the procedural dates fixed by order issued January 26, 1976, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified for all parties as follows:

Service of testimony by all parties, March 25, 1976.
Hearing, April 20, 1976.

Furthermore, the date by which applicants must accept or reject the temporary certificates, pursuant to ordering paragraphs (c) and (1) of order issued January 26, 1976 in Docket No. CP76–14, *et al.*, is extended to and including March 25, 1976.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–5652 Filed 2–26–76;8:45 am]

[Docket No. ER 76–516]

NIAGARA MOHAWK POWER CORP.

Rate Schedule Filing

FEBRUARY 23, 1976.

Take notice that Niagara Mohawk Power Corporation, on February 11, 1976, tendered for filing as a rate schedule, a transmission agreement between Niagara Mohawk Power Corporation and Consolidated Edison Company of New York, Inc. dated October 15, 1975. Niagara requests waiver of the prior notice requirements so as to permit an effective date of October 26, 1975.

The service to be rendered by Niagara Mohawk Power Corporation (Niagara) provides for the transmission of power and energy between Niagara's transmission connections with Rochester Gas and Electric Corporation (Rochester) and Niagara's transmission connection with Consolidated Edison Company of New York, Inc. (Con Ed) at the Pleasant Valley 345 Kv Substation.

Transmission capacity to be made available to Con Ed will be equivalent to that amount of power not to exceed 150 megawatts, which Con Ed will schedule on a daily basis for delivery from Rochester.

Copies of this filing were served upon the following:

Consolidated Edison Company of New York, Inc., 4 Irving Place, New York, New York 10003.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with 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 March 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 application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–5654 Filed 2–26–76;8:45 am]

[Docket No. RP72–154 (PGA No. 76–3)]

NORTHWEST PIPELINE CORP.

Change in Rates Pursuant to Purchased Gas Cost Adjustment

FEBRUARY 23, 1976.

Take notice that Northwest Pipeline Corporation (Northwest) on February 13, 1976, tendered for filing a proposed change in rates applicable to service rendered under rate schedules affected by and subject to Article 16, Purchased Gas Cost Adjustment Provision (PGAC), contained in its FPC Gas Tariff, Original Volume No. 1. Such change in rates, according to Northwest, is for the purpose of (1) reflecting changes in Northwest's cost of purchased gas which will become effective on or before March 31, 1976, applied to volumes purchased for the twelve (12) month period ending December 31, 1975 and its change in the unrecovered purchased gas cost since Northwest's prior semi-annual PGAC filing dated August 15, 1975, and (2) eliminating the special one-time surcharge credit adjustment given to storage gas purchasers under Rate Schedule SGS–1 in Northwest's prior PGAC.

Northwest states that the current PGAC adjustment, for which notice is given herein, aggregates a decrease of .112¢ per therm in all rate schedules affected by and subject to the PGAC. The annualized change in Northwest's purchased gas cost aggregates a decrease of $484,985. Northwest proposes to credit, through a surcharge, the negative balance of $1,952,108 in its FPC Account No. 191, as of December 31, 1975. In addition, Rate Schedule SGS–1 reflects the elimination of the aforementioned special credit adjustment of 3.483¢ per therm. The proposed change in rates would decrease Northwest's revenues from jurisdictional sales and service by $2,432,979, the company states.

Northwest states it is concurrently filing, pursuant to Commission order issued March 29, 1974 in Docket No. RP74–72, a notice of change in rates applicable to Section 13.4, Change in Rates to Reflect Curtailment Credits (Demand Charge Credits), contained in its Original Volume No. 1 Tariff. Both the PGAC Adjustment and the Demand Charge Credit Adjustment are reflected on Twelfth Revised Sheet No. 10, tendered herewith. Northwest respectfully requests that the Commission accept the tendered tariff sheet for filing and permit it to become effective as of April 1, 1976, in accordance with the provisions of Northwest's tariff.

Copies of this filing have been served upon Northwest's jurisdictional customers and affected state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with 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 March 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.76-5656 Filed 2-26-76;8:45 am]

[Rate Schedule Nos. 281, *et al.*]

PHILLIPS PETROLEUM CO., ET AL.

Rate Change Filings Pursuant to Commission's Opinion No. 699-H

FEBRUARY 24, 1976.

Take notice that the producers listed in the Appendix attached hereto have filed proposed increased rates to the applicable new gas national ceiling based on the interpretation of vintaging concepts set forth by the Commission in its Opinion No. 699-H, issued December 4, 1974. Pursuant to Opinion No. 699-H the rates, if accepted, will become effective as of the date of filing.

The information relevant to each of these sales is listed in the Appendix.

Any person desiring to be heard or to make any protest with reference to said filings should on or before March 9, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). A protest will not serve to make the protestant a party to the proceeding. Any party wishing to become a party to a proceeding must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

APPENDIX

Filing date	Producer	Rate schedule No.	Buyer	Area
Feb. 10, 1976	Phillips Petroleum Co., Bartlesville, Okla. 74004.	281	Texas Eastern Transmission Corp.	Texas Gulf Coast.
Do	do	[1] 584	Louisiana-Nevada Transit Co.	Other Southwest
Feb. 17, 1976	Cities Service Oil Co., P.O. Box 300, Tulsa, Okla. 74102.	200	Cities Service Gas Co.	Hugoton-Anadarko Kans.

[1] Applicant erroneously assumed that its replacement contract would be designated as rate schedule No. 592. The replacement contract is proposed to supersede sales presently made under Phillips' rate schedule Nos. 276 and 458

[FR Doc.76-5666 Filed 2-26-76;8:45 am]

[Docket No. ER76-511]

PUBLIC SERVICE COMPANY OF OKLAHOMA

Tender of Letter Agreement

FEBRUARY 23, 1976.

Take notice that on February 13, 1976, Public Service Company of Oklahoma (PSCO) tendered for filing a letter agreement dated November 9, 1973, between PSCO and the Empire District Electric Company (EDE) according to which PSCO shall sell to EDE the following capacity without reserves:

Period	Unit	Rated capacity (megawatts)	Amount offered (megawatts)
June 1, 1976 to May 31, 1977	Riverside Unit No. 1	450	100

A Certificate of Concurrence dated January 26, 1976 by EDE was attached to the tender.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with 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 March 9, 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.76-5658 Filed 2-26-76;8:45 am]

[Docket No. RI76-117]

SUN OIL CO.

Petition for Special Relief

FEBRUARY 23, 1976.

Take notice that on February 2, 1976, Sun Oil Company (Petitioner), P.O. Box 2880, Dallas, Texas 75221, filed a petition for special relief in Docket No. RI76-117, pursuant to Section 2.56a(g)(2) of the Commission's Rules of Practice and Procedure (18 CFR § 2.56a(g)(2). Petitioner is seeking special relief from the rate established in Section 2.56a(a)(1) of the Commission's Rules of Practice and Procedure for gas sales to Trunkline Gas Company from the West Cameron Block No. 639 Field, Offshore Louisiana, Federal Domain, located in water in excess of 250 feet in depth. Petitioner seeks a rate of $1.7456 per Mcf escalated 4% per year.

Petitioner states that after significant development drilling, the reserves proved by such drilling indicated that it would not earn a return on its investment. On November 7, 1975, Petitioner and Trunkline agreed to amend the September 22, 1971 incentive agreement to provide a pricing clause which included a price which, when escalated 4% per year, would provide an appropriate discounted cash flow rate of return on all expenditures for exploration and production.

Any person desiring to be heard or to make any protest with reference to said petition should on or before March 19, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5650 Filed 2-26-76;8:45 am]

FINANCE-TECHNICAL ADVISORY COMMITTEE

Meeting

Conference Room 5200, Federal Power Commission, Union Plaza Building, 825 North Capitol Street NE., Washington, D.C. 20426, March 17, 1976, 10:00 a.m.

Presiding: Mr. Jack Adelman, Coordinating Representative and Secretary, Federal Power Commission.

1. Call to Order and Introductory Remarks—Mr. Jack Adelman.
2. Remarks by Chairman and Vice Chairman—Mr. Edward Symonds, Mr. Charles Freund.
3. Evaluation of Subgroup Reports.
4. Further Work to be Accomplished on Assignments.
5. Selection of Next Meeting Date.
6. Other Business.
7. Adjournment—Mr. Jack Adelman.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the Committee—which statements, if in written form, may be filed before or after the meeting, or if oral at the time and in the manner permitted by the Committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-5665 Filed 2-26-76;8:45 am]

FEDERAL RESERVE SYSTEM

AMERICAN SECURITY CORPORATION

Acquisition of a Bank

American Security Corporation, Washington, D.C. ("ASC"), a bank holding company within the meaning of the Bank Holding Company Act, has applied for approval of the Board of Governors of the Federal Reserve System under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)), to acquire 100 per cent of

the voting shares (less directors' qualifying shares) of the successor by merger to American Security and Trust Company, Washington, D.C. ("AS&T"). The bank into which AS&T is to be merged has no significance except as a means to facilitate the acquisition by ASC of the voting shares of AS&T, and the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of AS&T. ASC and AS&T, however, have identical shareholders, and the charter of ASC provides that ASC shares may only be transferred with an equal number of shares of AS&T.[1] In light of this "stapled stock" arrangement, this application represents, in effect, a reorganization of an existing corporate relationship rather than an acquisition of an unaffiliated entity.

Notice of this application, affording opportunity for interested persons to submit comments and views, has been given in accordance with § 3(b) of the Bank Holding Company Act. The time for filing comments and views with respect to this application has expired. The Board has considered all timely reports and comments, including those filed September 22 and November 19, 1975, by the Public Interest Research Group and the District of Columbia Public Interest Research Group (hereafter referred to collectively as "PIRG"), in light of the factors set forth in the Act.[2]

ASC, in addition to its stapled stock affiliation with AS&T, presently owns 96.5 per cent of the voting stock of one bank, Fairfax County National Bank, Falls Church, Virginia ("FCNB"). Pursuant to a Board Order of November 12, 1974 (1974 Federal Reserve *Bulletin* 875), ASC has agreed to reduce its ownership of the voting stock of FCNB to less than 25 per cent by November 1976, and ASC's present control of FCNB is not a factor relevant to this application.

ASC was organized by AS&T in 1957 to take over ownership of AS&T's premises and to hold certain of AS&T's nonbanking assets, and it continues to engage directly or through a subsidiary in certain nonbanking activities. ASC has an interest in real estate development companies, owns real estate under long-term lease to AS&T, operates a travel agency, acts as agent for the sale of various types of insurance and originates, processes and services real estate mortgages and construction loans. Certain of these activities have not been determined by the Board to be closely related to banking, and therefore are not permissible activities for bank holding companies under § 4(c)(8) of the Act. However, ASC claims the right to continue to engage in all of its nonbanking activities permanently pursuant to the "grandfather" provisions of § 4(a)(2) of the Act. This claim is presently under consideration by the Board.

AS&T, with deposits of $879.8 million,[3] ranks as the second largest bank in the District of Columbia and the third largest banking organization in the relevant market[4] and holds approximately 25 per cent of total commercial bank deposits in the District and 11 per cent of such deposits in the market. AS&T operates its 31 offices in the District of Columbia but serves depositors and borrowers from throughout the Washington, D.C. SMSA. Inasmuch as Applicant is committed to reduce its ownership of the voting stock of FCNB below 25 per cent and inasmuch as ASC is seeking merely to restructure an existing control relationship, the technical acquisition of AS&T will have no adverse effect upon existing or potential competition in the relevant market. Accordingly, the Board concludes that competitive considerations are consistent with approval of the application.

The financial condition managerial resources and future prospects of AS&T are regarded as satisfactory. In fact, this reorganization of ASC and AS&T into a more traditional parent-subsidiary holding company system will be likely to increase the efficiency of the system's organizational structure and will permit greater flexibility in adding equity capital to ASC and AS&T. Considerations of managerial efficiency as well as AS&T's strong financial condition and future prospects lend weight toward approval of this application.

The Board has received comments in opposition to the proposal that relate to the managerial resources of the organization and the convenience and needs of the community to be served. PIRG has urged the Board to deny the application because it contends AS&T has engaged in discriminatory lending and employment practices and has failed to serve certain portions of the community. The Adams Morgan Organization ("AMO"), a neighborhood association in the District of Columbia, has urged approval of the application conditioned upon AS&T undertaking an affirmative lending program for minority District neighborhoods. AMO relies upon the data submitted by PIRG to support its recommendation.

PIRG makes two basic allegations to demonstrate that AS&T is failing to serve the needs of segments of the D.C. community, particularly the black community. First, PIRG alleges that AS&T's employment practices are deficient because AS&T has failed to place a sufficient number of minority persons in managerial or professional positions. Second, PIRG alleges that AS&T has failed to serve the credit needs of certain segments of the community because it engages in discriminatory residential mortgage lending practices and because it fails to make FHA/VA insured mortgage loans and small business loans guaranteed by the Small Business Administration.

With respect to its charges of employment discrimination on the part of AS&T, PIRG states that: (1) AS&T is a major employer in the District of Columbia, employing 1278 persons; (2) although 61 percent of AS&T's clerical employees are black, only 14.1 percent of its officials and managers and 14.7 percent of its professionals are black; (3) the population of District of Columbia is 70 percent black; (4) from 1972 to 1975 AS&T created 174 positions for officers and managers, but the number of black officers increased by only 45 persons—slightly more than 25 percent of those added, (5) only 14 of the 80 professionals added to AS&T's staff during this same period were black—about 17 percent.

In response ASC has submitted a letter from the Department of the Treasury indicating that it has reviewed AS&T's Affirmative Action Program and has found that its program complied with Executive Order 11246 and the rules issued by the Secretary of Labor. ASC also urges that the entire question of its employment practices is irrelevant to this application.

Discrimination in employment on the basis of race is clearly unlawful. However, the Board has a serious question about the relevance of charges of employment discrimination in application proceedings arising under the Bank Holding Company Act. While there is unquestionably a strong public interest in this issue, at least one court has indicated that there are limits to the Board's ability to take into acount, under the managerial and convenience and needs standards of the Bank Holding Company Act, public interest considerations that go beyond the direct regulatory concerns of the Board under the Act. See *Western Bancshares, Inc. v. Board of Governors*, 480 F. 2d 749 (10th Cir. 1973). As to the question of employment discrimination raised by PIRG, several governmental agencies including the Department of the Treasury, AS&T's own primary supervisory agency—the Comptroller of the Currency—and the District of Columbia Office of Human Rights have primary enforcement responsibility. Particularly under these circumstances, the Board questions whether Congress intended to include such considerations within the scope of the Bank Holding Company Act.

Even if the issue of employment discrimination were deemed relevant, however, the Board does not believe that PIRG has presented evidence of discriminatory employment practices that would merit an adverse finding by the

[1] This "stapled stock" arrangement is discussed more fully in the Board's order involving American Security of November 12, 1974 (1974 Federal Reserve *Bulletin* 875).

[2] The untimely comments of the Adams Morgan Organization, a nonprofit neighborhood association in the District of Columbia, were considered as well.

[3] All banking data are as of June 30, 1975, unless otherwise indicated.

[4] The market is approximated by the Washington, D.C. SMSA including Charles, Montgomery and Prince Georges County, Maryland and Arlington, Fairfax, Loudoun and Prince William Counties, Virginia as well as the District of Columbia.

Board on the managerial and convenience and needs factors in the present application. Over 40 percent of AS&T's employees are black while only 25 percent of the population of the Washington, D.C. SMSA is black. AS&T, by PIRG's own figures, has increased the proportion of its black officers and managers from less than one percent to more than fourteen percent in the past three years. The percentage of black professional employees has also increased 2.5 percent to almost 15 percent in the same time period. Moreover, the Department of the Treasury has determined that AS&T's ongoing Affirmative Action Program meets all relevant standards. Thus, even if the Board considered PIRG's charge to be germane in this case, the figures submitted by PIRG do not support an adverse finding on the convenience and needs or managerial factors as they relate to ASC's application.

In support of its second allegation, that AS&T has failed to meet the needs of certain segments of the community due to discriminatory lending practices, PIRG states:

(1) From 1973 through 1975 AS&T originated the majority (69.5 percent, $4.2 million in 1973, 94 percent, $1.7 million from June to December 1974 and 91.4 percent, $2.4 million in the first 9 months of 1975) of its first mortgage residential property purchase money loans in three predominantly white neighborhoods of the District with approximately 17 percent of the District's population. During the same period, AS&T originated a small portion of such loans (30.5 percent, $1.86 million in 1973, 6 percent, $.12 million from June to Dcember 1, 1974, and 9 percent, $.23 million in the first nine months of 1975) in 16 mixed or predominantly black neighborhoods of the District that contain approximately 83 percent of the District's population. At least 7 of these neighborhoods received no residential property purchase money loans each year.

(2) In 1973 and in 1975 AS&T made no residential mortgage loans under the FHA or VA programs of insurance and guarantee although the majority of FHA insured residential mortgage loans made in the District are made to black persons (85 percent of such loans in 1974).

(3) In fiscal year 1974 AS&T originated loans of only $25,000 under the loan guarantee program of the Small Business Administration, while 28 of the 34 participating banks in the relevant market originated more. Approximately 70 percent of the black-owned businesses in the District and approximately 30 percnt of the white-owned businesses are small businesses.

PIRG contends that such factors must be considered relevant to the application since the Board must consider the convenience and needs of the community in acting upon any application.

In response, ASC states that the proposal before the Board is merely an internal reorganization of an existing bank holding company structure that will not result in any change of ownership or management or any expansion of offices or activities. ASC argues that this proposal will have no effect upon the employment or lending policies of the bank and no impact upon the convenience and needs of the community. For these reasons, ASC claims that PIRG's assertions are irrelevant to the application.

With respect to PIRG's substantive allegations, ASC claims that PIRG has failed to establish discrimination because there is no evidence that AS&T's lending practices have been motivated by consideration of race. ASC cites a 1974 study by the Federal Home Loan Bank Board as demonstrating that it made a substantial number of loans to black persons, and it dismisses PIRG's claim that it does not participate in the FHA/VA and SBA programs as not showing discrimination.

The underlying issues raised by PIRG's contentions are: (1) whether AS&T's failure to provide mortgage loans for purchase of residential property in certain geographic areas of the District of Columbia, and its failure to make loans under the Federal FHA, VA and SBA programs, if proven, establish that AS&T has not been meeting the convenience and needs of the community, and if so, (2) whether such facts are entitled to significant weight in the Board's consideration of the convenience and needs factors related to this application. The Board is, of course, required by § 3(c) of the Act to take into consideration the convenience and needs of the community to be served in acting upon applications by companies to acquire banks, but there are other factors that must be considered as well, and, depending upon the nature of the application, certain of these factors may be accorded greater weight than others.

In evaluating PIRG's charges relating to the convenience and needs, the Board believes it is important to view them in the broad perspective of the range of services offered by a large commercial bank such as AS&T. PIRG's charges relate to the areas of 1–4 family residential mortgage loans and small business loans, two of more than fifteen types of loans listed in the Annual Reports of Condition of AS&T. The Board emphasizes again the point made in its order on the application of Marine Midland Banks[5] that "bank managements should and do have a range of discretion as to the types of loans they will make and the degree of risk they will assume." AS&T may reasonably choose to minimize or to emphasize a particular type of lending, and it would not be appropriate to assess AS&T's performance in satisfying the convenience and needs of the community by focusing on only two of the many services it offers.

Moreover, commercial banks have not traditionally been primary lenders in the residential mortgage market. In the District as of June 1974, savings and loan institutions had residential mortgage loan portfolios nearly six times greater in dollar value than the residential mortgage loan portfolios of commercial banks. AS&T's share of the residential mortgage originations in the District of Columbia in 1973, at a time when mortgage lending was at an all time high nationally,[6] was approximately 5.8 per cent, with 93 originations totaling $6.08 million. Thus even in a year when AS&T's involvement in the residential mortgage market would be expected to be most significant, the role of AS&T was not major.

AS&T's actual originations declined substantially to 86 loans, totaling $4.5 million, in the 15-month period from June 1974 to September 1975. In the first 9 months of 1975, a period of easing credit when mortgage lending nationally rose more steeply than ever before, AS&T originated only 53 residential mortgage loans with a volume of $2.7 million. Since AS&T has about $880 million in deposits and over a billion dollars in total assets these figures on residential mortgage lending reveal that such lending is a very small part of AS&T's banking services.

At year-end 1974 AS&T held 5.8 per cent of its total assets in uninsured loans secured by 1–4 family residential properties. Since such loans are long-term, each year's originations are a fraction of a per cent of total assets. For example, it was approximately 0.6 of one per cent in 1973. In contrast, 11.4 percent of AS&T's total assets are in short-term loans to individuals for personal needs. The dollar volume of such originations each year would be seven or eight times greater than for residential mortgage loans.

Unless it were to be argued that AS&T has an obligation to increase its total residential mortgage lending, PIRG's protest may be viewed as a claim that of its total of 93 residential mortgage loans in 1973 AS&T should have made an average of 5 loans in each of the 19 neighborhoods of the District, and 4.5 loans (of its total of 86) in those neighborhoods between June 1974 and September 1975, and that some of those loans should have been FHA/VA loans. This strict allocation of credit would ignore such relevant factors as the reality that many such residential mortgage loans, particularly in times of tight credit, would not be made by a commercial bank at all except as an accommodation to good customers or to assist large corporate depositors with a need for mortgage credit to assure a transfer of personnel.[7] The Board cannot base a conclusion that AS&T is guilty of a significant failure to serve the banking needs of the community merely on the fact that AS&T may not have allocated its minimal number of residential

[5] 1975 Federal Reserve *Bulletin* 890.

[6] Net mortgage lending from private lenders reached almost $55 billion in 1973, but declined rapidly to less than $20 billion by year-end 1974.

[7] Some indication of this factor can be found in the size of AS&T's loans. In 1974–75, AS&T's average residential mortgage loan was $52,000 and in 1973 the average was $65,000. When the normal 20–25 per cent down payment is considered, AS&T was financing the purchase of homes with an average selling price of between $70,000 and $85,000.

mortgage loans pro rata throughout the neighborhoods of the District of Columbia.

Nor is the Board persuaded that AS&T should be compelled to allocate additional funds to this type of lending. AS&T is a large commercial bank that has chosen to serve the community by emphasizing certain of its banking functions over residential mortgage lending. It provides other services that primary mortgage lenders, such as savings and loan associations and mortgage banking companies, and even smaller commercial banks, may not have the capability to provide. For example, AS&T is an important source of mortgage lending for purchase or construction of such projects as apartments, offices, hotels, and factories. AS&T is the largest non-residential and uninsured multifamily real estate lender in the District, both in dollar volume and as a percentage of total assets. As of year-end 1974, AS&T had $142.8 million in loans outstanding in these two categories—approximately 26 per cent of its total loan portfolio. No other commercial bank in the District had more than $81 million, or 18 per cent of its total loans, in these two areas. Nothing in the Bank Holding Company Act or any other applicable law or regulation compels a conclusion that AS&T must, in order to obtain approval of its proposed internal reorganization, divert resources from areas in which it is one of the few important alternative sources of credit to areas in which it has not been a significant factor and in which there are many alternative sources.

In addition, not all of AS&T's efforts to meet the residential mortgage needs of the community are in the form of direct lending. As of year-end 1974, AS&T had nearly $88 million in loans outstanding to other financial institutions, including savings and loan associations, finance companies, and mortgage banking companies. As one of the largest financial institutions in the Washington, D.C. SMSA, many of AS&T's responsibilities are as a financial center for smaller institutions. AS&T assists the primary consumer and residential mortgage lenders, and in this way enables them to provide additional mortgage funds.

Finally, in view of the small number of loans involved, a decision, for whatever reason, to make one or two loans in a neighborhood greatly alters the statistics. It is difficult to attach any significance to a figure relating to a particular neighborhood when the statistics must divide 33 loans made in six months of 1974, or 53 loans made in the first nine months of 1975, into 19 neighborhoods.

PIRG additionally relies upon statistics to demonstrate that AS&T's lending practices are intentionally discriminatory on racial grounds. However, the Board finds that these statistics are inconclusive and tend to support a number of contradictory inferences. For example, PIRG's statistics are consistent with a finding that AS&T receives a disproportionate number of its loan applications from neighborhoods where the predominant number of residents are white. Such a finding would not be unreasonable in view of the fact that over 60 per cent of AS&T's offices are in white neighborhoods or in downtown areas of the District where the customers are likely to include large numbers of commuters.

Alternatively, PIRG's data would support the inference that AS&T emphasizes other types of lending and makes residential mortgage loans only to accommodate established customers and employees. Indeed, as our discussion above indicates, the Board believes that this inference is more compelling than the inference that AS&T has intentionally discriminated in making residential mortgage loans on the basis of race.

Furthermore, there are certain data presented that are inconsistent with a theory of lending discrimination. A study by the Federal Home Loan Bank Board indicates that from June 1 to December 1, 1974, AS&T approved a greater percentage (89.8) and a greater number (115) of applications for mortgage and home improvement loans from blacks than from whites (89.2 percent, 100 loans). These loans were made in all areas of the city, and more than 75 percent were made in neighborhoods that are not predominantly white. PIRG's own figures reveal that AS&T made loans in all but three neighborhoods at some time in the 27 months for which statistics have been presented. In fact, AS&T made a greater percentage of the dollar volume of its originations in certain neighborhoods where a majority of the inhabitants were black than the neighborhood received from all lenders.

PIRG's data do not establish racial discrimination and whatever the basis of AS&T's limited residential mortgage lending activity, the impact is not sufficiently significant to reflect adversely upon AS&T's overall service to the community. Accordingly, the Board cannot find that the factors relating to the convenience and needs lend weight to denial, but rather finds that they are consistent with approval.

Even were the Board to have drawn some adverse inferences, considerations relating to the convenience and needs of the community are necessarily of greater import in an application for expansion of the activities of the holding company where the Board must assess the service likely to be offered to the new community. In this case ASC and AS&T may continue to operate as they have in the past even if the Board denies the application. What is involved is a mere reorganization of the structure of two companies that will not alter in any way the present service to the existing market. Therefore, the convenience and needs factors carry minimal weight.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after that date, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Richmond, pursuant to delegated authority.[8]

By order of the Board of Governors,[9] effective February 19, 1976.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-5617 Filed 2-26-76;8:45 am]

METRO INSURANCE AGENCY, INC.

Acquisition of Bank

Metro Insurance Agency, Inc., Kansas City, Missouri, a registered bank holding company,[1] has applied for the Board's approval under § 3(a)(3) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(3)) to acquire 25 percent of the voting shares of The Pleasant Hill Bank, Pleasant Hill, Missouri ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with § 3(b) of the Act. The time for filing comments and views has expired, and none has been timely received. The Board has considered the application in light of the factors set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

Applicant currently has an interest in one bank[2] with total deposits of approximately $15.6 million, representing approximately .10 percent of the total deposits in commercial banks in the State of Missouri and approximately .33 percent of the total deposits in commercial banks in the relevant market.[3] (All bank-

[8] The motions of AMO and two other neighborhood associations, the Naylor Dupont Community Coalition and Southeast Neighbors, that the Board approve this application only upon imposition of certain conditions are hereby denied for the reasons set forth in this Order.

[9] Voting for this action: Governors Holland, Wallich, Coldwell and Partee. Absent and not voting: Chairman Burns and Governors Gardner and Jackson.

[1] Applicant registered as a bank holding company in 1971 at the request of the Federal Reserve Bank of Kansas City, apparently on the premise that the Company controlled Metropolitan Bank, Kansas City, Missouri, by virtue of the fact that it owned 24.9 per cent of Metropolitan's stock and officers and employees of Company owned additional shares. Although a rebuttable presumption that Company controls Metropolitan Bank exists under § 225.2(b) of the Board's Regulation Y (12 CFR 225), the Board has made no formal determination that Applicant controls that bank.

[2] Applicant also engages in the following nonbanking activities: acting as an insurance agent with respect to insurance for the holding company and with respect to credit life insurance and credit accident insurance that is directly related to an extension of credit. Applicant has agreed to file a § 4(c)(8) application to continue to engage in its nonbanking activities.

[3] The relevant market is the Kansas City Standard Metropolitan Statistical Area excluding all of Ray County and the southern portion of Cass County.

ing data are as of June 30, 1975.) Acquisition of Bank (approximately $13.9 million in deposits) would increase Applicant's share of deposits in Missouri only slightly and would not lead to an undue concentration of banking resources in the relevant market.

Bank, the 69th largest banking organization in the relevant market, controls .30 per cent of the total deposits in commercial banks in that market and .09 per cent of the total deposits in commercial banks in the State. A distance of some 25 miles separate Applicant's subsidiary bank from Bank and it appears that there is little significant competition between Bank and Applicant's subsidiary bank. In addition, the principal shareholder of Applicant is also the principal shareholder and chairman of the board of directors of Bank. Therefore, on the basis of the record, the Board concludes that consummation of the proposal would not have significant adverse effects upon existing or future competition in any relevant area; accordingly, competitive considerations are consistent with approval of the application.

The financial condition and managerial resources of Applicant and Bank are considered satisfactory and future prospects for both appear favorable. Earnings prospects of Bank appear to provide Applicant the necessary financial flexibility to service the debt it will incur to acquire shares of Bank and to maintain an adequate capital position for Bank. Banking factors are consistent with approval of the application. Although there will be no change in management, management policies, or Bank's services or facilities, it does not appear that the banking needs of the Pleasant Hill community are going unserved. Considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. Therefore, it is the Board's judgment that the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application [4] 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 Kansas City pursuant to delegated authority.

By order of the Board of Governors,[5] effective February 19, 1976.[6]

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-5618 Filed 2-26-76;8:45 am]

[4] The Board today has also approved a related application by Peoples Credit Co., Kansas City, Missouri, to acquire shares of Bank.

[5] Voting for this action: Chairman Burns and Governors Wallich, Coldwell, Jackson, and Partee. Absent and not voting: Governors Mitchell and Holland.

[6] Board action was taken while Governor Mitchell was a Board Member and before Governor Gardner became a Board Member.

WELLSTON BANCSHARES, INC.

Formation of Bank Holding Company

Wellston Bancshares, Inc., Wellston, Oklahoma, has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company Act (12 U.S.C. §1842 (a)(1)) to become a bank holding company through acquisition of 100 per cent, less directors' qualifying shares, of the voting shares of The Wellston State Bank, Wellston, Oklahoma. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than March 16, 1976.

Board of Governors of the Federal Reserve System, February 20, 1976.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-5619 Filed 2-26-76;8:45 am]

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt of Report Proposals

The following requests for clearance of reports intended for use in collecting information from the public were received by the Regulatory Reports Review Staff, GAO, on February 20, 1976 (FEA and NRC), and February 23, 1976 (CAB). See 44 U.S.C. 3512 (c) & (d). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public of such receipt.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed FEA, NRC and CAB forms are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed forms, comments (in triplicate) must be received on or before March 16, 1976, and should be addressed to Mr. Carl F. Bogar, Assistant Director, Office of Special Programs, United States General Accounting, Office, Room 5216, 425 I Street, N.W., Washington, D.C. 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-376-5425.

CIVIL AERONAUTICS BOARD

CAB requests approval of revisions to Parts 241 and 217 of the Board's Economic Regulations which amend the reporting of civilian charter information by the certificated route and supplemental air carriers (CAB Form 41, Schedule T-6) and foreign direct air carriers (CAB Form 217). The amendments will make a basic change by substituting the reporting of charter group movements by flight leg for the present aggregate flight reporting. It is believed this new reporting system will improve the quality of reporting significantly and in addition, will make available to carriers, charter organizers and others, useful information on actual or potential markets, growth rates, volumes of service, charter rates being obtained, and so forth. This will meet a substantial public need (evidenced in part by a large demand for the limited international charter information now made available by the Board), and will thereby promote competition in the charter market. The reporting requirements are mandatory under the Federal Aviation Act. The respondents will be certificated route and supplemental air carriers and foreign direct air carriers. CAB estimates the average quarterly reporting burden as eight hours per response.

FEDERAL ENERGY ADMINISTRATION

Request for an extension no change clearance of Monthly Products Import Report, Form FEA-1005-IM. This is a monthly report required to be filed by each importer which imports petroleum products by tanker, barge, or pipeline. This information is collected under the mandatory authorities vested in the Federal Energy Administration under Public Law 93-275. The FEA will use the information in the compilation of petroleum statistical reports. The number of respondents is 72 and the estimated monthly reporting burden is two hours per respondent.

NUCLEAR REGULATORY COMMISSION

Request for an extension no change clearance of Form NRC-396 "Certificate of Medical History." NRC regulations in 10 CFR Part 55 require the submission of a medical examination certificate by a licensed medical practitioner as part of an application for a license to operate

a nuclear facility licensed pursuant to the NRC's regulations in 10 CFR Part 50. The purpose of requiring applicants for operator licenses to submit Form NRC-396 is to assure that the applicant meets certain physical standards deemed necessary to assure safe manipulation of the controls of nuclear reactors. Respondents are applicants for an operator's license pursuant to 10 CFR Part 55. There are approximately 1,000 certificates filed annually. The estimated respondent burden is one-half hour per response.

NORMAN F. HEYL,
Regulatory Reports Review Officer.

[FR Doc.76-5667 Filed 2-26-76;8:45 am]

GENERAL SERVICES ADMINISTRATION

PRIVACY ACT OF 1974

Proposed Changes to Systems of Records

On August 27, 1975, there was published in the FEDERAL REGISTER (40 FR 39137 thru 39195) notices of systems of records pursuant to the provisions of the Privacy Act of 1974, Public Law 93-579, 5 U.S.C. 552a. This notice provides a change in location and expands the routine use for a GSA system of records and deletes two systems of records.

GSA/FPA 5 (40 FR 39169)

Change to read: System location: Change Region 7 address to:

Region 7, Federal Building, Room 7C52, 1110 Commerce Street, Dallas, TX 75202.

Routine uses of records maintained in the systems, including categories of users and the purposes of such uses: For the purpose of administering the NDER program, agency officials and officials of participating departments and agencies may obtain from the NDER Coordinator data relevant to reservists assigned to their units. Periodically, a directory (containing name, title, business name and address, NDER unit, and status—emeritus or active) will be distributed to reservists and to NDER units. Additional routine uses are contained in the appendix following the GSA notices.

The system of records identified as "Inventory Management and Buyer Workload Automated Systems GSA/FSS 13" is deleted. However, do not delete the number GSA/FSS 13.

The system of records identified as "Employee Related Files, GSA/FMPO 1" is deleted.

Dated: February 13, 1976.

G. C. GARDNER,
Director of Administration.

[FR Doc.76-5610 Filed 2-26-76;8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (76-18)]

NASA LIFE SCIENCES COMMITTEE

Meeting

The NASA Life Sciences Committee will meet on March 23-24, 1976, at NASA Headquarters, 400 Maryland Avenue, Washington, DC 20546. The meeting will be held in Room 5026, Federal Office Building 6. Members of the public will be admitted on a first come first served basis, up to the seating capacity of the room, which is about 60 persons.

The NASA Life Sciences Committee serves in an advisory capacity only. In this capacity it is concerned with man in relation to space travel and habitation, with exobiology, with other life forms, and including: physiology, behavior, clinical aerospace medicine, microbiology, radiobiology, biochemistry, nutrition and food technology, biology of gravity and rhythms, and biotechnology. The current Chairman is Dr. G. Donald Whedon. There are 17 members.

The following list sets forth the approved agenda and schedule for the March 23-24, 1976, meeting of the Life Sciences Committee. For further information, please contact Dr. Walton L. Jones: Area Code 202 755-2206.

MARCH 23, 1976

Time:

1330-1345 Administrative. (Purpose: Subjects being discussed will include topics such as final approval of previous committee minutes.)

1345-1415 Progress Report on Ecology Program. (Purpose: To brief the Life Sciences Committee on the activities in progress in the ecology program and to solicit comments and advice of the LSC members.)

1415-1430 Review of Applications Committee Activities. (Purpose: To inform the LSC of the activities of the SPAC/Applications Committee and to solicit comments and advice of LSC members.)

1430-1445 Viking Status. (Purpose: To brief the LSC on the status of the Viking project.)

Time:

1445-1600 Critique of the Planetary Biology and Quarantine Program: Review of the Physical Sciences Committee critique and the LSC critique. (Purpose: To apprise the LSC of the Physical Sciences Committee critique of these programs, and to solicit comments from the LSC members.)

1600-1615 Proposed Changes in the Advisory Peer Review System. (Purpose: To brief the LSC on the proposed changes in the Advisory Peer Review System and to solicit comments and advice of the LSC members.)

1615-1630 Report on the LaJolla-Recombinant DNA Meeting and the Status of NASA-Mars Return Sample Mission Studies. (Purpose: To brief the LSC on NIH plans for support of Recombinant DNA research in universities and possible interfaces in the Sample Return area.)

1630-1700 Discussion. (Purpose: To formulate position on issues discussed during the day.)

MARCH 24, 1976

0830-0845 Status of Skylab Follow-up Mineral Balance Bed Rest Study. (Purpose: To discuss status of plans for a Skylab follow-up mineral balance bed rest study to validate bed rest as an analogue of spaceflight.)

0845-0930 Status of Planning for Shuttle Orbital Flight Tests and Early Operational Payloads. (Purpose: To brief the LSC on the status/planning for the Shuttle Operational Test Flights and early operational payloads with emphasis on the opportunities which may be available for payloads during the Flight Test Program and plans for the early operational use of Shuttle; and to solicit comments and advice of the LSC members.)

Time:
0930–1045 Life Sciences Shuttle Payload Activities. (Purpose: To brief the LSC on the Life Sciences Shuttle Payload Activities, the FY76 Life Sciences Congressional budget request and the FY77 plans of the Life Sciences Office; and to solicit comments and advice of the LSC members.)
1045–1115 Tentative Results of Kosmos '75 Flight. (Purpose: To report and discuss with LSC, the tentative results from the US biological experiments on Kosmos '75 flight.)
1115–1130 Peer Review of Kosmos '77 Candidate US Experiments. (Purpose: To report to LSC the status of the peer review of the candidate US experiments for a possible Soviet biological satellite flight in 1977 and to solicit comment of the LSC members.)
1130–1230 Interface of the NASA Life Sciences Committee and the National Academy of Sciences Space Biology and Medicine Committee. (Purpose: To explore and discuss the interface of the NASA Life Sciences Committee with the National Academy of Sciences/Space Science Board/Committee on Space Biology and Medicine, their scope of activities, and their respective current evaluations of the NASA Life Sciences Program Plans for the future.)
1230–1300 Discussion: (Purpose: To formulate position on issues discussed during the meeting.)

WILLIAM W. SNAVELY,
Assistant Administrator for DOD and Interagency Affairs.

FEBRUARY 23, 1976.

[FR Doc.76–5578 Filed 2–26–76;8:45 am]

NATIONAL SCIENCE FOUNDATION

ETHICAL & HUMAN VALUE IMPLICATIONS OF SCIENCE & TECHNOLOGY (EHVIST) SUBPANEL

Meeting

In accordance with the Federal Advisory Committee Act, P.L. 92–463, the National Science Foundation announces the following meeting:

Name: Ethical & Human Value Implications of Science & Technology (EHVIST) Subpanel, Advisory Panel for Science Education Projects.
Date: March 18, 19, and 20, 1976.
Time: 9:00 a.m. each day.
Place: Rm. 651, 5225 Wisconsin Avenue, Washington, D.C.
Type of meeting: Closed.
Contact person: Dr. Robert J. Baum, Manager, Ethical and Human Value Implications of Science and Technology. Program, Rm. W–658, National Science Foundation, Washington, D.C. 20550, telephone (202) 282–7770.
Purpose of advisory panel: To provide advice and recommendations concerning support for research and other projects dealing with the ethical and human value implications of science and technology.
Agenda: To review and evaluate specific proposals as part of the selection process for awards.
Reason for closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within exemptions (4), (5), and (6) of 5 U.S.C. 552 (b), Freedom of Information Act.
Authority to close meeting: The determination made by the Committee Management Officer pursuant to provisions of Section 10(d) of Public Law 92–463.

M. REBECCA WINKLER,
Acting Committee Management Officer.

FEBRUARY 24, 1976.

[FR Doc.76–5648 Filed 2–26–76;8:45 am]

INTERNATIONAL DECADE OF OCEAN EXPLORATION PROPOSAL REVIEW PANEL

Meeting

In accordance with the Federal Advisory Committee Act, P.L. 92–463, the National Science Foundation announces the following meeting:

Name: International Decade of Ocean Exploration Proposal Review Panel.
Date: March 18, 19, 1976.
Time: 8:30 a.m. each day.
Place: Rm. 643, National Science Foundation, 1800 G Street NW., Washington, D.C.
Type of meeting: Closed.
Contact person: Mr. Fennan D. Jennings, Head, Office for the International Decade of Ocean Exploration, Rm. 1214, National Science Foundation, Washington, D.C. 20550, telephone (202) 632–7356.
Purpose of advisory panel: To provide advice and recommendations concerning support of research by programs of the Office for the International Decade of Ocean Exploration.
Agenda: Review and evaluate research proposals.
Reason for closing: The proposals being reviewed contain information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within exemptions (4), (5), and (6) of 5 U.S.C. 552(b), Freedom of Information Act.
Authority to close meeting: The determination made by the Committee Management Officer pursuant to provisions of Section 10(d) of Public Law 92–463.

M. REBECCA WINKLER,
Acting Committee Management Officer.

FEBRUARY 24, 1976.

[FR Doc.76–5647 Filed 2–26–76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[70–5806]

JERSEY CENTRAL POWER & LIGHT CO.

Proposed Acquisition of Electric Distribution Facilities by Subsidiary Operating Company

FEBRUARY 23, 1976.

Notice is hereby given that Jersey Central Power and Light Company ("Jersey Central"), Madison Avenue at Punch Bowl Road, Morristown, New Jersey 07960, an electric utility subsidiary company of General Public Utilities Corporation, a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating Sections 9(a)(1) and 10(a) thereof as applicable to the proposed transaction. All interested persons are referred to the application, summarized below, for a complete statement of the proposed transaction.

Jersey Central proposes to acquire certain electric distribution facilities, located within its franchised service area, ("Distribution Facilities") from Public Service Electric and Gas Company ("PSE&G") for the sum of $214,000. It is stated that the Distribution Facilities are carried on PSE&G's books at about $206,172 and that the proposed consideration for the sale of the Distribution Facilities ($214,000) was determined through negotiation between Jersey Central and PSE&G.

The Distribution Facilities have been used solely to provide electric service to the United States Government at Fort Dix, New Jersey, located within Jersey Central's service area. Because Jersey Central was previously unable to supply electric power to Fort Dix from its own facilities, PSE&G, having extended its distribution facilities into Jersey Central's service area, has been supplying power to Jersey Central for resale to Fort Dix. It is stated that Jersey Central has now completed facilities which, if combined with the Distribution Facilities, will enable it to serve Fort Dix directly.

Accordingly, Jersey Central states that it desires to purchase the Distribution Facilities because they are needed in the operation of its utility business and that PSE&G desires to sell them because they have ceased to be useful in the operation of its utility business. It is anticipated that no transfer of customers and no change in rates will result from the proposed transaction.

It is estimated that the fees and expenses to be incurred by Jersey Central in connection with the proposed transac-

tion will be about $1,800, including legal fees of $1,600. It is stated that the Board of Public Utility Commissioners of the State of New Jersey has approved the sale of the Distribution Facilities by PSE&G and that no other state or federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than March 22, 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 personnally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) 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.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-5643 Filed 2-26-76;8:45 am]

NATIONAL CLEARING CORP.

[SR-NCC-76-1]

Order Approving Proposed Rule Change

FEBRUARY 23, 1976.

The National Clearing Corporation ("NCC") 1735 K Street NW., Washington, D.C. 20006, submitted on January 8, 1976 a proposed rule change pursuant to Rule 19b-4 under the Securities Exchange Act of 1934 (the "Act") to amend Operating Rule 3 to allow NCC to provide the issuer of any eligible security at any time credited to the Free Position of a Clearing Member the name of the clearing member and the amount of such issuer's securities so credited.

In accordance with Section 19(b) of the Act and Rule 19b-4 thereunder, 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. 12016, January 14, 1976) and by publication in the FEDERAL REGISTER (41 FR 2877, January 20, 1976).

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to NCC, and in particular, the requirements of Section 17A, and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change contained in File No. SR-NCC-76-1, 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.76-5644 Filed 2-26-76;8:45 am]

[SR-NYSE-75-20]

DEPOSITORY TRUST CO.

Order Approving Change in the Rules of the Depository Trust Company

FEBRUARY 23, 1976.

On November 28, 1975, The New York Stock Exchange, Inc. (the "NYSE") submitted, pursuant to Rule 19b-4 under the Securities Exchange Act of 1934 (the "Act"), a proposed change in the rules of the NYSE's depository subsidiary, The Depository Trust Company ("DTC"), 55 Water Street, New York, N.Y., a registered clearing agency. The proposed rule change, an amendment to DTC's Rule 6, provides that DTC participants who wish to exercise dissenters' rights, appraisal rights or similar rights available to DTC's nominee as the registered owner of securities deposited with DTC must indemnify DTC and any nominee of DTC in whose name the securities are registered against losses sustained in actions taken pursuant to participants' instructions in exercising such rights. DTC or its nominee would not be indemnified against losses for which DTC or the nominee was at fault.

In accordance with Section 19(b) of the Act and Rule 19b-4 thereunder, notice of the proposed rule change was published in the FEDERAL REGISTER (41 FR 3791, January 26, 1976) and the public was invited to comment thereon. Notice of the filing and an invitation for comments also appeared in Securities Exchange Act Release No. 12029, January 20, 1976. No letters of comment were received.

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, applicable to DTC, and, in particular, the requirements of Section 17A and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change contained in File No. SR-NYSE-75-20 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.76-5532 Filed 2-26-76;8:45 am]

DEPARTMENT OF LABOR

Office of Employee Benefits Security

ADVISORY COUNCIL ON EMPLOYEE WELFARE AND PENSION BENEFIT PLANS

Notice of Meeting

Pursuant to section 512 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1142) a meeting of the Advisory Council on Employee Welfare and Pension Benefit Plans will be held at 9:00 a.m. on Thursday, March 11, 1976, in the Federal Ballroom South, Quality Inn-Capitol Hill, 415 New Jersey Avenue, N.W., Washington, D.C.

The meeting will be open to the public. The purpose of the meeting is to discuss the items listed in the following agenda:

1. Advisory Council Recommendations—Status Report
2. Reporting, Disclosure and Recordkeeping Work Group Report
3. Investment Work Group Report
4. Small Business Work Group Report
5. Minimum Standards Work Group Report
6. Ancillary Plans
7. Council Recommendations for Establishment of Work Groups

Any member of the public may file a written statement concerning the topics under this agenda by submitting 30 copies on or before the close of business Tuesday, March 9, 1976 to Mr. James D. Hutchinson, Administrator of Pension and Welfare Benefit Programs, New Department of Labor Building, Third Street and Constitution Avenue, N.W., Room N4629, Washington, D.C. 20210.

Persons desiring to attend should notify Mr. Edward F. Lysczek, Executive Secretary of the Advisory Council, New Department of Labor Building, Third Street and Constitution Avenue, N.W., Room N4700, Washington, D.C. 20210, or may call Area Code 202/523-8753.

Signed at Washington, D.C. this 20th day of February, 1976.

JAMES D. HUTCHINSON,
Administrator of Pension and Welfare Benefit Programs.

[FR Doc.76-5416 Filed 2-26-76;8:45 am]

Employment and Training Administration

EMPLOYMENT TRANSFER AND BUSINESS COMPETITION DETERMINATIONS UNDER THE RURAL DEVELOPMENT ACT

Notice of Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down and operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75, published January 29, 1975 (40 FR 4393). In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.
2. Employment trends in the same industry in the local area.
3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.
4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).
5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice to: Deputy Assistant Secretary for Employment and Training, 601 D St. NW., Washington, D.C. 20213.

Signed at Washington, D.C. this 20th day of February, 1976.

BEN BURDETSKY,
Deputy Assistant Secretary for Employment and Training.

Applications received during the week ending Feb. 20, 1976

Name of applicant	Location of enterprise	Principal product or activity
Massasoit Crossing Trust	Mashpee, Maine	Residential condominium units.
International Marine Transport Services, Inc.	St. Thomas, V.I	Ocean shipping company.
C.E.M. Corp	Gusyama, P.R	Manufacture of ladies' underwear.
Wesley Vaughn and James Furman Benson Harrison.	Greenville County, S.C	Electrical contractors.
Steck's Feed & Grain	Rio, Ill	Grain storage, grinding, drying, and feed.
Crosbyton Seed Co., Inc	Crosbyton, Tex	Producing and processing seed.
American Muffler Corp	Schulenburg, Tex	Manufacture automotive replacement mufflers.
Falls Motor Hotel, Inc	Marlin, Tex	Multiroom apartments.
Invader Corp	Giddings, Tex	Fiberglass boats.
G. & R. Industries, Inc	Purdy, Mo	Machined metal parts.
Darryle Worth Lynde, Dr. Alfred William Paulsen, and High Country Development Co.	Gillette, Wyo	Motel and restaurant.
West Hawaii Cable Vision, Ltd	South Kona, Hawaii	Residential and commercial cable television service.
Stanley (NMN) Lum, d.b.a. Sav-Mor Market.	Soledad, Calif	Grocery store.

[FR Doc.76-5766 Filed 2-26-76;8:45 am]

MIGRANT AND OTHER SEASONALLY EMPLOYED FARMWORKER PROGRAMS

Solicitation of Proposals for Oregon

Pursuant to 29 CFR 97.216, the Employment and Training Administration, formerly the Manpower Administration, extends a second invitation for proposals in the State of Oregon for the 1976 program year under the provisions of the Comprehensive Employment and Training Act (CETA) of 1973, as amended, title III, section 303. The following procedures will apply to the second invitation:

(a) The Secretary invites organizations eligible under 29 CFR 97.205 which are interested in receiving a grant for section 303 programs in Oregon to submit Funding Requests for the period July 1 to December 31, 1976 to the address given in 29 CFR 97.214(a) on or before March 29, 1976. Such organizations must also submit to the same address a notice of intent to submit a Funding Request; the notice of intent must be received before close of business March 15, 1976, or the Funding Request will not be considered. A preapplication for Federal assistance form is not required.

(b) If the Secretary has received no tice of intent to submit a Funding Request by March 15, 1976, he intends to initiate negotiations for a 1976 section 303 program for Oregon for the period July 1 to December 31, 1976, with the CETA title I prime sponsor whose jurisdiction contains the largest number of migrant and seasonal farmworkers, i.e., Governor's Office, Balance of State.

(c) If a timely notice of intent has been received, the Secretary will not begin negotiations with the Governor's Office until a timely Funding Request has been received and the priority set forth in paragraph (b) above, has been reexamined in light of the new Funding Request.

(d) Funding Requests shall be prepared in accordance with the requirements of 29 CFR 97.213 and 97.214.

Signed at Washington, D.C., this day of February, 1976.

PIERCE A. QUINLAN,
Administrator, Office of Comprehensive Employment Development.

[FR Doc.76-5768 Filed 2-26-76;8:45 am]

INTERSTATE COMMERCE COMMISSION

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Applications

FEBRUARY 20, 1976.

The following applications to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(d)(2)), and notice thereof to all interested persons is hereby given as provided in such rules.

Carriers having a genuine interest in an application may file an original and three copies of *verified statements* in opposition with the Interstate Commerce Commission on or before March 29, 1976. (This procedure is outlined in the Commission's report and order in *Gateway Elimination*, 119 M.C.C. 530.) A copy of the verified statement in opposition must also be served upon applicant or its named representative. The verified statement should contain all the evidence upon which protestant relies in the application proceeding including a detailed statement of protestant's interest in the proposal. No rebuttal statements will be accepted.

No. MC 22296 (Sub-No. 5G), filed June 4, 1974. Applicant: HERITAGE VAN LINES, INC., 1434 Third Ave., P.O. Box 2103, Huntington, W. Va. 25721. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Mississippi, New Jersey, New York, North Carolina, Ohio, Michigan, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia, on the one hand, and, on the other, points in Louisiana. The purpose of this filing is to eliminate the gateways of points in Cabell, Mason, and Wayne Counties, W. Va., Boyd, Greenup, Lawrence, and Pike Counties, Ky., and Lawrence and Scioto Counties, Ohio. (2) Between points in Kentucky, Illinois, Indiana, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, on the one hand, and, on the other, points in Louisiana. The purpose of this filing is to eliminate the gateways of points in Cabell, Mason, and Wayne Counties, W. Va., Boyd, Greenup, Lawrence, and Pike Counties, Ky., and Lawrence and Scioto Counties, Ohio.

(3) Between points in Kentucky, Illinois, Indiana, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, on the one hand, and, on the other, points in the lower peninsula of Michigan. The purpose of this filing is to eliminate the gateways of points in Pike, Letcher, Floyd, Martin, Johnson, and Lawrence Counties, Ky. (4) Between points in Kentucky, Illinois, Indiana, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Mississippi, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways of points in Cabell, Mason, and Wayne Counties, W. Va., Boyd, Greenup, Lawrence, and Pike Counties, Ky., and Lawrence and Scioto Counties, Ohio.

(5) Between points in the lower peninsula of Michigan, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Mississippi, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways of points in Pike and Lawrence Counties, Ky. (6) Between points in Louisiana, on the one hand, and, on the other, points in the lower peninsula of Michigan. The purpose of this filing is to eliminate the gateways of points in Pike and Lawrence Counties, Ky.

NOTE.—This gateway elimination case is reopened pursuant to the Policy Statement published in the FEDERAL REGISTER issue of January 16, 1976.

No. MC 110149 (Sub-No. 9G), filed June 3, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, 18420 S. Santa Fe Avenue, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in the United States (except Alaska, Hawaii, and Vermont). The purpose of this filing is to eliminate the gateways of points in Georgia, Louisiana, and Montana, Lea, Eddy, Chaves, Roosevelt, Curry, and Quay Counties, N. Mex., Hattiesburg, Miss., Beverly, Mass. and points in Massachusetts within 20 miles of Beverly, and Pierce County, Wash.

NOTE.—This gateway elimination case is reopened pursuant to the Policy Statement published in the FEDERAL REGISTER issue of January 16, 1976.

Office of Proceedings

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY—ELIMINATION OF GATEWAY LETTER NOTICES

Notice

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination* Rules (49 CFR 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission *within 10 days* from the date of this publication. A copy must also be served upon applicant or its representative. Protests against the elimination of a gatway will *not* operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 24583 (Sub-No. E12), filed May 13, 1974. Applicant: FRED STEWART COMPANY, 129 S. Clay Street, Magnolia, Ark. 71753. Applicant's representative: Joe E. Fender, 1150 Pennzoil Place, South Tower, 711 Louisiana, Houston, Texas 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, materials, supplies, and equipment*, incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, between points in Kansas, on the one hand, and, on the other, points in Arkansas on and south of the Arkansas River. The purpose of this filing is to eliminate the gateways of points in Crawford, Franklin, Johnson, Pope, Conway, Perry, Yell, Scott, Logan, and Sebastian Counties, Ark., and points in Le Flore, Latimer, Sequoyah, Haskell, Pittsburgh, and McIntosh Counties, Okla., or Texas.

No. MC 24583 (Sub-No. E13), filed May 13, 1974. Applicant: FRED STEWART COMPANY, 129 S. Clay Street, Magnolia, Ark. 71753. Applicant's representative: Joe G. Fender, 1150 Pennzoil Place, South Tower, 711 Louisiana, Houston, Texas 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, materials, supplies, and equipment*, incidental to, or used in, the construc-

tion, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, between Memphis, Tennessee, on the one hand, and, on the other, points in Kansas on and west of a line commencing at the Kansas-Oklahoma State line and extending along Interstate Highway 35 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Kansas-Nebraska State line. The purpose of this filing is to eliminate the gateways of points in Crawford, Franklin, Johnson, Pope, Conway, Perry, Yell, Scott, Logan, and Sebastian Counties, Ark., points in Le Flore, Latimer, Sequoyah, Haskell, Pittsburg, and McIntosh Counties, Okla.

No. MC 24583 (Sub-No. E14), filed May 13, 1974. Applicant: FRED STEWART COMPANY, 129 S. Clay Street, Magnolia, Ark. 71753. Applicant's representative: Joe G. Fender, 1150 Pennzoil Place, South Tower, 711 Louisiana, Houston, Texas 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, materials, supplies, and equipment*, incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, between Memphis, Tennessee, on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateways of points in Crawford, Franklin, Johnson, Pope, Conway, Perry, Yell, Scott, Logan, and Sebastian Counties, Ark., and points in Le Flore, Latimer, Sequoyah, Haskell, Pittsburg, and McIntosh Counties, Okla., or points in Texas.

No. MC 24583 (Sub-No. E15), filed May 13, 1974. Applicant: FRED STEWART COMPANY, 129 S. Clay Street, Magnolia, Ark. 71753. Applicant's representative: Joe G. Fender, 1150 Pennzoil Place, South Tower, 711 Louisiana, Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, materials, supplies, and equipment*, incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, between points in Mississippi, on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateways of points in Crawford, Franklin, Johnson, Pope, Conway, Perry, Yell, Scott, Logan, and Sebastian Counties, Ark., and points in Le Flore, Latimer, Sequoyah, Haskell, Pittsburg, and McIntosh Counties, Okla., or points in Texas.

No. MC 24583 (Sub-No. E16), filed May 13, 1974. Applicant: FRED STEWART COMPANY, 129 S. Clay Street, Magnolia, Ark. 71753. Applicant's representative: Joe G. Fender, 1150 Pennzoil Place, South Tower, 711 Louisiana, Houston, Texas 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, materials, supplies, and equipment*, incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, between points in Kansas, on the one hand, and, on the other, points in Mississippi. The purpose of this filing is to eliminate the gateways of points in Crawford, Franklin, Johnson, Pope, Conway, Perry, Yell, Scott, Logan, and Sebastian counties, Ark., and points in Le Flore, Latimer, Sequoyah, Haskell, Pittsburg, and McIntosh counties, Okla., or points in Texas.

No. MC 52657 (Sub-No. E12) (Correction), filed June 4, 1974, and published in the FEDERAL REGISTER May 8, 1975, and republished as corrected this issue. Applicant: ARCO AUTO CARRIERS, INC., 2140 West 79th St., Chicago, Ill. 60620. Applicant's representative: S. J. Zangri (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Truck bodies*, between points in Arizona, on the one hand, and, on the other, Connecticut, Delaware, Georgia (except that portion of Georgia, southwest of a line beginning at the Tennessee-Georgia border near Ringgold, Ga., extending south on Interstate Highway 75 to the junction of U.S. Highway 23 at Macon, Ga., thence south on U.S. Highway 23 to the Georgia-Florida border near Folkston, Ga.), Kentucky (except that portion west of a line beginning at the Ohio-Kentucky State line extending south on Interstate Highway 75 to the junction U.S. Highway 25E near Corbin, Ky., thence southeast on U.S. Highway 25E to the Kentucky-Tennessee border near Middlesboro, Ky.,)* Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio (except that portion of Ohio west of a line beginning at Cleveland, Ohio, extending southwest on Interstate Highway 71 to the Ohio-Kentucky border near Cincinnati, Ohio)* Pennsylvania, Rhode Island, South Carolina, Tennessee (except that portion southwest of a line beginning at the Kentucky-Tennessee border near Portland, Tenn., extending south on Interstate Highway 65 to the junction of U.S. Highway 41 at Nashville, Tenn., thence southeast on U.S. Highway 41 to the Tennessee-Georgia border near Chattanoga, Tenn.), Vermont, Virginia, West Virginia, Wisconsin (except that portion of Wisconsin west of a line beginning at the Illinois-Wisconsin border near Dickeyville, Wis., extending north on U.S. Highway 61 to the junction of U.S. Highway 53 at La Crosse, Wis., thence north on U.S. Highway 53 to the junction of U.S. Highway 63 at Spooner, Wis., thence northeast on U.S. Highway 63 to Ashland, Wis.), and the District of Columbia, restricted against the transportation of Fuel tanks to points in Kentucky and Tennessee. The purpose of this filing is to eliminate the gateways of Mattoon (Coles County), Ill., and for those with an *Coles County and St. Claire, Mo. The purpose of this correction is to reflect the correct destination point and to clarify the discrepancy (from-to) to read between.

No. MC 52657 (Sub-No. E24) (Correction), filed June 4, 1974, and published in the FEDERAL REGISTER May 12, 1975, and republished as corrected in this issue. Applicant: ARCO AUTO CARRIERS, INC., 2140 W. 79th Street, Chicago, Ill. 60620. Applicant's representative: S. J. Zangri (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Truck bodies*, between points in Wisconsin, on the one hand, and, on the other, points in Alabama, Florida, Georgia, and Mississippi. The purpose of this filing is to eliminate the gateways of Mattoon, Coles County, Ill. The purpose of this correction is to reflect the destination to read (between) instead of from-to.

No. MC 52657 (Sub-No. E42) (Correction), filed June 4, 1974, and published in the FEDERAL REGISTER May 8, 1975, and republished as corrected this issue. Applicant: ARCO AUTO CARRIERS, INC., 2140 W. 79th Street, Chicago, Ill. 60620. Applicant's representative: S. J. Zangri (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Truck bodies*, between points in North Dakota, on the one hand, and, on the other, points in Alabama, Arkansas (except that portion west of a line beginning near El Dorado, Ark., extending north on U.S. Highway 162 to junction U.S. Highway 67 at Little Rock, Ark., thence northeast on U.S. Highway 67 to the Arkansas-Missouri State line near Corning, Ark.), Connecticut, Delaware, Florida, Georgia, Louisiana (except that portion west of a line beginning near Creole, La., extending north on Louisiana Highway 27 to junction Interstate Highway 10 and U.S. Highway 171, thence north on U.S. Highway 171 to junction Interstate Highway 20 at Shreveport, La., thence along Interstate Highway 20 to junction U.S. Highway 79, thence along U.S. Highway 79 to junction Louisiana Highway 9, thence along Louisiana Highway 9 to the Louisiana-Arkansas State line near Junction City, La.) Maine, Maryland, Massachusetts, Mississippi, Missouri (except that portion west of a line beginning near Naylor, Mo., extending north along U.S. Highway 67 to junction Interstate Highway 55 near Festus, Mo., thence along Interstate Highway 55 to junction Missouri Highway 140, thence along Missouri Highway 140 to junction U.S. Highway 67 near Florissant, Mo., thence along U.S. Highway 67 to the Mississippi River near West Alton, Mo.), New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia, restricted against the transportation of fuel tanks to points in Arkansas, Louisiana, Missouri, and Tennessee. The purpose of this filing is to eliminate the gateway of Mattoon (Coles County), Ill.

No. MC 61692 (Sub-No. E1) (Correction), filed May 16, 1974, published in the FEDERAL REGISTER January 14, 1976. Applicant: WARNER'S MOTOR EXPRESS, INC., W. Country Club Road, Red Lion, Pa. 17356. Applicant's representative: Charles Creager, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (29) *New furniture*, from points in Georgia, to points in Maine and New Hampshire. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and points in Maryland. The purpose of this partial correction is to indicate the correct territory sought to be served in the above proposal. The remainder of this letter-notice remains as previously published.

No. MC 61692 (Sub-No. E2), filed May 16, 1974. Applicant: WARNER'S MOTOR EXPRESS, INC., W. Country Club Road, Red Lion, Pa. 17356. Applicant's representative: Charles Creager, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Rhode Island, on the one hand, and, on the other, points in Ashe, Wilkes, Mitchell, Yancey, Cherokee, Clay, Graham, Macon, Swain, Jackson, Transylvania, Haywood, Henderson, Buncombe, Madison, Polk, Rutherford, McDowell, Avery, Burke, Cleveland, Caldwell, Watauga, Iredell, Alexander, Catawaba, Lincoln, Gaston, and Mecklenburg Counties, N.C. The purpose of this filing is to eliminate the gateways of Philadelphia and Wilkes-Barre, Pa.

No. MC 61825 (Sub-No. E632), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture parts* and *furniture materials* (except household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), from points in Utah on and south of a line beginning at the Nevada-Utah State line and extending along U.S. Highway 50 to junction Utah Highway 132, thence along Utah Highway 132 to junction U.S. Highway 89, thence along U.S. Highway 89 to junction Utah Highway 31, thence along Utah Highway 31 to junction Utah Highway 10, thence along Utah Highway 10 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Price River, to the Green River, to the Unitah-Grand County line to the Utah-Colorado State line to points in Pennsylvania and New York on, east, and south of a line beginning at the Maryland-Pennsylvania State line and extending along U.S. Highway 522 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction Pennsylvania Highway 147, thence along Pennsylvania Highway 147 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Pennsylvania Highway 706, thence along Pennsylvania Highway 706 to junction Pennsylvania Highway 267, thence along Pennsylvania Highway 267 to the Pennsylvania-New York State line and extending along New York Highway 26 to junction unnumbered highway near Vestal Center and extending along unnumbered highway to junction New York Highway 434, thence along New York Highway 434 to junction New York Highway 12, thence along New York Highway 12 to junction New York Highway 320, thence along New York Highway 320 to junction New York Highway 80, thence along New York Highway 80 to junction New York Highway 10, thence along New York Highway 10 to junction New York Highway 8, thence along New York Highway 8 to junction U.S. Highway 9, thence along U.S. Highway 9 to the United States-Canada International Boundary line, and west and north of a line beginning at the Maryland-Pennsylvania State line and extending along U.S. Highway 11 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Pennsylvania Highway 147, thence along Pennsylvania Highway 147 to junction U.S. Highway 209, thence along U.S. Highway 209 to the Pennsylvania-New York State line and extending along U.S. Highway 209 to junction Interstate Highway 87, thence along Interstate Highway 87 to junction New York Highway 23, thence along New York Highway 23 to junction Taconic St. Parkway, thence along Taconic St. Parkway to junction Interstate Highway 90, thence along Interstate Highway 90 to the New York-Massachusetts State line. The purpose of this filing is to eliminate the gateways of Smyth County, Va., Lynchburg, Va., and Martinsville, Va.

No. MC 61825 (Sub-No. E633), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from New York, N.Y., to points in Arkansas, Kansas, Oklahoma, and Texas. The purpose of this filing is to eliminate the gateway of Martinsville, Va.

No. MC 61825 (Sub-No. E634), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool* and *mineral wool products*, which are construction materials (except in bulk), from points in Ohio located within 50 miles of Steubenville, Ohio, to points in Georgia. The purpose of this filing is to eliminate the gateways of Coketown (Brooke County) and Parkersburg (Wood County), W. Va.

No. MC 61825 (Sub-No. E635), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool* and *mineral wool products*, which are construction materials, from points in Mahoning, Stark, and Tuscarawas Counties, Ohio, located within 50 miles of Steubenville, Ohio, and points in Carroll, Columbiana, Harrison, and Jefferson Counties, Ohio, to points in South Carolina. The purpose of this filing is to eliminate the gateways of Coketown (Brooke County) and Parkersburg (Wood County), W. Va.

No. MC 61825 (Sub-No. E636), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool* and *mineral wool products*, which are construction materials, from points in Guernsey and Monroe Counties, Ohio, located within 50 miles of Steubenville, Ohio, and points in Belmont County, Ohio, to points in South Carolina south of a line beginning at the South Carolina-North Carolina State line and extending along U.S. Highway 76 to Florence, S.C., thence along Interstate Highway 20 to Camden, S.C., thence along South Carolina Highway 34 to Newberry, S.C., thence along U.S. Highway 76 to the South Carolina-Georgia State line. The purpose of this filing is to eliminate the gateways of Coketown (Brooke County) and Parkersburg (Wood County), W. Va.

No. MC 61825 (Sub-No. E637), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool* and *mineral wool products*, which are construction materials, from points in Mahoning, Stark, and Tuscarawas Counties, Ohio, located within 50 miles of Steubenville, Ohio, and points in Carroll, Columbiana, Harrison, and Jefferson Counties, Ohio, to points in Tennessee. The purpose of this filing is to eliminate the gateways of Coketown (Brooke County) and Parkersburg (Wood County), W. Va.

No. MC 61825 (Sub-No. E638), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *Mineral wool* and *mineral wool products*, which are construction materials, from points in Guernsey and Monroe Counties, Ohio, located within 50 miles of Steubenville, Ohio, and points in Belmont County, Ohio, to points in Tennessee on and west of a line beginning at the Tennessee-Georgia State line and extending along Interstate Highway 75 to Chattanooga, Tenn., thence along U.S. Highway 121 to Dunlop, Tenn., thence along Tennessee Highway 8 to junction Tennessee Highway 111, thence along Tennessee Highway 111 to Sparta, Tenn., thence along U.S. Highway 70 to Nashville, Tenn., thence along U.S. Highway 41–A to the Tennessee-Kentucky State line. The purpose of this filing is to eliminate the gateways of Coketown (Brooke County) and Parkersburg (Wood County), W. Va.

No. MC 61825 (Sub-No. E639), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool* and *mineral wool products*, which are construction materials, from points in Pennsylvania located within 50 miles of Steubenville, Ohio, to points in Georgia. The purpose of this filing is to eliminate the gateways of Coketown (Brooke County) and Parkersburg (Wood County), W. Va.

No. MC 61825 (Sub-No. E640), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool* and *mineral wool products*, which are construction materials, from points in Butler and Westmoreland Counties, Pa., located within 50 miles of Steubenville, Ohio, and points in Washington, Lawrence, Beaver, and Allegheny Counties, Pa., to points in South Carolina. The purpose of this filing is to eliminate the gateways of Coketown (Erooke County) and Parkersburg (Wood County), W. Va.

No. MC 61825 (Sub-No. E641), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool* and *mineral wool products*, which are construction materials, from points in Greene and Fayette Counties, Pa., located within 50 miles of Steubenville, Ohio, to points in South Carolina on, south, and west of a line beginning at the North Carolina-South Carolina State line and extending along U.S. Highway 25 to Greenville, S.C., thence along Interstate Highway 26 to Columbia, S.C., thence along U.S. Highway 378 to Conway, S.C., thence along South Carolina Highway 905 to the South Carolina-North Carolina State line. The purpose of this filing is to eliminate the gateways of Coketown (Brooke County) and Parkersburg (Wood County), W. Va.

No. MC 61825 (Sub-No. E642), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture parts*, and *materials, supplies*, and *equipment* used in the manufacture and distribution of new furniture and furniture parts (except commodities in bulk), from points in Tennessee on and west of a line beginning at the Kentucky-Tennessee State line and extending along Interstate Highway 65 to junction U.S. Highway 41–A, thence along U.S. Highway 41–A to junction U.S. Highway 231, thence along U.S. Highway 231 to the Tennessee-Alabama State line, to points in Virginia on and west of a line beginning at the Virginia-West Virginia State line and extending along U.S. Highway 250 to junction Virginia Highway 151, thence along Virginia Highway 151 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction Virginia Highway 668, thence along Virginia Highway 668 to junction Virginia Highway 603, thence along Virginia Highway 603 to junction U.S. Highway 501, thence along U.S. Highway 501 to the Virginia-North Carolina State line, and on and east of a line beginning at the South Carolina-North Carolina State line and extending along U.S. Highway 501, thence along U.S. Highway 419, thence along Virginia Highway 419 to junction Virginia Highway 311, thence along Virginia Highway 311 to the Virginia-West Virginia State line. The purpose of this filing is to eliminate the gateways of Smyth County and Lynchburg, Va.

No. MC 61825 (Sub-No. E643), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORP., P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture parts*, and *materials, supplies*, and *equipment* used in the manufacture and distribution of new furniture and furniture parts (except commodities in bulk), from points in Tennessee, to points in the District of Columbia. The purpose of this filing is to eliminate the gateways of Smyth County and Lynchburg, Va.

No. MC 61825 (Sub-No. E644), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture parts*, and *materials, supplies, and equipment* used in the manufacture and distribution of new furniture and furniture parts (except commodities in bulk), from points in Tennessee, to points in Maryland on and east of U.S. Highway 219. The purpose of this filing is to eliminate the gateways of Smyth County and Lynchburg, Va.

No. MC 61825 (Sub-No. E645), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture parts*, and *materials, supplies*, and *equipment* used in the manufacture and distribution of new furniture and furniture parts (except commodities in bulk), from points in Georgia, to points in the District of Columbia. The purpose of this filing is to eliminate the gateways of Smyth County and Lynchburg, Va.

No. MC 61825 (Sub-No. E646), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385 Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St., NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Furniture parts*, and *materials, supplies*, and *equipment* used in the manufacture and distribution of new furniture and furniture parts (except commodities in bulk), from points in Georgia, to points in Maryland north and west of Dorchester, Calvert, and St. Mary's Counties, Md. The purpose of this filing is to eliminate the gateways of Smyth County and Lynchburg, Va.

No. MC 61825 (Sub-No. E647), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture parts*, and *materials, supplies*, and *equipment* used in the manufacture and distribution of new furniture and furniture parts (except commodities in bulk), from points in Georgia on and west of a line beginning at the Florida-Georgia State line and extending along U.S. Highway 129 to junction Georgia Highway 11, thence along Georgia Highway 11 to junction U.S. Highway 221, thence along U.S. Highway 221 to junction U.S. Highway 441, thence along U.S. Highway 441 to junction U.S. Highway 319, thence along U.S. Highway 319 to junction Georgia Highway 15, thence along Georgia Highway 15 to junction Georgia Highway 22, thence along Georgia Highway 22 to junction Georgia Highway 47, thence along Georgia Highway 47 to junction Highway 17, thence along Georgia Highway 17 to junction Georgia Highway 77, thence along Georgia High-

way 77 to junction Georgia Highway 82, thence along Georgia Highway 82 to the Georgia-South Carolina State line, to points in Calvert, Dorchester, Saint Marys, Somerset, Wicomico, and Worchester Counties, Md. The purpose of this filing is to eliminate the gateways of Smyth County and Lynchburg, Va.

No. MC 61825 (Sub-No. E648), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture parts*, and *materials, supplies*, and *equipment* used in the manufacture and distribution of new furniture and furniture parts (except commodities in bulk), from points in Georgia, to points in Virginia, on and north of a line beginning at the Maryland-Virginia State line and extending along U.S. Highway 301 to junction Virginia Highway 207, thence along Virginia Highway 207 to junction U.S. Highway 1, thence along U.S. Highway 1 to junction Virginia Highway 684, thence along Virginia Highway 684 to junction Virginia Highway 739, thence along Virginia Highway 739 to junction Virginia Highway 715, thence along Virginia Highway 715 to junction Virginia Highway 617, thence along Virginia Highway 617 to junction U.S. Highway 250, thence along U.S. Highway 250 to junction U.S. Highway 522, thence along U.S. Highway 522 to junction Virginia Highway 6, thence along Virginia Highway 6 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction Virginia Highway 24, thence along Virginia Highway 24 to junction Virginia Highway 43, thence along Virginia Highway 43 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction Virginia Highway 122, thence along Virginia Highway 122 to junction U.S. Highway 501, thence along U.S. Highway 501 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction Virginia Highway 39, thence along Virginia Highway 39 to junction Virginia Highway 42, thence along Virginia Highway 42 to junction U.S. Highway 33, thence along U.S. Highway 33 to the Virginia-West Virginia State line. The purpose of this filing is to eliminate the gateways of Smyth County and Lynchburg, Va.

No. MC 61825 (Sub-No. E649), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture parts*, and *materials, supplies*, and *equipment* used in the manufacture and distribution of new furniture and furniture parts (except commodities in bulk), from points in Georgia on, north, and west of a line beginning at the South Carolina-Georgia State line and extending along Georgia Highway 44 to junction U.S. Highway 129, thence along U.S. Highway 129 to junction Georgia Highway 11, thence along Georgia Highway 11 to junction Georgia Highway 49, thence along Georgia Highway 49 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 41, thence along U.S. Highway 41 to the Georgia-Florida State line, to points in Virginia north and east of a line beginning on the James River near Yorktown, Va., and extending along the Colonial National Historical Parkway to junction Virginia Highway 5, thence along Virginia Highway 5 to junction Virginia Highway 156, thence along Virginia Highway 156 to junction Virginia Highway 10, thence along Virginia Highway 10 to junction Virginia Highway 36, thence along Virginia Highway 36 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction Virginia Highway 40, thence along Virginia Highway 40 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction Virginia Highway 24, thence along Virginia Highway 24 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction Virginia Highway 6, thence along Virginia Highway 6 to junction U.S. Highway 522, thence along U.S. Highway 522 to junction U.S. Highway 250, thence along U.S. Highway 250 to junction Virginia Highway 617, thence along Virginia Highway 617 to junction Virginia Highway 715, thence along Virginia Highway 715 to junction Virginia Highway 739, thence along Virginia Highway 739 to junction Virginia Highway 684, thence along Virginia Highway 684 to junction U.S. Highway 1, thence along U.S. Highway 1 to junction Virginia Highway 207, thence along Virginia Highway 207 to junction U.S. Highway 301 to the Potomac River (except points in Virginia located on the Delmarva Peninsula). The purpose of this filing is to eliminate the gateways of Smyth County and Lynchburg, Va.

No. MC 61825 (Sub-No. E650), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture parts, and materials, supplies and equipment* used in the manufacture and distribution of new furniture and furniture parts (except commodities in bulk), from points in Georgia on and south of a line beginning at the South Carolina-Georgia State line and extending along U.S. Highway 278 to junction Georgia Highway 8, thence along Georgia Highway 8 to the Georgia-Alabama State line, to points in West Virginia on and north of a line beginning at the Maryland-West Virginia State line and extending along U.S. Highway 50 to junction U.S. Highway 19, thence along U.S. Highway 19 to junction U.S. Highway 250, thence along U.S. Highway 250 to the West Virginia-Ohio State line. The purpose of this filing is to eliminate the gateways of Smyth County and Lynchburg, Va.

No. MC 61825 (Sub-No. E651), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials, machinery, mine supplies, glassware, paper products, and hardware* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Daleware, Licking, and Morrow Counties, Ohio, on the one hand, and, on the other, points in North Carolina on and east of a line beginning at the North Carolina-Virginia State line and extending along U.S. Highway 15 to Durham, thence along North Carolina Highway 55 to Lillington, thence along U.S. Highway 401 to Fayetteville, thence along U.S. Highway 301 to the North Carolina-South Carolina State line. The purpose of this filing is to eliminate the gateways of Coketown (Brooke County), W. Va. and Lynchburg, Va.

No. MC 61825 (Sub-No. E652), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORP., P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials, machinery, mine supplies, glassware, paper products, and hardware* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Crawford and Marion Counties, Ohio, located within 125 miles of Wellsburg, W. Va., and points in Ashland, Coshocton, Knox, and Richland Counties, Ohio, on the one hand, and, on the other, points in North Carolina on and east of a line beginning at the North Carolina-Virginia State line and extending along U.S. Highway 220 to Asheboro, thence along North Carolina Highway 134 to Troy, thence along North Carolina Highway 109 to the North Carolina-South Carolina State line. The purpose of this filing is to eliminate the gateways of Coketown (Brooke County), W. Va. and Lynchburg, Va.

No. MC 61825 (Sub-No. E653), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORP., P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials, machinery, mine supplies, glass-*

ware, paper products, and hardware (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Erie and Huron Counties, Ohio, located within 125 miles of Wellsburg, W. Va., and points in Columbiana, Cuyahoga, Harrison, Holmes, Lorain, Medina, and Summit Counties, Ohio, on the one hand, and, on the other, points in North Carolina on and east of a line beginning at the North Carolina-Virginia State line and extending along North Carolina Highway 8 to Winston Salem, thence along Interstate Highway 40 to Conover, thence along U.S. Highway 321 to the North Carolina-South Carolina State line. The purpose of this filing is to eliminate the gateways of Coketown (Brooke County), W. Va. and Lynchburg, Va.

No. MC 61825 (Sub-No. E654), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORP., P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials, machinery, mine supplies, glassware, paper products, and hardware* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Carroll and Wayne Counties, Ohio, on the one hand, and, on the other, points in North Carolina on and east of a line beginning at the North Carolina-Tennessee State line and extending along U.S. Highway 19E to Spruce Pine, thence along North Carolina Highway 226 to junction U.S. Highway 221, thence along U.S. Highway 221 to the North Carolina-South Carolina State line. The purpose of this filing is to eliminate the gateways of Coketown (Brooke County), W. Va. and Lynchburg, Va.

No. MC 61825 (Sub-No. E655), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORP., P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials, machinery, mine supplies, glassware, paper products, and hardware* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Ashtablua, Geauga, Lake, Mahoning, Portage, Trumbull, and Stark Counties, Ohio, on the one hand, and, on the other, points in North Carolina. The purpose of this filing is to eliminate the gateways of Coketown (Brooke County), W. Va. and Lynchburg, Va.

No. MC 61825 (Sub-No. E657), filed May 13, 1974. Applicant: ROY STONE TRANSFER, CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *commomn carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials, machinery, mine supplies, glassware, paper products, and hardware* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Jefferson County, Ohio, on the one hand, and, on the other, points in North Carolina (except points in Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Graham, Haywood, Henderson, McDowell, Macon, Madison, Mitchell, Polk, Surry, Swain, Transylvania, Watauga, Wilkes, Yadkin, and Yancey Counties, N.C.). The purpose of this filing is to eliminate the gateways of Coketown (Brooke County), W. Va. and Lynchburg, Va.

No. MC 61825 (Sub-No. E658), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials, machinery, mine supplies, glassware, paper products, and hardware* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Guernsey County, Ohio, on the one hand, and, on the other, points in North Carolina (except points in Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Catawba, Cherokee, Clay, Cleveland, Davidson, Davie, Forsyth, Gaston, Graham, Guilford, Haywood, Henderson, Iredell, Lincoln, McDowell, Macon, Madison, Mitchell, Polk, Randolph, Rockingham, Rowan, Rutherford, Stokes, Surry, Swain, Transylvania, Watauga, Wilkes, Yadkin, and Yancey Counties, N.C.). The purpose of this filing is to eliminate the gateways of Coketown (Brooke County), W. Va. and Lynchburg, Va.

No. MC 61825 (Sub-No. E659), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. N.W., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials, machinery, mine supplies, glassware, paper products, and hardware* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Washington County, Pa., on the one hand, and, on the other, points in Allendale, Bamberg, Beaufort, Berkeley, Charleston, Chesterfield, Clarendon, Colleton, Darlington, Dillon, Dorchester, Florence, Georgetown, Hampton, Horry, Jasper, Lee, Marion, Marlboro, Sumter, Williamsburg Counties, S.C. The purpose of this filing is to eliminate the gateways of Coketown (Brook County), W. Va., and Lynchburg, W. Va.; and Lynchburg, Va. and Weirton, W. Va.

No. MC 61825 (Sub-No. E660), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials, machinery, mine supplies, glassware, paper products, and hardware* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Westmoreland County, Pa., located within 50 miles of Steubenville, Ohio, on the one hand, and, on the other, points in Berkeley, Charleston, Clarendon, Florence, Georgetown, Horry, Marion, Sumter, and Williamsburg Counties, S.C. The purpose of this filing is to eliminate the gateways of Coketown (Brook County), W. Va., Clarksburg, W. Va., and Lynchburg, W. Va.; and Lynchburg, Va. and Weirton, W. Va.

No. MC 61825 (Sub-No. E661), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials, machinery, mine supplies, glassware, paper products, and hardware* (except those of unusual value, classes A and B explosives, livestock, household, goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Belmont County, Ohio, on the one hand, and, on the other, points in Berkeley, Charleston, Chesterfield, Clarendon, Darlington, Dillon, Florence, Georgetown, Horry, Marion, Marlboro, Sumter, Williamsburg, and Lee Counties, S.C. The purpose of this filing is to eliminate the gateways of Coketown (Brook County), W. Va., Clarksburg, W. Va., and Lynchburg, W. Va.; and Lynchburg, Va. and Weirton, W. Va.

No. MC 61825 (Sub-No. E662), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials, machinery, mine supplies, glassware, paper products, and hardware* (except those of unusual value classes A and B explosives, livestock, Household goods as defined by the Commission, commodities in bulk, and those requiring

special equipment), between points in Carroll County, Ohio, on the one hand, and, on the other, points in South Carolina. The purpose of this filing is to eliminate the gateways of Coketown (Brook County), W. Va., Clarksburg, W. Va., and Lynchburg, W. Va.; and Lynchburg, Va. and Weirton, W. Va.

No. MC 61825 (Sub-No. E663), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials, machinery, mine supplies, glassware, paper products, and hardware* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Columbiana County, Ohio, on the one hand, and, on the other, points in South Carolina. The purpose of this filing, is to eliminate the gateways of Coketown (Brook County), W. Va., Clarksburg, W. Va., and Lynchburg, W. Va., and Lynchburg, Va. and Weirton, W. Va.

No. MC 61825 (Sub-No. E664), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials, machinery, mine supplies, glassware, paper products, and hardware* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Guernsey County, Ohio, on the one hand, and, on the other, points in Dillon, Horry, and Marion Counties, S.C. The purpose of this filing is to eliminate the gateways of Coketown (Brooke County), W. Va., Clarksburg, W. Va., and Lynchburg, W. Va.; and Lynchburg, Va. and Weirton, W. Va.

No. MC 67646 (Sub-No. E1) (Correction), filed May 15, 1974, and published September 11, 1975. Applicant: HALL'S MOTOR TRANSIT CO., 6060 Carlisle Pike, Mechanicsburg, Pa. 17055. Applicant's representative: Daniel W. Rhorbaugh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General Commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading: (7) Between points in Maryland on and west of U.S. Highway 11 and within 50 miles of Fairview, Md., on the one hand, and, on the other, points in Pennsylvania on and east of a line beginning at the New York-Pennsylvania State line and extending along U.S. Highway 220 to junction Pennsylvania Highway 405, thence along Pennsylvania Highway 405 to junction Pennsylvania Highway 44, thence along Pennsylvania Highway 44 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction Interstate Highway 81, thence along Interstate Highway 81 to the Pennsylvania-Maryland State line. The purpose of this filing is to eliminate the gateways of Fairview, Md., and points within 8 miles of Fairview, and Hagerstown, Md. The purpose of this partial republication is to correct the Pennsylvania territorial description above.

No. MC 67646 (Sub-No. E2) (Correction), filed May 15, 1974, and published in the FEDERAL REGISTER September 2, 1975. Applicant: HALL'S MOTOR TRANSIT CO., 6060 Carlisle Pike, Mechanicsburg, Pa. 17055. Applicant's representative: Daniel W. Rohrbaugh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: (13) *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, livestock, commodities requiring special equipment, and those injurious or contaminating to other lading), between those points in Pennsylvania within 50 miles of Frederick, Md., which are on and east of U.S. Highway 15, on the one hand, and, on the other, those points in Virginia on and south of a line beginning at the West Virginia-Virginia State line, thence along U.S. Highway 250 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction U.S. Highway 360, thence along U.S. Highway 360 to junction Virginia Highway 10, thence along Virginia Highway 10 to junction Virginia Highway 31, thence along Virginia Highway 31 to junction U.S. Highway 60, thence along U.S. Highway 60 to Norfolk, Va. The purpose of this filing is to eliminate the gateways of Frederick and Hagerstown, Md. The purpose of this partial republication is to indicate the correct Pennsylvania territory sought to be served in the above proposal. The remainder of the proposal remains as originally published.

No. MC 83539 (Sub-No. E115), filed June 3, 1975. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Robert N. Maxwell, 500 W. Sixteenth St., P.O. Box 1945, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report of the Commission in Ex Parte No. 45, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, (1) from points in California in and north of the counties of Sonoma, Napa, Solano, Sacramento and El Dorado, to points in Texas except those in, south and west of El Paso, Hudspeth, Culberson, Reeves, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Coke, Runnels, Coleman, McCullogh, San Saba, Llano, Gillespie, Kendall, Bandera, Medina, Frio, LaSalle, Webb, and Zapata; (2) from points in California in and south of the counties of Marin, Contra Costa, San Joaquin, Amador, and Alpine and in and north of the counties of Monterey, Fresno, and Mono to points in Texas in and east of the counties of Dallam, Moore, Potter, Armstrong, Briscoe, Motley, Dickens, Kent, Fisher, Taylor, Coleman, Brown, Mills, Lampassas, Burnet, Blanco, Hayes, Caldwell, Gonzales, DeWitt, Goliad, Refugio, and Arkansas; and (3) from points in California in the counties of San Luis Obispo, Santa Barbara, Ventura, Los Angeles, Kerns, Kings, Tulare, and Inyo to points in Texas in and north of the counties of Dallam, Moore, Carson, Donley, Childress, Hardeman, Wilbarger, Wichita, Clay, Montague, Cooke, Grayson, Fannin, Lamar, Red River, and Bowie. The purpose of this filing is to eliminate the gateway of points in Utah and the facilities of the CF & I Steel Corp.

No. MC 83539 (Sub-No. E82), filed June 4, 1974. Applicant: C & H TRANSPORTATION, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described by Appendix V to the report of the Commission in Ex Parte No. 45, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Idaho to points in Oklahoma, except those points in Oklahoma in Cimmaron, Tex., and Beaver Counties. The purpose of this filing is to eliminate the gateway of points in Montana and the facilities of the CF & I Steel Corp., at Pueblo, Colo.

No. MC 83539 (Sub-No. E127), filed June 3, 1975. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Robert N. Maxwell, 500 W. Sixteenth St., P.O. Box 1945, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report of the Commission in Ex Parte No. 45, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Montana to points in Alabama, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas. The purpose of this filing is to eliminate the gateway of the facilities of the CF & I Steel Corp., at Pueblo, Colo.

No. MC 83539 (Sub-No. E128), filed June 3, 1975. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Robert N. Maxwell, 500 W. Sixteenth St., P.O. Box 1945, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report of the Commission in Ex Parte No. 45, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from

points in Mont ana in and west of Liberty, Chouleau, Fergus, Petroleum, Musselshell, Yellowstone, and Carbon Counties, to points in Virginia. The purpose of this filing is to eliminate the gateway of the facilities of CF & I Steel Corp., at Pueblo, Colo.

No. MC 83539 (Sub-No. E131), filed June 3, 1975. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Robert N. Maxwell, 500 W. Sixteenth St., P.O. Box 1945, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report of the Commission in Ex Parte No. 45, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Oregon to points in Arkansas, Kentucky, and Virginia. The purpose of this filing is to eliminate the gateway of the facilities of the CF & I Steel Corp., at Pueblo, Colo.

No. MC 83539 (Sub-No. E132), filed June 3, 1975. Applicant: C & H TRANSPORTATION, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Robert N. Maxwell, 500 W. Sixteenth St., P.O. Box 1945, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report of the Commission in Ex Parte No. 45, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, (1) from points in California (except points in Riverside and Imperial Counties) to points in Alabama east of a line beginning at the Tennessee-Alabama State line and extending along Alabama Highway 20 to junction U.S. Highway 43 to junction U.S. Highway 82 to junction U.S. Highway 231 to the Alabama-Florida State line; and (2) from Riverside, Calif., to points in the destination territory described in part (1) above. The purpose of this filing is to eliminate the gateways of points in Utah and the facilities of the CF & I Steel Corp., at Pueblo, Colo.

No. MC 83539 (Sub-No. E134), filed June 3, 1975. Applicant: C & H TRANSPORTATION, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Robert N. Maxwell, 500 W. Sixteenth St., P.O. Box 1945, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report of the Commission in Ex Parte No. 45, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Oregon to points in Illinois, restricted against traffic moving from points in Oregon west of U.S. Highway 97 to points in and north of Rock Island, Henry, Bureau, Putnam, LaSalle, Grundy and Will Counties, Ill. The purpose of this filing is to eliminate the gateway of CF & I Steel Corp., at Pueblo, Colo.

No. MC 83539 (Sub-No. E139), filed June 3, 1975. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Robert N. Maxwell, 500 W. Sixteenth St., P.O. Box 1945, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report of the Commission in Ex Parte No. 45, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, (1) from points in Colorado, except those points in and east of Routt, Eagle, Pitkin, Gunnison, Hinsdale, and Archuleta Counties, to points in Iowa; and (2) from points in Denver County, Colo., to points in Iowa, except those points in and west of Winneshiek, Fayette, Buchanan, Lynn, Johnson, Washington, Henry, and Van Buren Counties. The purpose of this filing is to eliminate the gateway of the facilities of the CF & I Steel Corp., at Pueblo, Colo.

No. MC 83539 (Sub-No. E142), filed June 3, 1975. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Robert N. Maxwell, 500 W. Sixteenth St., P.O. Box 1945, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report of the Commission in Ex Parte No. 45, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, (1) from points in California to points in Louisiana in or east of the Parishes of Pointe Coupee, St. Martin, Iberia, and St. Mary; and (2) from points in California (except points in the counties of San Bernardino, Riverside, San Diego, and Imperial, exclusive of the Commercial Zones of the cities of Riverside and San Bernardino), to points in Louisiana. The purpose of this filing is to eliminate the gateways of points in Utah and the facilities of the CF & I Steel Corp., at Pueblo, Colo.

No. MC 83539 (Sub-No. E145), filed June 3, 1975. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Robert N. Maxwell, 500 W. Sixteenth St., P.O. Box 1945, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report of the Commision in Ex Parte No. 45, *Descriptions in Motor Carrier Cerificates*, 61 M.C.C. 209, between points in Arizona, on the one hand, and, on the other, points in Montana, North Dakota, South Dakota, and Wyoming, except those in Lincoln and Uinta Counties, Wyo. The purpose of this filing is to eliminate the gateway of points in Colorado.

No. MC 83539 (Sub-No. E148), filed June 4, 1974. Applicant: C & H TRANSPORTATION, 2010 W. Commerce Street, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report of the Commission in Ex Parte No. 45, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Wyoming to points Kansas, except those points in Kansas on and west of a line beginning at the Kansas-Oklahoma State line and extending along U.S. Highway 75 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Interstate Highway 35, thence along Interstate Highway 35 to the Kansas-Missouri State line. The purpose of this filing is to eliminate the gateway of the facilities of the CF & I Steel Corp., at Pueblo, Colo.

No. MC 92983 (Sub-No. E34), filed June 4, 1974. Applicant: AMERICAN BULK TRANSPORT CO., P.O. Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Cottonseed oil, soybean oil and blends thereof, cottonseed oil products, and soybean oil products* (except soap products and paint), in bulk, in tank vehicles: (1) From points in Maryland to Dallas, Tex.; (2) from points in Maryland to Jackson, Miss.; (B) *vegetable oils*, in bulk, in tank vehicles: From points in Maryland to points in Louisiana and to points in Mississippi located in and west of Tishomingo, Prentiss, Lee, Chickasaw, Oktibbeha, Winston, Neshoba, Scott, Smith, Covington, Lamar, Pearl River, and Hancock Counties, and points in Clay County located on and west of U.S. Alternate Highway 45 (except Jackson); (C) *such fats, oils, blends, and products* thereof as are embraced within chemicals (except those derived from petroleum, soap products and paints), in bulk, in tank vehicles: (1) From points in Maryland to points in Idaho; (2) from points in Maryland to points in Wyoming located on and west of a line extending from the Wyoming-Colorado State line, along Wyoming Highway 430 to the junction of U.S. Highway 187, thence along U.S. Highway 187 to the junction of Wyoming Highway 22, thence along Wyoming Highway 22 to the Wyoming-Idaho State line; (3) from points in Maryland to points in Arizona, California, Nevada, New Mexico, Oregon, and Utah; (4) from points in Maryland to points in Colorado located in and west of Jackson, Grand, Boulder, Crowley, Otero, Bent, and Baca Counties and points located on and west of a line extending from the southern border of Lincoln County along Colorado Highway 71 to the junction of Interstate Highway 70, thence along Interstate Highway 70 to the junction of Interstate Highway 25, thence along Interstate Highway 25 to the junction of Colorado Highway 66, thence along Colorado Highway 66 to the western border of Weld County and to points in Cimarron County, Okla.; (5) from points in Maryland to points in Washington.

(D) *Fats, oils, blends, and products* thereof, when intended for use as animal and poultry feed or animal and poultry

feed ingredients, in bulk, in tank vehicles, from points in Maryland to points in Arkansas; (E) *dry chemicals and such paint materials* as are embraced within dry chemicals, in bulk, in tank vehicles, from Baltimore, Edgewood, and Elkton, Md., to Dallas, Tex.; (F) *dry chemicals* (except derivatives of petroleum or petroleum products and except synthetic resins and varnishes), in bulk, in tank or hopper vehicles, from Balimore, Edgewood, and Elkton, Md., to points in Minnesota located in Jackson, Nobles, Rock, Pipestone, Murrary, Cottonwood, Lyon, Lincoln, Yellow Medicine, Lac Qui Parle, and Big Stone Counties; (G) *dry chemicals,* in bulk, (1) from Baltimore, Eldgewood, and Elkton, Md., to points in Idaho, Montana, and Wyoming, to points in South Dakota (except Roberts County) and to points in North Dakota located in and west of Dickey, La Moure, Stutsman, Foster, Eddy, Benson, Ramsey, and Towner Counties; (2) from Baltimore, Elkton, and Edgewood, Md., to points in Arizona, California, Nevada, New Mexico, Oregon, and Utah; (H) *dry chemicals,* in bulk, in tank or hopper vehicles, from Baltimore, Elkton, and Edgewood, Md., to points in Colorado, Nebraska, Kansas, Oklahoma, and to points in Arkansas located in and west of Sevier, Howard, Polk, Scott, Logan, Johnson, Newton, and Boone Counties, and to points in Missouri located in and west of Taney, Christian, Green, Dallas, Camden, Morgan, Monteau, Cooper, Howard, Chariton, Linn, Grundy, and Mercer Counties, to points in Iowa located in and west of Decatur, Clark, Union, Adair, Audubon, Crawford, Ida, Cherokee, and Sioux Counties; and (I) *dry chemicals,* in bulk, from Baltimore, Edgewood, and Elkton, Md., to points in Washington. The purpose of this filing is to eliminate the gateways of (A), (B); Memphis, Tenn.; (C) (1) and (2); Memphis, Tenn., and Kansas City, Kans. (a point formerly known as Turner, Kans.); (C)(3) and (5); Memphis, Tenn., and the Kansas City, Kans., Kansas City, Mo., Commercial Zones (a point formerly known as Turner, Kans.); (C) (4); Memphis, Tenn., and points that are both in the Olathe, Kans., and Kansas City, Kans., Commercial Zones (a point formerly known as Turner, Kans.); (D); points in Arkansas that are within the Memphis, Tenn., Commercial Zone; (E), (F); Kansas City, Kans., Kansas City, Mo., Commercial Zone (a point formerly known as Turner, Kans.); (G) Kansas City, Kans., Commercial Zones (a known as Turner, Kans.); (H) points that are in both the Olathe, Kans., and Kansas City, Kans., Commercial Zones (a point formerly known as Turner, Kans.); and (I) (same as (E) and (F)).

No. MC 92983 (Sub-No. E35), filed June 4, 1974. Applicant: AMERICAN BULK TRANSPORT CO., P.O. Box 146, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (A) *Cotton oil, soybean oil and blends and products,* thereof, in bulk, in tank vehicles, from points in Virginia to Jackson, Miss.; (B) *cottonseed oil, soybean oil, blends, and products* thereof (except soap products and paint), in bulk, in tank vehicles, from points in Virginia to Dallas, Tex.; (C) *vegetable oils and vegetable oil products,* in bulk, in tank vehicles, (1) from points in Virginia (except Scott and Lee Counties), to points in Louisiana; (2) from points in Virginia to points in Mississippi located on and west of a line extending from the Mississippi-Tennessee State line along Mississippi Highway 15 to the Natchez Trace National Parkway, thence along the Natchez Trace National Parkway to junction U.S. Highway 51, thence along U.S. Highway 51 to the Mississippi-Louisiana State line (except Jackson); (3) from points in Virginia located on and north of a line extending from the Virginia-West Virginia State line along U.S. Highway 250 to Richmond, thence along U.S. Highway 60 to junction Virginia Highway 33, thence along Virginia Highway 33 to the Chesapeake Bay, to points in Mississippi located on and west of a line extending from the Mississippi-Tennessee State line along U.S. Highway 45 to junction Mississippi Highway 32, thence along Mississippi Highway 32 to the Natchez Trace National Parkway, thence along the Natchez Trace National Parkway to junction Mississippi Highway 35, thence along Mississippi Highway 35 to junction U.S. Highway 49, thence along U.S. Highway 49 to Gulfport (except those points in Mississippi described in part (2) above and except for Jackson); (D) *such fats, oils, blends, and products* thereof (except those derived from petroleum, soap products, and paint) which may be embraced within chemicals, in bulk, in tank vehicles; (1) from points in Virginia to points in Idaho and Wyoming.

(2) From points in Virginia located on and south of a line extending from the Virginia-West Virginia State line along Virginia Highway 55 to Interstate Highway 66, thence along Interstate Highway 66 to junction U.S. Highway 50, thence along U.S. Highway 50 to Arlington, to points in Montana located on and south of a line extending from the Idaho-Montana State line along U.S. Highway 10 to junction U.S. Highway 89, thence along U.S. Highway 89 to the Montana-Wyoming State line, and to points in Wyoming located on, south and west of a line extending from the Wyoming-Montana State line along Montana Highway 120 to junction U.S. Highway 26, thence along U.S. Highway 26 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Wyoming-Nevada State line; (3) from points in Virginia located on and south of a line extending from the Virginia-Maryland State line along U.S. Highway 301 to junction Virginia Highway 3, thence along Virginia Highway 3 to junction Virginia Highway 20, thence along Virginia Highway 20 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 340, thence along U.S. Highway 340 to junction U.S. Highway 250, thence along U.S. Highway 250 to the Virginia-West Virginia State line, to points in Montana located on, south and west of a line extending from the Montana-Canada Border along U.S. Highway 91 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction U.S. Highway 212, thence along U.S. Highway 212 to the Montana-Wyoming State line (except those points in Montana described in part (2) above), and to points in South Dakota located in Belle Fourche and those points on and south of U.S. Highway 16 and on and west of U.S. Highway 385, and to points in Wyoming (except those points in Wyoming described in part (2) above); (4) from points in Virginia located in Northampton County and points located on and south of a line extending from the Virginia-West Virginia State line along U.S. Highway 460 to Virginia Highway 24, thence along Virginia Highway 24 to junction Virginia Highway 615, thence along Virginia Highway 615 to Virgina Highway 40, thence along Virginia Highway 40 to U.S. Highway 460, thence along U.S. Highway 460 to Virginia Highway 620, thence along Virginia Highway 620 to U.S. Highway 258, thence along U.S. Highway 258 to Newport News, to points in Montana located on and south of a line extending from the Montana-Canada Border along Montana Highway 247 to U.S. Highway 2, thence along U.S. Highway 2 to Montana Highway 13, thence along Montana Highway 13 to Montana Highway 200S, thence along Montana Highway 200S to U.S. Highway 10, thence along U.S. Highway 10 to the Montana-North Dakota State line (except those portions of Montana described in part (3) above), to points in North Dakota located on and south of Interstate Highway 94 and on and west of U.S. Highway 85, and to points in South Dakota located on, south and west of a line extending from the South Dakota-North Dakota State line along U.S. Highway 85 to South Dakota Highway 20, thence along South Dakota Highway 20 to South Dakota Highway 73, thence along South Dakota Highway 73 to U.S. Highway 16, thence along U.S. Highway 16 to U.S. Highway 83, thence along U.S. Highway 83 to U.S. Highway 18, thence along U.S. Highway 18 to the South Dakota-Nebraska State line.

(5) From points in Virginia to points in Colorado; (6) from points in Virginia located on and east of a line extending from the Potomac River along U.S. Highway 301 to Virginia Highway 218, thence along Virginia Highway 218 to Virginia Highway 3, thence along Virginia Highway 3 to Virginia Highway 20, thence along Virginia Highway 20 to U.S. Highway 250, thence along U.S. Highway 250 to the Blue Ridge Parkway, thence along the Blue Ridge Parkway to U.S. Highway 460, thence along U.S. Highway 460 to Roanoke, thence along Virginia Highway 24 to Virginia Highway 43, thence along Virginia Highway 43 to Virginia Highway 668, thence along Virginia Highway 668 to Virginia Highway 40, thence along Virginia Highway 40 to Virginia Highway 603, thence along Virginia Highway 603 to U.S. Highway 501, thence along U.S. Highway 501 to the Virginia-North Carolina State line to points in Kansas located

on and west of a line extending from the Kansas-Oklahoma State line along U.S. Highway 75 to U.S. Highway 160, thence along U.S. Highway 160 to U.S. Highway 59, thence along U.S. Highway 59 to Kansas Highway 39, thence along Kansas Highway 39 to Kansas Highway 7, thence along Kansas Highway 7 to U.S. Highway 69, thence along U.S. Highway 69 to Kansas Highway 239, thence along Kansas Highway 239 to the Kansas-Missouri State line, along the Kansas-Missouri State line to Kansas Highway 59, thence along Kansas Highway 59 to Kansas Highway 73, thence along Kansas Highway 73 to U.S. Highway 36, thence along U.S. Highway 36 to U.S. Highway 77, thence along U.S. Highway 77 to the Kansas-Nebraska State line, to points in Missouri located on and west of a line extending from the Nebraska-Kansas State line along U.S. Highway 77 to Nebraska Highway 4, thence along Nebraska Highway 4 to U.S. Highway 81, thence along U.S. Highway 81 to U.S. Highway 6, thence along U.S. Highway 6 to U.S. Highway 281, thence along U.S. Highway 281 to Nebraska Highway 2, thence along Nebraska Highway 2 to the Nebraska-South Dakota State line and to points in Oklahoma located on, west and north of a line extending from the Oklahoma-Kansas State line along Oklahoma Highway 99 to U.S. Highway 60, thence along U.S. Highway 60 to U.S. Highway 177, thence along U.S. Highway 177 to U.S. Highway 64 thence along U.S. Highway 64 to U.S. Highway 77, thence along U.S. Highway 77 to Oklahoma Highway 33, thence along Oklahoma Highway 33 to U.S. Highway 281, thence along U.S. Highway 281 to Oklahoma Highway 9, thence along Oklahoma Highway 9 to U.S. Highway 183, thence along U.S. Highway 183 to the Oklahoma-Texas State line.

(7) From points in Virginia located on and east of U.S. Highway 258 from the Virginia-North Carolina State line to Hampton, to Omaha, Nebr.; (8) from points in Virginia located on, south and east of a line extending from the Virginia-North Carolina State line along U.S. Highway 29 to U.S. Highway 58, thence along U.S. Highway 58 to Norfolk, to points in Iowa located on and west of a line extending from the Iowa-South Dakota State line along Iowa Highway 3 to Iowa Highway 12, thence along Iowa Highway 12 to Interstate Highway 29, thence along Interstate Highway 29 to Monona County along the north and east boundaries of Monona and Harrison Counties to Iowa Highway 44, thence along Iowa Highway 44 to U.S. Highway 59, thence along U.S. Highway 59 to Iowa Highway 92, thence along Iowa Highway 92 to U.S. Highway 71, thence along U.S. Highway 71 to the Iowa-Missouri State line; (9) from points in Virginia to points in Washington; (E) *fats, oils, blends, and products* thereof (except those derived from petroleum, soap products, and paints) when intended for use as animal and poultry feed or ingredients, in bulk, in tank vehicles, from points in Virginia to points in Arkansas; (F) *fats, oils, blends and products* thereof (except those derived from petroleum, soap products, and paints) which may be embraced within chemicals, in bulk, in tank vehicles; (1) from points in Virginia to points in Arizona, California, Nevada, Oregon, Utah, and to points in New Mexico; (2) from points in Virginia located in, north and east of Augusta, Rockbridge, Bedford, Pittsylvania, and Henry Counties, to points in New Mexico. The purpose of this filing is to eliminate the gateways of (A)–(C) Memphis, Tenn.; (D) (1)–(4) those points in Mississippi which are within the Memphis, Tenn., Commercial Zone and Kansas City, Kans. (a point formerly known as Turner, Kans.); (D) (5)–(8) those points in Mississippi which are within the Memphis, Tenn., Commercial Zone and points in the Olathe, Kans., Commercial Zone which are also in the Kansas City, Kans., Commercial Zone (a point formerly known as Turner, Kans.); (D) (9), (F) those points in Mississippi which are within the Memphis, Tenn., Commercial Zone and points in the Kansas City, Kans. Kansas City, Mo., Commercial Zone (a point formerly known as Turner, Kans.); and (E) points in Arkansas which are within the Memphis, Tenn., Commercial Zone.

No. MC 102567 (Sub-No. E24) (Correction), filed June 3, 1974, and published July 29, 1975. Applicant: McNAIR TRANSPORT, INC., P.O. Drawer 5357, Bossier City, La. 71010. Applicant's representative: Joe Day (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular transporting: *Such petroleum* products, as are liquid chemicals (petrochemicals), in bulk, in tank vehicles, from those points in Arkansas within 150 miles of Henderson, Tex., which are east of a line beginning at Guerden, Ark., and etxending along U.S. Highway 67 to junction Arkansas Highway 53, thence along Arkansas Highway 53 to junction Arkansas Highway 160, thence along Arkansas Highway 160 to junction Arkansas Highway 19, thence along Arkansas Highway 19 to the Arkansas-Louisiana State line, to points in Texas south and west of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 75 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction Texas Highway 21 to the Texas-Louisiana State line. The purpose of this filing is to eliminate the gateway of the plantsite of Dow Chemical Co., U.S.A., in Columbia County, Ark. The purpose of this corrected republication is to indicate the destination territory sought in the above proposal.

No. MC 102567 (Sub-No. E154) (Correction), filed June 3, 1974, and published July 29, 1975. Applicant: McNAIR TRANSPORT, INC., P.O. Drawer 5357, Bossier City, La. 71010. Applicant's representative: Joe Day (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except liquefied petroleum gases), as defined in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Destrehan, La., to those points in Arkansas, north and west of a line beginning at the Oklahoma-Arkansas State line and extending along U.S. Highway 270 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction U.S. Highway 67, thence along U.S. Highway 67 to the Arkansas-Missouri State line. The purpose of this filing is to eliminate the gateways of points in Arkansas within 150 miles of Henderson, Tex., and points in that part of Louisiana bounded by a line beginning at the junction of the Arkansas-Louisiana State line and the Louisiana-Texas State line, and extending south along the Louisiana-Texas State line to junction U.S. Highway 64, thence east along U.S. Highway 64 to junction U.S. Highway 167, thence north along U.S. Highway 167 to the Arkansas-Louisiana State line, thence west along the Arkansas-Louisiana State line to the point of beginning, including points on the specified boundary lines. The purpose of this correction is to indicate the correct gateways sought to be eliminated in the above proposal.

No. MC 102567 (Sub-No. E155) (Correction), filed June 3, 1974, and published July 29, 1975. Applicant: McNAIR TRANSPORT, INC., P.O. Drawer 5357, Bossier City, La. 71010. Applicant's representative: Joe Day (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except liquefied petroleum gases) as defined in Appendix XIII to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, in bulk, in tank vehicles, from Lake Charles, La., to points in that part of Arkansas north of a line beginning at the Arkansas-Oklahoma State line and extending east along U.S. Highway 270 to junction U.S. Highway 70, thence along U.S. Highway 70 to the Arkansas-Tennessee State line. The purpose of this filing is to eliminate the gateways of points in southwestern Arkansas within 150 miles of Henderson, Texas, and points in that part of Louisiana bounded by a line beginning at the junction of the Arkansas-Louisiana State line and the Louisiana-Texas State line, and extending south along the Louisiana-Texas State line, to junction U.S. Highway 84, thence east along U.S. Highway 84 to junction U.S. Highway 167, thence north along U.S. Highway 167 to the Arkansas-Louisiana State line, thence west along the Aranksas-Louisiana State line to the point of beginning, including points on the specified boundary lines. The purpose of this correction is to indicate the correct destination and gateways involved in the above proposal.

No. MC 102616 (Sub-No. E13) (Correction), filed June 3, 1974, and published in the FEDERAL REGISTER August 6, 1975. Applicant: COASTAL TANK LINES, INC., 215 E. Waterloo Road, Akron, Ohio 44319. Applicant's representative: Fred

H. Daly (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transpoting: *Liquid chemicals*, in bulk, in tank vehicles, fom points in New Castle County, Del., to: (3) (h) on a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 40 to junction Ohio Highway 49, thence along Ohio Highway 49 to Dayton. The purpose of this filing is to eliminate the gateway of points in Cambria County, Pa., within the Atloona, Pa., commercial zone, and Akron, Ohio. The purpose of this partial correction is to correct the part (3) (h) Ohio Highway 4 to read as Ohio Highway 49. The remainder of the letter-notice remains as previously published.

No. MC 106407 (Sub-No. E1), filed June 4, 1974. Applicant: T. E. MERCER TRUCKING CO., INC., 920 N. Main Street, P.O. Box 1809, Fort Worth, Tex. 76101. Applicant's representative: Clayte Binion, 1108 Continental Life Bldg., Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies*, used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas, and petroleum and their products and by-products, and *machinery, equipment, materials, and supplies*, used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, (1) between points in Louisiana, Mississippi, Alabama, Georgia, and Florida, on the one hand, and, on the other, points in Idaho, Utah, Colorado, Wyoming, and Montana, (Perryton, Tex.)*; (2) between points in Florida and Mississippi, on the one hand, and, on the other, points in Missouri, (Memphis, Tenn.)*; and (3) between points in Texas, New Mexico, and Louisiana, on the one hand, and, on the other, points in Tennessee, Kentucky, and Indiana, (Memphis, Tenn.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 106407 (Sub-No. E7), filed June 4, 1974. Applicant: T. E. MERCER TRUCKING CO., INC., 920 N. Main Street, P.O. Box 1809, Fort Worth, Tex. 76101. Applicant's representative: Clayte Binion, 1108 Continental Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery and equipment* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of sulphur and its products, and *materials and supplies* (not including sulphur) used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of sulphur and its products, restricted to the transportation of shipments of materials and supplies moving to or from exploration, drilling, production, job, construction, plant (including refining, manufacturing, and processing plant) sites or storage sites, between points in Oklahoma, Louisiana, and Mississippi, on the one hand, and, on the other, points in Wyoming. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC 107012 (Sub-No. E171), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, irregular routes, transporting: *New tub and shower enclosures*, uncartoned, (1) from points in Cannon, Cheatham, Clay, Davidson, De Kalb, Dickson, Jackson, Macon, Montgomery, Overton, Pickett, Putnam, Robertson, Rutherford, Smith, Sumner, Trousdale, Wilson, Williamson Counties, Tenn.; to points in Inyo, Tulare, Kings, Fresno, Tuolumne, Yolo, Santa Cruz, San Mateo, Sutter, Solano, Stanislaus, Sonoma, Santa Clara, Merced, Mariposa, Marin, Madera, Eldorado, Centra Costa, Colusa, Calaveras, Amador, Alpine, Alameda, San Joaquin, San Francisco, Sacramento, San Benito, Placer, Napa, Mono, Monterey, Trinity, Tehama, Mendicino, Lake, Humboldt, Glenn, Yuba, Siskiyou, Sierra, Shasta, Plumas, Nevada, Modoc, Lassen, Butte Counties, Calif.; points in Idaho; points in Floyd, Fayette, Delaware, Clayton, Chickasaw, Cerro Gord, Butler, Buchanan, Bremer, Black Hawk, Allamakee, Wright, Worth, Winneshiek, Winnebago, Mitchell, Howard, Hancock, Franklin Counties, Iowa; points in Minnesota and Montana; points in Eureka, Nye, Lander, Esmeralda, Washoe, Storey, Pershing, Ormsby, Mineral, Lyon, Humboldt, Douglas, Churchill, Whitepine, Elko Counties, Nev.; points in North Dakota and Oregon; points in Grant, Deuel, Day, Codington, Clark, Brown, Brookings, Beadle, Spink, Roberts, Marshall, Kingsbury, Hamlin, Sully, Stanley, Mellette, Lyman, Jones, Hyde, Hughes, Hand, Buffalo, Brue, Tripp, Todd, Perkins, McPherson, Harding, Faulk, Edmunda, Dewey, Corson, Campbell, Walworth, Potter, Washabaugh, Shannon, Pennington, Meade, Lawrence, Jackson, Haakon, Fall River, Custer, Butte, Bennett, Ziebach Counties, S. Dak.; Wasatch, Utah, Tooele, Summit, Salt Lake, Rich, Morgan, Davis, Cache, Box Elder, Weber, Washington, Iron Counties, Utah; Beaver, Yellowstone National Park, Teton, Park, Natrona, Hot Spring, Fremont, Weston, Campbell, Big Horn, Washakie, Sheridan, Crook, Johnson, Uinta, Sweetwater, Sublette, Lincoln Counties, Wyo.; (2) from points in Bedford, Bledsoe, Bradley, Coffee, Cumberland, Fentress, Franklin, Grundy, Hamilton, Lincoln, Loudon, Marion, Marshal, McMinn, Meigs, Morgan, Moore, Monroe, Polk, Rhea, Roane, Sequatchie, Van Buren, Warren, White Counties, Tenn., to points in Tuolumne, Yolo, Sutter, Eldorado, Madera, Marin, Mariposa, Merced, Mono, Monterey, Napa, Placer, San Benito, Sacramento, San Joaquin, San Mateo, San Francisco, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Alameda, Alpine, Amador, Calaveras, Colusa, Centra Costa, Glenn, Humboldt, Lake, Mendicino, Tehama, Trinity, Modoc, Nevada, Plumas, Shasta, Sierra, Siskiyou, Yuba, Butte, Lassen Counties, Calif.; Garfield, Mesa, Moffat, Rio Blanco, Routt Counties, Colo.; points in Idaho; points in Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Osceola, Palo Alto, Plymouth, Sac, Sioux, Pocahontas, Woodbury, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Allamakee, Black Hawk, Bremer, Buchanan, Butler, Cerro Gord, Chickasaw, Clayton, Delaware, Fayette, Floyd, Howard, Hancock, Franklin, Mitchell, Worth, Winnebago, Winneshiek, Wright Counties, Iowa; points in Minnesota and Montana; points in Esmeralda, Eureka, Lander, Nye, Churchill, Douglas, Humboldt, Lyon, Mineral, Ormsby, Pershing, Storey, Washoe, Elko, Whitepine Counties, Nev.; and points in North Dakota, Oregon, South Dakota, Utah, and Wyoming.

(3) From points in Anderson, Blount, Carter, Campbell, Claiborne, Cocke, Grainger, Greene, Hamblen, Hawkins, Hancock, Jefferson, Johnson, Knox, Scott, Sevier, Sullivan, Unicoi, Union, Washington Counties, Tenn., to points in Santa Cruz, Pinal, Pima, Maricopa, Yuma Counties, Ariz.; points in California; points in Teller, Jackson, Grand, Denver, Gilpin, Chaffee, Cedar Creek, Boulder, Arapahoe, Summit, Pitkin, Adams, Park, Larimer, Lake, Jefferson, Fremont, El Paso, Eagle, Elbert, Douglas, Phillips, Morgan, Logan, Kit Carson, Yuma, Weld, Washington, Sedgwick, Delta, Conejos, Archuleta, Alamosa, San Miquel, San Juan, Saguache, Rio Grande, Quray, Montrose, Montezuma, Mineral, La Plata, Hinsdale, Gunnison, Dolores, Rio Blanco, Moffat, Mesa, Garfield, Routt Counties, Colo.; points in Idaho; points in Warren, Webster, Wayne, Story, Poweshiek, Polk, Monroe, Marshall, Marion, Madison, Mahaska, Jasper, Lucas, Hardin, Hamilton, Grundy, Greene, Decatur, Dallas, Clarke, Boone, Appanoose, Tama, Woodbury, Sac, Pocahontas, Palo Alto, Plymouth, Osceola, O'Brien, Lyon, Monona, Humboldt, Ida, Kossuth, Emmet, Dickinson, Crawford, Clay, Cherokee, Carroll, Buena Vista, Calhoun, Sioux, Taylor, Shelby, Pottawatta, Ringgold, Page, Montgomery, Mills, Harrison, Cass, Guthrie, Fremont, Audubon, Adams, Adair, Union, Howard, Hancock, Floyd, Franklin, Fayette, Delaware, Clayton, Chickasaw, Butler, Cerro, Gordo, Buchanan, Bremer, Black Hawk, Allamakee, Wright, Worth, Winneshiek, Winnebago, Mitchell Counties, Iowa; points in Minnesota, Montana, Nevada, Utah, Wyoming, North Dakota, Oregon, and South Dakota; and points in Rio Arriba, San Juan, McKinley Counties, N. Mex.; (4) from points in Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, Madison, McNairy, Obion, Shelby, Tipton Counties, Tenn., to points in Benewah, Bonner, Boundary, Idaho, Clearwater, Kootenai, Latah, Nez Perce, Lewis, Shoshone Counties, Idaho; Clearwater, Beltrami, Roseau, Red Lake, Polk, Mahnomen, Marshall, Lake Woods, Koochichin,

Kittson Counties, Minn.; Garfield, Daniels, Sheridan, Valley, Richland, Roosevelt, Phillips, McCone, Dawson, Wheatland, Toole, Teton, Pondera, Petroleum, Meagher, Lewis Clark, Liberty, Judi Basin, Hill, Fergus, Golden Valley, Chouteau, Cascade, Blaine, Sanders, Missoula, Flathead Counties, Mont.; Pierce, Pembina, Cavalier, Benson, Wells, Towner, Walsh, Sheridan, Rolette, Ramsey, McHenry, Bottineau, McLean, Burke, Mountrail, Renville, Ward, Divide, McKenzie, Williams Counties, N. Dak.; Yamhill, Benton, Clackamas, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington Counties, Ore.; Kittson, Beltrami, Clearwater, Koochichin, Lake Woods, Mahnomen, Marshall, Norman, Pennington, Polk, Red Lake, Roseau Counties, Minn.; points in Montana; points in Churchill, Douglas, Humboldt, Lyon, Mineral, Ormsby, Pershing, Storey, Washoe Counties, Nev.; points in North Dakota and Oregon; points in Dewey, Edmunds, Potter, Campbell, Corson, Faulk, Harding, McPherson, Perkins, Walworth Counties, S. Dak., and Big Horn, Campbell, Johnson, Crook, Sheridan, Washakie, Weston Counties, Wyo. The purpose of this filing is to eliminate the gateway of Bremer, Ind.

No. MC 107012 (Sub-No. E172), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New tub and shower enclosures*, uncartoned, (1) from points in Aransas, Atascosa, Bandera, Bexar, Bee, Brooks, Cameron, Dimmit, Duval, Frio, Goliad, Hidalgo, Jim Wells, Jim Hogg, Kaines, Kenedy, Kinney, Kleberg, La Salle, Live Oak, Maverick, McMullen, Medina, Nueces, Real, Refugio, San Patrico, Starr, Uvalde, Webb, Willacy, Wilson, Zavala, Zarata Counties, Tex., to points in Winchester, Harrisonburg, Warren, Shenandoah, Rockingham, Rapahanock, Page, Madison, Loudoun, Greene, Clarke, Frederick Counties, Va.; (2) from points in Armstrong, Bailey, Briscoe, Castro, Carson, Childress, Cottle, Colingsworth, Cochran, Dallam, Deaf Smith, Donley, Floyd, Foard, Gray, Hardeman, Hartley, Hansford, Hall, Hale, Hemphill, Hockley, Hutchinson, Lamb, Lipscomb, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler, Wilbarger, Wichita Counties, Tex., to points in Tyrrell, Pitt, Per Quiman, Pamlico, Pasquotank, Northampton, Nash, Hyde, Martin, Hertford, Halifax, Gates, Edgecombe, Dare, Currituck, Bertie, Camden, Chowan, Beaufort, Washington, Wilson Counties, N.C.; Fairfax, Falls Church, Fredericksburg, Stafford, Westmoreland, Alexandria, Spotsylvania, Prince Williams, Orange, King George, Fauquier, Fairfax, Arlington, Culpeper, Essex, Caroline, Winchester, Harrisonburg, Warren, Shenandoah, Rockingham, Rappahannock, Page, Madison, Clarke, Frederick, Loudoun, Greene, Petersburg, Hopewell, Colonial Heights, Prince George, Charlottsville, Prince Edward, New Kent, Nottoway, Powhatan, Mecklenburg, Lunenburg, Louisa, King William, King Queen, James Pity, Charles Pity, Buckingham, Chesterfield, Cumberland, Dinwiddie, Brunswick, Amelia, Albemarle, Henrico, Hanover, Fluvanna, Goochland, Richmond, Waynesboro, Suffolk, Virginia Beach, Williamsburg, Portsmouth, Norfolk, Newport News, Hampton, Franklin, Emporia, Richmond, North Umberland, Southampton, York, Chesapeake, Northampton, Nansemond, Middlesex, Sussex, Surry, Mathews, Lancaster, Wight Isle, Greensville, Gloucester, Accomack Counties, Va.

(3) From points in Andrews, Archer, Baylor, Blanco, Bosque, Borden, Brown, Burnet, Callahan, Carza, Clay, Concho, Cooke, Coleman, Coke, Coryell, Comanche, Crane, Crosby, Crockett, Dawson, Denton, Dickens, Eastland, Ector, Edwards, Erath, Fisher, Gaines, Gillespie, Glasscock, Hamilton, Haskell, Hill, Howard, Hood, Irion, Jack, Jones, Johnson, Kerr, Kendall, Kent, Kimble, King, Knox, Lampasas, Llamo, Lubbock, Lynn, Martin, Mason, McCulloch, McLennan, Menard, Mills, Midland, Mitchell, Montague, Nolan, Palo Pinto, Parker, Reagan, Runnels, San Saba, Schleicher, Scurry, Shackelford, Somervell, Stonewall, Sterling, Stephens, Sutton, Taylor, Tarrant, Terry, Throckmartin, Tom Green, Upton, Val Verde, Wise, Young, Yoakum Counties, Tex., to points in Falls Church, Westmoreland, Fairfax, Alexandria, Fredericksburg, Stafford, Spotsylvania, Prince William, Orange, King George, Fairfax, Fauquier, Essex, Culpeper, Arlington, Caroline, Frederick, Clarke, Warren, Winchester, Harrisonburg, Page, Rockingham, Madison, Loudoun, Shenandoah, Rappahannock, Greene Counties, Va.; (4) from points in Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Terrell, Ward, Winkler Counties, Tex., to points in Per Quiman, Pitt, Nash, Pasquotank, Tyrrell, Washington, Wilson, Pamlico, Northampton, Beaufort, Bertie, Camden, Chowan, Currituck, Dare, Edgecombe, Gates, Halifax, Hertford, Hyde, Martin Counties, N.C., Fredericksburg, Fairfax, Falls Church, Alexandria, Arlington, Caroline, Culpeper, Essex, Fairfax, Fauquier, King George, Orange, Prince Williams, Spotsylvania, Stafford, Westmoreland, Clarke, Frederick, Greene, Loudoun, Madison, Page, Rappahannock, Rockingham, Shenandoah, Warren, Harrisonburg, Winchester, King Queen, Nottoway, New Kent, Mecklenburg, James City, Lunenburg, King Williams, Prince Edward, Petersburg, Hopewell, Powhatan, Colonial Heights, Louisa, Richmond, Charlottsville, Waynesboro, Prince George, Albemarle, Amelia, Brunswick, Buckingham, Charles City, Chesterfield, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, Franklin, Hampton, Newport News, Norfolk, Portsmouth, York, Suffolk, Chesapeake, Emporia, Virginia Beach, Surry, Williamsburg, Sussex, Accomack, Gloucester, Greensville, Wight Isle, Lancaster, Mathews, Middlesex, Nansemond, Northampton, North Umberland, Richmond, Southampton Counties, Va. The purpose of this filing is to eliminate the gateway of Bremer, Ind.

No. MC 107012 (Sub-No. E173), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New tub and shower enclosures*, uncartoned, (1) from points in Box Elder, Cache, Davis, Morgan, Rich, Salt Lake, Summit, Tooèle, Utah, Wasatch, Weber Counties, Utah, to points in Etowah, Jefferson, Elmore, Talladega, Tallapoosa, Shelby, St. Clair, Lee, Randolph, Cleburne, Clay, Chilton, Cherokee, Chambers, Calhoun, Blount, Bibb, Autauga, Cullman, Coosa, Madison, Limestone, Jackson, De Kalb, Morgan, Marshall, Pike, Russell, Covington, Coffee, Bullock, Barbour, Montgomery, Macon, Houston, Henry, Geneva, Dale, Crenshaw Counties, Ala., Union, Clay, Bradford, Baker, Alachua, St. Johns, Putnam, Nassau, Marion, Levy, Flagler, Duval, Suwannee, Taylor, Wakulla, Gadsen, Franklin, Dixie, Columbia, Madison, Liberty, Leon, Lafayette, Jefferson, Hamilton, Gilchrist, Volusia, Sumter, Seminole, Hillsboro, Hernando, Citrus, Brevard, Polk, Pinellas, Pasco, Osceola, Orange, Lake, Indian River, Monroe, Martin, Dade, Collier, Broward, St. Lucie, Palm Beach, Highlands, Henry, Hardee, Glades, De Soto, Sarasota, Okeechobee, Manatee, Lee Counties, Fla.; points in Georgia; points in Monroe, Pulaski, Woodford, Rockcastle, Metcalfe, Madison, Russell, Marion, Mercer, Taylor, Washington, Wayne, Jessamine, Gerrard, Fayette, Cumberland, Clinton, Boyle, Anderson, Adair, Lincoln, Green, Casey, Leslie, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Laurel, Knox, Knott, Jackson, Floyd, Estill, Clay, Breathitt, Bell, Lee, Harlan, Morgan, Montgomery, Menifee, Mason, Martin, Magoffin, Lewis, Lawrence, Kenton, Wolfe, Scott, Rowan, Powell, Nicholas, Owen, Robertson, Pendleton, Johnson, Franklin, Gallatin, Grant, Greenup, Harrison, Bracken, Boyd, Bourbon, Boone, Bath, Fleming, Elliott, Clark, Carter, Carroll, Campbell, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Sheleby, Simpson, Spencer, Todd, Trimble, Warren, Jefferson, LaRue, Christian, Butler, Bullitt, Breckenridge, Barren, Allen, Henry, Hart, Hardin, Grayson, Edmonson Counties, Ky.; Williamson, Putnam, Robertson, Wilson, Trousdale, Rutherford, Smith, Summer, Cheatham, Cannon, Pickett, Overton, Montgomery, Macon, Jackson, Dickson, DeKalb, Davidson, Clay, Marshall, Marion, White, Warren, Meigs, Roane, Van Buren, Sequatchie, Rhea, Polk, Monroe, Moore, Morgan, McMinn, Bledsoe, Bedford, Loudon, Lincoln, Hamilton, Grundy, Franklin, Fentress, Cumberland, Coffee, Bradley, Union, Sevier, Scott, Unicol, Washington, Sullivan, Jefferson, Johnson, Knox, Hawkins, Hancock, Hamblen, Greene, Grainger, Cocke, Clai-

borne, Carter, Campbell, Blount, Anderson Counties, Tenn.

(2) From points in Carbon, Daggett, Duchesne, Emery, Grand, San Juan, Uintah Counties, Utah; points in St. Johns, Nassau, Marion, Union, Putnam, Alachua, Levy, Flagler, Duval, Clay, Bradford, Baker, Volusia, Seminole, Sumter, Pinellas, Polk, Pasco, Osceola, Hillsboro, Hernando, Citrus, Brevard, Orange, Lake, Indian River, St. Lucie, Palm Beach, Monroe, Martin, Dade, Collier, Broward, Manatee, Okeechobee, Sarasota, Lee, Highlands, Hendry, Hardee, Glades, De Soto, Charlotte Counties, Fla.; Jefferson, Jenkins, Johnson, Laurens, Lincoln, McDuffie, Oglethorpe, Putnam, Richmond, Taliaferro, Treutlen, Warren, Washington, Wilkes, Wilkinson, Columbia, Burke, Baldwin, Hancock, Greene, Glascock, Emanuel, Screven, Liberty, Evans, Effingham, Chatham, Candler, Bullock, Bryan, Montgomery, Ware, Pierce, Tattnall, Wayne, McIntosh, Long, To Ware, Toombs, Wheeler, Glynn, Charlton, Camden, Brantley, Bacon, Appling, Jeff Davis Counties, Ga.; Wayne, Gerrard, Green, Jessamine, Woodford, Lincoln, Madison, Marion, Mercer, Metcalfe, Monroe, Pulaski, Rockcastle, Russell, Taylor, Washington, Cumberland, Fayette, Adair, Anderson, Boyle, Casey, Clinton, Lee, Knott, Laurel, Leslie, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Knox, Bell, Breathitt, Clay, Estill, Floyd, Harlan, Jackson, Robertson, Rowan, Scott, Powell, Pendleton, Wolfe, Menifee, Montgomery, Morgan, Nicholas, Owen, Carter, Clark, Elliott, Fleming, Franklin, Gallatin, Grant, Greenup, Harrison, Johnson, Kenton, Lawrence, Lewis, Magoffin, Martin, Mason, Bourbon, Boyd, Bracken, Campbell, Carroll, Bath, Boone Counties, Ky.; Hamilton, Marshall, Grundy, Lincoln, Meigs, Monroe, Moore, Morgan, Polk, Rhea, Roane, Marion, Sequatchie, Van Buren, Warren, White, McMinn, Loudon, Franklin, Fentress, Cumberland, Coffee, Bradley, Bledsoe, Bedford, Knox, Johnson, Unicoi, Union, Sullivan, Sevier, Scott, Washington, Greene, Hamblen, Hancock, Hawkins, Jefferson, Anderson, Blount, Campbell, Carter, Claiborne, Cocke, Grainger Counties, Tenn.

(3) From points in Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier, Wayne Counties, Utah, to points in Union, St. Johns, Putnam, Nassau, Baker, Bradford Clay, Duval, Flagler, Levy, Marion, Alachua, Sumter, Volusia, Pinellas, Polk, Pasco, Seminole, Osceola, Brevard, Citrus, Hernando, Hillsboro, Indian River, Lake, Orange, Monroe, Broward, Collier, Dade, Martin, Palm Beach, St. Lucie, Sarasota, Okeechobee, Hendry, Highlands, Manatee, Charlotte, DeSoto, Glades, Hardee, Lee Counties, Fla.; Polk, Walker, Whitfield, Haralson, Heard, Murray, Paulding, Douglas, Floyd, Gordon, Bartow, Chattooga, Carroll, Catoosa, Dade, Lumpkin, Madison, Morgan, Newton, Oconee, Pickens, Rabun, Rockdale, Spalding, Stephens, Towns, Union, Walton, White, Jasper, Jackson, Henry, Hart, Hebersham, Hall, Fayette Gilmer, Forsyth, Gwinnett, Fannin, Franklin, Fulton, Elbert, De Kalb, Dawson, Banks, Butts, Cobb, Coweta, Barrow, Cherokee, Clarke, Clayton, Laurens, McDuffie, Lincoln, Johnson, Jenkins, Wilkinson, Wilkes, Taliaferro, Treutlen, Warren, Washington, Putnam, Oglethorpe, Richmond, Emanuel, Glascock, Greene, Hancock, Jefferson, Baldwin, Burke, Columbia, Candler, Chatham, Effingham, Evans, Liberty, Screven, Bryan, Bullock, Montgomery, Pierce, Tattnall, Toombs, Ware, To Ware, Wayne, Wheeler, McIntosh, Appling, Bacon, Brantley, Camden, Glynn, Jeff Davis, Long, Charlton Counties, Ga.; Taylor, Green, Pulaski, Jessamine, Lincoln, Madison, Marion, Mercer, Metcalfe, Monroe, Woodford, Wayne, Washington, Russell, Rockcastle, Anderson, Boyle, Casey, Clinton, Cumberland, Fayette, Gerrard, Adair, Lee, Leslie, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Laurel, Knox, Knott, Bell, Breathitt, Clay, Estill, Floyd, Harlan, Jackson, Owen, Nicholas, Morgan, Pendleton, Powell, Montgomery, Wolfe, Scott, Rowan, Robertson, Clark, Elliott, Fleming, Franklin, Gallatin, Grant, Greenup, Harrison, Johnson, Kenton, Lawrence, Lewis, Magoffin, Martin, Mason, Menifee, Boyd, Carter, Bath, Boone, Bourbon, Bracken, Campbell, Carroll Counties, Ky.; Marshall, Marion, Meigs, Monroe, Lincoln, Moore, McMinn, Morgan, Polk, Rhea, Roane, Sequatchie, Van Buren, Warren, White, Loudon, Hamilton, Fentress, Franklin, Grundy, Bedford, Bledsoe, Bradley, Coffee, Cumberland, Union, Washington, Hamblen, Unicoi, Sullivan, Knox, Sevier, Jefferson, Johnson, Hawkins, Hancock, Scott, Claiborne, Cocke, Grainger, Greene, Anderson, Blount, Campbell, Carter Counties, Tenn.

(4) From points in Beaver, Iron, Washington Counties, Utah, to points in Glynn, Jeff Davis, Tattnall, To Ware, Pierce, Toombs, Long, Montgomery, Ware, Wayne, Wheeler, Camden, Charlton, McIntosh, Appling, Bacon, Brantley, Lumpkin, Madison, Morgan, Newton, Oconee, Pickens, Rabun, Rockdale, Spalding, Stephens, Towns, Union, Walton, White, Cherokee, Hall, Jasper, Jackson, Henry, Hart, Clarke, Clayton, Cobb, Coweta, Dawson, De Kalb, Elbert, Fannin, Fayette, Forsyth, Franklin, Fulton, Gilmer, Gwinnett, Habersham, Banks, Barrow, Butts, Wilkinson, Greene, Hancock, Emanuel, Jefferson, Glascock, Jenkins, Johnson, Laurens, Lincoln, McDuffie, Oglethorpe, Putnam, Richmond, Taliaferro, Treutlen, Warren, Washington, Wilkes, Baldwin, Burke, Columbia, Screven, Chatham, Effingham, Evans, Liberty, Bryan, Bullock, Candler Counties, Ga.; Washington, Taylor, Rockcastle, Russell, Pulaski, Casey, Monroe, Clinton, Mercer, Metcalfe, Cumberland, Madison, Fayette, Gerrard, Green, Woodford, Lincoln, Marion, Jessamine, Wayne, Boyle, Adair, Anderson, Whitley, Pike, Perry, Knox, Estill, Floyd, Knott, Letcher, Harlan, Jackson, Laurel, Owsley, Leslie, Lee, McCreary, Bell, Breathitt, Clay, Boyd, Bracken, Campbell, Pendleton, Powell, Robertson, Rowan, Scott, Wolfe, Carroll, Carter, Montgomery, Morgan, Clark, Elliott, Fleming, Franklin, Gallatin, Grant, Nicholas, Greenup, Harrison, Johnson, Kenton, Lawrence, Lewis, Magoffin, Owen, Martin, Mason, Menifee, Bath, Boone, Bourbon Counties, Ky.; Davidson, De Kalb, Dickson, Jackson, Macon, Montgomery, Overton, Pickett, Putnam, Robertson, Rutherford, Smith, Sumner, Trousdale, Williamson, Wilson, Cheatham, Clay, Cannon, Marshall, Meigs, Monroe, Moore, Morgan, Polk, Rhea, Roane, Sequatchie, Van Buren, Warren, White, Loudon, Lincoln, Hamilton, Grundy, Franklin, Fentress, Marion, Cumberland, Coffee, McMinn, Bedford, Bledsoe, Bradley, Union, Washington, Cocke, Grainger, Sullivan, Greene, Hamblen, Unicoi, Hancock, Hawkins, Carter, Claiborne, Jefferson, Johnson, Knox, Scott, Sevier, Anderson, Blount, Campbell Counties, Tenn. The purpose of this filing is to eliminate the gateway of Bremer, Ind.

No. MC 107012 (Sub-No. E174), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New tub and shower enclosures*, uncartoned, from points in Chittenden, Franklin, Grand Isle, Lamoille, Addison, Orange, Washington, Caledonia, Essex, Orleans Counties, Vt., to points in Okaloosa, Santa Rosa, Gulf, Walton, Holmes, Jackson, Washington, Bay, Calhoun, Escambia Counties, Fla. The purpose of this filing is to eliminate the gateway of Bremer, Ind.

No. MC 107012 (Sub-No. E175), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New tub and shower enclosures*, uncartoned, (1) from points in Alexandria, Arlington, Caroline, Culpeper, Essex, Fauquier, Fairfax, Falls Church, Fredericksburg, King George, Orange, Prince Williams, Spotsylvania, Stafford, Westmoreland Counties, Va., to points in Logan, Marion, Newton, Pope, Searcy, Madison, Sebastian, Franklin, Van Buren, Washington, Boone, Benton, Carroll, Crawford, Johnson Counties, Ark.; points in Kansas and Minnesota; points in Marshall, Murray, Stephens, Seminole, Potawatomi, Pontotoc, Payne, Pawnee, Osage, Oklahoma, Okfuskee, Noble, Lincoln, Canadian, Creek, Grady, Grant, Jefferson, Hughes, Carter, Cleveland, Love, McClain, Johnston, Kay, Logan, Garfield, Kingfisher, Woods, Tillman, Woodward, Washita, Dewey, Blaine, Caddo, Comanche, Cotton, Harper, Kiowa, Ellis, Alfalfa, Beckham, Roger Mill, Greer, Harmon, Jackson, Major, Custer, Texas, Beaver, Cimarron, Adair, Delaware, McIntosh, Mayes, Muskogee, Cherokee, Nowata, Okmulgee, Craig, Wagoner, Osage, Ottawa, Rogers, Seqroyah, Tulsa, Washington Counties, Okla.; Dallam, Deaf Smith, Donley, Castro, Briscoe, Hutchinson, Hemphill, Hart-

ley, Floyd, Hardeman, Foard, Gray, Hale, Cochran, Childress, Hall, Hansford, Colingsworth, Hockley, Cottle, Carson, Bailey, Lamb, Ochiltree, Oldham, Parmer, Potter, Lipscomb, Randall, Roberts, Moore, Motley, Sherman, Swisher, Wheeler, Wichita, Wilbarger, Armstrong, Sutton, Tarrant, Taylor, Terry, Throckmartin, Tom Green, Upton, Val Verde, Wise, Yoakum, Young, Andrews, Archer, Baylor, Blanco, Borden, Bosque, Brown, Burnet, Callahan, Clay, Coke, Coleman, Comanche, Concho, Cooke, Coryell, Crane, Shacklford, Scurry, Runnels, Nolan, Montague, Menard, Lubbock, McLennan, McCulloch, Kerr, Howard, Johnson, Stonewall, Irion, Sterling, Stephens, Somervell, Schleicher, San Saba, Reagan, Palo Pinto, Parker, Mitchell, Mills, Midland, Mason, Martin, Lynn, Llamo, Lampasas, Knox, King, Kimble, Kent, Kendall, Jones, Jack, Hood, Hill, Crosby, Crockett, Eastland, Ector, Edwards, Erath, Dawson, Fisher, Denton, Dickens, Gaines, Carza, Gillespie, Glasscock, Hamilton, Haskell, Brewster, Culberson, El Paso, Hudspeth, Reeves, Ward, Terrell, Jeff Davis, Loving, Presidio, Winkler, Pepcos Counties, Tex.

(2) From points in Clarke, Frederick, Greene, Harrisonburg, Loudoun, Madison, Page, Rapahanock, Rockingham, Shenandoah, Warren, Winchester Counties, Va., to points in Sebastian, Van Buren, Washington, Searcy, Pope, Newton, Boone, Marion, Madison, Logan, Johnson, Franklin, Crawford, Carroll, Benton Counties, Ark.; points in Kansas and New Mexico; points in Osage, Oklahoma, Noble, Murray, Marshall, McClain, Love, Logan, Lincoln, Okfuskee, Stephens, Seminole, Potawatomi, Pontotoc, Payne, Pawnee, Kingfisher, Kay, Johnston, Carter, Jefferson, Hughes, Grant, Grady, Garfield, Creek, Cleveland, Canadian, Major, Roger Mill, Woodward, Tillman, Jackson, Kiowa, Woods, Washita, Dewey, Custer, Cotton, Greer, Comanche, Caddo, Blaine, Beckham, Alfalfa, Harper, Harmon, Ellis, Texas, Cimarron, Beaver, Tulsa, Washington, Seqroyah, Wagoner, Rogers, Ottawa, Osage, Cherokee, Okmulgee, Mowata, Muskogee, Mayes, McIntosh, Delaware, Craig, Adair Counties, Okla.; Starr, San Patrico, Refugia, Real, Nueces, Medina, McMullen, Maverick, Live Oak, Zapata, Zavala, LaSalle, Kleberg, Wilson, Willacy, Webb, Uvalde, Jim Hogg, Jim Wells, Kaines, Kenedy, Kinney, Hidalgo, Goliad, Frio, Atascosa, Duval, Dimmit, Cameron, Brooks, Bexar, Bee, Bandera, Aransas, Dallam, Deaf Smith, Donley, Floyd, Foard, Gray, Briscoe, Castro, Bailey, Armstrong, Hale, Wheeler, Cottle, Hall, Colingsworth, Carson, Hutchinson, Hansford, Hardeman, Hartley, Wichita, Hemphill, Hockley, Wilbarger, Childress, Cochran, Swisher, Sherman, Randall, Parmer, Oldham, Ochiltree, Motley, Lipscomb, Lamb, Roberts, Potter, Moore, Sutton, Tarrant, Taylor, Terry, Throckmartin, Tom Green, Upton, Val Verde, Wise, Yoakum, Young, Andrews, Archer, Baylor, Blanco, Borden, Bosque, Brown, Burnet, Callahan, Clay, Coke, Coleman, Comanche, Concho, Cooke, Coryell, Crane, Scurry, Shacklford, Somervell, Stephens, Sterling, Stonewall, Gillespie, Glasscock, Hamilton, Haskell, Hill, Hood, Howard, Irion, Jack, Johnson, Jones, Kendall, Kent, Kerr, Kimble, King, Knox, Lampasas, Llamo, Lubbock, Lynn, McCulloch, McLennan, Martin, Mason, Menard, Midland, Mills, Mitchell, Montague, Nolan, Palo Pinto, Parker, Reagan, Runnels, San Saba, Schleicher, Denton, Dawson, Crosby, Eastland, Crockett, Carza, Gaines, Fisher, Erath, Edwards, Ector, Dickens, Winkler, Ward, Terrell, Culberson, Reeves, Presidio, Pecos, Loving, Jeff Davis, Hudspeth, El Paso, Brewster Counties, Tex.

(3) From points in Albemarle, Amelia, Brunswick, Buckingham, Charlottsville, Charles Pity, Chesterfield, Colonial Heights, Cumberland, Dinwiddie, Fluvanna, Goochland, Hanover, Henrico, Hopewel, James Pity, King William, King Queen, Louisa, Lunenburg, Mecklenburg, New Kent, Nottoway, Petersburg, Powhatan, Prince Edward, Prince George, Richmond, Waynesboro Counties, Va., to points in Logan, Murray, Noble, Okfuskee, Payne, Grant, Pawnee, Hughes, Pontotoc, Seminole, Canadian, Carter, Creek, Lincoln, Garfield, Jefferson, Johnston, Kay, Kingfisher, Marshall, Osage, Potawatomi, Love, Stephens, Cleveland, Grady, McClain, Oklahoma, Caddo, Comanche, Cotton, Harper, Woods, Woodward, Alfalfa, Beckham, Blaine, Custer, Dewey, Ellis, Greer, Harmon, Jackson, Kiowa, Major, Roger Mill, Tillman, Washita, Cimarron, Beaver, Teaxs, Adair, McIntosh, Mayes, Muskogee, Okmulgee, Osage, Rogers, Washington, Nowata, Ottawa, Seqroyah, Tulsa, Wagoner, Cherokee, Craig, Delaware Counties, Okla.; Gray, Hale, Hall, Hansford, Hardeman, Hartley, Hemphill, Hockley, Hutchinson, Floyd, Foard, Lamb, Lipscomb, Motley, Cochran, Moore, Colingsworth, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Cottle, Sherman, Swisher, Wheeler, Wichita, Wilbarger, Armstrong, Bailey, Briscoe, Dallam, Carson, Childress, Castro, Deaf Smith, Donley, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Terrell, Presidio, Ward, Brewster, Pecos, Reeves, Winkler Counties, Tex., and points in Kansas and New Mexico; (4) from points in Accomack, Chesapeake, Emporia, Franklin, Gloucester, Greenville, Hampton, Lancaster, Mathews, Middlesex, North Umberland, Nansemond, Newport News, Norfolk, Northampton, Portsmouth, Richmond, Southampton, Surry, Suffolk, Sussex, Virginia Beach, Williamsburg, Wight Isle, York Counties, Va.; points in Kansas and New Mexico; points in Stephens, Seminole, Potawatomi, Pawnee, Pontotoc, Payne, Noble, Osage, Oklahoma, Marshall, Murray, Logan, Lincoln, Grady, Kay, McClain, Love, Jefferson, Kingfisher, Garfield, Creek, Cleveland, Johnston, Carter, Hughes, Okfuskee, Grant, Canadian, Major, Kiowa, Jackson, Harmon, Greer, Ellis, Cotton, Dewey, Woodward, Custer, Woods, Comanche, Caddo, Beckham, Blaine, Washita, Tillman, Harper, Roger Mill, Alfalfa, Cimarron, Texas, Beaver, Muskogee, Washington, Wagoner, Mayes, McIntosh, Tulsa, Craig, Cherokee, Adair, Seqroyah, Rogers, Ottawa, Osage, Okmulgee, Nowata, Delaware Counties, Okla.; Deaf Smith, Donley, Floyd, Foard, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Hemphill, Hockley, Hutchinson, Moore, Wheeler, Swisher, Sherman, Lipscomb, Lamb, Roberts, Cottle, Colingsworth, Cochran, Carson, Childress, Randall, Potter, Castro, Parmer, Briscoe, Bailey, Armstrong, Oldham, Wilbarger, Ochiltree, Dallan, Motley, Wichita, Terrell, Reeves, Presidio, Loving, Jeff Davis, Hudspeth, El Paso, Winkler, Culberson, Brewster, Ward Counties, Tex.

(5) From points in Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Bristol, Buchanan, Buena Vista, Campbell, Carroll, Charlotte, Clif Forge, Covington, Craig, Danville, Dickenson, Floyd, Franklin, Galax, Giles, Grayson, Halifax, Henry, Highland, Lexington, Lee, Lynchburg, Martinsville, Montgomery, Nelson, Norton, Patrick, Pittsylvania, Pulaski, Radford, Roanoke, Rockbridge, Roanoke, Russell, Salem, Scott, Smyth, South Boston, Stauton, Tazewell, Washington, Wise, Wythe Counties, Va., to points in Douglas, Doniphan, Brown, Atchison, Wyandotte, Wabaunsee, Shawnee, Pottawatom, Nemaha, Osage, Miami, Marshall, Leavenworth, Johnson, Jefferson, Jackson, Franklin, Barber, Marion, McPherson, Mitchell, Morris, Osborne, Ottawa, Pratt, Reno, Republic, Rice, Riley, Barton, Russell, Chase, Saline Sedgwick, Smith, Clay, Stafford, Sumneer, Washington, Cloud, Dickinson, Ellsworth, Geary, Harper, Harvey, Jewell, Kingman, Lincoln, Rooks, Rush, Scott, Sheridan, Sherman, Thomas, Trego, Wallace, Wichita, Cheyenne, Decatur, Ellis, Graham, Greeley, Gove, Lane, Logan, Ness, Norton, Phillips, Rawlins, Clark, Morton, Pawnee, Seward, Stanton, Stevens, Edwards, Comanche, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Meade Counties, Kans.; Guadalupe, Los Alamos, Bernalillo, Sandoval, San Miquel, Santa Fe, Torrance, Valencia, McKinley, Rio Arriba, San Juan, Colfax, Harding, Mora, Union, Taos, Catron, Dona Ana, Grant, Hidalgo, Luna, Otero, Sierra, Socorro, Counties, N. Mex.; Cimarron, Texas, Beaver Counties, Okla. The purpose of this filing is to eliminate the gateway of Bremer, Ind.

No. MC 107012 (Sub-No. E176), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New tub and shower enclosures*, uncartoned, (1) from points in Clallam, Grays Harb, Jefferson, Kitsap, Mason, San Juan Counties, Wash., to points in St. Charles, St. Helena, St. James, John Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge, West Felician, Jefferson, Lafourche, Livingston, Orleans, Plaquemine, Pointe Coupee, St. Bernard, As-

sumption, Ascension, Iberville, Iberia, East Felician, East Baton Rouge Counties, La., and points in Mississippi; (2) from points in Klickitat, Lewis, Clark, Cowlitz, Pacific, Pierce, Skamania, Thurston, Wahkiakum, Yakima Counties, Wash., to points in Sharkey, Sunflower, Talahatchi, Warren, Washington, Yazoo, Holmes, Grenada, Carroll, Bolivar, Quitman, Montgomery, Leflore, Issaquena, Humphreys, Coahoma, Tippah, Tishomingo, Tunila, Union, Webster, Yalobusha, Panola, Oktibbeha, Monroe, Marshall, Lowndes, Tate, Prentiss, Pontotoc, Clay, Choctaw, Itawamba, DeSoto, Chickasaw, Calhoun, Benton, Alcorn, Lee, Lafayette, Wayne, Stone, Perry, Pearl River, Lamar, Jones, Jackson, Hancock, Greene, Harrison, George, Forrest, Covington Counties, Miss.; (3) from points in Chelay, Douglas, Grant, Island, Kittitas, King, Skagit, Snohomish, Whatcom Counties, Wash., to point in St. Charles, Plaquemine, Pointe Coupee, St. Helena, St. James, John Baptist, St. Bernard, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge, West Felician, Orleans, Livington, Lafourche, Jefferson, Iberia, East Baton Rouge, East Felician, Assumption, Ascension, Iberville Counties, La., and points in Mississippi.

(4) From points in Ferry, Lincoln, Okanogan, Pend Oreil Spokane, Stevens Counties, Wash., to points in St. Charles, St. Helena, St. James, John Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, Lafourche, Livingston, Jefferson, Orleans, Palquemine, Terrebonne, West Baton Rouge, Washington, St. Bernard, West Felician, Pointe Coupee, Iberville, Iberia, East Felician, East Baton Rouge, Assumption, Ascension Counties, La., and points in Mississippi; (5) from points in Adams, Asotim, Benton, Columbia, Franklin, Garfield, Walla Walla, Whitman Counties, Wash., to points in Sharkey, Sunflower, Talahatchi, Warren, Washington, Quitman, Yazoo, Montgomery, Holmes, Grenada, Coahoma, Carroll, Bolivar, Leflore, Issaquena, Humphreys, Tippah, Tichomingo, Tunila, Union, Webster, Yalobusha, Prentiss, Pontotoc, Tate, Lafayette, Lee, Lowndes, Marshall, Oktibbeha, Monroe, Panola, Choctaw, Benton, Alcorn, Itawamba, DeSoto, Clay, Chickasaw, Calhoun, Lamar, Wayne, Stone, Perry, Pearl River, Forrest, Covington, Jones, Jackson, Harrison, Hancock, Greene, George Counties, Miss. The purpose of this filing is to eliminate the gateway of Bremer, Ind.

No. MC 107012 (Sub-No. E177), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New tub and shower enclosures*, uncartoned, (1) from points in Albany, Carbon, Converse, Goshen, Laramie, Niobrara, Platte Counties, Wyo., to points in Nassau, Marion, Union, Putnam, St. Johns, Clay, Bradford, Baker, Alachua, Levy, Flagler, Duval, Suwannee, Taylor, Wakulla, Lafayette, Leon, Liberty, Madison, Jefferson, Hamilton, Gilchrist, Gadsen, Franklin, Dixie, Columbia, Volusia, Sumter, Seminole, Polk, Pinellas, Pasco, Osceola, Citrus, Brevard, Orange, Lake, Indian River, Hillsboro, Hernando, St. Lucie, Palm Beach, Dade, Broward, Monroe, Martin, Collier, Okeechobee, Manatee, Sarasota, Highlands, Hendry, Hardee, Glades, De Soto, Charlotte, Lee Counties, Fla.; Metcalfe, Woodford, Mercer, Marion, Madison, Wayne, Washington, Taylor, Russell, Rockcastle, Pulaski, Monroe, Gerrard, Green, Jessamine, Lincoln, Fayette, Cumberland, Clinton, Casey, Boyle, Anderson, Adair, Letcher, McCreary, Owsley, Leslie, Perry, Whitley, Knox, Pike, Lee, Laurel, Knott, Jackson, Harlan, Floyd, Estill, Clay, Breathitt, Bell, Powell, Pendleton, Owen, Nicholas, Morgan, Wolfe, Carter, Clark, Elliott, Fleming, Franklin, Gallatin, Grant, Greenup, Harrison, Johnson, Kenton, Lawrence, Lewis, Scott, Rowan, Robertson, Magoffin, Martin, Mason, Menifee, Montgomery, Carroll, Campbell, Bracken, Boyd, Bourbon, Boone, Bath Counties, Ky.; and Marshall, Meigs, Monroe, Moore, Morgan, Polk, Rhea, Roane, Sequatchie, Van Buren, Marion, Warren, White, McMinn, Loudon, Grundy, Lincoln, Hamilton, Franklin, Fentress, Cumberland, Coffee, Bradley, Bledsoe, Bedford, Union, Washington, Knox, Johnson, Greene, Hamblen, Jefferson, Hancock, Hawkins, Scott, Sevier, Sullivan, Unicoi, Blount, Anderson, Granger, Cocke, Clairborne, Carter, Campbell Counties, Tenn.

(2) From points in Park, Teton, Yellowstone National Park Counties, Wyo., to points in Elmore, Jefferson, Cullman, Etowah, Lee, Coosa, Cleburne, Clay, Chilton, Calhoun, Chambers, Talladega, Shelby, Tallapoosa, St. Clair, Cherokee, Randolph, Bibb, Autauga, Blount, Pickens, Tuscaloosa, Walker, Winston, Lawrence, Lamar, Lauderdale, Marion, Franklin, Fayette, Colbert, Madison, Morgan, Marshall, De Kalb, Limestone, Jackson, Russell, Pike, Dale, Geneva, Montgomery, Covington, Crenshaw, Houston, Macon, Henry, Barbour, Coffee, Bullock Counties, Ala.; points in Florida; points in Rockcastle, Russell, Taylor, Madison, Marion, Mercer, Metcalfe, Monroe, Washington, Wayne, Woodford, Pulaski, Casey, Clinton, Cumberland, Fayette, Gerrard, Green, Jessamine, Lincoln, Boyle, Anderson, Adair, Estill, Lee, Laurel, Letcher, Knox, McCreary, Owsley, Perry, Pike, Whitley, Floyd, Jackson, Knott, Harlan, Leslie, Clay, Breathitt, Bell, Powell, Boyd, Bracken, Campbell, Carroll, Carter, Clark, Elliott, Fleming, Franklin, Gallatin, Robertson, Rowan, Scott, Wolfe, Grant, Greenup, Harrison, Johnson, Kenton, Lawrence, Lewis, Magoffin, Martin, Mason, Menifee, Montgomery, Morgan, Nicholas, Owen, Pendleton, Bourbon, Boone, Bath, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Sheleby, Simpson, Spencer, Todd, Trimble, Warren, Christian, Edmonson, Grayson, Hardin, Hart, Henry, Jefferson, Bullitt, Butler, LaRue, Breckridge, Barren, Allen Counties, Ky., Davidson, Dickson, Jackson, Macon, Montgomery, Overton, Pickett, Putnam, Robertson, Rutherford, Smith, Sumner, Trousdale, Williamson, Wilson, De Kalb, Clay, Cheatham, Cannon, Marshall, Meigs, Monroe, Moore, Morgan, Loudon, Marion, McMinn, Polk, Rhea, Roane, Sequatchie, Van Buren, Warren, White, Coffee, Cumberland, Fentress, Franklin, Grundy, Hamilton, Lincoln, Bledsoe, Bedford, Bradley, Union, Washington, Carter, Claiborne, Hancock, Hamblen, Unicoi, Sullivan, Sevier, Scott, Knox, Johnson, Jefferson, Hawkins, Cocke, Grainger, Greene, Campbell, Blount, Anderson Counties, Tenn.

(3) From points in Fremont, Hot Spring, Natrona Counties, Wyo., to points in Talladega, Tallapoosa, Elmore, Jefferson, Shelby, St. Clair, Randolph, Cullman, Lee, Cleburne, Coosa, Calhoun, Clay, Chilton, Cherokee, Chambers, Etowah, Blount, Bibb, Autauga, Marshall, Madison, Morgan, Jackson, De Kalb, Limestone, Macon, Houston, Henry, Dale, Geneva, Russell, Crenshaw, Covington, Montgomery, Pike, Coffee, Bullock, Barbour Counties, Ala.; points Florida; points in Taylor, Russell, Rockcastle, Woodford, Pulaski, Monroe, Metcalfe, Mercer, Wayne, Marion, Washington, Casey, Clinton, Cumberland, Fayette, Gerrard, Green, Jessamine, Lincoln, Madison, Anderson, Boyle, Adair, Jackson, Leslie, Harlan, Knott, Lee, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Laurel, Knox, Floyd, Estill, Clay, Breathitt, Bell, Boyd, Bracken, Campbell, Carroll, Robertson, Carter, Rowan, Scott, Pendleton, Wolfe, Clark, Elliott, Fleming, Franklin, Powell, Gallatin, Grant, Greenup, Harrison, Johnson, Kenton, Lawrence, Lewis, Magoffin, Martin, Mason, Menifee, Montgomery, Morgan, Nicholas, Owen, Bath, Bourbon, Boone, LaRue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Sheleby, Simpson, Spencer, Todd, Trimble, Warren, Bullitt, Butler, Christian, Edmonson, Jefferson, Grayson, Hardin, Hart, Henry, Allen, Breckridge, Barren Counties, Ky.; Dickson, Davidson, De Kalb, Jackson, Macon, Sumner, Trousdale, Williamson, Wilson, Putnam, Montgomery, Overton, Pickett, Smith, Robertson, Ruterford, Clay, Cheatham, Cannon, Coffee, Marion, Marshall, Meigs, Monroe, Moore, Morgan, Polk, McMinn, Rhea, Loudon, Lincoln, Hamilton, Roane, Sequatchie, Van Buren, Cumberland, Fentress, Warren, White, Grundy, Franklin, Bradley, Bledsoe, Bedford, Union, Sullivan, Grainger, Greene, Unicoi, Hamblen, Hancock, Washington, Carter, Claiborne, Cocke, Hawkins, Jefferson, Johnson, Knox, Scott, Sevier, Campbell, Blount, Anderson Counties, Tenn.

(4) From points in Big Horn, Campbell, Crook, Johnson, Sheridan, Washakie, Weston Counties, Wyo., to points in Alabama and Florida; points in Russell, Taylor, Washington, Wayne, Woodford, Pulaski, Rockcastle, Gerrard, Green, Jessamine, Lincoln, Madison, Marion, Mercer, Metcalfe, Monroe, Clinton, Adair, Boyle, Casey, Anderson, Cumberland, Fayette, Lee, Leslie, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Knott, Knox, Laurel, Estill, Jackson, Bell, Breathitt, Floyd, Clay, Harlan, Car-

ter, Clark, Elliott, Fleming, Wolfe, Franklin, Galatin, Grant, Greenup, Harrison, Johnson, Kenton, Lawrence, Lewis, Magoffin, Martin, Mason, Menifee, Montgomery, Morgan, Nicholas, Owen, Pendleton, Powell, Robertson, Rowan, Scott, Bourbon, Campbell, Carroll, Bath, Boone, Boyd, Bracken, Henry, Hart, Logan, Meade, Muhlenberg, Nelson, Jefferson, Ohio, Oldham, LaRue, Sheleby, Simpson, Spencer, Todd, Grayson, Trimble, Warren, Hardin, Breckridge, Butler, Christian, Edmonson, Allen, Barren, Bullitt Counties, Ky., Smith, Rutherford, Wilson, Williamson, Trousdale, Robertson, Macon, Montgomery, Overton, Sumner, Pickett, Putnam, Dickson, DeKalb, Cheatham, Davidson, Clay, Cannon, Jackson, Marshall, Meigs, Monroe, Marion, Moore, Morgan, Polk, Rhea, Roane, Sequatchie, Van Buren, Warren, White, Grundy, Hamilton, Lincoln, Loudon, McMinn, Coffee, Fentress, Cumberland, Bradley, Franklin, Bledsoe, Bedford, Union, Washington, Unicoi, Sullivan, Sevier, Scott, Knox, Johnson, Jefferson, Hawkins, Hancock, Hamblen, Greene, Grainger, Claiborne, Carter, Cocke, Campbell, Blount, Anderson, Stewart, Wayne, Weakley, Lawrence, Lewis, Houston, Maury, Perry, Humphreys, Hickman, Carroll, Benton, Henry, Henderson, Decatur, Hardin, Giles Counties, Tenn.

(5) From points in Lincoln, Sublette, Sweetwater, Uinta Counties, Wyo., to points in Chambers, Cherokee, Chilton, Clay, Cleburne, Coosa, Culman, St. Clair, Jefferson, Shelby, Randolph, Lee, Elmore, Tallapoosa, Talladega, Etowah, Autauga, Bibb, Blount, Calhoun, Morgan, Marshall, Madison, De Kalb, Jackson, Limestone, Henry, Crenshaw, Pike, Russell, Montgomery, Macon, Dale, Houston, Geneva, Covington, Barbour, Bullock, Coffee Counties, Ala.; Duval, Marion, Nassau, Putnam, Levy, St. Johns, Flagler, Union, Alachua, Baker, Bradford, Clay, Leon, Suwannee, Taylor, Gilchrist, Hamilton, Jefferson, Lafayette, Wakulla, Madison, Liberty, Columbia, Dixie, Franklin, Gadsen, Orange, Osceola, Pasco, Indian River, Lake, Pinellas, Polk, Seminole, Sumter, Volusia, Citrus, Hernando, Hillsboro, Brevard, St. Lucie, Monroe, Palm Beach, Broward, Collier, Dade, Martin, Hendry, Highlands, Lee, Sarasota, Manatee, Okeechobee, Glades, Hardee, Charlotte, De Soto Counties, Fla.; Wayne, Washington, Clinton, Cumberland, Fayette, Woodford, Gerrard, Green, Taylor, Russell, Jessamine, Monroe, Lincoln, Rockcastle, Madison, Marion, Mercer, Metcalfe, Pulaski, Boyle, Casey, Adair, Anderson, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Lee, Laurel, Knox, Knott, Jackson, Harlan, Leslie, Floyd, Bell, Breathitt, Clay, Estill, Wolfe, Bracken, Campbell, Carroll, Carter, Scott, Rowan, Robertson, Powell, Clark, Elliott, Fleming, Franklin, Gallatin, Grant, Greenup, Harrison, Johnson, Kenton, Lawrence, Lewis, Magoffin, Martin, Mason, Menifee, Montgomery, Morgan, Nicholas, Owen, Pendleton, Bourbon, Boyd, Bath, Boone Counties, Ky.; Dickson, Wilson, Williamson, Trousdale, Jackson, De Kalb, Smith, Macon, Montgomery, Overton, Sumner, Pickett, Putnam, Robertson, Rutherford, Clay, Davidson, Cannon, Cheatham, Grundy, Lincoln, Loudon, Franklin, McMinn, Marshall, Meigs, Monroe, Moore, Marion, Morgan, Polk, Rhea, Roane, Cumberland, Sequatchie, Van Buren, Warren, White, Hamilton, Fentress, Bradley, Coffee, Bedford, Bledsoe, Union, Washington, Claiborne, Jefferson, Johnson, Knox, Scott, Cocke, Sevier, Sullivan, Unicoi, Grainger, Greene, Hamblen, Hancock, Hawkins, Campbell, Carter, Anderson, Blount Counties, Tenn. The purpose of this filing is to eliminate the gateway of Bremer, Ind.

No. MC 107295 (Sub-No. E16), (Correction), filed May 5, 1974, published in the FEDERAL REGISTER June 26, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Richard D. Vollmer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wall systems*, from the plant site of Roblin Building Products Systems located in Erie County, N.Y., to points in Colorado and that part of Nebraska on and west of U.S. Highway 83. The purpose of this filing is to eliminate the gateway of Merrill, Wis. The purpose of this correction is to reflect a change in the name of the origin plant site.

No. MC 107295 (Sub-No. E31) (Correction), filed May 14, 1974, and published in the FEDERAL REGISTER issue of March 6, 1975, and republished, in part, as corrected this issue. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Richard D. Vollmer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, complete, knocked down, or in sections, including all *component parts, materials and fixtures*, and, when shipped with such buildings, *accessories* used in the erection, construction and completion thereof, (7) from points in Tennessee on and west of U.S. Highway 231, to points in that part of Louisiana east of Concordia, Avoyelles, Evangeline, Jefferson Davis, and Cameron Parishes, and to points in that part of Mississippi on and west of George, Perry, Jones, Smith, Rankin, Madison, Holmes, Leflore, Tallahatchie, Quitman, and Tunica Counties. The purpose of this filing is to eliminate the gateway of points in Arkansas. The purpose of this partial republication is to indicate the correct origin territory sought in the above proposal.

No. MC 113908 (Sub-No. E390), filed December 5, 1974. Applicant: ERICKSON TRANSPORT CORP., P.O. Box 3180 Glenstone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles; (a) from Dallas, Tex., to points in California north and west of a line beginning at the California-Oregon State line and extending along Interstate Highway 5 to junction California Highway 20, thence along California Highway 20 to the Pacific Ocean; (b) from Houston, Tex., to points in California located west of Interstate Highway 5 and in and north of Humboldt, Trinity, and Tehama Counties; and (c) from Paris, Tex., to points in California north of a line beginning at the Nevada-California State line and extending along Interstate Highway 80 to junction California Highway 20, thence along California Highway 20 to the Pacific Ocean. The purpose of this filing is to eliminate the gateway of Nixa, Mo.

No. MC 114019 (Sub-No. E211) (Correction), filed May 15, 1974, and published in the FEDERAL REGISTER June 24, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. 60629. Applicant's representative: Authur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of usual value, class A and B explosives, household goods as defined by the Commission, commodities in bulk and those injurious or contaminating to other lading); (1) between points in that part of West Virginia on and west of a line beginning at the West Virginia-Ohio State line, thence along Interstate Highway 77 to its junction with U.S. Highway 119 to the West Virginia-Kentucky State line, on the one hand, and, on the other, points in Pennsylvania; (2) between points in that part of West Virginia on and north of a line beginning at the West Virginia-Pennsylvania State line, thence along West Virginia Highway 69 to junction West Virginia Highway 7 to the West Virginia-Ohio State line and points in that part of West Virginia on and west of a line beginning at the West Virginia-Ohio State line, thence along West Virginia Highway 18 to junction U.S. Highway 50 to the Ohio-West Virginia State line, on the one hand, and, on the other, points in that part of Pennsylvania on, east and north of a line beginning at the Maryland-Pennsylvania State line thence along U.S. Highway 219 to junction U.S. Highway 422 to junction U.S. Highway 19, to junction U.S. Highway 62 to the Pennsylvania-Ohio State line. The purpose of this filing is to eliminate the gateway of Lansing (Belmont County), Ohio.

No. MC 115554 (Sub-No. E8) (Republication) filed June 4, 1974, and published in the FEDERAL REGISTER of July 30, 1975, and partially republished as corrected this issue. Applicant: SCOTT'S TRANSPORTATION SERVICE, INC., P.O. Box 1634, Des Moines, Iowa 50306. Applicant's representative: James R. Madler, 1255 N. Sandburg Terrace, Chicago, Ill. 60610. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refrigerators, refrigeration, cooling, heating, and electrical equipment, appliances, and parts*

materials, and supplies used in the manufacture, repair, and distribution of such commodities; (2) between points in Iowa, on, north and east of a line beginning at the Iowa-Minnesota State line, and extending along U.S. Highway 63 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Iowa Highway 38, thence along Iowa Highway 38 to the Iowa-Illinois State line, on the one hand, and, on the other, points in Kansas; (3) between points in Iowa, on, east, and north of a line beginning at the Iowa-Minnesota State line, and thence along U.S. Highway 63 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Illinois-Iowa State line, on the one hand, and, on the other, points in Missouri on and west of U.S. Highway 65; (4) between points in Iowa, on, east, and north of a line beginning at the Minnesota-Iowa State line, and extending along U.S. Highway 63 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Illinois-Iowa State line, on the one hand, and, on the other, points in Missouri on and east of U.S. Highway 63. The purpose of this filing is to eliminate the gateway of Amana, Iowa. The purpose of this partial republication is to indicate the correct territorial scope of the operations proposed in the above requests.

No. MC 115554 (Sub-No. E17) (Republication), filed June 4, 1974, and published in the FEDERAL REGISTER issue of July 30, 1975, and partially republished, as corrected, this issue. Applicant: SCOTT'S TRANSPORTATION SERVICE, INC., P.O. Box 1634, Des Moines, Iowa 50306. Applicant's representative: James R. Madler, 1255 N. Sandburg Terrace, Chicago, Ill. 60610. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refrigerators, refrigeration, cooling, heating and electrical equipment, appliances, and parts, materials, and supplies* used in the manufacture, repair, and distribution of such commodities; (2) between Omaha, Nebr., on the one hand, and, on the other, points in Missouri on and east of a line beginning at the Missouri-Arkansas State line and extending along U.S. Highway 61 to junction Missouri Highway 81, thence along Missouri Highway 81 to the Missouri-Iowa State line. The purpose of this filing is to eliminate the gateway of Amana, Iowa. The purpose of this partial republication is to indicate the correct territorial scope of the operations proposed in the above request.

No. MC 115840 (Sub-No. E52), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT LINES, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: C. E. Wesley (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such cast iron valves, and components, and cast iron fire hydrants*, as are embraced in iron and steel articles, cranes, sand hoppers, elevators, conveyors, dust collectors, and meter boxes, from Anniston, Ala., to points in Mississippi, Arkansas, Oklahoma, Louisiana, Texas, and points in Tennessee on and west of a line beginning at the Tennessee-Mississippi State line and extending along Tennessee Highway 18 to junction U.S. Highway 45–E, thence along U.S. Highway 45–E to the Tennessee-Kentucky State line. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115840 (Sub-No. E59), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT LINES, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: C. E. Wesley (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such iron and steel articles, cranes, sand hoppers, elevators, conveyors, dust collectors, and meter boxes*, as are embraced in farm implements, from Anniston, Ala., to points in Oklahoma on and west of Interstate Highway 35, and points in Texas on and south of Interstate Highway 20. The purpose of this filing is to eliminate the gateway of Poplarville, Miss.

No. MC 115840 (Sub-No. E80) (Correction), filed December 30, 1974, published in the FEDERAL REGISTER June 30, 1975. Republished in the FEDERAL REGISTER September 4, 1975, and republished in part as corrected this issue. Applicant: COLONIAL FAST FREIGHT LINES, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) from points in California, Oregon, Washington, Idaho, Nevada, Arizona, Montana, Utah, Colorado, North Carolina, South Carolina, New Mexico, North Dakota, South Dakota, Nebraska, Texas, Louisiana, Oklahoma, Kansas, Minnesota, Iowa, Wisconsin, Michigan, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, Pennsylvania, and points in Mississippi on and south of Interstate Highway 20 to Birmingham, Anniston, and Bessemer, Ala. The purpose of this filing is to eliminate the gateway of Holt, Ala. The purpose of this partial republication is to include North Carolina and South Carolina as origin States.

No. MC 115840 (Sub-No. E91) (Correction), filed December 30, 1974, and published in the FEDERAL REGISTER issue of August 5, 1975, and republished in part as corrected this issue. Applicant: COLONIAL FAST FREIGHT LINES, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: C. E. Wesley (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such materials and supplies* (except in bulk) *used in the operations or a foundry as are also used in the operation, production, processing, or transportation of iron and steel articles, cranes, sand hoppers, elevators, conveyors, dust collectors, and meter boxes as are also embraced in iron and steel articles, valves, hydrants, gaskets, overhead highway sign structures, highway breakaway posts, highway guardrails, and uprights:* (2) from points in California on and south of interstate Highway 80, to points in Vermont, Massachusetts, New Jersey, Rhode Island, Connecticut, Delaware, Maryland Virginia, West Virginia, New York, Pennsylvania and Kentucky; (7) from points in Texas, to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Virginia, Delaware, Maryland and West Virginia. The purpose of this filing is to eliminate the gateways of Holt and Birmingham, Ala. The purpose of this partial republication is to add Virginia as a destination State in (2) above, and to add New York as a destination State in (7) above.

No. MC 115840 (Sub-No. E95) (Correction), filed December 30, 1974, and published in the FEDERAL REGISTER issue of August 13, 1975, and republished in part as corrected this issue. Applicant: COLONIAL FAST FREIGHT LINES, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: C. E. Wesley (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Materials and supplies* (except in bulk) used in the operation, production, processing, or transportation of iron and steel articles, cranes, and hoppers, elevators, dust collectors, and *meter boxes, which are valves, hydrants, fittings, components, parts, and accessories*: (23) from points in Mississippi on and south of Interstate Highway 20, to points in Kentucky on and east of Interstate Highway 65, points in Tennessee on and east of Interstate Highway 65 including Davidson County, Tenn., and points in Georgia on and north of Interstate Highway 20 and U.S. Highway 78. The purpose of this filing is to eliminate the gateway of Anniston, Ala. The purpose of this partial republication is to add the Tennessee destination points described above.

No. MC 115840 (Sub-No. E98) (Correction), filed May 2, 1975, and published in the FEDERAL REGISTER August 5, 1975. Republished in part as corrected this issue. Applicant: COLONIAL FAST FREIGHT LINES, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: C. E. Wesley (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum ingots, bars, sows, and aluminum scrap*, the transportation of which because of size or weight require the use of special equipment (except in dump vehicles), (2) between points in Florida on and west of U.S. Highway 231, on the one hand, and, on the other, points in Tennessee, Ohio, Kentucky, Pennsylvania, New Jersey, West Virginia, Virginia, North Carolina, South Carolina, Maryland, Delaware, the District of Columbia, and points in that portion of

Alabama beginning at the Alabama-Tennessee State line on and east of Interstate Highway 65, thence along Interstate Highway 65 to its intersection with Interstate Highway 20 (including Decatur, Birmingham, Bessemer, and Anniston, Ala.), thence along Interstate Highway 20 to the Alabama-Georgia State line; (6) between points in Tennessee on and east of Interstate Highway 65, on the one hand, and, on the other, points in Oklahoma, Texas, Louisiana east of the Mississippi River, points in that portion of Florida on and west of U.S. Highway 231, and points in Mississippi on and south of Interstate Highway 20. The purpose of this filing is to eliminate the gateways of Birmingham and Steele, Ala. The purpose of this partial republication is to correct various errors in the above territorial descriptions.

No. MC 115840 (Sub-No. E104), filed August 6, 1974. Applicant: COLONIAL FAST FREIGHT LINES, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: C. E. Wesley (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe fittings, pipe valves and fire hydrants*, from Coshocton, Ohio, to points in Texas, Arizona, and California. The purpose of this filing is to eliminate the gateway of Anniston, Ala.

No. MC 115840 (Sub-No. E107) (Correction), filed August 23, 1974, published in the FEDERAL REGISTER August 5, 1975, and republished in part as corrected this issue. Applicant: COLONIAL FAST FREIGHT LINES, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Valves, hydrants, fittings, components, parts and accessories* which are materials and supplies used in the agriculture, water treatment, food processing, wholesale groceries, and institutional supply industries (except in bulk), (1) from those points in that portion of Alabama bounded on the north by U.S. Highway 84 from the Alabama-Mississippi State line, east to the intersection of U.S. Highway 31; on the east by U.S. Highway 31 from its intersection with U.S. Highway 84, to the Alabama-Florida State line at, and including, Flomaton, Ala., thence along the Alabama-Florida State line to the Gulf of Mexico; and on the west by the Alabama-Mississippi State line from the Gulf of Mexico to U.S. Highway 84, to points in Montana, South Dakota, North Dakota, Nebraska, Minnesota, Arizona, California, Colorado, Utah, Nevada, Oregon, Washington, Idaho, Wyoming, Iowa, Wisconsin, Michigan, Missouri, Kansas, West Virginia, Illinois (except those points in that part of Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Springfield, Ill., thence along Illinois Highway 29 to Peoria, Ill., Metamora, Ill., thence along Illinois Highway 89 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Illinois Highway 31, thence along Illinois Highway 31 to unnumbered highway (referred to as Aurora Avenue), thence along said unnumbered highway to U.S. Highway 34 to Chicago, Ill., thence along Lake Michigan to the Illinois-Indiana State line to the points of beginning), Ohio (except those points in that part of Ohio on, west and north of a line beginning at a point on the Ohio-Pennsylvania State line near Sharon, Pa., and extending along U.S. Highway 62 to Columbus, Ohio, thence along U.S. Highway 23 to Circleville, Ohio, and thence along U.S. Highway 22 to Cincinnati, Ohio); (5) From those points in that portion of Alabama at the intersection of U.S. Alternate Highway 231 and Alabama Highway 77 at Talladega, Ala., thence on Alabama Highway 77 to the intersection of Alabama Highway 22, thence on Alabama Highway 22 to the intersection of U.S. Highway 280, thence along U.S. Highway 280 to the intersection with Alabama Highway 49 at Dadeville, Ala., and (including Dadeville, Ala.), thence on Alabama Highway 49 to the intersection of Alabama Highway 14, thence on Alabama Highway 14 to the intersection with U.S. Highway 231, thence on U.S. Highway 231 to the intersection with U.S. Alternate Highway 231 at Sylacauga, Ala. (including Sylacauga, Ala.), thence on U.S. Alternate Highway 231 to the intersection with Alabama Highway 77 to points in New Mexico, Arizona, California, Colorado, Utah, Nevada, Oregon, Washington, Texas, Idaho, Wyoming, Montana, South Dakota, North Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Michigan, Kansas, West Virginia, Illinois (except those points in that part of Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Springfield, Ill., thence along Illinois Highway 29 to Peoria, Ill., thence along Illinois Highway 116 to Metamora, Ill., thence along Illinois Highway 80 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Illinois Highway 31, thence along Illinois Highway 31 to unnumbered highway (referred to as Aurora Avenue), thence along unnumbered highway to U.S. Highway 34 to Chicago, Ill., thence along Lake Michigan to the Illinois-Indiana State line and thence along the Illinois-Indiana State line to the point of beginning), Ohio (except those points in that part of Ohio on, west and north of a line beginning at a point on the Ohio-Pennsylvania State line near Sharon, Pa., and extending along U.S. Highway 62 to Columbus, Ohio, thence along U.S. Highway 23 to Circleville, Ohio, and thence along U.S. Highway 22 to Cincinnati, Ohio). The purpose of this filing is to eliminate the gateway of Anniston, Ala. The purpose of this partial publication is to correct various errors and omissions in the above territorial descriptions.

No. MC 115841 (Sub-No. E343), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen edible meats*, in vehicles equipped with mechanical refrigeration, from Roanoke, Va., to Tuscaloosa, Ala. The purpose of this filing is to eliminate the gateways of Chattanooga, Tenn., Atlanta, Ga., and points in Alabama on and east of U.S. Highway 31 and on and north of U.S. Highway 80.

No. MC 117416 (Sub-No. E1), (Correction), filed May 23, 1975, and published in the FEDERAL REGISTER January 14, 1976, and republished as corrected this issue. Applicant: NEWMAN AND PEMBERTON CORPORATION, 2007 University Avenue NW., Knoxville, Tenn. 37921. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (3) *Canned foodstuffs* (except frozen or in bulk), from points in Ohio on, south, and east of a line beginning at Cincinnati, Ohio, and extending along Interstate Highway 71 to Columbus, Ohio, thence along U.S. Highway 23 to the Ohio-Kentucky State boundary line to points in Kentucky and Tennessee on and west of a line beginning at the Indiana-Kentucky State line and extending along U.S. Highway 421 to junction U.S. Highway 42, thence along U.S. Highway 42 to Louisville, Ky., thence along U.S. Highway 60 to Owensboro, Ky., thence along U.S. Highway 431 to Nashville, Tenn., thence along U.S. Highway 41 to Murfreesboro, Tenn., and thence along U.S. Highway 231 to the Tennessee-Alabama State boundary line (except points in Boones, Campbell, and Kenton Counties, Ky., and points in the commercial zones of Louisville and Ashland, Ky.) . . . The purpose of this filing is to eliminate the gateway of points in Indiana on, east, and south of a line beginning at the Kentucky-Indiana State line and extending along Indiana Highway 135 to Indianapolis, thence along U.S. Highway 31 to junction Indiana Highway 26, thence along Indiana Highway 26 to the Indiana-Ohio State line (except Franklin, Indianapolis, and New Albany), in (1), (2), (3), and (4) above. The purpose of this correction is to reflect the "from-to" part of the territory description therein. The remainder of the letter-notice remains as previously published.

No. MC 119641 (Sub-No. E18), filed May 9, 1974. Applicant: RINGLE EXPRESS, INC., P.O. Box 146, Fowler, Ind. 47944. Applicant's representative: Robert C. Doran (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors* (except truck tractors), moving on motor vehicles equipment other than flat bed trailers, from New York, N.Y., to points in Arkansas; points in Kentucky on and west of a line beginning at the Indiana-Kentucky State line and extending along Kentucky Highway 266 to junction U.S. Alternate Highway 41, thence along U.S.

Alternate Highway 41 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction Kentucky Highway 139, thence along Kentucky Highway 139 to the Kentucky-Tennessee State line; points in Mississippi on and west of a line beginning at the Mississippi-Tennessee State line and extending along Mississippi Highway 25 to junction U.S. Highway 78, thence along U.S. Highway 78 to junction Natchez Trace National Parkway, thence along Natchez Trace National Parkway to junction Interstate Highway 55, thence along Interstate Highway 55 to the Mississippi-Louisiana State line; and points in Tennessee on and west of a line beginning at the Kentucky-Tennessee State line and extending along Tennessee Highway 49 to junction U.S. Highway 79, thence along U.S. Highway 79 to junction Tennessee Highway 69, thence along Tennessee Highway 69 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction Tennessee Highway 128, thence along Tennessee Highway 128 to junction Tennessee Highway 57, thence along Tennessee Highway 57 to the Mississippi-Tennessee State line, restricted to traffic having a prior movement by water. The purpose of this filing is to eliminate the gateway of Shelbyville, Ill.

No. MC 119657 (Sub-No. E3), filed June 4, 1974. Applicant: GEORGE TRANSIT, LINE, INC., 760–764 N.E. 47th Place, Des Moines, Iowa 50313. Applicant's representative: Kenneth F. Dudley, P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Animal and poultry feed ingredients (except liquid animal fats and liquid vegetable oils), in bulk, and in bags, when moving in the same vehicle and at the same time with animal and poultry feed ingredients, in bulk, from points in Indiana, and points in Illinois on and south of a line beginning at Illinois-Iowa State line and extending along U.S. Highway 30 to junction Alternate U.S. Highway 30, thence along Alternate U.S. Highway 30 to junction Illinois Highway 64, thence along Illinois Highway 64 to Lake Michigan, and north of U.S. Highway 36 (except points in Adams and Whiteside Counties, Ill.), and Decatur, Ill., to points in Minnesota on and west of a line beginning at the Iowa-Minnesota State line and extending along U.S. Highway 63 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction Interstate Highway 35E, thence along Interstate Highway 35E to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Minnesota Highway 65, thence along Minnesota Highway 65 to the International Boundary line between the United States and Canada at Pelland, Minn. The purpose of this filing is to eliminate the gateway of Montpelier, Iowa.

No. MC 119777 (Sub-No. E58), (Correction), filed April 23, 1974. Published in the FEDERAL REGISTER June 9, 1975. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Drawer L, Madisonville, Ky. 42431. Applicant's representative: Jean Holmes (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, wirebound boxes, and pallets;* . . . (7)(d) from points in Illinois on, south and east of a line beginning at the Illinois-Kentucky State line extending along U.S. Highway 51 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction U.S. Highway 45, thence along U.S. Highway 45 to Junction Illinois Highway 141, thence along Illinois Highway 141 to the Illinois-Indiana State line to points in Montana on, north, and west of a line beginning at the United States-Canada International Boundary line extending along Montana Secondary Road 247 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction U.S. Highway 191, thence along U.S. Highway 191 to junction Montana Highway 19, thence along Montana Highway 19 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction U.S. Highway 310, thence along U.S. Highway 310 to the Montana-Wyoming State line, . . . (8)(b) from points in Indiana on, south, and east of a line beginning at the Indiana-Michigan State line extending along U.S. Highway 31 to junction Indiana Highway 25, thence along Indiana Highway 25 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Indiana State line to points in California on, north, south and west of a line beginning at the California-Nevada State line extending along California Highway 127 to junction California Highway 190, thence along California Highway 190 to junction California Highway 136, thence along California Highway 136 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction California Highway 178, thence along California Highway 178 to junction California Highway 155, thence along California Highway 155 to junction California Highway 65, thence along California Highway 65 to junction California Highway 198, thence along California Highway 198 to junction California Highway 99, thence along California Highway 99 to junction California Highway 41, thence along California Highway 41 to junction California Highway 140, thence along California Highway 140 to junction California Highway 299, thence along California Highway 299 to junction U.S. Highway 395, thence along U.S. Highway 395 to the California-Oregon State line . . .

(8)(i) From points in Indiana on and south of a line extending alone U.S. Highway 40 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction Indiana Highway 32, thence along Indiana Highway 32 to the Indiana-Ohio State line to points in Washington . . . (9)(d) from points in Louisiana, on and east of a line beginning at the Mississippi-Louisiana State line extending along Louisiana Highway 21 to junction U.S. Highway 190, thence along U.S. Highway 190 to the Lake Pontchartrain Causeway, thence along the Lake Pontchartrain Causeway to junction Interstate Highway 10, thence along Interstate Highway 10 to junction U.S. Highway 90BR, thence along U.S. Highway 90BR to junction Louisiana Highway 23, thence along Louisiana Highway 23 to its terminus on the Gulf of Mexico to points in Nevada, on and north of a line beginning at the Nevada-Utah State line extending along Nevada Highway 30 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 95, thence along U.S. Highway 95 to junction Nevada Highway 140, thence along Nevada Highway 140 to the Nevada-Oregon State line, . . . (13)(g) from points in Michigan, on and east of a line beginning at the Ohio-Michigan State line extending along U.S. Highway 25 to junction Michigan Highway 53, thence along Michigan Highway 53 to junction Michigan Highway 46, thence along Michigan Highway 46 to junction Michigan Highway 15, thence along Michigan Highway 15 to junction Michigan Highway 13, thence along Michigan Highway 13 to junction U.S. Highway 23, thence along U.S. Highway 23 to Alpena, Mich, to points in Utah, on, south, and west of a line beginning at the Arizona-Utah State line extending along U.S. Highway 80 to Richfield, Utah, thence along U.S. Highway 89 to junction Utah Highway 4, thence along Utah Highway 4 to junction U.S. Highway 91, thence along U.S. Highway 91 to junction Utah Highway 21, thence along Utah Highway 21 to the Utah-Nevada State line, and . . .

(14(d) From points in Mississippi, on and east of a line beginning at the Arkansas-Mississippi State line extending along U.S. Highway 49 to junction U.S. Highway 61, thence along U.S. Highway 61 to junction Mississippi Highway 33, thence along Mississippi Highway 33 to junction Mississippi Highway 24, thence along Mississippi Highway 24 to junction U.S. Highway 61, thence along U.S. Highway 61 to the Louisiana-Mississippi State line to points in Montana, on and north of a line beginning at the Idaho-Montana State line extending along Montana Highway 43 to junction U.S. Highway 91, thence along U.S. Highway 91 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction Montana Highway 200, thence along Montana Highway 200 to junction Montana Highway 200S, thence along Montana Highway 200S to junction Montana Highway 16, thence along Montana Highway 16 to junction Montana Highway 200, thence along Montana Highway 200 to the North Dakota-Montana State line, (14)(e) from points in Mississippi, on and east of a line beginning at the Tennessee-Mississippi State line extending along Mississippi Highway 7 to junction Mississippi Highway 9, thence along Mississippi Highway 9 to junction Mississippi Highway 397, thence along Mississippi Highway 397 to junction Mississippi Highway 16, thence along Mississippi Highway 16 to junction Mississippi Highway 39, thence

along Mississippi Highway 39 to junction Mississippi Highway 19, thence along Mississippi Highway 19 to the Mississippi-Alabama State line, to points in Nevada, on and north of a line beginning at the Nevada-Utah State line extending along Nevada Highway 25 to junction U.S. Highway 6, thence along U.S. Highway 6 to the California-Nevada State line. . .

(18)(c) From points in New York, on and south of a line beginning at the Pennsylvania-New York State line extending along New York Highway 17 to junction New York Highway 8, thence along New York Highway 8 to junction New York Highway 7, thence along New York Highway 7 to junction New York Highway 2, thence along New York Highway 2 to the New York-Massachusetts State line, to points in Wyoming, on and west of a line beginning at the Colorado-Wyoming State line extending along U.S. Highway 85 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Wyoming Highway 487, thence along Wyoming Highway 487 to junction Wyoming Highway 220, thence along Wyoming Highway 220 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Wyoming Highway 120, thence along Wyoming Highway 120 to the Wyoming-Montana State line; . . . The purpose of this filing is to eliminate the gateways of Muhlenberg County, Ky., Logan County, Ky., and Karnak, Ill. The purpose of this correction is to reflect the correct descriptions omitted in all the above. The remainder of the letter remains as previously published.

No. MC 119777 (Sub-No. E112) (Correction), filed May 15, 1974, and published in the FEDERAL REGISTER June 12, 1975, and republished as corrected this issue. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Drawer L, Madisonville, Ky. 42431. Applicant's representative: Jean Holmes (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, requires use of special equipment, *related machinery parts, and related contractor's materials and supplies*, when their transportation is incidental to the transportation of such commodities, except prefabricated buildings, and except oilfield commodities, as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 299, and except machinery, materials, supplies, and equipment incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, and incidental to, or used in connection with (a) the discovery, development, production, and preservation of natural gas and petroleum (b) the construction, operation, repair, servicing, dismantling, and maintenance of pipelines and facilities for the storage of natural gas, gasoline and petroleum, and (c) the dismantling and maintenance of plants and facilities for refining, recycling, processing, repressuring, and blending gasoline, natural gas and petroleum; . . .

(1)(b) From points in Illinois on, south, and west of a line beginning at the Illinois-Iowa State line extending along U.S. Highway 30 to junction Illinois Highway 84, thence along Illinois Highway 84 to junction Illinois Highway 74, thence along Illinois Highway 74 to junction Illinois Highway 92, thence along Illinois Highway 92 to junction Illinois Highway 78, thence along Illinois Highway 78 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Illinois Highway 18, thence along Illinois Highway 18 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction Illinois Highway 53, thence along Illinois Highway 53 to junction Illinois Highway 102, thence along Illinois Highway 102 to junction Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line, to points within that part of the New York, N.Y., commercial zone as defined in the fifth supplemental report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted under the exemption provided by Section 203(b)(8) of the Interstate Commerce Act, that are in New York and in New Jersey on and north of U.S. Highways 1 and 9; . . . (2)(b) from points in Indiana, on, south, and west of a line beginning at the Indiana-Illinois State line extending along Indiana Highway 10, thence along Indiana Highway 10 to junction Indiana Highway 55, thence along Indiana Highway 55 to junction Indiana Highway 114, thence along Indiana Highway 114 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction Indiana Highway 16, thence along Indiana Highway 16 to junction U.S. Highway 421, thence along U.S. Highway 421 to junction Indiana Highway 25, thence along Indiana Highway 25 to junction Indiana Highway 218, thence along Indiana Highway 218 to junction Indiana Highway 29,

Thence along Indiana Highway 29 to junction Indiana Highway 26, thence along Indiana Highway 26 to junction Indiana Highway 19, thence along Indiana Highway 19 to junction Indiana Highway 28, thence along Indiana Highway 28 to junction Indiana Highway 213, thence along Indiana Highway 213 to junction Indiana Highway 37, thence along Indiana Highway 37 to junction Indiana Highway 13, thence along Indiana Highway 13 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction Indiana Highway 9, thence along Indiana Highway 9 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction Indiana Highway 3, thence along Indiana Highway 3 to junction Interstate Highway 74, thence along Interstate Highway 74 to junction Indiana Highway 101, thence along Indiana Highway 101 to junction Indiana Highway 48, thence along Indiana Highway 48 to junction Indiana Highway 148, thence along Indiana Highway 148 to the Indiana-Kentucky State line, to points within that part of the New York, N.Y., commercial zone as defined in the fifth supplemental report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted under the exemption provided by Section 203(b)(8) of the Interstate Commerce Act, that are in that part of New Jersey on and north of a line beginning at the New York-New Jersey State line extending along Interstate Highway 95 to junction New Jersey Highway 46, thence along New Jersey Highway 46 to the western limits of the New York City comercial zone, as described above, and . . .

(5)(a) Between all points in Illinois, on the one hand, and, on the other, Portsmouth, Ohio, and points in Ohio on and south of a line beginning at junction U.S. Highway 52 and Ohio Highway 141, thence along Ohio Highway 141 to junction Ohio Highway 217, thence along Ohio Highway 217 to its terminus at Miller, Ohio, . . . (6)(c) between points in Illinois on and south of a line beginning at the Iowa-Illinois State line extending along U.S. Highway 34 to junction Illinois Highway 116, thence along Illinois Highway 116 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Illinois Highway 9, thence along Illinois Highway 9 to junction Illinois Highway 29, thence along Illinois Highway 29 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction Interstate Highway 74, thence along Interstate Highway 74 to the Indiana-Illinois State line, on the one hand, and, on the other, points in Pennsylvania on and east of a line beginning at the New York-Pennsylvania State line extending along U.S. Highway 220 to junction Pennsylvania Highway 414, thence along Pennsylvania Highway 414 to junction Pennsylvania Highway 14, thence along Pennsylvania Highway 14 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction Interstate Highway 83, thence along Interstate Highway 83 to the Pennsylvania-Maryland State line, . . .

(15)(c) Between points in Kentucky on, east, and north of a line beginning at Louisville, Ky., extending along U.S. Highway 31E to junction Kentucky Highway 61, thence along Kentucky Highway 61 to junction Kentucky Highway 470, thence along Kentucky Highway 470 to junction U.S. Highway 31E, thence along U.S. Highway 31E to junction Kentucky Highway 80, thence along Kentucky Highway 80 to junction Kentucky Highway 206, thence along Kentucky Highway 206 to junction U.S. Highway 127, thence along U.S. Highway 127 to junction Kentucky Highway 78, thence along Kentucky Highway 78 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction Interstate Highway 64, thence along Interstate Highway 64 to the Kentucky-West Virginia State line, on the one hand, and, on the other, points in

Tennessee on and southwest of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 231 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction Tennessee Highway 8, thence along Tennessee Highway 8 to junction U.S. Highway 127, thence along U.S. Highway 127 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Tennessee-Alabama State line on U.S. Highway 27;

(16)(a) Between points in that part of Kentucky bounded on the west by a line beginning at the Indiana-Kentucky State line, and extending along U.S. Highway 31E to junction Kentucky Highway 61, thence along Kentucky Highway 61 to junction Kentucky Highway 470, thence along Kentucky Highway 470 to junction U.S. Highway 31E, thence along U.S. Highway 31E to the Kentucky-Tennessee State line, and bounded on the east and north by a line beginning at the Kentucky-Tennessee State line extending along Kentucky Highway 61 to junction Kentucky Highway 90, thence along Kentucky Highway 90 to junction Kentucky Highway 163, thence along Kentucky Highway 163 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction Kentucky Highway 55, thence along Kentucky Highway 55 to junction Kentucky Highway 155, thence along Kentucky Highway 155 to junction Interstate Highway 264, thence along Interstate Highway 264 to junction Interstate Highway 71, thence along Interstate Highway 71 to its terminus at Louisville, Ky., on the one hand, and, on the other, all points in West Virginia, . . . (16)(c) between points in that part of Kentucky bounded on the south by a line beginning at the Indiana-Kentucky State line, and extending along U.S. Highway 31E to junction Kentucky Highway 61, thence along Kentucky Highway 61 to junction Kentucky Highway 470, thence along Kentucky Highway 470 to junction U.S. Highway 31E, thence along U.S. Highway 31E to the Kentucky-Tennessee State line, bounded on the north by the Kentucky-Tennessee State line, bounded on the north by the Kentukcy-Indiana State line, and bounded on the east by a line beginning at the Tennessee-Kentucky State line extending along U.S. Highway 27 to junction U.S. Highway 127, thence along U.S. Highway 127 to junction Kentucky Highway 44,

Thence along Kentucky Highway 44 to junction Kentucky Highway 53, thence along Kentucky Highway 53 to junction Kentucky Highway 55, thence along Kentucky Highway 55 to junction Kentucky Highway 157, thence along Kentucky Highway 157 to junction U.S. Highway 42, thence along U.S. Highway 42 to Louisville, Ky., on the one hand, and, on the other, points in West Virginia on and east of a line beginning at Moundsville, W. Va., extending along U.S. Highway 250 to junction U.S. Highway 19, thence along U.S. Highway 19 to junction West Virginia Highway 20, thence along West Virginia Highway 20 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 250, thence along U.S. Highway 250 to the West Virginia-Virginia State line. The purpose of this filing is to eliminate the gateways of either Louisville, Ky., or that part of Kentucky on and west of a line beginning at Louisville, Ky., and extending along U.S. Highway 31E through Bardstown and Hodgenville, Ky., to junction Kentucky Highway 61, thence along Kentucky Highway 61 to junction Kentucky Highway 470, thence along Kentucky Highway 470 to junction U.S. Highway 31E, thence along U.S. Highway 31E through Glasgow and Scottsville, Ky., to the Kentucky-Tennessee State line. The purpose of this correction is to reflect the correct description of the directions in all the above. The remainder of the letter-notice remains as previously published.

No. MC 119864 (Sub-No. E5) (Correction), filed May 25, 1974, and published in the FEDERAL REGISTER issue of July 22, 1974, and republished as corrected this issue. Applicant: CRAIG TRANSPORTATION CO., 26699 Eckel Road, Perrysburg, Ohio 43551. Applicant's representative: Dale K. Craig (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware, glass containers, caps, covers, and stoppers, and paper or fibreboard cartons*, from the plantsite or warehouse facilities of Ball Brothers Company, Inc., Mundelein, Ill., to points in Michigan on and south of Michigan Highway 21, and points in Ohio on, north, and west of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 36 to Delaware, thence along U.S. Highway 42 to Cleveland. The purpose of this filing is to eliminate the gateway of Gary, Ind. The purpose of this correction is to indicate the correct Michigan territory proposed to be served.

No. MC 119864 (Sub-No. E7) (Correction) filed May 14, 1974, published in the FEDERAL REGISTER issue of July 22, 1974, and republished, in part, as corrected this issue. Applicant: CRAIG TRANSPORTATION CO., 26699 Eckel Road, Perrysburg, Ohio 43551. Applicant's representative: Dale K. Craig (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (2) *metal containers* as are incidental to the production, packing, and sale of food products and dairy products and by-products, from points in Indiana on and north of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 30 to junction U.S. Highway 421, thence along U.S. Highway 421 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Indiana-Ohio State line, to points in Kentucky on, north and east of a line beginning at the Ohio-Kentucky State line and extending along U.S. Highway 23 to Louisa, thence along Kentucky Highway 32 to the Kentucky-West Virginia State line. The purpose of this filing is to eliminate the gateway of Rossford, Ohio. The purpose of this correction is to indicate the correct destination territory in the above proposal.

No. MC 119864 (Sub-No. E16) (Correction), filed May 31, 1974, and published in the FEDERAL REGISTER issue of August 7, 1974, and republished as corrected this issue. Applicant: CRAIG TRANSPORTATION CO., 26699 Eckel Rd., Perrysburg, Ohio 43551. Applicant's representative: Dale K. Craig (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers* used by packinghouses, from the plant and warehouse sites of Crown Cork and Seal Company located at or near Rossford, Ohio (a) to points in Illinois (Gary, Ind.)* and (b) to St. Louis, Mo., (Indianapolis, Ind.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this correction is to indicate the correct origin in the above proposal.

No. MC 119864 (Sub-No. E21) Correction), filed May 31, 1974, and published in the FEDERAL REGISTER issue of June 30, 1975, and republished as shown in this issue. Applicant: CRAIG TRANSPORTATION CO., 26699 Eckel Road, Perrysburg, Ohio 43551. Applicant's representative: Dale K. Craig (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Meat products and meat by-products and articles* distributed by meat packinghouses (except hides and commodities in bulk, in tank vehicles), as described in Section A and C of Appendix I to the report *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, restricted to food products and dairy products which are distributed by meat packinghouses (except in bulk, in tank vehicles), from the plant site of Armour and Company near Sterling, Ill., to points in Michigan on and south of Michigan Highway 21, and points in Ohio on, north, and west of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 36 to junction U.S. Highway 42, thence along U.S. Highway 42 to Lake Erie (Indiana)*; (b) *Meats, packinghouse products, and commodities* used by packinghouses as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except in bulk, in tank vehicles), from the plant site of Armour and Company near Sterling, Ill., to Fremont, Ohio (Ft. Wayne, Ind., or points in Indiana within the Chicago, Ill., commercial zone)*. (c) *Meats, meat products and meat by-products*, and articles distributed by meat packinghouses (except hides and commodities in bulk, in tank vehicles) as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, which are dairy products, from the Plantsite of Armour and Company near Sterling, Ill., to Columbus and Cleveland, Ohio (points in Indiana*). Restriction: The authority granted in (a), (b) and (c) above is limited to traffic originating

at the named plantsite. The purpose of this correction is to indicate the correct territorial description sought in (a) above and to add the proposal in (c) above, which was inadvertently omitted from the original publication.

No. MC 119864 (Sub-No. E22) (Correction), filed May 31, 1974, and published in the FEDERAL REGISTER issue of June 30, 1975, and republished as corrected this issue. Applicant: CRAIG TRANSPORTATION CO., 26699 Eckel Road, Perrysburg, Ohio 43551. Applicant's representative: Dale K. Craig (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Dairy products and canned goods*, from National City, Ill., to points in Michigan on and south of Michigan Highway 21, and points in Ohio on, north, and west of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 36 to junction U.S. Highway 42, thence along U.S. Highway 42 to Lake Erie (Indianapolis, Ind.)*; and (b) *Dairy products and canned goods* (except frozen foodstuffs, and except in bulk, in tank vehicles), from National City, Ill., to points in Indiana within 40 miles of Angola, Ind., and points in Michigan on and north of Michigan Highway 21 (except Gennessee County) (Indianapolis, Ind., and Archbold, Ohio)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this correction is to indicate the correct territory sought to be served in (a) above.

No. MC 123383 (Sub-No. E1) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER October 21, 1974. Applicant: BOYLE BROS., INC., 941 South 2nd St., Camden, N.J. 08103. Applicant's representative: John J. Boyle (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board*, and *materials* and *supplies* used in the installation of composition board (except in bulk), from the plant site of the Celotex Corporation at Deposit, N.Y., to points in Delaware, that part of Maryland on and east of a line beginning at the Maryland-Pennsylvania State line, thence along U.S. Highway 15 to Frederick, thence along U.S. Highway 340 to the Maryland-West Virginia State line, and that part of New Jersey on and south of New Jersey Highway 33. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. The purpose of this correction is to clarify the commodity description above.

No. MC 123383 (Sub-No. E4), (Correction), filed June 4, 1974, published in the FEDERAL REGISTER August 14, 1974. Applicant: BOYLE BROS., INC., 941 South 2nd St., Camden, N.J. 08103. Applicant's representative: John J. Boyle (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood, hardboard*, and *accessories* used in the installation of plywood and hardboard, from Chesapeake, Va., to points in Michigan. The purpose of this filing is to eliminate the gateway of the warehouse sites and other facilities used by Evans Products Company at Baltimore, Md. The purpose of this correction is to correct the origin territory above.

No. MC 123383 (Sub-No. E5) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER August 14, 1974. Applicant: BOYLE BROS., INC., 941 South 2nd St., Camden, N.J. 08103. Applicant's representative: John J. Boyle (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, and such *gypsum products* (except fly ash and asphalt, in bulk, in tank or hopper vehicles), from the plant site of U.S. Gypsum Company at Baltimore, Md., to Philadelphia, Pa. The purpose of this filing is to eliminate the gateway of Wilmington, Del. The purpose of this correction is to correct the commodity description above.

No. MC 123383 (Sub-No. E6) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER August 14, 1974. Applicant: BOYLE BROS, INC., 941 South 2nd St., Camden, N.J. 08103. Applicant's representative: John J. Boyle (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials*, and such *gypsum products* (except fly ash and asphalt, in bulk, in tank or hopper vehicles), from the plant site of U.S. Gypsum Company at Baltimore, Md., to Newark, N.J., and points within 15 miles thereof, and points in that part of New York on and south of a line beginning at the New York-Vermont State line, thence along New York Highway 7 to Binghampton, thence along U.S. Highway 11 to the New York-Pennsylvania State line, and points in Connecticut; and (2) *Building materials* (except structural steel), from the plant site of U.S. Gypsum Company at Baltimore, Md., to points in Massachusetts and Rhode Island. The purpose of this filing is to eliminate the gateways of Wilmington, Del., Philadelphia, Pa., and Jersey City, N.J. The purpose of this correction is to correct the commodity description above.

No. MC 123383 (Sub-No. E16) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER October 22, 1974. Applicant: BOYLE BROS., INC., 941 South 2nd St., Camden, N.J. 08103. Applicant's representative: John J. Boyle (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum* and *gypsum products, asphalt*, and *composition roofing products, composition boards, urethane* and *urethane products* and *insulating materials* (except iron and steel products, and commodities in bulk); (1) from points in New Jersey, that part of Connecticut on and west of the Connecticut River, that part of New York on, south, and east of a line beginning at the New York-Massachusetts State line, thence along U.S. Highway 20 to junction New York Highway 30, thence along New York Highway 30 to junction New York Highway 17, thence along New York Highway 17 to Hancock, to points in Alabama, Arkansas, Illinois, Indiana, Louisiana, Michigan, Mississippi, Ohio, Tennessee, and that part of Kentucky west of Interstate Highway 75; and (2) from points in that part of New Jersey north of Interstate Highway 80, that part of Connecticut on and west of the Connecticut River, and that part of New York on, south, and east of a line beginning at the New York-Massachusetts State line, thence along U.S. Highway 20 to junction New York Highway 30, thence along U.S. Highway 30 to junction New York Highway 17, thence along New York Highway 17 to Hancock, to points in West Virginia. The purpose of this filing is to eliminate the gateway of Carteret, N.J. The purpose of this correction is to correct the commodity description.

No. MC 123383 (Sub-No. E17) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER October 22, 1974. Applicant: BOYLE BROS., INC., 941 South 2nd St., Camden, N.J. 08103. Applicant's representative: John J. Boyle (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* and *supplies, insulating materials*, and *heating equipment* and *supplies* (except iron and steel products or commodities in bulk), between points in that part of Pennsylvania south and east of a line beginning at the Pennsylvania-New Jersey State line, thence along Interstate Highway 80 to junction U.S. Highway 11, thence along U.S. Highway 11 to the Pennsylvania-Maryland State line, on the one hand, and on the other, points in Connecticut; Nassau and Suffolk Counties, N.Y.; and New York, N.Y. The purpose of this filing is to eliminate the gateway of Newark, N.J. The purpose of this correction is to clarify the exception above.

No. MC 123383 (Sub-No. E20) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER October 22, 1974. Applicant: BOYLE BROS., INC., 941 South 2nd St., Camden, N.J. 08103. Applicant's representative: John J. Boyle (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum* and *gypsum products, asphalt*, and *composition roofing products, composition boards, urethane* and *urethane products* and *insulating materials* (except iron and steel products, and commodities in bulk), from points in that part of Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line, thence along Interstate Highway 81 to Scranton, thence along the Pennsylvania Turnpike to junction U.S. Highway 22, thence along U.S. Highway 22 to junction Pennsylvania Highway 61, thence along Pennsylvania Highway 61 to Reading, thence along Pennsylvania Highway 10 to the Pennsylvania-Maryland State line, to points in Alabama, Arkansas, Illinois, Louisiana, Michigan, Mississippi, and Tennessee. The purpose of this filing is to eliminate the gateway of Carteret, N.J. The purpose of this correction is to correct the commodity description.

No. MC 123383 (Sub-No. E23) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER October 22, 1974. Applicant: BOYLE BROS., INC., 941 S. 2nd St., Camden, N.J. 08103. Applicant's representative: John J. Boyle (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except structural steel and iron and steel products and commodities in bulk), between points in Massachusetts and Rhode Island, on the one hand, and, on the other, points in that part of Pennsylvania south and east of a line beginning at the Pennsylvania-New Jersey State line, thence along U.S. Highway 22 to Lemeyne, thence along U.S. Highway 111 to the Pennsylvania-Maryland State line. The purpose of this filing is to eliminate the gateway of New York, N.Y. The purpose of this correction is to correct the highway description above.

No. MC 123383 (Sub-No. E24) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER October 22, 1974. Applicant: BOYLE BROS., INC., 941 S. 2nd St., Camden, N.J. 08103. Applicant's representative: John J. Boyle (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products* and *urethane foam* (except commodities in bulk, in tank vehicles, and structural steel), from Massachusetts and Rhode Island, to points in Pennsylvania (except points in Susquehanna, Wayne, Wyoming, Lackawanna, Pike, Monroe, Luzerne, Bradford, Carbon, Northumberland, Schuylkill, Columbia, Dauphine, Lebanon, Lancaster, Berks, Lehigh, Northampton, Montgomery, Bucks, Philadelphia, Delaware, Chester, and York Counties). The purpose of this filing is to eliminate the gateways of Edgewater and Jersey City, N.J. The purpose of this correction is to correct the exception above.

No. MC 123383 (Sub-No. E25) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER October 22, 1974. Applicant: BOYLE BROS., INC., 941 S. 2nd St., Camden, N.J. 08103. Applicant's representative: John J. Boyle (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except structural steel and iron and steel products and commodities in bulk), between points in Massachusetts, Rhode Island, and that part of New York north and west of a line beginning at the New York-Vermont State line, thence along New York Highway 7 to junction New York Highway 30, thence along New York Highway 30 to Blue Mountain Lake, thence along New York Highway 28 to Utica, thence along New York Highway 5 to Herkimer, thence along New York Highway 28 to Colliersville, thence along New York Highway to the New York-Pennsylvania State line, on the one hand, and, on the other, points in that part of New Jersey south of U.S. Highway 33. The purpose of this filing is to eliminate the gateway of New York, N.Y. The purpose of this correction is to correct the territorial description above.

No. MC 123383 (Sub-No. E27) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER October 22, 1974. Applicant: BOYLE BROS., INC., 941 S. 2nd St., Camden, N.J. 08103. Applicant's representative: John J. Boyle (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition boards* and *materials* and *supplies* and *accessories* used in the installation thereof (except structural steel, and iron and steel products or commodities in bulk), from points in Massachusetts and Rhode Island to points in Alabama, Mississippi, and that part of Kentucky west of Interstate Highway 75. The purpose of this filing is to eliminate the gateways of Deposit and New York, N.Y. The purpose of this correction is to correct the commodity description.

No. MC 123383 (Sub-No. E31) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER October 22, 1974. Applicant: BOYLE BROS., INC., 941 S. 2nd St., Camden, N.J. 08103. Applicant's representative: John J. Boyle (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except structural steel and commodities in bulk); (1) from points in Massachusetts and Rhode Island to points in Alabama, Arkansas, Illinois, Indiana, Kentucky, Louisiana, Michigan, Mississippi, Tennessee, and West Virginia; and (2) from points in Rhode Island and that part of Massachusetts east of U.S. Highway 5 to points in Ohio. The purpose of this filing is to eliminate the gateway of New York, N.Y. The purpose of correction is to clarify the origin description in (2) above.

No. MC 123383 (Sub-No. E39) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER October 23, 1974. Applicant: BOYLE BROS., INC., 941 S. 2nd St., Camden, N.J. 08103. Applicant's representative: John J. Boyle (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products* and *urethan foam* (except commodities in bulk, in tank vehicles), from points in Connecticut, that part of New Jersey on, north, and east of a line beginning at Trenton, thence along New Jersey Highway 33 to junction New Jersey Highway 571, thence along New Jersey Highway 571 to Princeton, thence along U.S. Highway 206 to junction U.S. Highway 202, thence along U.S. Highway 202 to the New Jersey-New York State line, and that part of New York south and east of a line beginning at the New York-Connecticut State line, thence along Interstate Highway 84 to junction Interstate Highway 87, thence along Interstate Highway 87 to the New York-New Jersey State line, to points in Pennsylvania (except points in Susquehanna, Wayne, Wyoming, Lackawanna, Pike, Monroe, Luzerne, Carbon, Bradford, Northumberland, Schuylkill, Columbia, Berks, Dauphin, Lebanon, Lancaster, Lehigh, Northampton, Montgomery, Bucks, Philadelphia, Delaware, Chester and York Counties. The purpose of this filing is to eliminate the gateways of Edgewater and Newark, N.J. The purpose of this correction is to correct the exception above.

No. MC 123383 (Sub-No. E44) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER October 24, 1974. Applicant: BOYLE BROS., INC., 941 S. 2nd St., Camden, N.J. 08103. Applicant's representative: John J. Boyle (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except iron and structural steel products, commodities in bulk, and commodities which because of their size and weight require the use of special equipment), from points in Connecticut, that part of New Jersey on, north, and east of a line beginning at Trenton, thence along New Jersey Highway 33 to Hightstown, thence along New Jersey Highway 571 to junction U.S. Highway 202, thence along U.S. Highway 202 to the New Jersey-New York State line, and that part of New York on, south, and east of a line beginning at the New York-Connecticut State line, thence along Interstate Highway 84 to junction Interstate Highway 87, thence along Interstate Highway 87 to the New York-New Jersey State line, to points in that part of Pennsylvania on and west of U.S. Highway 219 and south of Interstate Highway 80. The purpose of this filing is to eliminate the gateways of Newark, N.J., and the plant site of Flintcote Company at Camden, N.J. The purpose of this correction is to correct the exception above.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-5679 Filed 2-26-76;8:45 am]

[EX PARTE NO. 308 (Sub-No. 1)]

INVESTIGATION OF COMMON CARRIER PIPELINES

At a General Session of the Interstate Commerce Commission, held at its office in Washington, D.C. on the 19th day of February, 1976.

It appearing, That section II of the Clayton Act, 15 U.S.C. 21, and sections 12 and 13 of the Interstate Commerce Act, confer jurisdiction on the Commission to enforce compliance, *inter alia*, with section 7 of the Clayton Act, 15 U.S.C. 18; and that ownership and active control of common carrier petroleum pipelines by their shippers may tend substantially to lessen competition or to create a monopoly;

Wherefore and good cause appearing therefor:

It is ordered, That an investigation be, and it is hereby, instituted upon the Commission's own motion, into and concerning possible violations of section 7

of the Clayton Act involving petroleum pipeline ownership.

It is further ordered, That views and comments from respondents and other interested persons will be considered regarding anticompetitive conduct by producer lines, particularly pertaining to discriminatory rates and practices applied to independently owned lines, and also regarding the Commission's jurisdiction in this investigation.

It is further ordered, That all common carrier pipelines subject to part I of the Interstate Commerce Act be, and they are hereby, made respondents in the proceeding.

It is further ordered, That the Bureau of Enforcement of this Commission be, and it is hereby, authorized and directed to participate in this proceeding.

It is further ordered, That respondents and other interested persons hereto with views or comments on these matters are directed to file an original and one copy of their views and comments with the Interstate Commerce Commission, Office of Proceedings, Room 5342, 12th Street and Constitution Avenue, N.W., Washington, D.C. 20423 on or before 60 days from the date of service of this order; that from such filings will be determined the extent of participation in this proceeding and further orders will be entered as warranted.

It is further ordered, That this proceeding will be set for hearing at a time and place hereafter to be designated.

And it is further ordered, That notice of the institution of this investigation be given to the general public, by mailing a copy of this order to the Governor and the regulatory agency of every state, by depositing a copy with the Secretary of the Interstate Commerce Commission, and by delivering a copy to the FEDERAL REGISTER for publication therein; and a copy will be mailed to each respondent, the United States Department of Justice and the Bureau of Enforcement of this Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-5673 Filed 2-26-76;8:45 am]

[No. 986]

ASSIGNMENT OF HEARINGS

FEBRUARY 24, 1976.

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 64832 (Sub 6), Magnolia Truck Line, Inc., now being assigned April 26, 1976, at Baton Rouge, Louisiana, in a hearing room to be later designated.

MC 124606 Sub 4, Ford Truck Line, Inc., now being assigned for Continued Hearing on March 30, 1976 (2 days), in Room 978, Federal Bldg., 167 North Main Street, Memphis, Tenn.

MC 112304 (Sub 101), Ace Doran Hauling & Rigging Co., now being assigned April 21, 1976, in Columbus, Ohio in a hearing room to be later designated.

MC 136343 (Sub 49), Milton Transportation, Inc., now being assigned April 26, 1976, in Columbus, Ohio in a hearing room to be later designated.

MC 106920 (Sub 59), Riggs Food Express, Inc., now being assigned April 28, 1976, at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 114045 (Sub-No. 426), Trans-Cold Express, Inc., now assigned March 5, 1976, at Chicago, Ill., is canceled and application dismissed.

MC 61592 (Sub-No. 360), Jenkins Truck Line, Inc., now assigned March 17, 1976, at Washington, D.C., is canceled and application dismissed.

MC-C-8413, William H. Ott DBA Texas Hot Shot Co.—Investigation and Revocation of Certificates, and MC 106941 Sub-5, William H. Ott, DBA Texas Hot Shot Company, now being assigned April 12, 1976 (1 week), at Houston, Texas, in a hearing room to be later designated.

MC-F-12453, Jones Truck Lines, Inc.—Purchase (Portion)—Deaton, Inc. and MC 11207 (Sub 355), Deaton, Inc. now being assigned April 5, 1976 in Birmingham, Alabama and will be held in the GSA Conference Room, 2nd Floor, U.S. Courthouse & Federal Building, 1800 5th Avenue North.

MC 106497 (Sub 122), Parkhill Truck Company, now being assigned March 30, 1976, in Birmingham, Alabama in the GSA Conference Room, 2nd Floor, U.S. Courthouse & Federal Building, 1800 5th Avenue North.

MC-F-12405, Tompkins Motor Lines, Inc.—Purchase—Trek Express, Ltd. now being assigned April 1, 1976, in Birmingham, Alabama in the GSA Conference Room, 2nd Floor, U.S. Courthouse & Federal Building, 1800 5th Avenue North.

MC 112617 (Sub 327), Liquid Transporters, Inc. now being assigned March 24, 1976, in Louisville, Kentucky and will be held in Room 1052-A, Federal Building, 600 Federal Place.

MC 113678 (Sub 590), Curtin, Inc. now being assigned March 16, 1976, in Louisville, Kentucky and will be held in Room 1052-A, Federal Building, 600 Federal Place.

MC 119934 (Sub 204), Ecoff Trucking, Inc., now being assigned March 17, 1976, in Louisville, Kentucky and will be held in Room 1052-A, Federal Building, 600 Federal Place.

MC 126276 (Sub 135), Fast Motor Service, Inc. now being assigned March 18, 1976, in Louisville, Kentucky and will be held in Room 1052-A, Federal Building, 600 Federal Place.

MC 128273 (Sub 167), Midwestern Distribution, Inc. now being asisgned March 22, 1976, in Louisville, Kentucky and will be held in Room 1052-A, Federal Building, 600 Federal Place.

MC 141112, Burwell Ray Gallop, d.b.a. Gallop Bus Lines, and MC 141112 Sub 4, Burwell Ray Gallop, d.b.a. Gallop Bus Lines, now assigned March 8, 1976, at Norfolk, Va., is postponed indefinitely.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-5674 Filed 2-26-76;8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

FEBRUARY 24, 1976.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed on or before March 15, 1976.

FSA No. 43126—*Road Building Material and Bituminous Asphalt Rock Between Points in Southern Territory.* Filed by M. B. Hart, Jr., Agent (No. A6343), for interested rail carriers. Rates on road building material and bituminous asphalt rock and related articles, in carloads, as described in the application, from, to and between points in southern territory.

Grounds for relief—Short-line distance formula and grouping.

Tariff—Supplement 64 to Southern Freight Association, Agent, tariff S-2011-0, I.C.C. No. S-1259. Rates are published to become effective on March 25, 1976.

FSA No. 43127—*Iron or Steel Articles Between Illinois Central Gulf Stations, Chicago, Illinois and East St. Louis, Illinois-St. Louis, Missouri and Points Grouped Therewith.* Filed by Illinois Central Gulf Railroad Company (No. 76-1). Rates on iron or steel articles, in carloads, as described in the application, between Chicago, Illinois and points grouped therewith, and East St. Louis, Illinois-St. Louis, Missouri and points grouped therewith.

Grounds for relief—Same conditions do not exist at intermediate points.

Tariff—Illinois Central Gulf Railroad Company tariff 835, I.C.C. No. 52. Rates are published to become effective on April 1, 1976.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-5675 Filed 2-26-76;8:45 am]

[Notice No. 22]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 24, 1976.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR § 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized repre-

sentative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

No. MC 64932 (Sub-No. 556TA) filed February 13, 1976. Applicant: ROGERS CARTAGE CO., 10735 S. Cicero Avenue, Oak Lawn, Ill. 60435. Applicant's representative: William F. Farrell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pentaerythritol*, dry, in bulk, in tank vehicles, from the plantsite of Hercules, Inc., at Louisiana, Mo. to the facilities of Lubrizol, Inc., at Deer Park, Tex., for 180 days. Applicant has also filed underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Hercules Incorporated, Richard E. Gortowski, District Traffic Manager, 814 Commerce Drive, Oak Brook, Ill. 60521. Send protests to: Transportation Assistant Patricia A. Roscoe, 219 S. Dearborn Street, Room 1086, Everett McKinley Dirksen Building, Interstate Commerce Commission, Chicago, Ill. 60604.

No. MC 109584 (Sub-No. 164TA) filed February 10, 1976. Applicant: ARIZONA-PACIFIC TANK LINES, 3980 Quebec Street, Denver, Colo. 80207. Applicant's representative: Don Bryce (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle routes, transporting: *Sulphuric acid*, in bulk, in tank vehicles, from the plant site of Magma Copper at or near San Manual, Ariz., to Imperial, Riverside, and San Bernardino Counties, Calif., for 180 days. Supporting shipper: Agriform Company of Imperial Valley, P.O. Box 278, Imperial, Calif. 92251. Send protests to: District Supervisor, Roger L. Buchanan, Interstate Commerce Commission, 1961 Stout Street, 2022 Federal Building, Denver, Colo. 80202.

No. MC 109708 (Sub-No. 63TA) (Correction) filed January 30, 1976, published in FEDERAL REGISTER issue of February 17, 1976, republished as corrected this issue. Applicant: INDIAN RIVER TRANSPORT CO., doing business as INDIAN RIVER TRANSPORT, INC., Post Office Box 966, Ft. Pierce, Fla. 33450. Applicant's representative: James E. Wharton, 17th Floor, CNA Building, P.O. Box 231, Orlando, Fla. 32802. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Citrus molasses, blackstrap molasses and citrus derivatives* in bulk, in tank vehicles, from points in Florida to Roberta, Ga. There is no environmental impact involved in this application, for 180 days. Applicant has also filed underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Monarch Wine Company of Georgia, Post Office Box 6847, Atlanta, Ga. 30315. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission—BOP, Monterey Building, Suite 101, 8410 NW. 53 Terrace, Miami, Fla. 33166.

NOTE.—The purpose of this republication is to correct the commodity description.

No. MC 111310 (Sub-No. 17TA), filed February 9, 1976. Applicant: BEER TRANSIT, INC., P.O. Box 338, Hartland, Wis. 53029. Applicant's representative: Wayne W. Wilson, P.O. Box 232, Madison, Wis. 53701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages and related advertising equipment, premiums, materials and supplies* when shipped therewith, from St. Louis, Mo. to Sleepy Eye and Worthington, Minn.; (2) *Used, empty malt beverage containers*, from Sleepy Eye and Worthington, Minn., to St. Louis, Mo.; (3) *Malt beverages and related advertising equipment, premiums, materials, and supplies* when shipped therewith, from LaCrosse, Wis., to Worthington, Minn.; and (4) *Used, empty malt beverage containers*, from Worthington, Minn., to LaCrosse, Wis., for 180 days. Applicant has also filed underlying ETA seeking up to 90 days of operating authority. Supporting shippers: Hagen Distributing Company & Cooper Distributing Company, 626 Oxford St., Worthington, Minn. 56187 (Gilbert M. Hagen), and Hansen Distributing of Sleepy Eye, Inc., West Prescott Avenue, Sleepy Eye, Minn. (Charles C. Hansen). Send protests to: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street—Room 807, Milwaukee, Wis. 53203.

No. MC 113024 (Sub-No. 144TA), filed February 13, 1976. Applicant: ARLINGTON J. WILLIAMS, INC., R.D. No. 2 Du Pont Highway, Smyrna, Delaware 19977. Applicant's representative: Samuel W. Earnshaw, 833 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Elastic webbing*, from Rolling Fork, Miss., to Newnan, Ga., under contract with International Playtex, Inc., for 180 days. Applicant has also filed underlying ETA seeking up to 90 days of operating authority. Supporting shipper: James M. Harrison, Director, Traffic and Transportation, International Playtex, Inc., P.O. Box 631, Dover, Del. 19901. Send protests to: William L. Hughes, District Supervisor, Interstate Commerce Commission, 814-B Federal Building, Baltimore, Md. 21201.

No. MC 125023 (Sub-No. 34TA), filed February 10, 1976. Applicant: SIGMA-4EXPRESS, INC., 3825 Beech Avenue, P.O. Box 9117, Erie, Pa. 16504. Applicant's representative: Richard G. McGurdy (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, between Milwaukee, Wis., and Baltimore, Md.; and from Milwaukee, Wis., to points in Maryland, for 180 days. Applicant has also filed underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Miller Brewing Company, 4000 W. State Street, Milwaukee, Wis. 53208. Send protests to: John J. England, District Supervisor, Interstate Commerce Commission, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 127539 (Sub-No. 51TA) filed February 10, 1976. Applicant: PARKER REFRIGERATED SERVICE, INC., 1108 54th Avenue East, Tacoma, Wash. 98424. Applicant's representative: Michael D. Duppenthaler, 607 Third Avenue, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, frozen potato products, and frozen fish*, when transported in the same vehicle with frozen fruits, frozen berries, frozen vegetables and, frozen potato products, from points in Oregon and Lewiston, Idaho, to points in California, for 180 days. Applicant has also filed underlying ETA seeking up to 90 days of operating authority. Supporting shippers: There are approximately 12 statements of support attached to the application which may be examined at the Interstate Commerce Commission, in Washington, D.C. or copies thereof which may be examined at the field office named below. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Building, Seattle, Wash. 98174.

No. MC 127812 (Sub-No. 23TA) filed February 12, 1976. Applicant: TYSON TRUCK LINES, INC., 185 5th Avenue Southwest, New Brighton, Minn. 55112. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared dough*, not frozen, from Minneapolis, Minn. to Superior, Wis., for 180 days. Supporting shipper: Kraft Foods, Div. Kraftco Corp., 447 E. Grand Ave., Chicago, Ill. 60611. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 133119 (Sub-No. 88TA) filed February 10, 1976. Applicant: HEYL TRUCK LINES, INC., 200 Norka Drive, P.O. Box 206, Akron, Iowa 51001. Appli-

cant's representative: A. J. Swanson, 521 South 14th St., P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass spheres*, from ports of entry on International Boundary between United States and Canada at or near Raymond, Mont., to points in Idaho. Restricted to traffic moving in foreign commerce from Moose Jaw, Saskatchewan, for 180 days. Applicant has also filed underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Rod Parker, General Manager, Canasphere Industries Ltd., P.O. Box 1444, Moose Jaw, Saskatchewan S6H 4R3. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 North 14th Street, Omaha, Nebra. 68102.

No. MC 133562 (Sub-No. 16TA), (Correction) filed December 5, 1976, published in the FEDERAL REGISTER issue of December 19, 1975, and republished as corrected this issue. Applicant: HOLIDAY EXPRESS CORPORATION, P.O. Box 115, Estherville, Iowa 51334, Applicant's representative: Merle Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh beef and pork gullets, livers and lungs*, (1) from Sioux Falls, S. Dak., to the plantsite of Richland Foods, Inc., at Estherville, Iowa; (2) from the plansite of Richland Foods, Inc., at Estherville, Iowa to Camp Hill, Pa., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Richland Foods, Inc., Suite 415, 1st Bank and Trust Bldg., Richardson, Tex. 75080. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

NOTE.—The purpose of this republication is to clarify the request for authority in (2) above.

No. MC 134922TA filed February 4, 1976. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Bob McAdams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meat* (in vehicles equipped with mechanical refrigeration), from Los Angeles, Calif., to Goshen, Ind.; Grand Rapids, Mich.; Youngstown, Ohio; Columbia and Greenville, S.C.; Milwaukee, Wis., and Denver, Colo. for 180 days. Supporting shipper: Coronet Foods, 609 S. Santa Fe Ave., Los Angeles, Calif. 90021. Send protests to: District Supervisor William H. Land, Jr., 3108 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 136786 (Sub-No. 90TA) filed February 3, 1976. Applicant: ROBCO TRANSPORTATION, INC., 309 5th Avenue Northwest, New Brighton, Minn. 55112. Applicant's representative: Stanley C. Olsen, Jr., 7525 Mitchell Road, Eden Prairie, Minn. 55343. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Magazines and printed matter*, from Dallas, Tex., to Denver, Colo., Minneapolis, Minn.; Lawrence, Kans., Atlanta, Ga., and Cincinnati, Ohio, for 180 days. Supporting shipper: TV Guide, a Division of Triangle Publications, Inc., 431 North 15th Street, Philadelphia, Pa. 19130. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 140057 (Sub-No. 4TA) filed February 6, 1976. Applicant: FRONTIER TRUCKING COMPANY, 2212 Main St., Billings, Mont. 59101. Applicant's representative: James P. Murphy, 2512 Third Avenue North, Billings, Mont. 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products and meat byproducts; and articles distributed by meat packing houses*, from Billings, Mont., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, North Dakota, Ohio, South Dakota, and Wisconsin; and (2) *dairy products and such commodities* as are used by meat packers in the conduct of their business when destined for use or sale by meat packers, from points in Illinois, Indiana, Iowa, Michigan, Minnesota, North Dakota, Ohio, South Dakota, and Wisconsin to Billings, Mont., for 180 days. Supporting shipper: James D. Schindele, President, Midland Empire Packing Company, 800 Minnesota Avenue, Billings, Mont. 59101. Send protests to: District Supervisor, Paul J. Labane, Interstate Commerce Commission, Room 222, U.S. Post Office Building, Billings, Mont. 59101.

No. 140693TA filed February 11, 1976. Applicant: BEER TRANSPORTATION COMPANY, 1120 Germantown Avenue, Philadelphia, Pa. 19123. Applicant's representative: Leonard A. Jaskiewicz, Suite 501, 1730 M Street, NW, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, and *related advertising materials*, from Latrobe, Pa., to Laconia, Manchester, Keene and Berlin, N.H., for 180 days. Applicant has also filed underlying ETA seeking up to 90 days of operating authority. Supporting shippers: Latrobe Brewing Company, P.O. Box 350, 119 Jefferson Street, Latrobe, Pa. 15650; Amoskeag Beverages, Inc., 316 Rimmon Street, Manchester, N.H.; N. G. Gurnsey Co., Inc., 88 Dunbar Street, Keene, N.H. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch Street, Room 3238, Philadelphia, Pa. 19106.

No. MC 141693TA (Correction) filed January 21, 1976, published in the FEDERAL REGISTER issue of February 3, 1976, republished as corrected this issue. Applicant: GREGORY LEE JENCEN, doing business as, AGRARIAN WAY OF WISCONSIN, 323 So. Elm St., Oconomowoc, Wis. 53066. Applicant's representative: Richard C. Alexander, 710 No. Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid and granulated fertilizer compounds, agricultural chemicals, fertilizer and pesticide sprayers, tanks, and containers, and supplies* used or useful in the production, manufacture, sale and distribution of liquid and granulated fertilizer compounds and agricultural spray equipment, between points in Michigan, Indiana, Illinois, Iowa, Minnesota, and Wisconsin, under continuing contracts with Farm Better Service, Inc., (2) *steel buildings, grain bins and drying equipment and grain and feed handling equipment*, from points in Illinois, Iowa, and Nebraska, to points in Wisconsin, under continuing contract or contracts with Materials Handling Equipment, Inc., for 180 days. Supporting shippers: Farm Better Service, Inc., P.O. Box 237, Dousman, Wis. 53118 (Peter Vercouteren), and Materials, Handling Equipment, Inc., P.O. Box 213, Dousman, Wis., 53116, (Leroy W. Miller). Send protests to: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street—Room 807, Milwaukee, Wis. 53203.

NOTE.—The purpose of this republication is to correct the territorial description in part (2) of this proceeding.

No. MC 141749TA filed February 2, 1976. Applicant: SENTINEL TRUCKING CO., 407 N.E. 44th Street, Ft. Lauderdale, Fla. 33334. Applicant's representative: Sol H. Proctor, 1107 Blackstone Building, Jacksonville, Fla. 32202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paint cans, aerosol spray cans and can parts;* and (2) (a) *Glass*, (b) *die cast hardware*, and (c) *steel tubing;* (1) from Chicago, Ill.; Tallapoosa, Ga.; and Indianapolis, and Evansville, Ind., to Tampa. Fla.; and (2) (a) from the facilities of PPG at Wichita Falls, Tex.; Crystal City, Mo.; and Carlisle, Pa.; (b) from the facilities of Allied Tube at Chicago, Ill., to Pompano Beach, Fla., under a contract with Harris Paint Company and T. M. Products, for 180 days. Supporting shipper: Harris Paint Company, 1026 North 19th Street, Tampa, Fla. and T. M. Products, 1201 N.W. 6th Street, Pompano Beach, Fla. 33060. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, Monterey Building, Suite 101, 8410 N.W. 53rd Terrace, Miami, Fla. 33166.

No. MC 141762TA filed February 2, 1976. Applicant: MASSEY'S VACUUM TRUCK SERVICE, INC., 1907 Western Avenue, Farmington, N. Mex. 87401. Applicant's representative: Attorney Robert Cardin, 218 West Apache, Farmington, N. Mex. 87401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drilling mud*, in containers, *lost circulation materials, and chemicals*, from

warehouse to well head, the transportation of which does not require specialized equipment, between Farmington, N. Mex. on the one hand, and points Apache and Navajo Counties, Ariz., points on and east of U.S. Highway 89 and on and south of U.S. Highway 50 in Utah; points on and south U.S. Highway 50 in Colorado; on the other hand, with equipment stationed in San Juan County, N. Mex., for 180 days. Applicant has also filed underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Oilfield Products Division of Dresser Industries, Inc., C. S. Willis, Area Distribution Manager, 418 Republic Building, Denver, Colo. 80202. Send protests to: John H. Kirkemo, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1106 Federal Office Building, 517 Gold Avenue SW., Albuquerque, N. Mex. 87101.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-5676 Filed 2-26-76;8:45 am]

[Notice No. 190]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

FEBRUARY 27, 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 March 18, 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–76260. By order entered February 19, 1976 the Motor Carrier Board approved the transfer to John Jack W. Hockersmith & Jack Hockersmith, Jr., a partnership, doing business as Jack Hockersmith & Son Trucking, Pine Bluffs, Wyo., of the operating rights set forth in Certificates Nos. MC 79726 (Sub-No. 1) and MC 79726 (Sub-No. 2), issued by the Commission February 17, 1942 and August 23, 1944, respectively, to H. N. Simkins (B. D. Trierweiler, Administrator), Pine Bluffs, Wyo., authorizing the transportation of livestock, lumber, feed, and cement, over regular routes, from, to, and between specified points in Wyoming, Nebraska and Colorado. B. D. Trierweiler, 315 American National Bank Building, Cheyenne, Wyoming 82001, attorney for applicants.

No. MC–FC–76364. By order entered February 20, 1976 the Motor Carrier Board approved the transfer to Leeway Transport, Inc., Runnemede, N.J., of the operating rights set forth in Certificate No. MC 129039 (Sub-No. 1), issued October 12, 1971, to Jacoby Transport System, Inc., Philadelphia, Pa., authorizing the transportation of fiberboard, from the plant site and warehouse facilities of the Masonite Corporation at Bellmawr, N.J., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102, attorney for applicants.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-5677 Filed 2-26-76;8:45 am]

[Notice No. 191]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 27, 1976.

Application filed for temporary authority under Section 210a(b) in connection with transfer application under Section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC–FC–76397. By application filed February 23, 1976, JBH & ASSOCIATES, INC., dba ARROW FREIGHT LINES, P.O. Box 250, Rt. 2, Elwood, NB., 68937, seeks temporary authority to lease the operating rights of ARROW FREIGHT LINES, INC., Box 1665–E. Highway 30, Grand Island, NB., 68801, under section 210a(b). The transfer to ARROW FREIGHT LINES, of the operating rights of ARROW FREIGHT LINES, INC., is presently pending.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-5678 Filed 2-26-76;8:45 am]

federal register

FRIDAY, FEBRUARY 27, 1976

PART II:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Education Office

■

ASSISTANCE TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN

State Plan Provisions

Title 45—Public Welfare

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

PART 121a—ASSISTANCE TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN

State Plan Provisions

Notice of proposed rulemaking was published in the FEDERAL REGISTER on November 26, 1975 (40 FR 54804) setting forth proposed amendments to Part 121a of Title 45 of the Code of Federal Regulations. The amendments (1) added a new paragraph (g) to § 121a.10 which essentially repeated the statutory language of section 613(b)(1) of the Education of the Handicapped Act (EHA), added by Public Law 93–380. Section 613(b)(1) requires that each State's annual program plan be amended to include (among other things) policies and procedures to identify, locate and evaluate all handicapped children residing in the State who are in need of special education and related services, and to protect the confidentiality of data collected in that effort under criteria promulgated by the Commissioner. (2) The amendments also proposed a new § 121a.15 setting forth the criteria which the State would be required to use to develop its policies and procedures for protecting the confidentiality of the data.

Subsequent to publication of the proposed rules, legislation was enacted which included provisions (effective on November 29, 1975) which apparently modify the requirements of section 613(b)(1) in certain particulars, as set forth below in the changes relating to § 121a.10(g) (see section 612(a)(A), (C), (D), and (E) of the EHA, as amended by the Education of All Handicapped Children Act, Public Law 94–142 (enacted November 29, 1975)). As indicated, those changes have been incorporated with other comments in these revised regulations.

Interested parties were invited to submit comments, suggestions, or objections regarding the proposed regulations. These comments are summarized and the responses of the Department are provided below. The comments are arranged in order of the sections of the proposed regulations (the final regulations are in the same order, but have been renumbered in part since proposed subparagraph (5) has been deleted).

SUMMARY OF COMMENTS AND RESPONSES

1. Section 121a.10 *Special provisions and descriptions.*

Comment. While no specific comments were received on the new proposed paragraph (g) which set forth the statutory requirements in section 613(b)(1) of the Education of the Handicapped Act (added by Public Law 93–380), a commenter did recommend that "all handicapped children in need of special education and related services" be defined to include all mentally retarded and exceptional, or thought to be exceptional, children under 21 years of age, including institutionalized children, those suspended or expelled from school, and those who are chronically truant more than 25 percent of the time.

Response. No change has been made. Such children are deemed by the Department to be handicapped children within the meaning of the definition of "handicapped children" set forth in section 602(1) of the EHA. Further, "special education" and "related services" are defined in amendments to Section 602 (Sections 602(16) and (17)) contained in Public Law 94–142. These children are eligible to receive services under either Part B or section 121 of the Elementary and Secondary Education Act of 1965, as amended (programs for handicapped children in State-operated and State-supported schools), depending on which agency in the State is directly responsible for their free public education.

Changes. Paragraph (g) has been modified to reflect the revised requirements contained in section 612(2)(A), (C), (D), and (E) of the Education of the Handicapped Act, added by Public Law 94–142 subsequent to publication of the proposed rules. Those statutory provisions were effective on enactment and largely repeat the requirements set forth in section 613(b)(1) of the EHA, as amended by Public Law 93–380, but indicate that the State plan amendments for Fiscal Year 1976 and subsequent fiscal years must not only set forth the policies and procedures the State will undertake but also those the State *has undertaken* to meet the requirements. In addition, the requirement regarding protecting the confidentiality of data collected in the efforts to identify, locate and evaluate all children in need of special education services was changed by Public Law 94–142. Under Public Law 93–380, the Commissioner was required to set forth detailed criteria the States must use to develop policies and procedures regarding confidentiality. Public Law 94–142 requires that the Secretary prescribe such criteria in accordance with the provisions of section 438 of the General Education Provisions Act (the so-called "Buckley Amendment").

The new law also requires the Secretary to prescribe safeguards to be used by the Commissioner (sections 612(2)(D) and 617(c)).

The criteria set forth in the proposed rules, as modified in response to comments, are appropriate to meet the requirement in Public Law 94–142 regarding collection of data by State and local educational agencies. To meet the additional requirement regarding collection of personally identifiable data (if any) by the Commissioner, a provision has been added (§ 121a.15(c)) which states that the Commissioner will apply certain provisions of the Privacy Act of 1974 (5 U.S.C. 552a) and appropriate Departmental Regulations when collecting and using personally identifiable data (if any) in relation to enforcing or evaluating Part B of the EHA. (The Privacy Act and Departmental regulations by their terms only apply to records maintained in a "system of records," as defined in section 552a(a)(5)).

2. Section 121a.15(a) *Definitions.*

Comments on the definition of "consent". Several commenters were concerned with the definition of "consent" and with the criteria relating to consent set forth in proposed § 121a.15(b)(4). Since the definition and the criteria are interrelated, certain of these comments are incorporated with the comments on that section set forth below under 6.

Comment. Commenters recommended that the definition require that the information provided to the parents under § 121a.15(b)(1) to inform them of the identification and evaluation efforts be in writing and in the primary language of the parent, and that the parent understand and agree *in writing* to the carrying out of the activity. The commenters further recommended that blanket or group consent forms which fail to specify the particular records to be released or fail to identify each individual or agency to whom records are to be released should not constitute valid consent and that consent should be obtained again if an agency wants to use sensitive data for some new purpose.

Response. The definition has been changed to require that as a part of obtaining fully informed consent, (1) the consent be in writing, (2) the parent must be provided the information set out in the notice requirement in § 121a.15(b)(1)(i) in his or her native language unless it clearly is not feasible to do so, and (3) that the consent specify the activity for which consent is given and which records, if any, are to be released and to whom the records are to be released.

The first change will conform to the procedural safeguards regarding notice enacted in the Education of All Handicapped Children Act (EAHCA) (section 615(b)(1)(D) of the EHA) which becomes effective for Fiscal Year 1978 (October 1, 1977). "Native language" is defined in the EAHCA by reference to the definition used in the Bilingual Education Act: "when used with reference to an individual of limited English-speaking ability, [the term] means the language normally used by such individuals, or in the case of a child, the language normally used by the parents of the child" (20 U.S.C. (880b–1(a)(2)). This change meets the major concern of the commenters while recognizing that in some instances it may not be feasible to use the native language of the parent. It is not appropriate to *require* that the information be provided in writing, because there may be many instances where written notice is inadequate to inform the parents (for example, the parents may be illiterate or blind or the language may not exist in written form, as in the case of some American Indian languages). It should be emphasized that the statutory requirement is that the States develop their own policies and procedures to protect the confidentiality of personally identifiable data. The Department expects that each State's annual program plan will specify when written notice is appropriate, and the other means by which the State will fully inform parents of their rights.

As to the second change, consent, when obtained, should be for specific activities, records and parties, in order for the consent to be meaningful.

Comment. A commenter indicated that the portion of the definition that states that the parent must understand and agree, as a prior condition, to the carrying out of the identification, location, or evaulation activity for which his or her consent is sought would be contrary to a State law which requires school districts to provide appropriate services and on-going evaluations, and would impinge on the ability of school districts to program meaningfully for handicapped children whose parents are not willing to be involved in the educational process. Another commenter requested that the defintion be revised by deleting the reference to parental consent in the case of identification and location of children, and by referring only to consent for "formal" evaluations. The effect of the latter recommendation would be to conform the definition more closely to the requirement for consent set forth in proposed § 121a.15(b)(4).

Response. The definition has been modified by deleting the words "identification, location, or evaulation" so that the second portion of the definition reads: "The parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent sets forth that activity and lists the records (if any) which will be released and to whom." (The consent requirement set forth in § 121a.15(b)(4) determines where consent is required).

The definition as previously written caused confusion since the consent requirement itself did not require that parental consent be obtained when participating agencies sought information to identify or locate handicapped children (consent was only required when children were to be formally evaluated or interviewed directly, or when data were to be used for new purposes or disclosed to other than appropriate officials of participating agencies).

As to the comment that the requirement (to require consent to evaluate a child) would be contrary to State law requiring ongoing evaluations and provisions of services, a consent requirement is not incompatible with such a requirement, as parents must be involved in decisions to evaluate and provide special services to a child. If a parent were to refuse consent, the agency would generally have the alternative remedy, under State law, of asking relief from the courts, such as appointment of a special guardian. (A provision has been added requiring States to specify what procedures will be used if parents refuse consent (§ 121a.15(b)(4)(iii).)

Comment. A commenter stated that the third part of the definition was inconsistent, since he interpreted it as saying consent could not be made a condition of a child's obtaining any services, while in § 121a.15(b)(4)(3) the regulations forbid evaluating a child (a service) unless parental consent has been obtained.

Response. The third part of the definition has been restated: "the parent understands that the granting of consent is voluntary on the part of the parent." The intent of this provision is to make it clear that participating agencies may not try to coerce consent by tying consent to provision of educational services. On the other hand, if evaluation is deemed necessary to place a child appropriately, the agency's remedy would be to seek court intervention under State law.

Comment on definition of "participating agency." Commenters recommended that the definition of "participating agency" be revised, stating that it was unnecessarily broad in specifying that a "participating agency" could include any "individual" as well as any "agency" or "institution" which collects, maintains, uses, or provides data for the identification, location, and evaluation efforts required by section 613(b)(1)(A) of the Education of the Handicapped Act. These commenters felt that by including "individuals" in the definition, it would permit free access by virtually any individual (apparently because of how the terms are used in the criteria regarding State and local access to data, proposed § 121a.15(b)(4)(i); that section (121a.15(b)(4)(i)(A), as renumbered) allows participating agencies to collect or use data for the purposes of § 121a.10(g)(1) without obtaining parental consent).

Response. The definition has been modified to delete "individual." A participating agency should not share data with an individual who was not affiliated with an agency without obtaining parental consent and the definition has been modified to preclude that possibility.

Other comments. Commenters recommended that a definition of "parent" be added to make it clear that the parent group covered by the regulation is broader than the parent group covered by the Family Educational Rights and Privacy Act (the so-called "Buckley Amendment"), section 438 of the General Education Provisions Act (20 U.S.C. 1232g). A commenter recommended that the definition include the "surrogate" parents appointed under section 613(a)(13)(A)(iii) of the EHA.

Response. A definition of "parent" has been added that defines "parent" as "a parent or guardian (or individual acting as a parent in the absence of a parent or guardian) of any child on whom data is collected, maintained, or used for the purposes set forth in § 121a.10(g)(1)." This makes clear, as was the intent in the proposed rules, that rights are to be accorded to parents of any children about whom data are collected, maintained, or used. Such a group may even include parents of children who are subsequently determined not to be handicapped or not in need of special education services.

It would not be appropriate to add a reference to surrogate parents since the manner of appointment of surrogates is a matter subject to State law.

Other changes. A definition for "formal evaluations" has been added in response to several comments relating to the consent requirement in proposed § 121a.15(b)(4).

3. Section 121a.15(b)(1) *Notice.*

Comment. A commenter recommended that the responsibility for notifying parents of the requirements set forth in § 121a.10(g)(1) should be imposed on local school districts as well as on the State educational agency.

Response. No change has been made in response to this comment. States are required to develop their own policies and procedures to meet the criteria set out in § 121a.15, and States will have to develop policies which meet the needs of their particular circumstances. In most States, it is expected that local educational agencies and other participating agencies will be involved in notifying the parents. However, in some States, State-level agencies may be solely or more appropriately equipped to provide the notice.

Comment. Commenters recommended that the notice requirements be revised to require that the notice be in writing, and by adding requirements that the notice specify the manner in which the data will be sought and the persons and agencies which will have access to the data without parental consent. The commenters urged that the notice be provided in a language which the parents can understand (their "primary" language) and one commenter urged that special protections be provided for parents whose primary language is not written (such as some American Indian languages). One of the commenters also recommended that the notice include information regarding the authority of the Bureau of Education for the Handicapped to enforce the requirements of the EHA and that the notice indicate the names of local community groups which could provide assistance to parents in exercising their rights. Further, to insure that notice reached parents of preschool age children, a commenter recommended that the notice criteria include a requirement that the notice be published in newspapers having local and statewide coverage. Another commenter, however, felt that the notice requirement was appropriate if it meant that only advertisements in selected State newspapers were necessary.

Response. The notice requirement has been revised to include provisions that (1) each State describe the extent to which it will provide notice in the native languages of its various population groups, (2) the notice shall include, but not be limited to, notice published in newspapers which have Statewide and local circulations prior to any major identification or location activity, and (3) the notice must specify the manner in which the State intends to collect data.

1. The States are to set forth their policies and procedures for meeting the notice requirement, and in most situations these policies would have to provide for the notice to be available in

some written form, especially since parents must be informed of the contents of the notice as part of obtaining their fully informed consent, and employees must be trained in the policies and procedures regarding confidentiality. Adopting the suggestion that the notice also include the manner in which the State intends to collect data, will more fully inform parents of the State's plans. It is recognized that different approaches to collecting the data may be necessary at different times during the identification and evaluation efforts and this requirement does not preclude changes in approach.

2. States may decide to include in their notices information about assistance from local community groups and the Bureau of Education for the Handicapped's role in enforcing Part B of the EHA, but it is not appropriate to require this in the criteria. It should be noted that complaints should first be directed to State educational agencies for correction. Provisions in Public Law 94–142, effective October 1, 1977, will mandate that complaints regarding procedural safeguards must be appealed to the State educational agencies and then to a State court of competent jurisdiction or a Federal district court (section 615 (c)–(e) of the EHA).

3. Newspaper publication would be a minimum step towards meeting the notice requirements, but would have to be supplemented by additional measures. States should be aware that they must develop their policies and procedures in such a way that they reach the entire target population, including parents of pre-school and out-of-school children in need of special education services.

4. Section 121a.15(b)(2) *Access rights.*

Comment. Commenters recommended that the regulations be revised to make it clear that access and other rights were to be accorded to parents of all children about whom information is collected for the purposes of § 121a.10(g)(1) and not just the parents of students who are covered by the Buckley Amendment.

Response. The comment has been adopted. As indicated above, the intent of the proposed rules was to require that the rights be accorded to parents of any children about whom data are collected or used for the purposes set forth in § 121a.10(g)(1). The new definition of "parent" should make this clear.

Comment. Commenters urged that the access rights be more detailed than those accorded under the Buckley Amendment. For example, it was recommended that access be provided without unnecessary delay and prior to any pending hearing regarding identification, evaluation or placement (the Buckley Amendment allows an educational agency or institution 45 days in which to respond). The commenters also recommended that the criteria provide that parents be provided with a list of education records maintained by a school, be allowed to obtain copies and explanations of the records, and be allowed to bring anyone of their choosing with them to inspect the records. However, another commenter felt that the access rights criterion was unnecessary since he believed each State must already comply with the Buckley Amendment. The commenter made this same point regarding hearing rights and consent requirements.

Response. The requirement has been revised to make it clear that the access requirements shall apply to any participating agency and to any personally identifiable information collected, maintained, or used for the purposes set out in § 121a.10(g)(1). Rather than referencing regulations under the Buckley Amendment, specific provisions have been added to require that:

(1) Access be provided without unnecessary delay and prior to any hearing relating to the identification, evaluation or placement of a child;

(2) The right includes the right to a response to reasonable requests for explanations and interpretations of the regulations, to obtain copies, to obtain a list of the types and locations of records; and

(3) Agencies maintain a record of access to the records. Further, a provision regarding charging of fees has been added, as well as other specific criteria relating to access.

5. Section 121a.15(b)(3) *Hearing rights.*

Comment. Commenters stated that the requirement regarding hearing rights needed to be strengthened in order to ensure a full opportunity to challenge the appropriateness or accurary of information collected about children, including provisions set forth in the Education of All Handicapped Children Act (P.L. 94–142, enacted November 29, 1975). The provisions recommended were that the hearing be provided within 10 school days of a request for a hearing (another commenter also recommended a time frame be required) and in any case prior to a hearing scheduled to challenge the identification, evaluation or placement of a child, that an impartial hearing officer be used, that translation or interpretation assistance be provided, that parents have an opportunity to present evidence and confront witnesses and be permitted to bring a lawyer or representative of their choosing that the decision be made in writing, in the primary language of the parents, and provided to the parents within 10 school days of the hearing and be included in the child's record, and that all parties who have had access to a disputed record be notified of any corrections.

Response. The requirement has been revised to make it clear that the hearing requirements shall apply to any participating agency and any personally identifiable information collected, maintained, or used for the purposes set out in § 121a.10(g)(1). As with access rights, the criteria as revised set forth specific requirements, relating to:

(1) The right to a hearing to challenge data;

(2) The elements of any hearing, including reasonable notice, an impartial hearing officer, an opportunity to present evidence and to be assisted by representatives, and a decision in writing based on the evidence;

(3) The right to have an explanatory statement included in the record if the decision is not to change the record; and

(4) Any appeal procedures. General due process procedures which will be required in Fiscal Year 1978 under Section 615 of the EHA, as added by the Education of All Handicapped Children Act, will be the subject of future regulations.

6. Section 121a.15(b)(4) *Consent.*

Most of the 15 individuals or organizations commenting on the proposed regulations were concerned with the criteria regarding consent.

Several commenters objected to the provision which indicated that parental consent must be obtained before data are sought directly from a child by formal evaluation, interviewing, or testing because they believed that it would be impossible to obtain parental consent prior to conducting identification and location activities, or because the provision could be read so broadly that school officials would be afraid to talk to individual children for fear they would be accused of interviewing a child. Several commenters felt the provision was unnecessary since parental involvement in all cases involving handicapped children is already mandated (although the commenters did not specify any statute or regulation which would do this), and because the requirement might impede providing services because of the additional time required to obtain the consent. One commenter felt objections might be eased by defining "formal evaluation, interviewing or testing" as limited to procedures used selectively with an individual child and not to basic tests administered to all children in a school.

However, other commenters felt strongly that the criteria regarding consent, as well as the criteria regarding State and local access to data in § 121a.15(b)(5), were not stringent enough or precise enough to ensure that all records were covered and that all parties had a clear understanding of their rights to receive access to data.

Commenters also recommended that § 121a.15 (b)(4) and (b)(5) be combined and revised to provide that personally identifiable data may be collected only with the informed consent of parents, and recommended that data already collected should not be used without obtaining consent. However, to account for potential situations where parents might deny consent or oppose an evaluation, the commenters recommended that a provision be added to provide school officials an opportunity to challenge the refusal of a parent to grant consent, with the burden of proof regarding the necessity for obtaining the data or performing the evaluation on the school officials. The commenters also recommended that the revised criteria require participating agencies to keep detailed records of both requests for access and access to data, including dates, the reason access was requested, and the agency's authority for granting access.

Response. 1. The portion of the requirement relating to consent when in-

formation is sought directly from a child has been modified by deleting the language "interviewing or testing" so that the requirement only mandates consent when information is sought through formal evaluation procedures (and a definition has been added for "formal evaluation", as noted above).

2. A provision has been added to remind States of the limitations in section 438 of GEPA (the Buckley Amendment) on educational agencies and institutions disclosing personally identifiable data from education records: If they are covered by the Buckley Amendment, those agencies and institutions may not release data from education records to other participating agencies without obtaining parental consent except as provided in section 438(b) and any regulations issued under that section.

3. A provision has been added to the access requirements (§ 121a.15(b)(2)(iii)), requiring participating agencies to keep a record of parties obtaining access to the data.

4. A provision has been added requiring the State to describe what procedures will be utilized in the event a parent refuses consent.

The revised definition of "consent," read in conjunction with subparagraph (1) of the consent requirement, makes it clear that participating agencies do not need to obtain consent, except as set out in 2 above, to identify or locate children, since it would seriously interfere with the requirement to identify the children in need of special education services.

An example of the second provision added above is that, in some cases, officials of participating agencies may be authorized representatives of a State educational agency who are seeking the data to enforce the Federal legal requirements relating to the Part B program (Sections 438(b)(1)(C) and (b)(3) of the General Education Provisions Act), and therefore may obtain the data without obtaining parental consent, assuming the recordkeeping requirements of Section 438(b)(4)(A) and the redisclosure restrictions of Section 438(b)(4)(B) are met.

As to the comment regarding keeping a record of both requests for access and access to data, educational agencies and institutions covered by the Buckley Amendment must keep such a record regarding education records of students. The requirement added to these regulations will require a record of those parties obtaining access, but not those who request but are denied access. While there may be some informational value to parents in knowing who has requested access, it is not of sufficient benefit to outweigh the substantial additional paperwork which would be imposed on the States.

As to the fourth point, States must use existing State mechanisms to challenge a parent's refusal to consent to an evaluation. It would be outside the scope of the Department's authority to interfere with the parent-child relationship in this situation in the manner requested in the comment. However, since it would be useful to paretns and the public, States will be required to set forth the procedures they will use when a parent refuses to consent.

Comment. A commenter recommended that a parent's signature be obtained following a parent conference to indicate approval of an evaluation.

Response. No change has been made. These regulations do not require parental conferences following an evaluation. However, States are required to provide parents an opportunity for a hearing in placement decisions under other provisions of Part B of the EHA, which may be the subject of separate regulations issued at a future date.

7. Proposed Section 121a.15(b)(5) *State and local access to data.*

The only comment received on this section was combined with a comment on § 121a.15(b)(4); as set forth under 6 above, the commenters felt this section could be combined with § 121a.15(b)(4).

Response. Proposed subparagraph (5) has been deleted as unnecessary since it simply restated what was implicit in the consent requirement in subparagraph (a).

8. Proposed Section 121a.15(b)(6) *Safeguards.*

Comment. Commenters recommended that the safeguard criteria be revised by requiring that each participating agency maintain, and provide to employees and parents, a statement of the specific agency policies and procedures used to protect the confidentiality of data and that all employees be provided training that includes discussions of the policies and procedures (and any revisions thereto) set forth in the annual program plan. Further, a commenter recommended that the list of employees having access to data include the name of the official responsible for assuring the confidentiality of the data.

Response. No change has been made. The training requirement as stated in the proposed rules is adequate to guide States in developing their policies and procedures. It is implicit that the training must include training in the policies and procedures established to protect the confidentiality of data. Parents must be fully informed of the activities under § 121a.10(g)(1) under the notice requirement and it would certainly be appropriate for a State to indicate, as part of its policies and procedures, that it will make copies of the policies and procedures available to parents. In any case, the Act requires that the State's policies and procedures must be made available to "parents, guardians, and other members of the general public" at least 30 days prior to submitting them to the Commissioner for approval. (See Sections 613(b)(1)(D)(1974) and 612(2)(E)(1975) of the EHA). With respect to the last comment, it is expected that the responsible official's name would appear on the list.

Comment. Commenters recommended that the States be required to provide specific civil, criminal, and administrative penalties or sanctions to be applied to any person who unlawfully receives or discloses information in violation of the regulations, to ensure that the requirements are met.

Response. A provision has been added requiring that the State specify what policies and procedures, including sanctions, the State will use to enforce the requirements of the regulations. States will be held accountable by the Federal government for implementing the policies and procedures set forth in their annual program plans. The Department does not have the authority to require that the States enact civil or criminal penalties for violations. The establishment of administrative penalties is a matter to be determined by each State as it considers what policies and procedures are necessary to meet the criteria contained in these regulations, and the addition of a requirement that these be specified will serve to inform interested parties.

9. Section 121a.15(b)(7) *Destruction of data.*

Comment. A commenter recommended that the regulations require the retention of all records until a child is at least 18 years of age and that none of the records be destroyed without the participation of the child and his or her representatives. However, another commenter commended the Department for its "useful and specific regulations concerning the destruction of sensitive data." A third commenter stated that the requirement that some data be destroyed within five years may possibly conflict with his State's regulations, and recommended that the destruction criteria include a proviso relating to State law requirements. He also felt that the parents need only be notified of their right to a copy of their child's records as part of the notice required by § 121a.15(b)(1) and not prior to destruction of any records.

Response. No change has been made. The regulation should not create the problems contemplated by the first commenter, since the requirement is that the records be maintained until five years after no longer needed to provide educational services, which would be very likely to be well past the age of 18 in most cases. With respect to the third comment, since no conflict exists with a State statute, it is felt that the policy interest in destroying sensitive data when it is no longer needed is, on balance, of sufficient importance to retain the requirement.

It should also be emphasized that restrictions on disclosure of personally identifiable data of course still apply to any permanent records.

10. Section 121a.15(b)(8) *Children's rights.*

Comment. Commenters recommended that the criterion on children's rights be clarified and set minimum standards for protecting the rights of children. Commenters urged that the regulations require that the child be given a more substantial role in any proceedings and specific rights, on the grounds that the child is the real party in interest. One com-

menter recommended that some procedure be required so that a third party could represent the child if a parent or guardian failed to do so. Another commenter recommended that the regulations specify that children of junior high school age and above be able to view and challenge the accuracy of data themselves except where the agency specifically determines such access would be seriously harmful, or through a representative of their choosing, and that for younger children, surrogate parents be appointed in the event the child's parents do not exercise their privacy rights under the regulations. Another commenter objected to the provision, saying that his State's laws and the Buckley Amendment gave rights to children at age 18 or the age of majority.

Response. The requirement has been modified to add a provision to make it clear that the States are to consider the child's age and the type or severity of handicapping condition in determining their policies and procedures relating to the rights of children.

It must be left up to each State to set forth its policies regarding children's rights, since the rights will vary according to State laws on majority and competency.

The policies must also account for the Buckley Amendment, which requires that rights relating to education records of students transfer from the parents to the student at age 18 or the post-secondary educational level. The Buckley Amendment does not preclude States from according rights to students younger than 18 in addition to those accorded parents. Therefore, States may decide to adopt policies which require that children be a party to proceedings regarding data collected under § 121a.10 (g) (1).

As indicated above, it is not appropriate in this situation to impose a Federal requirement that the States appoint a third party to intervene in the parent-child relationship. This is a matter which should be left to State law.

11. *Other comments.*

Comment. A commenter recommended that the regulations include the regulations to implement section 504 of the Rehabilitation Act of 1973.

Response. No change has been made. Regulations for section 504 are being developed separately.

Comment. A commenter indicated that he interpreted the regulations as requiring States to assure that each participating district or agency set forth assurances that it is complying with the regulations but that the States will not be held "personally" responsible to assure that such is in fact the case in each particular instance.

Response. No change has been made. States are accountable for meeting the requirements of the Act and the regulations, and for implementing the provisions of their annual program plans. The policies and procedures of each State will describe in detail the methods to be employed in complying with the Act and regulations.

Comment. A commenter recommended that provisions be made for the approval of alternate systems of data collection, maintenance and dissemination because several States have already developed comprehensive guidelines for collecting, maintaining, and disseminating pupil records, and to develop a separate system would be costly and duplicative.

Response. No change has been made. These regulations do not require that a separate system be established, though some States may have to modify existing systems to ensure that all of the criteria are met. The States have wide latitude in developing policies and procedures which meet their particular needs, subject to the requirements of the regulations.

12. *Other changes.* Certain technical corrections have been made in the regulations.

After consideration of all comments, Part 121a of Title 45 of the Code of Federal Regulations is amended by adding a new paragraph (g) to § 121a.10 and by adding a new § 121a.15, to read as set forth below.

Effective date. Pursuant to section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232 (d)), these rgeulations have been transmitted to the Congress concurrently with the publication in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions therein concerning Congressional action and adjournment.

(Catalog of Federal Domestic Assistance Programs No. 13.449, Handicapped Preschool and School Programs)

Dated: February 4, 1976.

T. H. BELL,
U.S. Commissioner of Education.

Approved: February 18, 1976.

DAVID MATHEWS,
Secretary of Health, Education, and Welfare.

Title 45 of the Code of Federal Regulations is amended as follows:

1. Section 121a.10 is amended by adding a new paragraph (g), to read as set forth below.

§ 121a.10 Special provisions and descriptions.

* * * * *

(g) Set forth in detail the policies and procedures which the State will undertake or has undertaken in order to assure that:

(1) All children residing in the State who are handicapped, regardless of the severity of their handicap, and who are in need of special education and related services are identified, located, and evaluated, and that a practical method is developed and implemented to determine which children are currently receiving needed special education and related services and which children are not currently receiving needed special education and related services;

(2) Policies and procedures are established by the State in accordance with the criteria set out in § 121a.15 to assure the protection of the confidentiality of any personally identifiable data, information, and records collected or maintained by State and local educational agencies under Part B of the Act;

(3) There is established:

(i) A goal of providing full educational opportunities to all handicapped children;

(ii) A detailed timetable for accomplishing such a goal; and

(iii) A description of the kind and number of facilities, personnel, and services necessary throughout the State to meet such a goal; and

(4) The policies and procedures submitted by the State under this paragraph shall be available to parents, guardians, and other members of the general public at least thirty days prior to the date of submission for approval to the Commissioner.

(20 U.S.C. 1412(2)(A), (C), (D), and (E) and 1417(c))

2. A new § 121a.15 is added, to read as follows:

§ 121a.15 Data confidentiality criteria.

(a) *Definitions.* As used in this section: "Consent" means that:

(1) The parent has been fully informed of the information set out in § 121a.15(b)(1)(i) in his or her native language, unless it clearly is not feasible to do so;

(2) The parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent sets forth that activity and lists the records (if any) which will be released and to whom; and

(3) The parent understands that the granting of consent is voluntary on the part of the parent.

"Destruction" means physical destruction or removal of personal identifiers from data so that the data is no longer personally identifiable.

"Formal evaluation" means evaluation, interviewing or testing procedures under Part B of the Act used selectively with an individual child and does not include basic tests administered to or procedures used with all children in a school.

"Parent" means a parent or guardian (or individual acting as a parent in the absence of a parent or guardian) of any child on whom data is collected, maintained, or used for the purposes set forth in § 121a.10(g)(1).

"Participating agency" means any agency or institution which collects, maintains, or uses data, or from which data is obtained, to meet the requirements set out in § 121a.10(g)(1).

"Personally identifiable" means that the data includes:

(1) The name of the child, the child's parent, or other family member;

(2) The address of the child;

(3) A personal identifier, such as the child's social security number or student number; or

(4) A list of personal characteristics or other information which would make

it possible to identify the child with reasonable certainty.

"Procedure" means a course of action which will be taken to implement a policy.

(b) *Policies and procedures.* The policies and procedures required under § 121a.10(g)(2) shall be established in accordance with the following criteria:

(1) *Notice.* (i) The State educational agency shall provide notice which is adequate to fully inform parents about the requirements set forth in § 121a.10(g)(1), including:

(A) A description of the extent to which the notice will be given in the native languages of the various population groups in the State;

(B) A description of the children on whom data will be maintained, the types of data sought, the methods the State intends to use in gathering the data (including the sources from whom data will be gathered), and the uses to be made of the data;

(C) A summary of the policies and procedures to be followed by participating agencies regarding storage, disclosure to third parties, retention, and destruction of all personally identifiable data; and

(D) A description of all of the rights of parents, and children regarding this data, including the rights under section 438 of the General Education Provisions Act.

(ii) The notice shall include, but not be limited to, notice published in newspapers having Statewide and local circulations prior to any major identification or location activity.

(2) *Access rights.*

(i) Each participating agency shall permit parents to inspect and review any personally identifiable data relating to their children which is collected, maintained, or used by the agency in complying with § 121a.10(g)(1). The agency shall comply with a request without unnecessary delay and prior to any hearing relating to the identification, evaluation, or placement of the child, and in no case more than 45 days after the request has been made.

(ii) The right to inspect and review education records under paragraph (b)(2)(i) of this section includes:

(A) The right to a response from the participating agency to reasonable requests for explanations and interpretations of the data; and

(B) The right to request that the agency provide copies of the records containing the data where failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the data.

(iii) An agency may presume that the parent has authority to inspect and review data relating to his or her child unless the agency has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation and divorce.

(iv) Each participating agency shall keep a record of parties obtaining access to data collected, maintained, or used under § 121a.10(g)(1) (except access by parents and authorized employees of the participating agency under this subparagraph), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the data.

(v) If any record includes data on more than one child, the parents of those children shall have the right to inspect and review only the data relating to their child or to be informed of that specific data.

(vi) Each participating agency shall provide parents on request a listing of the types and locations of data collected, maintained, or used by the agency.

(A) A participating agency may charge a fee for copies of records which are made for parents under this subparagraph; *Provided,* that the fee does not effectively prevent the parents from exercising their right to inspect and review those records.

(B) A participating agency shall not charge a fee to search for or to retrieve data under this subparagraph.

(vii) This subparagraph (2) shall apply to each participating agency and to all personally identifiable data collected, maintained, or used for the purposes set forth in § 121a.10(g)(1).

(3) *Hearing rights:*

(i) A parent who believes that data collected, maintained, or used under § 121a.10(g)(1) is inaccurate or misleading or violates the privacy or other rights of the child may request the participating agency which maintains the data to make appropriate amendments to the data.

(ii) The agency shall decide whether to amend the data in accordance with the request within a reasonable period of time of receipt of the request.

(iii) If the agency decides to refuse to amend the data in accordance with the request it shall so inform the parent of the refusal, and advise the parent of the right to a hearing under this subparagraph.

(iv) The agency shall, on request, provide an opportunity for a hearing in order to challenge data to insure that it is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the child. The hearing shall be conducted in accordance with this subparagraph.

(v) If, as a result of the hearing, the agency decides that the data is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, it shall amend the data accordingly and so inform the parent in writing.

(vi) If, as a result of the hearing, the agency decides that the data is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, it shall inform the parent of the right to place in the records it maintains on the child a statement commenting on the data and setting forth any reasons for disagreeing with the decision of the agency.

(vii) Any explanation placed in the records of the child under paragraph (b)(3)(vi) of this section shall:

(A) Be maintained by the agency as part of the records of the child as long as the record or contested portion thereof is maintained by the agency; and

(B) If the records of the child or the contested portion thereof is disclosed by the agency to any party, the explanation shall also be disclosed to the party.

(viii) The hearing required to be held under this subparagraph shall be conducted according to procedures which shall include at least the following elements:

(A) The hearing shall be held within a reasonable period of time after the agency has received the request, and the parent shall be given notice of the date, place, and time, reasonably in advance of the hearing;

(B) The hearing shall be conducted by a party who does not have a direct interest in the outcome of the hearing;

(C) The parent shall be afforded a full and fair opportunity to present evidence relevant to the issues raised under paragraph (b)(3)(vi) of this section, and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney;

(D) The agency shall make its decision in writing within a reasonable period of time after the conclusion of the hearing; and

(E) The decision of the agency shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

(ix) The policies and procedures described under § 121a.10(g)(2) shall include any rights of appeal to the State educational agency from decisions made by participating agencies under this subparagraph.

(x) This subparagraph (3) shall apply to each participating agency and to all personally identifiable data collected, maintained, or used for the purposes set forth in § 121a.10(g)(1).

(4) *Consent.* (i) Parental consent shall be obtained before data are:

(A) Disclosed to anyone other than officials of participating agencies collecting or using the data for the purposes set out in § 121a.10(g)(1), except as provided in paragraph (b)(4)(ii) of this section;

(B) Used for any purpose other than those specified in § 121a.10(g)(1); or

(C) Sought directly from the child by formal evaluation.

(20 U.S.C. 1412(2)(d) and 1417(c))

(ii) An educational agency or institution subject to section 438 of the General Education Provisions Act may not release data from education records to participating agencies without parental consent except as provided in section 438(b) of that Act and Part 99 of this title.

(iii) The State shall describe the policies and procedures which will be used in the event that a parent refuses to provide consent under paragraph (b)(4) of this section.

(5) *Safeguards.* (i) Each participating agency shall protect the confidentiality of data at collection, storage, disclosure, and destruction stages;

(ii) One official at each participating agency shall assume responsibility for assuring the confidentiality of any personally identifiable data;

(iii) All persons collecting or using personally identifiable data shall receive training or instruction regarding the State's policies and procedures developed under § 121a.10(g)(2) and regarding Section 438 of the General Education Provisions Act.

(iv) Each participating agency shall maintain, for public inspection, a current listing of the names of those employees within the agency who may have access to the personally identifiable data.

(6) *Destruction of data.* (i) All personally identifiable data collected for the purposes set forth in § 121a.10(g)(1) shall be destroyed within five years after the data is no longer needed to provide educational services to the child, except that a permanent record consisting of a student's name, address, and phone number, his/her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation;

(ii) Prior to destruction of data, reasonable efforts shall be made to notify parents that they have the right to be provided with a copy of any data which has been obtained or used for the purposes set forth in § 121a.10(g)(1).

(7) *Children's rights.* The policies and procedures required under § 121a.10(g)(2) shall include the extent to which children will be accorded rights of privacy similar to those accorded to parents, taking into consideration the age of the child and type or severity of handicapping condition.

(20 U.S.C. 1413(b)(2))

(8) *Enforcement.* The State shall specify the policies and procedures, including sanctions, which the State will use to insure that its policies and procedures will be followed and that the requirements of the Act and the regulations in this part will be met.

(c) With respect to personally identifiable data (if any) collected by the Office of Education and its authorized representatives, where that data would not otherwise be subject to the provisions of 5 U.S.C. 552a (the Privacy Act of 1974), the Commissioner will apply the requirements of 5 U.S.C. section 552a(b)(1)–(2), (4)–(11); (c); (d); (e)(1), (2), (3)(A), (B), and (D), (5)–(10); (h); (m); and (n) and the regulations implementing those provisions set forth in Part 5b of this title.

(20 U.S.C. 1412(2)(D) and 1417(c))

[FR Doc.76-5338 Filed 2-26-76;8:45 am]

federal register

FRIDAY, FEBRUARY 27, 1976

PART III:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Community Planning and Development

■

COMMUNITY DEVELOPMENT BLOCK GRANTS

Applications and Criteria for Discretionary Grants

Title 24—Housing and Urban Development

CHAPTER V—OFFICE OF ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-76-292]

PART 570—COMMUNITY DEVELOPMENT BLOCK GRANTS

Applications and Criteria for Discretionary Grants

On October 30, 1975, there was published in the FEDERAL REGISTER (40 FR 50664) an interim rule covering application requests and criteria for discretionary grants under Title I of the Housing and Community Development Act of 1975. Subpart E was revised to delete material specifically designated for Fiscal Year 1975 and no longer appropriate and to add policies or requirements for Fiscal Year 1976; to incorporate a series of technical and substantive amendments; to set forth a schedule for submission of preapplications for general purpose funds; and to establish a timetable by which applicants for urgent needs, inequities and new communities grants, as well as disaster grants, may begin submitting applications early in the fiscal year. Interested parties were given an opportunity to participate in the making of this rule by submitting, no later than December 31, 1975, written comments, data and suggestions.

The Department of Housing and Urban Development has received eight responses to the October 30, 1975, publication, in addition, the Department received letters from public interest groups, elected officials, and the general public, which, though not intended to respond specifically to the interim rule, addressed various aspects of Subpart E. All of these comments have been carefully reviewed and a change has been incorporated in the final regulations. The change and major comments are noted below.

Section 570.402(b)(1) is revised to modify the criteria for selection among preapplications for general purpose funds for metropolitan and nonmetropolitan areas. Specifically, the requirements previously set forth in § 570.402 (b)(1)(i) and (ii) relating to determining the extent of substandard housing conditions for metropolitan areas on the basis of overcrowded housing and for nonmetropolitan areas on the basis of housing units lacking plumbing is eliminated. § 570.402(b)(1) now establishes a single criteria applicable to both metropolitan and nonmetropolitan areas for determining the extent of substandard housing. For Fiscal Year 1976 the substandard housing data indicator will be the sum of the number of overcrowded housing units and the number of housing units lacking plumbing and expressed both as an absolute amount and as a percentage of the total housing units in the unit of general local government. Because the data on housing conditions will be provided by HUD, it will not be necessary for applicants to revise preapplications or to submit additional data or information. The one exception to this general rule concerns the availability of data for Indian tribes. The U.S. Census reports do not include data on all Indian tribes that are eligible applicants for discretionary funds. Consequently, when census data is not available, HUD may use other information, including that provided by the applicant, to determine the extent of substandard housing.

Comments were received objecting to the requirement contained in § 570.402 (d) for including citizen participation in the preapplication phase. While the Department recognizes this element of the preapplication phase may entail timing and other problems for applicants, this requirement is necessary in that funding decisions are, in effect, made at the preapplication phase. To require active citizen participation only at the full application phase would, for all practical purposes, prohibit a citizen input in the local process of determining needs and selecting priorities.

In connection with the environmental review of these amendments to the regulations, a Finding of Inapplicability has been made under HUD Handbook 1390.1, 38 FR 19182. A copy of the Finding is available for inspection in the Office of the Rules Docket Clerk, Office of the General Counsel, Room 10245, Department of Housing and Urban Development, 451—7th Street, S.W., Washington, D.C. It is hereby certified that the economic and inflation impacts of these amendments have been carefully evaluated in accordance with OMB Circular No. A-107.

(Title I of the Housing and Community Development Act of 1974 Public Law 93-383); and sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

Accordingly 24 CFR 570, Subpart E, is amended as set forth below.

Effective date. This regulation shall be effective February 27, 1976.

WARREN H. BUTLER,
Deputy Assistant Secretary for Community Planning and Development.

Subpart E of Part 570 of Title 24 is revised to read as follows:

Subpart E—Applications and Criteria for Discretionary Grants

Subpart E—Applications and Criteria for Discretionary Grants

§ 570.400 General.

(a) *Applicability of rules and regulations.* The policies and procedures set forth in Subpart A, B, C, F, G, H, I, and J of this Part shall apply to this subpart and to the funds described in § 570.104, except to the extent that they are specifically modified or augmented by the contents of this subpart, including specified exemptions described herein. The HUD Environmental Review Procedures contained in 24 CFR Part 58 also apply to this subpart, unless otherwise specifically provided herein.

(b) *Preapplications.* Preapplications are required for grants from general purpose funds for metropolitan and nonmetropolitan areas as described in § 570.402(b), and for areawide projects as described in § 570.404. The purpose of the preapplication is to determine how well an application will compare with similar applications from other jurisdictions, and to discourage full applications which have little or no chance for Federal funding before applicants incur significant expenditures for preparing full applications.

(1) *Submission requirements.* Preapplications shall be submitted on HUD forms to the appropriate HUD Area Office. The preapplication shall consist of a brief description of the applicant's community development needs, the activities proposed to meet those needs, and the general location and estimated cost of the proposed activities. The applicant's statement shall address the specific criteria under which it requests priority consideration for funding.

(2) *HUD review of preapplications.* HUD will review preapplications based upon the appropriate criteria set forth in this subpart, to determine how well an application is likely to compete with other applications for the same discretionary funds submitted by other jurisdictions. Applicants will be advised of HUD's determinations and judgments on the preparation, and of the availability of funds for that particular fiscal year.

(3) *Preapplication submission dates.* The Secretary will establish from time to time the earliest and latest dates for submission of preapplications for each fiscal year. For Fiscal Year 1976, the earliest and latest dates for submission of preapplications shall be as follows:

(i) General purpose funds for metropolitan areas—February 1, 1976 through March 15, 1976;

(ii) General purpose funds for nonmetropolitan areas—December 1, 1975 through February 13, 1976.

(iii) Areawide projects—(Reserved).

(c) *Applications.*—(1) *Submission requirements.* Applications shall be submitted on HUD forms to the appropriate HUD Area Office. Specific submission requirements are contained in the following sections of this subpart which describe each discretionary fund. To the maximum extent possible, documentation submitted in support of an application previously submitted for funding under this part will be accepted and need not be resubmitted with an application for a discretionary grant.

(2) *Application submission dates.* The Secretary will establish from time to time the earliest and latest dates for submission of applications for discretionary grants for each fiscal year. For Fiscal

Year 1976 the earliest and latest dates shall be as follows:

(i) General purpose funds for metropolitan and nonmetropolitan areas—To be established by each HUD Regional Office at the time a full application is requested after HUD review of the preapplication.

(ii) Urgent needs fund—July 1, 1975 through September 30, 1976;

(iii) Secretary's fund:

(A) New communities—September 1, 1975 through September 30, 1976;

(B) Areawide projects—(Reserved).

(C) Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands—not later than 75 days prior to the end of the current program year;

(D) Innovative projects—(Reserved).

(E) Federally recognized disasters—July 1, 1975 through September 30, 1976;

(F) Inequities funds—July 1, 1975 through September 30, 1976.

(d) *Meeting the requirements of OMB Circular A–95.* (1) *General.* All applicants under this subpart must comply with the procedures set forth in OMB Circular No. A–95. Federally-recognized Indian tribes are not subject to the regular A–95 requirements; however, they are encouraged to participate voluntarily in the A–95 Project Notification and Review System. HUD will notify the appropriate State and areawide clearinghouses of any applications from federally-recognized Indian tribes upon their receipt. For those discretionary grants not requiring a preapplication, the procedures set forth in Part I of OMB Circular No. A–95 shall apply.

(2) *Modified procedures—Grants involving preapplications.* The following special procedures apply to those discretionary grants for which a preapplication is required to be submitted to HUD.

(i) *Preapplications and notice of intent to apply.* A copy of the preapplication shall be submitted to the appropriate State and areawide clearinghouses at least 30 days prior to submission of the preapplication to HUD. Applicants are also urged to contact their clearinghouses for forms and instructions developed by such clearinghouses in order to facilitate the reviews. The preapplication submitted will serve as the notification of intent to apply for a Federal grant and the clearinghouses will have 30 days for review of the preapplication and response to the applicant.

(ii) *Full application review.* At least 30 days prior to submission of a full application to HUD, the applicant shall transmit the application to the appropriate State and areawide clearinghouses for review and comment unless the clearinghouses relinquish this requirement. They shall be provided 30 days for review and comments.

(e) *Letter to proceed.* In response to a request by a unit of general local government, the Secretary may, however, in cases of demonstrated need, issue a letter to proceed authorizing an applicant to incur costs for the planning and preparation of an application for funds available under this subpart. Reimbursement for such costs will be dependent upon HUD approval of such application. Costs incurred by a recipient prior to notification of a funding approval or issuance of a letter to proceed by HUD are not eligible for assistance under this Part.

(f) *Review of applications for discretionary grants.*—(1) *Acceptance of application.* HUD will accept an application for review, *Provided*, That:

(i) It has been received before the close of business on the final date established by HUD for submission of applications for each fiscal year;

(ii) The application is complete, as required in this subpart;

(iii) The required certifications have been properly executed; and

(iv) The applicant has attached or enclosed any comments or recommendations made by or through State and areawide clearinghouses or has stated that no comments or recommendations have been received.

(2) *Timing of review.* While the Secretary is not required by the Act to review and approve a discretionary grant application within any specified time period, the Secretary will make every effort to complete his review of all such applications within 75 days.

(3) *Notification to applicants.* The Secretary will notify the applicant in writing that the application has been approved, partially approved, or disapproved. If an application is partially approved or disapproved, the applicant will be informed of the specific reasons for partial approval or disapproval. The Secretary may make conditional approvals, as provided in § 570.306(e).

(g) *Program amendments.* Recipients shall request prior HUD approval for program amendments wherever the amendment results from changes in the scope or the objective of the approved program.

(h) *Performance report.* Except for new communities and innovative projects, each recipient shall, upon completion of the activities carried out with the discretionary grant, or upon submission of a subsequent discretionary grant application, whichever is earlier, submit a performance report as described in § 570.906(b), and shall meet the requirements of § 570.906(c) concerning notice of the availability of the report for examination by the public.

§ 570.401 Urgent needs fund.

(a) *Eligible applicants.* Eligible applicants are States, and units of general local government as defined in § 570.3(v). For the purpose of this section, the second sentence in § 570.3(v) includes those entities described in § 570.403(b) (1), (2) and (3).

(b) *Criteria for selection.* The Secretary shall make grants for the purpose of facilitating an orderly transition to the community development block grant program and to provide for urgent community development needs which cannot be met through the allocation provisions of § 570.102, § 570.103, and § 570.104(c), giving priority to the following:

(1) The analysis performed by the unit of general local government (and concurred in by HUD) of its ongoing projects or program undertaken pursuant to Title I of the Housing Act of 1949 indicates that the entitlement amount is: (i) Insufficient, over a three-year period beginning January 1, 1975, to complete the program or project plan as approved by HUD; or (ii) in any one of those three years the entitlement amount will be insufficient to maintain the progress schedules adopted locally for achievement of the program and the inability to maintain such progress will seriously and adversely affect the Federal interest in the project or program.

(2) A state or unit of general local government, as a result of cost increases due to circumstances beyond its control, has been unable to complete a previously approved project assisted under one or more of the following terminated categorical programs: (i) Water and sewer facilities under section 702 of the Housing and Urban Development Act of 1965; (ii) neighborhood facilities under section 703 of the Housing and Urban Development Act of 1965; (iii) open-space land under Title VII of the Housing Act of 1961; and the Secretary's analysis of the financial capacity of the unit of general local government indicates a lack of available resources locally or otherwise to finance completion of the project and the Federal investment in the project as of January 1, 1975 warrants the incremental Federal assistance required to complete the project.

(c) *Application requirements.* Applications for funds to meet urgent community development needs shall be submitted by States and units of general local government to the HUD Area Office serving the locality. The required documentation establishing the basis for grants under this section may be submitted to the appropriate HUD Area Office at any time during the fiscal year. Full applications shall be submitted only at the request of, and in a form prescribed by, HUD and shall provide the certifications required by § 570.303(e) except for (4) and (6).

§ 570.402 General purpose funds for metropolitan and nonmetropolitan areas.

(a) *Eligible applicants.* Eligible applicants are States, and units of general local government as defined in § 570.3(v), excluding metropolitan cities, urban counties and units of general local government which are included in urban counties as described in § 570.105(b)(3)(ii) and (iii). For the purpose of this section, the second sentence in § 570.3(v) includes those entities described in § 570.403(b) (1), (2) and (3).

(b) *Criteria for selection.* In selection among preapplications, priority will be extended to those preapplications showing at least one of the following conditions, and proposing activities which appropriately address these conditions:

(1) Extent of substandard housing conditions as represented by the sum of the number of overcrowded housing units as defined in § 570.3(i) and the number of housing units lacking plumbing; expressed both as an absolute

amount and as a percentage of the total housing units in the unit of general local government.

(2) The proportion and extent of poverty as defined in § 570.3(j) and expressed both as an absolute amount and as a percentage of the total population for the unit of general local government.

(3) An extraordinarily high rate of growth or a severe and rapid decline in population and economic activity, either one of these conditions resulting primarily from the impact of national policy decisions or direct Federal program decisions, and where the program is designed to offset or mitigate the effects of sudden spurts or declines in growth.

(4) Conditions which represent an imminent threat to public health or safety.

(c) *HUD review procedures.* Consistent with the criteria for selection in the preceding paragraph, each HUD Regional Office will establish a review and rating system for evaluating preapplications from applicants within its jurisdiction. Separate review and rating systems may be developed for each Area Office within a particular Region. Copies of the review and rating system may be obtained from the appropriate Regional or Area Office prior to submission of a preapplication.

(1) *Rating factors:* The review and rating system will provide for a rating of preapplications according to the following factors only:

(i) The degree to which the proposed activities directly address the criteria for selection described in § 570.402(b).

(ii) The degree to which the proposed activities primarily benefit persons of low and moderate income.

(iii) Consistency of the proposed activities with local and areawide plans.

(2) *Capacity of the applicant.* The review system will also give consideration to the capacity of the applicants to complete the proposed activity within a reasonable period of time and within the estimated cost. In evaluating the capacity of the applicant, HUD will review the performance and the status of completion of any other approved activities that may have been funded under this Part.

(d) *Scope of preapplication.* A preapplication may include any number of eligible activities, identified by priority, up to the maximum dollar amount established by the Secretary. A preapplication may be for any reasonable period of time necessary to complete the proposed activities. The applicant shall apply for discretionary funds in an amount, which together with other resources that may be available, will be adequate to complete the proposed activities. While a recipient remains eligible for discretionary grant funding in subsequent years, an applicant shall not assume that additional funding will be available in subsequent years to continue or expand activities. A preapplication may not, however, be only for planning purposes, as defined in § 570.200(a)(12). The applicant must meet all citizen participation requirements called for in § 570.303(e)(4) prior to submission of a preapplication.

(e) *Application requirements.* Full applications will be accepted only upon invitation from HUD, based on HUD's review of the preapplication. Addition of new activities or the substitution of different activities from those proposed in the preapplication will not be approved if such addition or substitution will alter HUD's rating of the preapplication. Full applications shall meet the application requirements of § 570.303.

(f) *Waiver of application requirements.* The provisions of § 570.304 shall also apply to applications under this section.

(g) *Applications submitted by States.* States (including the Commonwealth of Puerto Rico) may apply for general purpose funds for metropolitan and nonmetropolitan areas to carry out eligible activities in metropolitan and nonmetropolitan areas, respectively.

(1) Separate applications are required for nonmetropolitan areas and for metropolitan areas. A State may, at its option, submit separate applications for each metropolitan area for which it seeks funds or a single application for more than one metropolitan area, provided that such application clearly identifies the proposed cost attributable to each metropolitan area.

(2) The geographical area to be covered by the application shall be the jurisdiction of the unit or units of general local government in which the proposed activity or activities are to be located or carried out. This policy pertains particularly to the community development plan summary, as described in § 570.303(a), and the housing assistance plan, as described in § 570.303(c). The State application shall indicate that the housing assistance plan is not inconsistent with a housing assistance plan adopted by a unit of general local government if such plan exists and has been approved by HUD.

(3) A State may not apply for activities to be located in or carried out in metropolitan cities, urban counties or units of general local government which are included in urban counties, unless such funds have been reallocated in accordance with the provisions of § 570.107.

(4) A State may apply for activities to be carried out pursuant to State authority or pursuant to an agreement with one or more units of general local government.

§ 570.403 New communities.

(a) *General.* This Section covers grants made in behalf of activities and projects to be undertaken in direct support of a new community (which term means a new community approved by the Secretary under Title VII of the Housing and Urban Development Act of 1970 or Title IV of the Housing and Urban Development Act of 1968), and reflected in a current new community development plan (the development plan which forms an attachment to each new community project agreement by and between each developer and the United States, as the same may be revised and amended from time to time).

(b) *Eligible applicants.* States, and units of general local government which meet the definition contained in § 570.3(v) may apply under this subsection for grants made on the basis of the provisions of this section. For the purpose of this section, the second sentence in § 570.3(v) includes only:

(1) A State land development agency or local public body or agency with authority to act as a developer of a new community.

(2) Any community association (including any homes association), or other similar nonprofit organization established in a new community under covenants approved by the Secretary in connection with approved new community development projects, or any community authority established under State law for similar purposes, or any of the foregoing organizations otherwise approved by the Secretary which is legally and administratively qualified to carry to successful completion those projects for which grant assistance is sought by the applicant.

(3) A private new community developer or any subsidiary thereof organized in a form satisfactory to the Secretary: *Provided,* That a request has been made to an appropriate unit of general local government or a non-profit organization to apply for and serve as grantee for the direct benefit of the new community, and such request has been denied, or in the judgment of the New Communities Administration (NCA) of HUD, no acceptable response has been received within a reasonable period of time.

(4) A State or a local public body or agency as defined in Section 711(e) of the Housing and Urban Development Act of 1970.

(c) *Application requirements*—(1) *General.* The requirements set forth in this paragraph are designed to supplement application procedures and approval requirements of the new communities program under which applicants will have already provided substantial information to the Secretary.

(2) *Activities program.* The application shall be submitted on forms as approved by NCA and include a brief description of the activities and costs to be funded from the grants for the program year. The application shall identify separately any activities not previously submitted to and approved by NCA as part of Title IV or Title VII documentation. The estimated costs and general location of these latter activities are to be shown. The applicant shall also indicate the entity which will own the land, facilities or improvements acquired or constructed with funds provided under this Part.

(3) *Certifications.* The Applicant shall submit certifications in such form as NCA will prescribe, providing the assurances required under § 570.303(e)(1), (3), (5) if applicable, (7), (8), (11), (12) if applicable, and (13) if applicable, with respect to activities undertaken with funds under this Part.

(4) *Environmental review requirements.* (i) For activities proposed by an applicant eligible under § 570.403(b)(2) or (3), no new environmental review or clearances will be required by virtue of any such activity's proposed funding un-

der this part if the activity is a part of a previously approved project for which environmental review clearances have been completed, which clearances adequately covered such activity, and for which circumstances, including the availability of additional data or advances in technology, have not changed significantly.

If NCA determines that an additional review is required, environmental review shall be conducted by HUD pursuant to HUD Handbook 1390.1.

(ii) For activities proposed by an applicant eligible under § 570.403(b), other than under § 570.403(b) (2) or (3), environmental reviews shall be conducted pursuant to 24 CFR Part 58.

(5) *Clearinghouse review.* Applicants must comply with the procedures set forth in OMB Circular A–95 (requiring review by a clearinghouse) only where the proposed Title I funded activities have not previously been the subject of clearinghouse review.

(6) *Performance report.* Progress in execution activities funded under the Act shall be reported to NCA as a part of the quarterly and annual reporting and review procedures.

(d) *Review and approval of applications.* All applications for grants to assist new community development projects pursuant to this section shall be submitted to NCA through the appropriate HUD Area Office.

(1) *Scope of review.* NCA will review the application, based upon data and information supplied by the developer of the new community project and other independent reviews conducted by NCA staff or others at NCA request, to determine pertinent facts and goals and their consistency with information contained in the Project Agreement, Development Plan, and other documents submitted by the developer or obtained by NCA in the project review process. The review will include application of the selection criterion in paragraph (d)(2) of this section.

(2) *Criterion for selection.* The criterion to be used in selecting among applications and activities is whether the grants are necessary to achieve new community objectives.

(e) *Exceptions to regulations.* (1) The provisions of Subpart F, Grant Administration, shall be applicable to recipients, except that a recipient under § 570.403(b) (2) and (3) shall not be required to comply with the competitive bidding requirements of subsections 3c (5), (6), and (8) of Attachment O of Federal Management Circular 74–7, "Procurement Standards," which is incorporated in § 570.587.

(2) The provisions of Subpart G, Other Program Requirements, shall be applicable to recipients, except as follows:

(i) A recipient under § 570.403(b) (2) and (3) which is not a "State agency" under Section 101(3) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 is not subject to the provisions of § 570.602(a), (b) and (c), regarding Titles II and III of such Act.

(ii) A recipient under § 570.403(b) (2) and (3) is not subject to the provisions of § 570.608 regarding the Hatch Act.

(f) *Program management.* Program management shall be accomplished within the framework of NCA project management, including the financial and physical progress reports required by NCA administrative procedures and the cost control system which NCA has developed specifically for grants pursuant to this section.

(g) *Remedies for non-compliance.* The provisions of §§ 570.911, 570.912, and 570.913 shall apply, except that the provisions of § 570.912, dealing with securing compliance through State governors, shall not apply to private developers, or prospective grantees controlled by private developers.

(h) *Ownership of land, facilities and improvements.* All land, facilities and improvements acquired or constructed with grant funds provided under this Part shall be publicly owned, and entities eligible under § 570.403(b)(2) (except a community authority described therein) or § 570.403(b)(3) shall dedicate any such land, facilities or improvements to a public body eligible under the first sentence of § 570.3(v) or under § 570.403(b) (1) or (4), pursuant to a dedication agreement in form and substance satisfactory to the Secretary; provided, that an applicant eligible under § 570.403(b)(2) may own and operate a neighborhood facility eligible under § 570.200(a)(2) if such facility will be available for public use to the same extent as a publicly-owned neighborhood facility.

§ 570.404 Areawide projects [Reserved]

§ 570.405 Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.

(a) *Eligible applicants.* Eligible applicants are Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.

(b) *Criteria for funding.* Applicants may submit applications for discretionary grants for the full range of eligible activities described in § 570.200. The Secretary will establish for each fiscal year an amount for which each eligible applicant may apply. For fiscal year 1976, the following shall apply:

(1) Guam and the Virgin Islands shall each receive their hold-harmless amount as calculated pursuant to § 570.103(c). Guam and the Virgin Islands may also apply for funds to cover urgent needs not met by the hold-harmless amounts.

(2) The Secretary shall establish a funding level for American Samoa and the Trust Territory of the Pacific Islands, taking into account their needs and their local administrative capacity.

(c) *Application requirements.* Applicants shall meet the application requirements in § 570.303.

§ 570.406 Innovative projects.

(a) *Eligible applicants.* Eligible applicants are States, and units of general local government as defined in § 570.3 (v). For the purpose of this section, the second sentence in § 570.3(v) includes those entities described in § 570.403(b) (1), (2) and (3).

(b) *Criteria for selection.* (Reserved)

(c) *Application requirements.* (Reserved)

(d) *Reports.* In lieu of the annual performance report cited in § 570.906, recipients shall submit the following:

(1) *Outline for final project report.* Midway through completion of the project (or at an alternate point in time as specified by HUD) each recipient shall prepare a detailed outline of the final project report under guidelines provided by HUD.

(2) *Draft report.* The recipient shall submit to HUD, six copies of a draft of the final project report with all readily reproducible charts, tables, graphs, and appendices that are to be included in the final report. In addition, each recipient shall meet the requirements of § 570.906 (c) concerning notice of the availability of the report for examination by the public with the exception that reports need only be available to be copied by the public.

(3) *Final report.* The report shall describe in appropriate detail the objectives of the project and how they were met, the methods and techniques that were used, the types of problems encountered during project execution and the methods used to resolve them and the conclusions and recommendations that are to be drawn from the demonstration project. The final report shall be in a form and manner prescribed by HUD.

(e) *Records.* Recipients must comply with the requirements of § 570.907, excluding § 570.907(b). In lieu of this exception, recipients shall maintain records describing the process used to provide an opportunity for citizens to comment on the application.

§ 570.407 Federally recognized disasters.

(a) *General.* Grants under this section shall be for the purpose of meeting emergency community development needs caused by federally recognized disasters. For purposes of this section, "federally recognized disasters" means any hurricane, tornado, storm, flood, high-water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion, or other catastrophe in any part of the United States which (1) in the determination of the President, pursuant to the Disaster Relief Act of 1974 (49 U.S.C. 5121n), (i) causes damage of sufficient severity and magnitude to warrant major disaster assistance under such Act, above and beyond emergency services by the Federal Government, to supplement the efforts and available resources of States, local governments and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby, or (ii) requires Federal emergency assistance to supplement State and local effort to save lives and protect public health and safety or to avert or lessen the threat of a major disaster, or (2) in the determination of a Federal agency

requires disaster or emergency assistance pursuant to the statutory authority of such Federal agency.

(b) *Eligible applicants.* Eligible applicants are States, and units of general local government as defined in § 570.3 (v). For the purpose of this section, the second sentence in § 570.3(v) includes those entities described in § 570.403(b) (1), (2) and (3).

(c) *Criteria for funding.* Within the limits of available funds, applications will be funded on the basis of the following criteria:

(1) Severity and magnitude of the federally recognized disaster, with priority given to needs caused by Presidentially declared major disasters.

(2) Community development needs identified which are essential for the immediate restoration or maintenance of community health, safety, or economic stability and resources are not available from other sources to meet these community development needs in a timely fashion.

(d) *Eligible activities.* The activities eligible for assistance under this section are the same as those listed in § 570.200, but only to the extent that funds to meet emergency community development needs cannot be provided under the Disaster Relief Act of 1974 (see 24 CFR Part 2205 and HUD Handbook 3300.5 and 3300.6) or by other Federal programs. Applicants proposing activities which might be assisted by other Federal programs are encouraged to follow the procedures of § 570.607. Section 570.607 procedures must be followed whenever public services or flood or drainage facilities are proposed.

(e) *Application requirements.* An application must be submitted to the appropriate HUD Area Office within 120 days after either the Presidential declaration or other Federal recognition that disaster or emergency assistance is required. Applications for grants under this section shall meet the application requirements of § 570.303 with the following modifications:

(1) The community development plan summary required by § 570.303(a) and the Community Development Program required by § 570.303(b) shall specifically describe and identify the emergency community development needs caused by the disaster and the activities proposed to meet those needs.

(2) The Community Development Program shall indicate the applicant's priorities for funding.

(3) The housing assistance plan required by § 570.303(c) shall identify separately those housing conditions and needs directly related to the disaster or emergency.

(4) The applicant shall provide the certifications required by § 570.303(e) except for (4) and (6).

Applicants that are entitlement recipients may elect to submit an amendment to their approved application incorporating the information required by this paragraph.

§ 570.408 Inequities funds.

(a) *General.* Funds are available under this subpart to correct in whole or in part inequities resulting from the allocation provisions of Section 106 of the Act.

(b) *Eligible applicants.* Eligible applicants are States, and units of general local government as defined in the first sentence of § 570.3(v).

(c) *Criteria for selection.* The Secretary shall make grants to eligible applicants, giving priority to the following:

(1) Funding under this subpart is necessary to correct a technical error in the computation of a locality's entitlement amount.

(2) Funding under this subpart is needed by an applicant, meeting the criteria as specified in § 570.401(b) for urgent needs funds.

(3) Funding under this subpart is necessary to compensate for the fact that the applicant's hold harmless amounts as calculated pursuant to § 570.103(c) is significantly lower than the average amount of funds approved by HUD for applicable programs in such governmental unit during the fiscal years immediately preceding and immediately following the base period of Fiscal Years 1968 through 1972, and the applicant is subject to the phase-in provisions of § 570.102(c).

(d) *Application requirements.* Applicants requesting funds under criterion (2) shall meet the application requirements of § 570.401(c). All other applicants shall meet all application requirements in § 570.303.

§ 570.409 Reallocated funds.

(a) *General.* This section governs the reallocation of funds as required by the provisions of § 570.107. In accordance with § 570.107 (a) and (b), any amounts allocated to metropolitan cities, urban counties, or other units of general local government for basic grants or hold-harmless grants in metropolitan areas or nonmetropolitan areas which are not applied for, or which are disapproved by the Secretary as part of the application review or program monitoring process, will be reallocated as set forth in subsection (f). As required by § 570.107(c), the following shall constitute the policies to be employed in the reallocation of funds appropriated for Fiscal Year 1975.

(b) *Timing of reallocation.* Any amounts appropriated for Fiscal Year 1975 which become available for reallocation as of August 15, 1975, will be reallocated no later than October 15, 1975.

(c) *Eligible applicants.* States and units of general local government, as defined in § 570.3(v), are eligible to apply for reallocated funds. For the purpose of this section, the second sentence in § 570.3(v) includes those entities described in § 570.403(b) (1), (2), and (3).

(d) *Criteria for selection.* Reallocated funds will be used to make grants to eligible applicants with urgent needs, including those with entitlements as well as others with special needs arising from urban renewal closeout activities. The term "urgent needs" as used in this section means those urgent needs described in § 570.401(b). In selecting among applications, the Secretary will give priority first, where reallocated funds will be sufficient to complete a HUD-approved urban renewal project (including a neighborhood development program) within Fiscal Year 1976, a water and sewer project, a neighborhood facilities project, or an open-space land project, and second, where reallocated funds in conjunction with funds provided under § 570.401 will be sufficient to complete one of the above-mentioned projects.

(e) *Application requirements.* (1) Applicants seeking grant assistance for the completion of ongoing urban renewal projects shall submit the analysis called for in § 570.401(b)(1). Applicants seeking grant assistance for the completion of a water and sewer, neighborhood facility, or open-space land project shall submit documentation which indicates how the applicant meets the criteria of § 570.401(b)(2). Communities considering applying for reallocated funds are urged to contact the appropriate HUD Area Office for more specific instructions regarding submission requirements.

(2) In selecting among applicants, the Secretary will consider all analyses and applications submitted for urgent needs funds under § 570.401 as of August 15, 1975. Final applications shall be submitted only when requested by the Secretary.

(f) *Priorities for reallocation of funds.* (1) *Metropolitan areas.* Any amounts which become available for reallocation from appropriations for Fiscal Year 1975, will be reallocated in accordance with the following priorities: (i) to the same metropolitan area; (ii) if reallocated funds are available after meeting the urgent needs in that metropolitan area, to other metropolitan areas in the same State; and (iii) if reallocated funds are available after meeting the urgent needs in that State, to other metropolitan areas in other States.

(2) *Nonmetropolitan areas.* Any amounts which become available for reallocation from appropriations for Fiscal Year 1975, will be reallocated in accordance with the following priorities:

(i) To the nonmetropolitan area in the same State; and (ii) if reallocated funds are available after meeting the urgent needs in that State, to the nonmetropolitan areas in other States.

(3) *Additional considerations.* In determining to which metropolitan area or areas funds shall be reallocated under paragraphs (1)(ii) and (iii), and to which State or States funds shall be reallocated under paragraph (2)(ii), the Secretary shall give priority consideration to the metropolitan areas or States where the greatest unmet urgent needs exist.

[FR Doc.76-5625 Filed 2-26-76;8:45 am]

federal register

FRIDAY, FEBRUARY 27, 1976

PART IV:

DEPARTMENT OF DEFENSE

Corps of Engineers, Department of the Army

■

CLEARINGHOUSE COORDINATION

Policies and Procedures

DEPARTMENT OF DEFENSE

Corps of Engineers, Department of the Army

[33 CFR Part 384]

A–95 CLEARINGHOUSE COORDINATION

Proposed Policies and Procedures

On 13 January 1976, the Office of Management and Budget published its revised guidelines for evaluation, review and coordination of Federal and federally assisted programs and projects in the FEDERAL REGISTER (Part IV, Vol. 41, No. 8, pp. 2052–2065). These guidelines, issued as OMB Circular No. A–95 (Revised), require that agencies publish implementing instructions in the FEDERAL REGISTER by 27 February 1976. Since the Corps adopted a final regulation on A–95 Clearinghouse Coordination on 3 November 1975, the Chief of Engineers is proposing a revision to that regulation to reflect the new OMB guidelines.

There are three major changes included in this proposed revision to 33 CFR 384. The first proposes a change in the coverage of Part I of OMB Circular A–95 to exclude four Corps programs now under Part I. The Chief of Engineers considers these programs more appropriately covered by Part II of the Circular. The second change is the Corps recommended usage of Standard Form 424, which has been included with the revised OMB Circular A–95. The third change is the amplification of the civil works programs covered under each part of OMB Circular A–95 and how the clearinghouses are to be involved. Each of these changes is discussed further in the following paragraphs.

The four Corps programs currently covered by Part I of OMB Circular A–95 are as follows; (the Federal Domestic Assistance Catalog number is shown in parenthesis):

Small Beach Erosion Control Projects (12.101)
Small Flood Control Projects (12.108)
Small Navigation Projects (12.107)
Snagging and Clearing for Flood Control (12.108)

These programs are conducted under guidelines provided in 33 CFR 263. Local communities and States make application to the Corps for assistance. A Corps field office investigates the problems and recommends solutions with funds appropriated by Congress. The recommendations are sent to the Chief of Engineers for approval. If a Federal project is approved, funds are appropriated by Congress for the Corps to implement the approved project. This process is no different than the Corps Level C feasibility study program covered by Part II of OMB Circular A–95, except that the Chief of Engineers may approve recommended projects for construction without specific authorization from Congress. The conduct of these programs more readily meets the criteria of Part II, Direct Federal Development, than Part I, Project Notification and Review System. The Chief of Engineers has established procedures under Part II to insure adequate involvement of clearinghouses in the planning of these projects and believes the change from Part I to Part II will enable the Corps to more efficiently execute these programs and make them more responsive to State and local governments. The change of Corps programs from coverage under Part I to Part II is hereby proposed under paragraph 8c, Attachment A of OMB Circular A–95.

The Chief of Engineers is recommending use of the Standard Form 424 for only approval of projects under the Continuing Authorities Program (33 CFR 263). Use of the form in other programs covered by Part II is not warranted. In the case of Level C feasibility studies, Congress authorizes the studies, funds the studies and authorizes those recommended projects which it considers worthy of Federal participation. While the Chief of Engineers recommends projects to Congress, Congress makes the final decision. All final reports prepared by the Corps of Engineers which recommend Federal development are available to A–95 clearinghouses. Clearinghouses are also on Corps field office distribution lists for public notices and Environmental Impact Statements. In the case of the Corps regulatory permit program, clearinghouses are on Corps field office distribution lists for notices of permit applications and Environmental Impact Statements.

In the regulation on A–95 clearinghouse coordination adopted 3 November 1975, specific programs under the various Parts of OMB Circular A–95 were not identified. The proposed revision lists the programs covered by each Part and clarifies how the clearinghouses will be involved in each program. The Corps regulatory permit program is covered under Part II in accordance with paragraph 4 of Part II, OMB Circular A–95. The Corps program for Planning Assistance to States is a relatively new program, authorized by Congress in March 1974 and added to the 1975 Catalog of Federal Domestic Assistance.

Prior to adopting the revision to 33 CFR 384, reflecting the revised OMB Circular A–95, the Chief of Engineers invites comments from the public. Comments may be submitted no later than 9 April 1976 ot the following address:

Office of the Chief of Engineers, Department of the Army, ATTN: DAEN–CWP–A, Washington, D.C. 20314

Dated: February 25, 1976.

RUSSELL J. LAMP,
Colonel, Corps of Engineers, Executive.

PART 384—A–95 CLEARINGHOUSE COORDINATION (ER 1105–2–811)

Sec.
384.1 Purpose.
384.2 Applicability.
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384.6 Applicability of Attachment A, OMB Circular A–95 to Civil Works Programs.
384.7 Coordination Procedures for Civil Works Programs Covered by Part II (Except Regulatory Program and Aquatic Plant Control Program).
384.8 Coordination Procedures for Aquatic Plant Control Program.
384.9 Regulatory Program.
384.10 Coordination Procedures for Civil Works Programs Under Part IV.
384.11 A–95 Liaison Officer.
384.12 Directory of A–95 Clearinghouses.
384.13 Effective Date.

AUTHORITY: Office of Management and Budget Circuit A–95 (revised), dated 2 January 1976 (Part IV, FR Vol. 41, No. 8, pp. 2052–2065, 13 January 1976).

§ 384.1 Purpose.

This regulation provides policies and procedures for coordinating civil works activities with State and areawide clearinghouses pursuant to the requirements of the Office of Management and Budget (OMB) Circular A–95.

§ 384.2 Applicability.

This regulation is applicable to all OCE elements and all field operating agencies having civil works responsibilities.

§ 384.3 References.

(a) OMB Circular No. A–95 (Revised), 2 January 1976 (Appendix A).
(b) 1975 Catalog of Federal Domestic Assistance, Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.
(c) Permits for Activities in Navigable Waters or Ocean Waters, 33 CFR 209.120, FEDERAL REGISTER, Vol. 40, No. 144, pp. 31320–31344, 25 July 1975.
(d) DA Pam 210–4, Coordination of Army Development with State and Local Governments.
(e) ER 360–1–1, Public Affairs.
(f) ER 405–2–150, Planning and Project Authorization—Civil Works Projects.
(g) ER 1105–2–14, Framework and River Basin Study Programs (Level A and Level B Studies) (33 CFR 252)
(h) ER 1105–2–22, Urban Studies Program (33 CFR 264).
(i) ER 1105–2–50, Continuing Authorities Program (33 CFR 263).
(j) ER 1105–2–81, Planning Assistance to States (33 CFR 265).
(k) ER 1105–2–200, Multiobjective Planning Framework (33 CFR 290).
(l) ER 1105–2–507, Environmental Impact Statements (33 CFR 209.410).
(m) ER 1105–2–800, Public Involvement: General Policies (33 CFR 380).
(n) ER 1120–2–400, Recreation Resources Planning.
(o) ER 1165–2–22, Federal Regional Council Coordination.
(p) EP 1165–2–303, Flood Plain Management Services Program.

§ 384.4 Definitions.

See Part V, Attachment A, OMB Cir A–95.

§ 384.5 General.

A–95 clearinghouses are comprehensive planning agencies, and, as such, will probably have done land use, transportation, water and sewer, air and water pollution, natural resources and other developmental plans and studies. Thus, they represent a prime resource for planning intelligence in a study area, and their involvement in Corps planning studies from the very beginning can serve to eliminate duplication of effort and can provide valuable leads as to local sources of data and area plans. Inasmuch as most areawide clearinghouses are COG's

(Councils of Governments), they provide a direct link to local governments in the area and can assist Corps officers with intergovernmental contacts. Reporting officers are enocuraged to establish effective and working relationships with appropriate State and areawide clearinghouses and to utilize their available resources.

§ 384.6 Applicability of Attachment A, OMB Circular A–95 to Civil Works Programs.

(a) *Part I.* Part I is applicable to no civil works programs, effective with the final promulgation of this regulation.

(b) *Part II.* The following civil works programs are covered by Part II; the number from the Catalog of Federal Domestic Assistance, and the citation from the Code of Federal Regulations (CFR) for Corps regulations governing the program, are shown when applicable:

	Catalog No.	CFR reference
(1) Aquatic Plant Control	12.100	(1)
(2) Small Beach Erosion Control Projects.	12.101	33 CFR 263
(3) Emergency Bank Protection.	12.105	33 CFR 263
(4) Small Flood Control Projects.	12.106	33 CFR 263
(5) Small Navigation Projects.	12.107	33 CFR 263
(6) Snagging and Clearing for Flood Control.	12.108	33 CFR 263
(7) Snagging and Clearing for Navigation.	12.109	33 CFR 263
(8) Level C feasibility studies specifically authorized by Congress.	.....	
(9) Advanced engineering and design and construction of projects specifically authorized by Congress.	.....	
(10) Project master planning.	.....	
(11) Regulatory permit program.	.....	33 CFR 209.120

[1] Published under proposed rulemaking FEDERAL REGISTER, vol. 40, No. 25, 5489–5492, Feb. 5, 1975.

(c) *Part III.*

	Catalog No.	CFR reference
Planning assistance to States.	12.110	33 CFR 265

(d) *Part IV.*

	Catalog No.	CFR reference
(1) Level A and level B studies.	.....	33 CFR 252
(2) Urban studies program.	.....	33 CFR 264
(3) Flood plain management services program.	12.104	

§ 384.7 Coordination Procedures for Civil Works Programs Covered by Part II (Except Regulatory Program and Aquatic Plant Control Program).

Corps planning is conducted in accordance with policies and procedures established under a number of legislative and executive authorities. The primary regulations governing coordination of planning activities are Parts 290, 209.410, and 380 of this chapter. The following subparagraphs clarify these regulations as they relate to coordination with A–95 clearinghouses, as required by paragraph 2 of Part II.

(a) *Early Coordination with Clearinghouses.* Corps planning is divided into three stages, as discussed in Part 290 of this chapter. Clearinghouses shall be placed on mailing lists for all Corps planning activities, and will therefore receive all notices of initiation of studies, notices of public meetings, and announcements of Corps recommendations at the conclusion of studies.

(1) *Continuing Authorities Program (33 CFR 263).* Reporting officers shall furnish to appropriate State and areawide clearinghouses notification of their initiating a reconnaissance study, together with a copy of the letter from the State or local entity which requested assistance, for the purposes of obtaining input for the study. Reporting officers shall provide clearinghouses the results of reconnaissance studies following approval by the Division Engineer. Clearinghouses shall again be notified by the reporting officer when a feasibility study is commenced.

(2) *Level C Feasibility Studies Specifically Authorized by Congress.* Reporting officers shall consult with State and areawide clearinghouses in the development of the Plan of Study as a part of their public involvement program for Stage 1 of the planning process.

(3) *Advanced Engineering and Design of Projects Authorized by Congress.* Reporting officers shall insure that State and areawide clearinghouses are notified of the initiation of advanced engineering and design studies and included in public involvement programs for the reevaluation of the authorized project. Information obtained from clearinghouses may be particularly useful in determining whether conditions have changed since completion of the preauthorization feasibility study.

(4) *Project Master Planning.* Project Master Plans are developed for projects which will be operated and maintained by the Corps of Engineers, in accordance with ER 1120–2–400. Clearinghouses are involved early in project master planning through the advanced engineering and design stages of project development and shall be provided the opportunity of reviewing draft Master Plans and updated Master Plans.

(5) *Construction.* Clearinghouses shall be informed in a timely manner of any changes to Corps plans which may impact on other State areawide or local development plans. Clearinghouses shall also be informed of other activities for which public notice is required by other regulations, such as real estate acquisition (see ER 405–2–150).

(b) *Compatibility with State, Areawide and Local Plans.* The Corps planning process requires the consideration of State, areawide and local plans. Corps planning reports provide the rationale for recommending a particular course of action and discuss the assessment and evaluation of other feasible alternatives. Explanations of any necessary inconsistency or incompatibility with State, areawide or local development plans shall be made an integral part of this evaluation.

(c) *Clearinghouse Review of Corps Plans.* By law, the Corps must coordinate its planning reports with affected States and a number of Federal agencies. The Chief of Engineers also has agreements with other Federal agencies for reviewing Corps reports. Under the provisions of the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality has provided Federal agencies with guidelines for coordinating Environmental Impact Statements (EIS) with one another and with State and local agencies (Appendix B).

(1) Unless otherwise required by law or the Governor of a State, Corps field offices shall consider the Governor's designated representative for civil works programs the lead State agency for obtaining comments on draft reports and EISs. To facilitate review by other agencies, (and the State clearinghouse in the event it is not the Governor's designated representative), reporting officers shall transmit information copies of the letter sent to the Governor's representative, together with sufficient copies of draft reports and EISs, directly to other known interested agencies.

(2) In the case of proposed actions or projects in the coastal zone, reporting officers shall insure that the State agency responsible for administration of the coastal zone is provided the opportunity to review and comment on draft reports and draft environmental impact statements, as well as provide input to the planning process in preparing such documents.

(3) Reporting officers shall transmit draft reports and draft environmental impact statements directly to appropriate areawide clearinghouses for review and comment.

(4) Reporting officers shall allow a minimum of 45 days, and preferably 60 days in the case of comprehensive plans, for review and comment of draft reports. In the case of reports being reviewed together with a draft EIS, the 45 days is computed from the date of publication of the draft EIS in the FEDERAL REGISTER (sec. 209.410.11(a) of this chapter).

(5) Reporting officers shall comply with CEQ guidelines pertaining to state and local agency review of EISs, included as Appendix B of this regulation.

(d) *Use of Standard Form 424 (Appendix A).* The Standard Form 424 shall be utilized by reporting officers to notify State and areawide clearinghouses of final action on proposed Federal projects under the Continuing Authorities Program (33 CFR 263).

(1) A Standard Form 424 shall accompany draft reports and draft Environmental Impact Statements transmitted to State and areawide clearinghouses for comment. The Corps shall complete Section I in accordance with instructions contained in Appendix A. In this manner, a State Application Identifier (Item 3 of SF 424) shall be obtained.

(2) The reporting officer shall transmit a Standard Form 424 to appropriate

State and areawide clearinghouses within seven days of receipt of notification of action by the Chief of Engineers on a proposed Federal project, concurrently or following notification of appropriate Congressional and local interests. The Corps shall complete Sections I and III. Since a letter of intent is required from nonfederal interests for local cooperation requirements prior to project approval, completion of Section II is not required.

(3) If a clearinghouse has recommended against approval of a plan, and the Chief of Engineers approves the plan, or if a clearinghouse recommends specific and major substantive changes to a plan and the plan is approved without such changes, then the reporting officer shall furnish the clearinghouse an explanation in Section IV of the SF 424.

(e) *Distribution of State Pamphlets.* To keep State and areawide clearinghouses informed of the status of projects authorized by Congress, District Engineers shall insure that clearinghouses receive copies of State Pamphlets as they are updated (reference ER 360–1–1).

§ 384.8 Coordination Procedures for Aquatic Plant Control Program.

Pending issuance of the final regulation on the Aquatic Plant Control Program, the proposed regulation published in the FEDERAL REGISTER on 5 February 1975 (reference sec. 384.6(b)(1) shall be utilized for program planning and coordination. The following coordination shall be effected with clearinghouses to fulfill the requirements of Part II:

(a) Reporting officers shall notify appropriate State and areawide clearinghouses when initiating a reconnaissance investigation and shall give such clearinghouses an opportunity to provide input during this early stage of planning.

(b) Reporting officers shall coordinate draft State Design Memoranda with appropriate State and areawide clearinghouses prior to submitting these reports to the Chief of Engineers for approval.

(c) Environmental Impact Statements (EIS), when required, shall be coordinated with State and areawide clearinghouses, in accordance with the guidelines in § 384.7(c) of this regulation and the requirements of Part 209.410 of this chapter.

§ 384.9 Regulatory Program.

The Corps will coordinate its review of applications for permits for activities in navigable waters with State and areawide clearinghouses consistent with interim final regulations adopted 25 July 1975 (see § 384.3(c)).

(a) *Public Notice.* Reporting officers shall transmit copies of public notices, required by Part 209.120(i)(1)(ii) of this chapter, to appropriate State and areawide clearinghouses for comment.

(b) *Environmental Impact Statement (EIS).* If the reporting officer determines that an EIS is required for a permit, copies of the draft EIS shall be transmitted to State and areawide clearinghouses for comment in accordance with Part 208.410 of this chapter and Part 209.120(i)(1)(iv) of this chapter.

(c) *Public Hearing.* If the reporting officer holds a public hearing on a permit application, in accordance with Section 209.133 of this chapter, notices of such hearing shall be transmitted to State and areawide clearinghouses in accordance with established procedures.

(d) *Notice of Final Action on Permit Aplications.* Reporting officers will insure that the monthly notices listing permits issued and denied in the previous month, required by Part 209.120(i)(1)(vii) of this chapter, are provided to appropriate State and areawide clearinghouses.

§ 384.10 Coordination Procedures for Civil Works Programs Under Part IV.

(a) *Level A and Level B Planning.* The Water Resources Council assigns and funds Level A (Framework) and Level B (River Basin) studies. Corps offices, if given a leadership role in such studies, shall establish a Memorandum of Agreement with the designated areawide comprehensive planning agency in accordance with paragraph 3 of Part IV and Part 252 of this chapter.

(b) *Urban Studies Program.* Comprehensive guidelines for the conduct of urban studies by the Corps of Engineers are contained in Part 264 of this chapter. Coordination with A–95 clearinghouses is discussed in para 11a(3). Clearinghouses are also involved in Corps planning activities under the Urban Studies Program as with other Level C feasibility studies, as discussed in § 384.7 of this regulation.

(c) *Flood Plain Management Services Program (FPMS).*

(1) *Technical Services.* Reporting officers shall transmit to State and areawide clearinghouses a copy of information provided to local communities under the Corps technical assistance program, if the reporting officer feels the information would be of value to such planning agencies.

(2) *Flood Plain Information Studies (FPI).*

(i) Although not stated in the Catalog of Federal Domestic Assistance, all requests to Corps field offices for FPI studies are referred to a designated State agency for comment prior to Corps funding of the study (EP 1165–2–303). Reporting officers shall arrange with the designated State agency procedures by which the State clearinghouses may have an opportunity to comment on such requests, if the designated State agency is not also the A–95 clearinghouse. Reporting officers also shall provide the appropriate areawide clearinghouse with the request for comment, and shall allow a minimum of 30 days prior to taking action on the request.

(ii) Reporting officers shall furnish appropriate State and areawide clearinghouses copies of final FPI reports. The number of copies shall be arranged with the clearinghouses.

§ 384.11 A–95 Liaison Officer.

The Corps Regional Representatives to the Federal Regional Councils, as designated by ER 1165–2–22, will also serve as A–95 Liaison Officers to the appropriate Council. The Liaison Officers will be the central contact point with the Council on A–95 matters as they affect the Corps Civil Works mission in the Region, in accordance with the procedures set forth in ER 1165–2–22.

§ 384.12 Directory of A–95 Clearinghouses.

The directory of clearinghouses may be found in DA Pam 210–4.

§ 384.13 Effective date.

This regulation will be effective 29 April 1976, as published in the FEDERAL REGISTER and revised, as appropriate, based on comments received from the public and Corps field offices.

APPENDIX B—CEQ GUIDELINES FOR EIS REVIEW [1]

APPENDIX IV—STATE AND LOCAL AGENCY REVIEW OF IMPACT STATEMENTS

1. OMB Circular No. A–95 through its system of clearinghouses provides a means for securing the views of State and local environmental agencies, which can assist in the preparation of impact statements. Under A–95, review of the proposed project in the case of federally assisted projects (Part I of A–95) generally takes place prior to the preparation of the impact statement. Therefore, comments on the environmental effects of the proposed project that are secured during this stage of the A–95 process represent inputs to the environmental impact statement.

2. In the case of direct Federal development (Part II of A–95), Federal agencies are required to consult with clearinghouses at the earliest practicable time in the planning of the project or activity. Where such consultation occurs prior to completion of the draft impact statement, comments relating to the environmental effects of the proposed action would also represent inputs to the environmental impact statement.

3. In either case, whatever comments are made on environmental effects of proposed Federal or federally assisted projects by clearinghouses, or by State and local environmental agencies through clearinghouses, in the course of the A–95 review should be attached to the draft impact statement when it is circulated for review. Copies of the statement should be sent to the agencies making such comments. Whether those agencies then elect to comment again on the basis of the draft impact statement is a matter to be left to the discretion of the commenting agency depending on its resources, the significance of the project, and the extent to which its earlier comments were considered in preparing the draft statement.

4. The clearinghouses may also be used, by mutual agreement, for securing reviews of the draft environmental impact statement. However, the Federal agency may wish to deal directly with appropriate State or local agencies in the review of impact statements because the clearinghouses may be unwilling or unable to handle this phase of the process. In some cases, the Governor may have designated a specific agency, other than the clearinghouse, for securing reviews of impact statements. In any case, the clearinghouses should be sent copies of the impact statement.

5. To aid clearinghouses in coordinating State and local comments, draft statements should include copies of State and local agency comments made earlier under the A–95 process and should indicate on the summary sheet those other agencies from which comments have been requested, as specified in Appendix I of the CEQ Guidelines.

[FR Doc.76–5744 Filed 2–26–76;8:45 am]

[1] Source: Appendix IV to 40 CFR 1500, Preparation of Environmental Impact Statements: Guidelines.

federal register

FRIDAY, FEBRUARY 27, 1976

PART V:

DEPARTMENT OF LABOR

Employment Standards Administration

■

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

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 original 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.

Alabama:	
AL76–1011	Jan. 30, 1976.
Arkansas:	
AR76–4007	Jan. 16, 1976.
Connecticut:	
CT75–2113; CT75–2114	Oct. 3, 1975.
Delaware:	
DE75–3092	Aug. 22, 1975.
Florida:	
FL75–1009	Jan. 24, 1975.
Illinois:	
IL76–2012	Feb. 13, 1976.
Kansas:	
KS75–4193	Nov. 21, 1975.
KS75–4194	Dec. 5, 1975.
Kentucky:	
AR–4025	Aug. 30, 1974.
KY75–1101	Oct. 17, 1975.
Missouri:	
MO76–4015; MO76–4024	Feb. 13, 1976.
Nevada:	
NV76–5002; NV76–5003; NV 76–5004	Jan. 16, 1976.
New Jersey:	
NJ75–3098	Sept. 26, 1975.
New Mexico:	
NM75–4204	Dec. 19, 1975.
New York:	
NY75–3115	Dec. 12, 1975.
Pennsylvania:	
PA75–3054	July 3, 1975.
PA75–3077; PA75–3078	Aug. 22, 1975.
Texas:	
TX76–4031	Feb. 13, 1976.
Virginia:	
VA75–3117	Dec. 12, 1975.
MD75–3140	Jan. 23, 1975.
Washington, D.C.:	
DC76–3000	Jan. 16, 1976.
Wisconsin:	
AR–3155	Oct. 11, 1974.
West Virginia:	
WV75–3105	Oct. 17, 1975.
WV75–3106	Dec. 12, 1975.
WV75–3107	Dec. 5, 1975.

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.

Alabama:	
AL75–1027 (AL76–1030)	Feb. 28, 1976.
Florida:	
FL75–1024 (FL76–1032)	Feb. 21, 1975.
FL75–1040 (FL76–2029)	Mar. 28, 1975.
Georgia:	
AQ–4052 (GA76–1033)	Jan. 18, 1974.
Illinois:	
IL75–2044 (IL76–2019)	Mar. 7, 1975.
IL75–2051 (IL76–2016)	Mar. 21, 1975.
IL75–2078 (IL75–2020)	May 30, 1975.
IL75–2079 (IL76–2021)	June 13, 1975.
IL75–2106 (IL76–2015)	Aug. 29, 1975.
Iowa:	
IA75–4170 (IA76–4054); IA 75–4171 (IA76–4055); IA 75–4172 (IA76–4056); IA 75–4173; (IA76–4057); IA 75–4174 (IA76–4058); IA 75–4175 (IA76–4059); IA 75–4176 (IA76–4060); IA 75–4177 (IA76–4061); IA 75–4179 (IA76–4062); IA 75–4180 (IA76–4063).	Oct. 31, 1975.
IA75–4190 (IA76–4064)	Nov. 14, 1975.
Kentucky:	
AR–4034 (KY76–1031)	Sept. 13, 1974.
New Jersey:	
NJ75–3049 (NJ76–3127)	June 20, 1975.
NJ75–3050 (NJ76–3128)	July 11, 1975.
New York:	
NY75–3124 (NY76–3144)	Dec. 29, 1975.
NY76–3131, NY76–3132, NY 76–3133 (NY76–3144).	Jan. 23, 1976.
Ohio:	
AP–685 (OH76–2029)	May 25, 1973.
Pennsylvania:	
PA75–3026 (PA76–3146)	Mar. 28, 1975.
PA75–3028 (PA76–3148); PA 75–3029 (PA76–3147.	Apr. 4, 1975.
PA75–3051 (PA76–3145)	Apr. 18, 1975.

Signed at Washington, D.C., this 20th day of February 1976.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #AL76-1011 - Mod. #1 (41 FR 4741 - January 30,1976) Colbert and Lauderdale Counties, Alabama					
CHANGE: Under Power Equipment Operators: Group A	$ 8.43	.25	.25		
DECISION NO. AR76-4007 - Mod. #2 (41 FR 2547 - January 16, 1976) Garland and Hot Springs Counties, Arkansas					
CHANGE: Plumbers-Steamfitters	$8.85	.40	.30		.10
ADD: LINE CONSTRUCTION:					
Linemen	9.525		1%		1/4%
Cable splicers	9.65		1%		1/4%
Groundman (1st 6 months)	45%JR		1%		1/4%
Truck drivers (with winch)	80%JR		1%		1/4%
Truck drivers (flat bed)	64%JR		1%		1/4%

DECISION NO. CT75-2113 - Mod. #4 (40 FR 45962 - October 3, 1975) Fairfield, Litchfield, New London, & Windham Counties, Connecticut	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Bricklayers; Cement masons; Finishers; Marble masons; Plasterers; Stonemasons; Terrazzo workers; & Tile setters (Building Construction):					
Fairfield Co.: Greenwich	$9.60	.41	.45		
Painters:					
Litchfield Co.: Bantam, Barkhamsted, Canaan, Colebrook, Cornwall, Goshen, Harwinton, Kent, Litchfield New Hartford, Newfield, North Canaan, Plymouth, Salisbury, Sharon, Terryville, Torrington, Warren, Winchester, & Winsted					
Brush; Roller	9.15	.60	.45		
Spray; High	12.00	.60	.45		
Plumbers; Steamfitters:					
Litchfield Co.: Bantam, Barkhamsted, Canaan, Colebrook, Cornwall, Falls Village, Goshen, Harwinton, Kent, Lakeville, Litchfield Morris, New Hartford, Norfolk, North Canaan, Salisbury, Sharon, Torrington, Warren, Winchester, & Winsted	9.04	.83	.70	u	.05
Litchfield Co.: Bethlehem, New Preston, Plymouth (incl Terryville), Roxbury, Thomaston, Washington, Watertown, & Woodbury	9.80	.83	.70	u	.05
Fairfield Co.: Georgetown, Norwalk, South Norwalk, Weston, Westport, & Wilton	9.25	.75	.50	.36	.02
Sheet metal workers:					
New London Co.; & Windham Co	10.15	.50	.66		.07

DECISION NO. CT75-2114 - Mod. #5
(40 FR 45970 - October 3, 1975)
Hartford, Middlesex, New Haven, & Tolland Counties, Connecticut

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Painters:					
Hartford Co.: Berlin, Bristol, Burlington, East Berlin, Forestville, Hartland, Kensington, Milldale, New Britain, Newington, Plainville, Plantsville, Southington, & Unionville; New Haven Co.: Cheshire, Guilford, Madison, Meriden, & Wallingford; Middlesex Co.: Chester, Clinton, Cromwell, Deep River, Durham, East Haddam, East Hampton, Essex, Haddam, Higganum, Ivoryton, Killingworth, Middlefield, Middletown, Moodus, Norfolk, Portland, Saybrook, & Westbrook					
Brush; Roller	$9.15	.60	.45		
Spray; High	12.00	.60	.45		
Plumbers; Steamfitters:					
Hartford Co.: Southington; Middlesex Co.: Durham; New Haven Co.: Cheshire, Meriden, & Wallingford	10.10	.75	.70	r	.03
Hartford Co.: Hartland	9.04	.83	.70	w	.05
New Haven Co.: Beacon Falls, Bethany, Naugatuck, Oxford, Prospect, & Seymour	10.45	.83	.70	w	.05
New Haven Co.: Ansonia, Middlebury, South Britain, Southbury, Waterbury, & Wolcott	9.80	.83	.70	w	.05
Sheet metal workers	10.15	.50	.66		.07

DECISION #DE75-3002 - Mod. #3
(40 FR 36903 - August 22, 1975)
Statewide, Delaware

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Boilermakers:					
New Castle County	$11.05	.65	1.00		.02
Carpenters - Building & Heavy Construction:					
New Castle & Kent Counties	9.70	.74	.54		.02
Carpenters - Highway Construction:					
New Castle & Kent Counties	8.80	.74	.54		.02
Electricians	10.37	9.5%	7%		
Glaziers	9.58	.40	.20		.01
Laborers - Heavy & Highway Construction:					
New Castle County:					
Common laborers, landscapers, planters, seeders, aborists, asphalt tampers, rakers, concrete pitman, puddlers, rubber magazine tenders, railroad trackmen, signal men	4.05	.60	.40		
Pipelayers	4.20	.60	.40		
Wagon drill, diamond point drill, gunite nozzlemen, form setters, blasters, caisson & coffer dams (open-air, below 8')	4.35	.60	.40		
Kent & Sussex Counties:					
Common laborers, landscapers, planters, seeders, aborists, asphalt tampers, rakers, concrete pitmen, puddlers, rubber magazine tenders, railroad trackmen, signal men	3.90	.60	.40		

DECISION #DE75-3092 (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Pipelayers	$ 4.05	.60	.40		
Wagon drill, diamond point drill, gunite nozzlemen, form setters, blasters, caissons & coffer dams (open-air, below 8')	4.20	.60	.40		
Line Construction:					
Linemen & cable splicers	11.53	.30	1%		½ of 1%
Winch truck operators	8.07	.30	1%		½ of 1%
Groundmen	6.92	.30	1%		½ of 1%
DECISION #FL75-1009 - Mod. #4 (40 FR 3882 - January 24, 1975) Orange County, Florida					
CHANGE:					
Painters:					
Brush	$ 7.25	.30	.40		.06
Spray	7.50	.30	.40		.06
Paperhangers	7.60	.30	.40		.06
Sandblasters	7.75	.30	.40		.06
Structural steel	7.60	.30	.40		.06
Sheet metal workers	9.34	.30	.30	.50	.04
DECISION #IL76-2012 - Mod. #1 (41 FR 6972 - February 13, 1976) Christian, DeWitt, Macon, Moultrie, Piatt & Shelby Counties, Illinois					
CHANGE:					
Laborers (Shelby County):					
Skilled	$8.45	.35	.30		.035

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #KS75-4193 - Mod. #1 (40 FR 54405 - November 21, 1975) Shawnee County, Kansas					
Change:					
Sheet metal workers	$8.53	.35	1.10	.78	.04
DECISION #KS75-4194 - Mod. #1 (40 FR 57093 - December 5, 1975) Shawnee County, Kansas					
Change:					
Sheet metal workers	$8.53	.35	1.10	.78	.04

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION # AR-4025 - Mod. #3 (39 FR 31796 - August 30, 1974) Henderson County, Kentucky					
Change:					
Painters (Commercial):					
Brush	7.75	.55	.30		
Spray, Sandblasting	8.50	.55	.30		
Painters (Industrial):					
Brush	8.90	.55	.30		
Spray, Sandblasting	9.65	.55	.30		
DECISION # KY75-1101 - Mod. #1 (40 FR-48857 - October 17, 1975) Fayette County, Kentucky					
Change:					
Carpenters:					
Carpenters	9.25	.30	.30		
Millwrights	9.75	.30	.30		
Piledrivermen	9.75	.30	.30		
Electricians	9.90	.40	1%+.50		½ of 1%
Laborers:					
GROUP I	5.95	.30	.30		
GROUP II	6.15	.30	.30		
GROUP III	6.30	.30	.30		
GROUP IV	6.35	.30	.30		
GROUP V	6.45	.30	.30		
GROUP VI	6.55	.30	.30		
GROUP VII	7.15	.30	.30		
GROUP VIII	7.45	.30	.30		
Marble setters	8.10	.25	.25		
Terrazzo workers	8.10	.25	.25		
Tile setters	8.10	.25	.25		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #MO76-4024 - Mod. #1 (40 FR 6999 - February 13, 1976) Franklin, Jefferson, Lincoln, St. Charles and Warren and St. Louis City and County, Missouri					
Change:					
Sheet metal workers	$9.64	8%	7%	8%	.04
DECISION #MO76-4015 - Mod. #1 (40 FR 6995 - February 13, 1976) Franklin, Jefferson, Lincoln, St. Charles and Warren and St. Louis City and County Missouri					
Change:					
Sheet metal workers	$9.64	8%	7%	8%	.04

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. NV76-5002 - Mod. #1					
(41 FR 2580 - January 16, 1976)					
Statewide (excluding the Nevada Test Site and Tonopah Test Range), Nevada					
Change:					
Brick Tenders:					
Remaining Counties and Nye County					
Zone A (0-15 miles from Court House in Reno)	$ 9.10	.50	.65		.05
Zone B (15-35 miles from Court House in Reno)	9.60	.50	.65		.05
Zone C (35-75 miles from Court House in Reno)	10.00	.50	.65		.05
Carpenters:					
Nye County North of Hwy. #6 excluding the City of Tonopah and all remaining Cos.					
Carpenters	9.35	.55	$ 1.01	$ 1.00	.04
Floorlayers; Patent Scaffold Erectors; Power Saw Operators	9.50	.55	1.01	1.00	.04
Piledrivermen	9.55	.55	1.01	1.00	.04
Millwrights	9.95	.55	1.01	1.00	.04
Cement Masons:					
Lake Tahoe Area:					
Cement Masons	10.10	.55	.60	1.00	.03
Mastic, Magnesite & all Composition Masons	10.35	.55	.60	1.00	.03
Troweling Machine; Grinder Operator & Kelly Float	10.60	.55	.60	1.00	.03
Remaining Counties:					
Cement Masons	8.65	.55	.60	1.00	.03
Mastic, Magnesite & all Composition Masons	8.90	.55	.60	1.00	.03
Troweling Machine; Grinder Operator & Kelly Float	9.15	.55	.60	1.00	.03

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Drywall Installers:					
Statewide, except the Counties of Clark, Esmeralda, Lincoln and Nye South of Hwy. #6	$ 9.60	.55	$ 1.01	$ 1.00	.04
Ironworkers:					
Remainder of State					
Fence Erectors	9.64	$ 1.03	1.65	1.10	.03
Ornamental; Reinforcing; Structural	10.53	1.03	1.65	1.10	.03
Lathers:					
All Northern Nevada, Tonopah North including Lake Tahoe	10.86	.56	.20		.01
Plumbers; Steamfitters:					
Clark, Esmeralda, Lincoln and S 1/2 of Nye County	10.75	.70	1.70	1.60	.08
Roofers:					
Remaining Counties and N 1/2 of Nye County	10.10	.45	.20		.02
Add:					
Soft Floor Layers (Lake Tahoe Area)	10.05	.70	20		
DECISION NO. NV76-5003 - Mod. #1					
(41 FR 2591 - January 16, 1976)					
Clark (excluding the Nevada Test Site), Nevada					
Change:					
Ironworkers:					
Fence Erectors	$ 9.64	$ 1.03	$ 1.65	$ 1.10	.03
Reinforcing	10.53	1.03	1.65	1.10	.03
Ornamental, Structural	10.53	1.03	1.65	1.10	.03
Plumbers, Steamfitters	10.75	.70	1.70	1.60	.08

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. NV76-5004 - Mod. #1					
(41 FR 2595 - January 16, 1976)					
Washoe County, Nevada					
Change:					
Brick Tenders:					
Zone A (0-15 miles from Court House in Reno)	$ 9.10	.50	.65		.05
Zone B (15-35 miles from Court House in Reno)	9.60	.50	.65		.05
Zone C (35-75 miles from Court House in Reno	10.00	.50	.65		.05
Carpenters:					
Carpenters	9.35	.55	$ 1.01	$ 1.00	.04
Hardwood floorlayers; Power saw Op.; Shinglers; Patent scaffold erectors	9.50	.55	1.01	1.00	.04
Piledrivermen	9.55	.55	1.01	1.00	.04
Millwrights	9.95	.55	1.01	1.00	.04
Cement Masons:					
Cement Masons	8.65	.55	.60	1.00	.03
Mastic, Magnesite and all Composition Masons	8.90	.55	.60	1.00	.03
Troweling Machine; Grinder Op. and Kelly Float	9.15	.55	.60	1.00	.03
Drywall Installers	9.60	.55	1.01	1.00	.04
Ironworkers:					
Fence Erectors	9.64	$1.03	1.65	1.10	.03
Reinforcing	10.53	1.03	1.65	1.10	.03
Ornamental; Structural	10.53	1.03	1.65	1.10	.03
Lathers	10.86	.56	.20		.01
Roofers	10.10	.45	.20		.02

DECISION #NJ75-3098 - Mod. #4 (40 FR 44433 - September 26, 1975) Bergen, Essex, Hudson & Passaic Counties, New Jersey	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Bricklayers, Stone Masons, Cement Masons & Plasterers:					
Bergen (North Arlington, Lyndhurst - east of Ridge Rd. and north to Rutherford Ave and Barry's Creek west of the Hackensack River), Essex (except Millburn Twp.) and Hudson (that portion west of the Hackensack River) Counties	$10.60	.60	.70		.02
Bergen (remainder of county) and Passaic Counties	10.05	.84	.65		.02
Hudson (remainder of county) County:					
Bricklayers & stone masons	10.76	.87	.75		
Essex (Millburn Twp.) County	10.25	.60	.60		.02
Carpenters, Insulators & Millwrights:					
Bergen (east of the Hackensack River including but not limited to Cliffside, Fort Lee, Grantwood, Palisades Park, Ridgefield, Edgewater, Fairview, Leonia & Coytesville) & Hudson Counties	9.61	8%	8% + .50		.02
Bergen (remainder of county), Essex & Passaic Counties:					
Carpenters & insulators	10.22	7%	7%		1/5 of 1%
Millwrights	10.47	7%	7%		1/5 of 1%
Marble Setters, Terrazzo Workers & Tile Setters:					
Tile Setters	8.50	.80	2.10		
Piledrivermen & Dock Builders	10.39	1.10	1.70	.66	.02
Pipefitters:					
Bergen & Hudson Counties	10.40	.80	.80	1.00	.25
Plumbers:					
Zone 3	11.40	.70	1.00		.15

DECISION #NJ75-3098 (cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Plumbers & Gasfitters:					
Essex (except all of the Oranges, Livingston & Maplewood) & Hudson (Harrison, East Newark & Kearny) Counties	$11.025	.60	1.00		.05
Plumbers & Pipefitters:					
Zone 1	10.01	.60	1.00	10%	.05
Zone 2	10.55	.575	1.36		.04
Plumbers & Steamfitters:					
Bergen (Lodi, Garfield & Wallington) & Passaic (Passaic) Counties:					
Plumbers	10.065	.60	1.00	1.00	
Steamfitters	10.21	.505	.90	1.00	
Essex (Short Hills & Millburn) County	10.17	.60	1.00	.75	.10
Essex (remainder of county) County:					
Steamfitters	10.18	6%	8%	10%	½ of 1%
Sprinkler Fitters	11.33	.50	.80		.07
DECISION NO. NM75-4204 - Mod. #2 (40 FR 59167 - December 19, 1975) Statewide, New Mexico					
CHANGE:					
MARBLE, TILE & TERRAZZO WORKERS	$7.045	.48			
DECISION NO. NY75-3115-Mod. #2 (40 FR 59048-December 12, 1975) Bronx, Kings, Queens, New York, and Richmond County, New York					
Change:					
PLASTERERS' HELPERS (KINGS)	$9.05	1.60		.80	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Decision #PA-75-3054 - Mod. # 5 (40 FR 28355 - July 3, 1975) Erie County, Pennsylvania					
Change:					
Electricians	$10.20	4½%	3%+1%	6%	½ of 1%
Decision #PA-75-3077 - Mod. # 5 (40 FR 36957 - August 22, 1975) Warren County, Pennsylvania					
Change:					
Electricians	10.20	4½%	3%+1%	6%	½ of 1%
Decision # PA-75-3078 - Mod. # 6 (40 FR 36961 - August 22, 1975) Forest & McKean Counties, Pennsylvania					
Change:					
Electricians:					
Forest County	10.20	4½%	3%+1%	6%	½ of 1%
DECISION #TX76-4031 - Mod. #1 (41 FR 7040 - February 13, 1976) Bell, Bosque, Coryell, Falls, Hill & McLennan Counties, Texas					
Add:					
Building Construction:					
FOOTNOTES:					
a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate					
b - Paid Holidays A thru F					
PAID HOLIDAYS					
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day					

DECISION NO. VA75-3117 - Mod. #2 (40 FR 58054 - December 12, 1975) York County and the independent Cities of Hampton and Newport News (including Langley AFB, Fort Eustis and Fort Monroe), Virginia	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Bricklayers & stone masons	$7.50	.30			
Decision #MD-76-3140 - Mod. # 3 (41 FR 3603 - January 23, 1976) Montgomery and Prince Georges Counties, Maryland; Arlington and Fairfax Counties, the city of Alexandria and Dulles International Airport, Virginia					
Add:					
To Power Equipment Operators: Group # 2 Classifications to read:					
Boom trucks, moles, schields, tunnel mining machines, loaders used as muckers in tunnels mining, gradalls, shotcrete machine and grout pumps with discharge of two inches I. D. or more, drill rigs	$10.20	.50	.55		.12

Decision #DC-76-3000 - Mod. # 3 (41 FR 2620 - January 16, 1976) Washington, D. C.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Add:					
To Power Equipment Operators: Group # 2 Classifications to read:					
Boom trucks, moles, schields, tunnel mining machines, loaders used as muckers in tunnels mining, gradalls, shotcrete machine and grout pumps with discharge of two inches I. D. or more, drill rigs	$10.20	.50	.55		.12

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #AR-3155 - Mod. #2 (39 FR 36829 - October 11, 1974) Columbia, Dane, Iowa, & Sauk Counties, Wisconsin					
Change:					
Line Construction:					
Cable Splicer	$ 9.65	.35	1%		.5%
Lineman	8.84	.35	1%		.5%
Equipment Operator (Digging machine tractor operator, Crawler and "H" frame setting rigs)	7.33	.35	1%		.5%
Truck drivers (truck with boom or digger or tractor or 5th wheel)	6.09	.35	1%		.5%
Truck Driver	5.81	.35	1%		.5%
DECISION #WV75-3105 - Mod. #2 (40 FR 48884 - October 17, 1975) Statewide, West Virginia					
Change:					
Bricklayers & Stonemasons:					
Zone 10	9.25				
Electricians:					
Zone 4					
Wiremen	9.20	.30	1%+.32	1.02	.04
Cable Splicers	9.45	.30	1%+.32	1.02	.04
Zone 11					
Wiremen	9.50	.30	1%+.25		1%
Cable Splicers	9.75	.30	1%+.25		1%
Zone 12					
Wiremen	9.70	.30	1%+.25		1%
Cable Splicers	9.95	.30	1%+.25		1%
Zone 13					
Wiremen	9.90	.30	1%+.25		1%
Cable Splicers	10.15	.30	1%+.25		1%
Ironworkers:					
Zone 1	9.86	.65	.70		.05
Zone 6	8.85	.55	.60		.03

DECISION #WV75-3105 (cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Line Construction:					
Zone 2					
Linemen & Operators (all mechanized equipment)	$ 9.35	.35	1%+.12	.52	½ of 1%
Cable Splicers	9.65	.35	1%+.12	.52	½ of 1%
Groundmen	7.48	.35	1%+.12	.52	½ of 1%
Zone 5					
Linemen & Operators (all mechanized equipment)	9.20	.30	1%+.32	1.02	½ of 1%
Cable Splicers	9.45	.30	1%+.32	1.02	½ of 1%
Groundmen	7.36	.30	1%+.32	1.02	½ of 1%
Zone 7					
Linemen & Operators (all mechanized equipment)	8.35	.30	1%+.87	1.27	½ of 1%
Cable Splicers	9.185	.30	1%+.87	1.27	½ of 1%
Groundmen	6.68	.30	1%+.87	1.27	½ of 1%
Zone 8					
Linemen	9.50	.30	1%+.25		½ of 1%
Equipment Operators	9.06	.30	1%+.25		½ of 1%
Truck Drivers & Groundmen	6.18	.30	1%+.25		½ of 1%
Zone 9					
Linemen	9.70	.30	1%+.25		½ of 1%
Equipment Operators	9.26	.30	1%+.25		½ of 1%
Truck Drivers & Groundmen	6.38	.30	1%+.25		½ of 1%
Zone 10					
Linemen	9.90	.30	1%+.25		½ of 1%
Equipment Operators	9.46	.30	1%+.25		½ of 1%
Truck Drivers & Groundmen	6.58	.30	1%+.25		½ of 1%
Zone 12					
Linemen & Operators (all mechanized equipment)	9.65	.35	1%+.12	.52	½ of 1%
Cable Splicers	9.95	.35	1%+.12	.52	½ of 1%
Groundmen	7.72	.35	1%+.12	.52	½ of 1%

DECISION #WV75-3105 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Zone 13					
Linemen & Operators (all mechanized equipment)	$ 9.85	.35	1% + .12	.52	½ of 1%
Cable Splicers	10.15	.35	1% + .12	.52	½ of 1%
Groundmen	7.88	.35	1% + .12	.52	½ of 1%
Plumbers & Pipefitters:					
Zone 7					
Area 1 - within 8 mi. radius of Cabell Co. Courthouse, W. V.	9.92	.50	.85		.02
Area 2 - 8 to 15 mi. from the Courthouse	10.12	.50	.85		.02
Area 3 - 15 to 25 mi. from the Courthouse	10.32	.50	.85		.02
Area 4 - Over 25 mi. from the Courthouse	10.57	.50	.85		.02
Omit:					
Under Heavy Construction Area Covered By Piledrivermen:					
Zone 1 - Brooke, Hancock, Marshall, Monongalia, Ohio & Wetzel Counties	8.05	.25	.25		.02
Add:					
Piledrivermen - Heavy Construction:					
Area Covered By Piledrivermen:					
Zone 3 - Brooke, Hancock, Marshall, Monongalia, Ohio & Wetzel Counties	8.79	5%	7%		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #WV75-3106 - Mod. #1 (40 FR 58060 - December 12, 1975) Barbour, Boone, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Hancock, Harrison, Jackson, Kanawha, Lewis, Marion, Marshall, Mason, Monongalia, Ohio, Pleasants, Putnam, Ritchie, Roane, Taylor, Upshur Wayne, Wetzel, Wirt & Wood Counties, West Virginia					
Change:					
Asbestos Workers:					
Zone 1	$10.80	.35	.35		.03
Bricklayers & Stonemasons:					
Zone 9	9.25				
Carpenters:					
Zone 1					
Contracts under $100,000	9.20	.25	.20		.04
Contracts over $100,000	9.45	.25	.20		.04
Zone 3	9.81	.35	.35		.02
Zone 6	8.99	.35	.35		.02
Cement Masons & Plasterers:					
Zone 7	9.25				
Electricians:					
Zone 3					
Wiremen	9.20	.30	1%+.32	1.02	.04
Cable Splicers	9.45	.30	1%+.32	1.02	.04
Ironworkers:					
Zone 3	9.86	.65	.70		.05
Lathers:					
Zone 5	9.315		.10		
Line Construction:					
Zone 5					
Linemen & Operators (all mechanized equipment)	9.20	.30	1%+.32	1.02	½ of 1%
Marble Masons:					
Zone 7	9.25				

DECISION #WV75-3106 (cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Millwrights:					
Zone 1	$10.09	.35	.35		.02
Zone 4	9.75	.25	.20		.04
Piledrivermen:					
Zone 2					
Contracts less than $100,000	9.70	.25	.20		.04
Contracts $100,000 or more	9.95	.25	.20		.04
Zone 4	9.24	.35	.35		.02
Zone 5	10.06	.35	.35		.02
Plumbers & Pipefitters:					
Zone 6					
Area 1 - within 8 mi radius of Cabell Co. Courthouse, Huntington, W. V.	9.92	.50	.85		.02
Area 2 - 8 to 15 mi from the Courthouse	10.12	.50	.85		.02
Area 3 - 15 to 25 mi from the Courthouse	10.32	.50	.85		.02
Area 4 - over 25 mi from the Courthouse	10.57	.50	.85		.02
Roofers:					
Zone 2	9.85	.34	.30		d
Soft Floor Layers:					
Zone 1	9.81	.35	.35		.02
Zone 5	8.99	.35	.35		.02
Terrazzo Workers:					
Zone 5	9.25				
Tile Layers:					
Zone 5	9.25				
Omit:					
Laborers, entirely					

DECISION #WV75-3106 (cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Add:					
Laborers (as follows):					
Zone 1					
Group 1	$ 6.51	.30	.30		.03
Group 2	6.81	.30	.30		.03
Group 3	7.16	.30	.30		.03
Zone 2					
Group 1	6.20	.30	.30		.03
Group 2	6.50	.30	.30		.03
Group 3	6.85	.30	.30		.03
Zone 3					
Group 1	6.65	.30	.30		.03
Group 2	6.95	.30	.30		.03
Group 3	7.30	.30	.30		.03
Zone 4					
Group 1	6.70	.30	.30		.03
Group 2	7.00	.30	.30		.03
Group 3	7.35	.30	.30		.03
Zone 5					
Group 1	6.65	.30	.30		.03
Group 2	6.95	.30	.30		.03
Group 3	7.30	.30	.30		.03
Zone 6					
Group 1	6.80	.55	.40		.05
Group 2	6.965	.55	.40		.05
Group 3	7.00	.55	.40		.05
Group 4	7.045	.55	.40		.05
Group 5	7.13	.55	.40		.05
Group 6	7.30	.55	.40		.05
Group 7	7.33	.55	.40		.05
Group 8	7.48	.55	.40		.05
Group 9	7.63	.55	.40		.05
Group 10	7.70	.55	.40		.05

DECISION NO. WV75-3106 (cont'd)

CLASSIFICATION DEFINITIONS
LABORERS - ZONES 1,2,3,4&5

GROUP 1 - Laborers; carpenter tender; flagmen; water boy; demolition worker; fire watch; landscape laborer.
GROUP 2 - Powderman helper; semi-skilled laborer; scaffold builders; chainmen & rod men; grade checker; signal man; brick masons tenders; plasterer tenders; cement finishers tenders; stone masons tenders; lathers tenders; tile setters tenders; mortar mixers jackhammer operators; vibrator operators; tamper operators; pavement buster operators; chipping & peening hammer operators; air sysphon & air pump operators; riprap finishers; concrete saw operators; concrete technician; power saw operators; chain saw operators; motorized buggy operators; pipelayers helpers; drill operators helpers; sheeters & Shorers; post hole digger operators; asphalt rakers; lance and/or water blaster operators; blacksmith helpers; batch house scale operators; workmen working with acid mortar, acid brick, acid or mastic asphalt; workmen working creosote; nozzlemen for gunnite or sandblasting; tool room attendants; ride or walk roller tampers.
GROUP 3 - Blacksmith; powderman; air track operator; pipe layer (including laser beam set-up); burner.

LABORERS - ZONE 6

GROUP 1 - General laborers; carpenters tenders.
GROUP 2 - Brick handlers; tenders for brick masons, plasterers, stone masons; tile setters; montarmen for masons & plasterers; men mixing cement for cement finishers.
GROUP 3 - Operators of concrete busters, jackhammers, air spades, chipping hammers, air tampers, vibrators, power buggy, cement saw, power saw, sandblaster, acetylene burners; welders; scuba divers; panel cleaning machines; all power driven tools operators; air pump operators; air blow pipe operators; pipe layers & helpers working in ditches or tunnels; hand spikers on railroads.
GROUP 4 - Ditches, trenches, caissons & coffers over 6' deep (open top).
GROUP 5 - Laborers performing work pertaining to or in connection with repair stoves, blast furnaces & basic oxygen process furnaces, steeples & stacks, annealing process furnaces, Kilns, soaking pits, coke battries on industrial work; demolition of stacks 50' to 100'; tunnel laborers, muckers, including caisson & coffers, horizontal & underground.
GROUP 6 - Demolition of stacks 100' to 150'.
GROUP 7 - Miners, including caissons & coffers, horizontal or underground; mucking machine operators.
GROUP 8 - Blaster men & helpers; billmen & lancer; bottom-men in blast furnaces; stacks, stoves & dust covers.
GROUP 9 - Gunnite nozzlemen.
GROUP 10 - Demolition of stacks over 150'.

DECISION #WV75-3106 (cont'd)

AREA COVERED BY LABORERS ZONES

Zone 1 - Boone, Clay, Fayette, Kanawha & Putnam Counties.
Zone 2 - Barbour, Doddridge, Gilmer, Harrison, Lewis, Marion, Monongalia, Taylor & Upshur Counties.
Zone 3 - Calhoun, Jackson, Pleasants, Ritchie, Roane, Tyler, Wirt & Wood Counties.
Zone 4 - Marshall, Ohio & Wetzel Counties.
Zone 5 - Cabell, Mason & Wayne Counties.
Zone 6 - Brooke & Hancock Counties.

DECISION #WV75-3107 - Mod. #1 (40 FR 57061 - December 5, 1975)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Braxton, Grant, Greenbrier, Hampshire, Hardy, Lincoln, Logan, McDowell, Mercer, Mineral, Mingo, Monroe, Nicholas, Pendleton, Pocahontas, Raleigh, Randolph, Summers, Tucker, Webster & Wyoming Counties, West Virginia					
Change:					
Asbestos Workers:					
Zone 3	$10.80	.35	.35		.03
Bricklayers, Stone Masons, Marble Masons, Terrazzo Workers, Tile Layers, Cement Masons & Plasterers:					
Zone 2	9.25				
Carpenters, Millwrights & Piledrivermen:					
Zone 2					
Millwrights	10.09	.35	.35		.02
Zone 3					
Carpenters	8.99	.35	.35		.02
Millwrights	10.09	.35	.35		.02
Piledrivermen	9.24	.35	.35		.02
Zone 4					
Carpenters	9.81	.35	.35		.02
Millwrights	10.09	.35	.35		.02
Piledrivermen	10.06	.35	.35		.02
Zone 5					
Contracts under $100,000:					
Carpenters	9.20	.25	.20		.04
Piledrivermen	9.70	.25	.20		.04
Contracts $100,000 or more:					
Carpenters	9.45	.25	.20		.04
Piledrivermen	9.95	.25	.20		.04
Millwrights	9.75	.25	.20		.04

DECISION #WV75-3107 (cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Zone 6					
Carpenters	8.54	.35	.35		.02
Millwrights	10.09	.35	.35		.02
Piledrivermen	8.79	.35	.35		.02
Electricians & Cable Splicers:					
Mineral County:					
Wiremen	9.50	.30	1%+.25		1%
Hampshire County:					
Wiremen	9.70	.30	1%+.25		1%
Grant County:					
Wiremen	9.90	.30	1%+.25		1%
Ironworkers - Structural, Reinforcing & Ornamental:					
Zone 1	9.34	.50	.60		
Zone 2	9.86	.50	.70		.05
Zone 3	8.85	.55	.60		.03
Laborers:					
Zone 2					
Group 1	6.44	.30	.30		.03
Group 2	6.09	.30	.30		.03
Group 3	5.79	.30	.30		.03
Line Construction:					
Mineral County:					
Linemen	9.50	.30	1%+.25		1% of 1%
Equipment Operators	9.06	.30	1%+.25		1% of 1%
Truck Drivers & Groundmen	6.18	.30	1%+.25		1% of 1%
Hampshire County:					
Linemen	9.70	.30	1%+.25		1% of 1%
Equipment Operators	9.26	.30	1%+.25		1% of 1%
Truck Drivers & Groundmen	6.38	.30	1%+.25		1% of 1%
Grant County:					
Linemen	9.90	.30	1%+.25		1% of 1%
Equipment Operators	9.46	.30	1%+.25		1% of 1%
Truck Drivers & Groundmen	6.58	.30	1%+.25		1% of 1%
Tucker County:					
Linemen & Equipment Operators	8.35	.30	1%+.87	1.27	1% of 1%
Cable Splicers	9.185	.30	1%+.87	1.27	1% of 1%
Groundmen	6.68	.30	1%+.87	1.27	1% of 1%

DECISION #WV75-3107 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Plumbers & Pipefitters:					
Zone 5					
Area 1 - within 8 mi. radius of the Cabell County Courthouse, Huntington, W. V.	$ 9.92	.50	.85		.02
Area 2 - 8 to 15 mi. from the Courthouse	10.12	.50	.85		.02
Area 3 - 15 to 25 mi. from the Courthouse	10.32	.50	.85		.02
Area 4 - Over 25 mi. from the Courthouse	10.57	.50	.85		.02
Roofers:					
Zone 2	9.85	.34	.30		b
Sheet Metal Workers:					
Zone 1	9.65		.25		.02
Omit:					
Area Covered By Laborers:					
Zone 1 - Nicholas County					
Group 1	6.85	.30	.30		.03
Group 2	6.50	.30	.30		.03
Group 3	6.20	.30	.30		.03
Add:					
Area Covered By Laborers:					
Zone 6 - Nicholas County					
Group 1	7.16	.30	.30		.03
Group 2	6.81	.30	.30		.03
Group 3	6.51	.30	.30		.03
Laborers Classification Definitions:					
Zones 4,5 & 6 under the above					

SUPERSEDEAS DECISION

STATE: Alabama COUNTIES: *See below
DECISION NO.: AL76-1030 DATE: Date of Publication
Supersedes Decision No.: AL75-1027 dated February 28, 1975 in 40 FR 8701
DESCRIPTION OF WORK: Building construction (excluding single family homes and garden type apartments up to and including 4 stories).

*Lawrence, Limestone, & Morgan

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asbestos workers	7.71	.30	.30		.05
Bricklayers:					
Bricklayers, Marble masons, Stonemasons, Pointers, Cleaners & Caulkers	8.80				
Carpenters:					
Carpenters & Soft floor layers	6.60	.30	.20		.03
Millwrights	7.16	.30	.20		.03
Piledrivermen	6.99	.30	.20		.03
Cement masons	8.05				
Electricians:					
Electricians, linemen	8.75	.40	1%+.30		1%
Cable splicers	9.00	.40	1%+.30		1%
Groundmen	7.70	.40	1%+.30		1%
Elevator Constructors	8.02	.445	.29	3%+a+b	.02
Elevator Constructors' helpers	70%JR	.445	.29	3%+a+b	.02
Elevator Constructors' helpers (prob.)	50%JR				
Ironworkers:					
Ornamental, Reinforcing, Structural	7.255	.40	.15		.03
Laborers (Lawrence County):					
Laborers, Mason tenders, Plasterers' tenders	4.975				
Air tool operator (jackhammer, vibrator), Mortar mixers, Pipelayers	5.175				
Laborers (Limestone & Morgan Counties):					
Laborers, Mason tenders	4.52	.20	.30		
Air tool operator (jackhammer, vibrator), Mortar mixers	4.77	.20	.30		
Plasterers & Troweling machine Operator	8.30				
Plumbers, Pipefitters, Steamfitters:					
Lawrence Co.(Eastern portion of Co., north from intersection of State Rt. 33 & Rt. 20 to Wheeler Lake including Moulton & Wren, excluding Bankhead National Park), Limestone Co. & Morgan Co.	8.20	.40	.35		.10

AL76-1030 - (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Plumbers, Steamfitters:					
Lawrence co. (Remaining portion)	7.40	.35	.35	.45	.08
Roofers	6.45		.20		.05
Sheet metal workers	9.00	.45	.40		.05
Terrazzo workers & tile setters	8.55				
Truck drivers:					
½ up to but not including 3 tons	3.70				
3 to 5 tons but including 5 tons	3.97				
5 tons and over including special equipment such as Euclids, Dempster, Dumpsters, winch trucks, trailers, etc.	4.37				
Mechanic	4.37				
Warehouse & yard, material handler	3.92				
Scale man and/or weigher	4.07				

PAID HOLIDAYS:
A-New Year's Day, B-Memorial Day, C-Independence Day, D-Labor Day, E-Thanksgiving Day, F-Christmas Day.

FOOTNOTES:
a. 6 paid holidays: A through F.

b. Employer contributes 4% of regular hourly rate to Vacation Pay Credit for employee who has worked in the business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in the business less than 5 years.

AL76-1030 - (Cont'd)

POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
GROUP A	8.78	.30	.30		
GROUP B	7.44	.30	.30		
GROUP C	6.73	.30	.30		

GROUP A - Backhoe, bulldozer, crane, crane car, central mixing plant, concrete pump, derrick, dragline, dredge, drill, elevating grader, finishing machine (concrete), forklift, front end loader, gradall, grout pump, helicopter pilot, hoist, locomotive engineer, mechanic, motor patrol, mucking machine, piledriver, post hole digger, scraper (pull type & self prop.) shovel, sweeper, tractor (spec. equip.), trenching machine, well point & winch truck operators

GROUP B - Bituminous dist., central air comp., concrete mixer (port.) fireman floating equip., front end loader, rubber tire, ½ cu. yd. & under, locomotive brakeman, locomotive flagman, locomotive switchman, oiler-driver (35 ton crane & over outboard motor boat (when used for towing), paving machine, portable hoist "Buck hoist type", post hole digger mounted on farm type tractor & walk behind type trenching machine operators

GROUP C - Air compressor (port.) conveyor, fireman stationary equip., mechanic helper, oiler, outboard motor boat & pump operators

Oiler driver - additional $.10 per hour

All cranes, derricks & gantry operators operating such equipment with an overall height of 150', including jibs; all scraper operators - additional $.25 per hour.

STATE: Florida COUNTY: *See below
DECISION NUMBER: FL76-1029 DATE: Date of Publication
Supersedes Decision No.: FL75-1040 dated March 28, 1975 in 40 FR 14223
DESCRIPTION OF WORK: Building Construction(excluding single family homes and garden type apartments up to and including 4 stories).

*Volusia County (except Cape Kennedy, Kennedy Space Flight Center and Patrick Air Force Base only and including Melabar Radar Site), Florida

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asbestos workers	..88	.30	.30		.02
Boilermakers	7.50	.40	.90		.02
Bricklayers	8.05				
Carpenters	6.67	.30	.10		.02
Cement masons	7.35				.01
Electricians:					
Electricians (except portion south of a line starting at a point on the Volusia-Lake County line west of Orange City and running east of this point to Orange City then southeast through Oak Hill to the Atlantic Ocean):					
Electricians	8.22	.25	1%		.5%
Cable splicers	8.42	.25	1%		.5%
Electricians (Remaining portion of County):					
Electricians	8.65	.30	1%		.5%
Cable splicers	9.15	.30	1%		.5%
Elevator constructors	7.52	.395	.26	2%+a&b	.02
Elevator constructors' helpers	70%JR	.395	.26	2%+a&b	.015
Elevator constructors' helpers (prob.)	50%JR				
Glaziers	7.35		.10		.01
Ironworkers	8.90	.55	.50	.63	.05
Laborers:					
Laborers	4.60	.15			
Air tool operators	4.75	.15			
Mason tenders	4.75	.15			
Mortar mixers	4.75	.15			
Pipelayers (concrete & clay)	4.75	.15			
Plasterers tenders	4.75	.15			
Lathers	7.05	.30	.20		.05
Marble setters	7.60				
Millwrights	7.37	.45	.45		.04
Painters:					
Brush	6.10		.20		
Spray	6.35		.20		
Paperhangers	6.35		.20		
Stage (to & including 6 floors)	6.35		.20		
Sandblasters	7.10		.20		

FL76-1029 - (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Piledrivermen	6.32	.30	.10		.02
Plasterers	7.70				.05
Plumbers & Steamfitters	8.55	.40	.45		
Roofers	6.75	.30	.20		
Kettlemen	5.30	.30	.20		
Roofers helpers	4.65	.30	.20		
Sheet metal workers	8.44	.30	.30	.50	.04
Soft floor layers	6.22	.30	.10		.02
Sprinkler fitters	9.31	.50	.70		.10
Stonemasons	7.60				
Tile & Terrazzo workers	7.60				

Welders - Rate for Craft.

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day B-Memorial Day C-Independence Day
D-Labor Day E-Thanksgiving Day F-Christmas Day

FOOTNOTES:
a. Six paid holidays: A through F.

b. Employer contributes 4% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.

FL76- 1029 - (Cont'd)

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP I	8.03	.40	.35		.05
GROUP II	6.9€	.40	.35		.05
GROUP III	6.12	.40	.35		.05
GROUP IV	5.04	.40	.35		.05

GROUP I: Cranes, derricks, clam shell, draglines, piledriver (including auger & boring machine for drilling in piling), backhoes, hydra cranes, grade all, shovels, patrols, cableways, tug boat captain (150 H.P. or more), multi-bowl operator(similar to R.G. LeTourneau Model L-60-2 or 3 twenty cu. yd, scrapers), front end loaders, (over 4 cy cap.), side boom cats, multi-drum hoist (for rigging mechanic (heavy equip.) tower crane (stationary, climbing & traveling), gantry cranes, locomotive cranes, bridge cranes (over 20 ton cap.), concrete pump with boom (mobile), high lift or fork lift (second floor & higher), Locomotive engineer (jobs not covered by railroad unions).

GROUP II: Bulldozers, bridge cranes (20 tons & under), highlift or forklift (up to 2nd floor), straddle buggys, hoists (other than rigging) including winch truck not mobile & used as a hoist, front end loader (over 2 cy & up to & incl., 4 cy cap.), trenching machine, (ladder & wheel type), over 6' cut & over 24" width, concrete paver & scrapers.

GROUP III: Concrete pumps, front end loader (2 cy or less not used as hoist), mobile winch trucks, self-propelled sub-grader, asphalt paving machine, concrete mixer, tractors, air compressor plant (2 or more compressors on a common manifold), lubricating engineer (mobile plant), pavement breakers, street sweeping machines

GROUP IV: Tractor operated sweeper, trenching machine (ladder & wheel type maximum cut 6' & maximum width 24"), firemen, self-propelled rollers, wellpoint pump, asphalt distributor, water truck driver, motor boat operator, oiler, mechanic helpers, pumpman (other than well point up to & incl., 5 pumps within 300 ft. radius), self-propelled sweepers, combination pump, compressor & combustion type welding machine

SUPERSEDEAS DECISION

STATE: Florida COUNTY: See below*
DECISION NUMBER: FL76-1032 DATE: Date of Publication
Supersedes Decision No. FL75-1024 dated February 21, 1975 40FR-7801
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

*Counties: Escambia, Okaloosa, Santa Rosa and Walton.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	8.60	.395	.75	a	.02
Boilermakers	8.20	.60	.90		.02
Bricklayers:					
Bricklayers & Stonemasons	8.30				
Marble masons	8.30				
Terrazzo workers & Tile setters	8.30				
Carpenters:					
Carpenters	8.57	.35	.35		
Millwrights	9.12	.30	.40		
Piledrivermen	8.30	.50			.01
Soft floor layers	8.57	.35	.35		
Cement masons	6.62	.30	.30		
Electricians:					
Electricians	8.50	.40	1%		½ of 1%
Cable splicers	8.75	.40	1%		½ of 1%
Elevator constructors	6.72	.145	.17	⅔%+c+d	.005
Elevator constructors' helpers	70%JR	.145	.17	⅔%+c+d	.005
Elevator constructors' helpers (prob.)	50%JR				
Glaziers	5.95		.15	e	
Ironworkers:					
Structural, Ornamental & Reinforcing	8.77	.30	.35		.05
Lathers	6.50				.01
Line Construction:					
Linemen	8.50	.40	1%		½ of 1%
Painters, Commerical					
Brush roller, paperhanger	3.90				
Spray	4.25				
Plasterers	4.375				.01
Plumbers & Steamfitters:					
Walton Co., E. of Hwy, 331 exclud. DeFuniak Springs	6.50	.30	.35	f	.02
Remaining Counties & Walton Co., W of Hwy. 331 incl. DeFuniak Springs	10.37	.45	.55	g	.05
Roofers	4.50				
Sheet metal workers	9.45	.45	.50		.03
Sprinkler fitters	8.41	.30	.50		.07
Terrazzo workers helpers	4.58	.28	.25		
Tile setters' helpers	4.58	.28	.25		
Truck Drivers:					
Up to but not including 1½ tons	6.67	.35	.35		
1½ tons up to but not including 5 tons	6.94	.35	.35		

FL76-1032 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
5 tons & over	8.25	.35	.35		
Mechanics	8.97	.35	.35		
Helpers (Mechanics)	6.67	.35	.35		
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

FOOTNOTES:

a. Holidays: Labor Day & Mardi Gras Day - provided employee works at least one day out of the three workdays prior to the paid holidays, and the first work day after the paid holidays.

b. Employer contribution of $35.00 per year.

c. Holidays: A through F

d. Employer contributes 1% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.

e. Holiday: F

f. Three paid holidays: D,E, and F.

g. Holidays: A,B,C,D,E,F, Easter Day and Christmas Eve.

PAID HOLIDAYS: (Where applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FL76-1032 - (Cont'd)
BUILDING CONSTRUCTION
LABORERS:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A	5.55	.30	.35		
GROUP B	5.77	.30	.35		
GROUP C	6.05	.30	.35		
GROUP D	6.94	.30	.35		
GROUP E	7.21	.30	.35		
GROUP F	6.65	.30	.35		
GROUP G		.30	.35		
GROUP H	5.97	.30	.35		
GROUP I	6.11	.30	.35		
GROUP J	6.78	.30	.35		
GROUP K	6.14	.30	.35		
GROUP L	6.65	.30	.35		
GROUP M	6.11	.30	.35		

GROUP A: General Building Construction Laborers

GROUP B: Mortar makers (any method), hod carriers, paving breakers - breaking & chipping concrete (any method), air operating tools (elec. or gas), mason and plaster tenders, tile setter & terrazzo helpers, handling creosote or coppertox materials, glass wool and all types insulation, kettle man, asphalt raker & tamper, drills and vibrators, concrete dump bucketman, all concrete rollers, wheel barrows, Georgia buggies, pipe cleaners & pipe layers (of clay, terra cotta, ironstone, vitrified concrete or non-metallic pipe for main & side sewers and drainage only), pipe wipers (inside and out)

GROUP C: Gunnite or pressure concrete workers, nozzleman, gunman, rodman, power driven buggy mobiles, height: all work performed 40 ft. on scaffolds, inside and out (except where scaffolds are solid from wall to wall inside)

GROUP D: Cofferdam or tunnel workers (underground)

GROUP E: Blasting (powderman)

GROUP F: Concrete sawman

GROUP G: Form setters; roadways, runways, highways

GROUP H: Track laborer

GROUP I: Brick washers (laborers)

GROUP J: Burners on dismantling (anything not to be reused)

GROUP K: Stack laborers

GROUP L: Stack laborers (over 40 ft.)

GROUP M: Tank cleaners (caustic chemicals)

FL76-1032 - (Cont'd)

BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
HEAVY EQUIPMENT: Heavy Duty Mechanic, Crane, Shovel, Derrick Operator (2 or more drums), Dragline, Pile Driver Operator, Hoist Operator (2 or more drums), Trenching Machines, Cable Ways, Excavators, Front End Loader, Backhoe, Rubber Tired Backhoe, Dredges, Leverman, Welders, Mounted Rotary Drill Machines Cherry Pickers, Side Boom Tractors, Paving Machines, Motor Patrol, Pumpcrete Machines, Gradalls, Johnson Mixers, Hydrolift trucks, all Batch plant and Header House Operators, Panel Board (Ready-Mix), Hydro Hammers on Demolition Work, Concrete Plants, Asphalt Plants, Helicopter pilots and concrete paving trains	$7.16	.28	.25			
MEDIUM EQUIPMENT: Dozer Scraper, Turnapull, One Drum Hoist, Self-Propelled Rollers, Construction Elevators, Locomotive Engineer, Elevating Grader Tractors with Power Control Attachments, Winch Truck, Tug Boats, Mixers, Asphalt Spreaders, Drilling machines, Form Graders, Asphalt Distributors, Forklift, well-point systems, Subgraders, Finishing machines, Motorized Compactors, Wagmobiles and Push Carts	6.90	.28	.25			
LIGHT EQUIPMENT: Light Plants, Generators, Welding Machines, Air compressors, pumps, conveyors, Motor Boats under 30 ft., Tow Tractors and Pile Driver Hammer (Diesel, Gas, Air or Electric)	6.41	.28	.25			
Fuel Truck Oilers, Fireman Brakeman, Outboard Motor Boats, Truck Crane Oiler and Mechanic Helpers	5.76	.28	.25			
Oilers (crawler), Deck Hand and Oiler Cherry Picker	5.50	.28	.25			

SUPERSEDEAS DECISION

STATE: Georgia COUNTIES: *See below
DECISION NUMBER: GA76-1033 DATE: Date of Publication
Supersedes Decision No.: AQ-4052 dated January 18, 1974 in 39 FR 2328
DESCRIPTION OF WORK: Reisdential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

*Counties: Fulton, Clayton, Cobb, Dekalb and Gwinnett.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Air conditioning mechanics	4.87				
Bricklayers	7.01				
Carpenters	5.02				
Cement masons	5.52				
Drywall finishers	7.00				
Drywall hangers	5.92				
Electricians	6.20	7%	1%+6%		½ of 1%
Glaziers	5.35				
Ironworkers, Structural Ornamental	4.26				
Laborers:					
Laborers	3.31				
Gunite, sprayer	4.25				
Mason tenders	4.00				
Mortar mixers	4.00				
Pipelayers	3.50				
Powderman	6.10				
Painters	5.38				
Plasterers	6.24				
Plumbers	5.20				
Roofers	4.86				
Kettlemen	3.94				
Sheet metal workers	4.47				
Soft floor layers	6.08				
Stonemasons	6.00				
Tile setters	6.42				
Truck drivers	3.37				
POWER EQUIPMENT OPERATORS:					
Air compressor	3.50				
Asphalt spreader	3.65				
Backhoe	4.66				
Bulldozer	4.58				
Forklift	4.50				
Front end loader	4.64				
Motor grader	4.17				
Paving machine	4.50				
Rollers	3.50				
Scrapers	4.50				

STATE: Illinois COUNTIES: Peoria and Tazewell
DECISION NUMBER: IL76-2015 DATE: Date of Publication
Supersedes Decision No. IL75-2106, dated August 29, 1975 in 40 FR 40010
DESCRIPTION OF WORK: Building (Including Residential) and Dredging Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$10.96	.66	.72		.12
BOILERMAKERS	10.15	.65	.85		.03
BRICKLAYERS AND STONEMASONS	9.52	.45	.55		.10
CARPENTERS:					
Residential					
Peoria County:					
Chillicothe & Vicinity	9.53	.45	.35		.03
Remainder of County	9.36	.40	.40		.05
Tazewell County:					
E. Peoria, Washington & Vicinity	9.36	.40	.40		.05
Remainder of County	9.26	.40	.40		.05
Commercial					
Peoria County:					
Chillicothe & Vicinity:					
Carpenters, Piledrivermen & Soft Floor Layers	9.93	.45	.35		.03
Millwrights	10.18	.45	.35		.03
Remainder of County:					
Carpenters & Soft Floor Layers	9.36	.40	.40		.05
Millwrights & Piledrivermen	9.86	.40	.40		.05
Tazewell County:					
E. Peoria, Washington & Vicinity:					
Carpenters & Soft Floor Layers	9.36	.40	.40		.05
Millwrights & Piledrivermen	9.86	.40	.40		.05
Remainder of County:					
Carpenters & Soft Floor Layers	9.26	.40	.40		.05
Millwrights & Piledrivermen	9.76	.40	.40		.05
CEMENT MASONS	9.25	.45	.50		.05
ELECTRICIANS	9.87	.40	1%+.40		1%
ELEVATOR CONSTRUCTORS:					
Constructors	8.63	.445	.29	3%+a&b	.02
Helpers	70%JR	.445	.29	3%+a&b	.02
Helpers (Prob.)	50%JR				
GLAZIERS	9.235	.45	.30		
IRONWORKERS	9.925	.40	.475		
LATHERS	9.37	.40	.40		.01
LEADBURNERS	9.25	.35		c	.01
MARBLE-TILE & TERRAZZO WORKERS	9.30	.45	.55		.07
MARBLE & TILE HELPERS	8.60	.45			

DECISION NO IL76-2015

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TERRAZZO HELPERS:					
Terrazzo Helpers & Floor machine Operator	$ 8.08	.45			
Base Machine Operator	8.33	.45			
PAINTERS:					
Brush	8.80	.45	.30		.03
Structural Steel & Spray	9.30	.45	.30		.03
PLASTERERS	9.40	.45	.50		.01
PLUMBERS & STEAMFITTERS:					
Peoria County & North of Highway #98 in Tazewell Co.	10.06	.40	.90		.15
Remainder of Tazewell County	9.99	.40	.85		.11
ROOFERS	9.55	.40	.35		.025
SHEET METAL WORKERS	9.32	.50	.55		.05
SPRINKLER FITTERS	10.55	.50	.80		.08
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS: (WHERE APPLICABLE)

A-New Year's Day; B-Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

a. Six Paid Holidays; A through F.

b. Employer contributes 4% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.

c. Nine paid holidays, A through F plus Washington's Birthday and Good Friday and Christmas Eve Providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

DECISION NO. IL76-2015

ILL-28-LAB-1

LABORERS: PEORIA COUNTY & THE CITY OF EAST PEORIA (TAZEWELL COUNTY)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1	$8.40	.40	.35		.035
CLASS 2	8.525	.40	.35		.035
CLASS 3	8.65	.40	.35		.035
CLASS 4	8.575	.40	.35		.035
CLASS 5	8.775	.40	.35		.035
CLASS 6	8.525	.40	.35		.035
CLASS 7	8.65	.40	.35		.035

LABORERS: PEORIA COUNTY & THE CITY OF EAST PEORIA (TAZEWELL COUNTY)

CLASS 1
Bricklayer Tenders, Common Laborers, Carpenter Tenders, Cement Mason Tenders, Concrete Form Dismantler, Stone & Tile Derrickmen, Tool Crib Men, Window Washers, Wrecking & Dismantling Old Buildings, Wall Men & House Movers, & Curing Concrete.

CLASS 2
Cement Men & Sack Shakers, Concrete Saw, Drill Operator, Jackhammer, Kettlemen & Carriers, Men Handling Hot Stuff, Signalling & Spotting of Buckets on Rig or Rig Men Paving Breaker, Plasterers Tenders, Air Tamper, Chain Saw.

CLASS 3
Gunnite Pump Men, Sandblasting Pump Men, Tile Layers or Lateral Sewer, Unloading & Handling of Creosote Materials.

CLASS 4
Power Wheel Barrow or Buggies.

CLASS 5
Cutting & Acetylene Torch, Gunnite Nozzle Men, Sandblasting Nozzle Men, Wood Block Setters.

CLASS 6
Concrete Form Dismantler in Composite Crew with Carpenters, Compactor Rammer Type, Setting up and using Laser Beam Equipment.

CLASS 7
Setting up & using Concrete Burning Bars, Underpinning & Shoring of Existing Buildings.

DECISION NO. IL76-2015

ILL-34-LAB-1

LABORERS: REMAINDER OF TAZWELL COUNTY	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1	$ 7.05	.30	.25		.035
CLASS 2	7.30	.30	.25		.035
CLASS 3	7.425	.30	.25		.035
CLASS 4	7.175	.30	.25		.035
CLASS 5	7.225	.30	.25		.035
CLASS 6	7.45	.30	.25		.035

CLASS 1 Common Laborer or Water Carrier, Top Ciasson Men, Plaster Tender, Mortar Mixer, Bricklayer Tender, Men Wrecking & Dismantling all Building, House Movers, All Work pertaining to Pouring of Concrete, Concrete Form Dismantlers, Stone & Tile Setters Helpers, Landscaping, on all Commercial Jobs, Cement Car Men, Sack Shaker, Handling Material for Asbestos Work, Firing Low Press Boiler, Surveyor Helpers, Cement Mason Tenders, Truck Driver Helpers (Min. 1 Laborer for each Service Truck to Load & Unload Materials for Crafts Laborers Tend

CLASS 2 All vibrator Men, All Men Employed in Tunnel, Caisson Workers, Gunnite Pump Men, Sandblasting Pump Men

CLASS 3 Blasting Powder Men, Drill Operator (Tunnel Caisson) Gunnite Nozzlemen, Tile & Pipelayers, Sandblast Nozzlemen, Concrete Saw

CLASS 4 Drill Operator, Jackhammer Men Open, Kettlemen & Carriers of Hot Stuff, Working in trenches where Bracing is required or 6' Below Ground Level, Signalling & Spotting of Rigs & Equipment, Chipping Hammer (Air or Electric)

CLASS 5 Power Wheel Barrow & Buggies

CLASS 6 Wood Block Setters

DECISION NO. IL76-2015

ILL-6-PEO-1

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$9.67	.45	.55		.05
Group 2	9.47	.45	.55		.05
Group 3	9.095	.45	.55		.05
Group 4	8.82	.45	.55		.05
Group 5	8.21	.45	.55		.05

POWER EQUIPMENT OPERATORS:

Group 1: Cranes, escalated rate on crane, derricks, booms, $.01 per hour, per foot, after 80 feet or boom including jib, overhead cranes, gradall, cherry pickers (and similar types, over 15 ton lifting capacity (require oiler), mechanics, central concrete mixing plant operator, road pavers (27E-dual drum-tri batchers), blacktop plant operators and plant engineers, 3 drum hoist, derricks, hydro cranes, shovels skimmer scoops, koehring scoopers, draglines, backhoe, hoptoes-crane-type that require oilers, derrick boats, pile drivers and skid rigs, clamshells, locomotive cranes, dredge (all types), motor patrol, power blades dumore-elevating and similar types tower cranes (crawler mobile) and stationary, crane-type backfiller, drott yumbo and similar types considered as cranes, caisson rigs (require oilers) dozer, tourna-dozer, work boats, ross carrier and helicopter

Group 2: Trench machine, pumpcrete-belt crete-squeeze cretes-screw-type pumps and gypsum bulker and pump, dinkeys, power launches, tournapulls (all), multiple unit, earth movers, $.25 per hour for each scoop over one, scoops (all sizes), push cats, endloaders (all types), side boom, P-H one pass soil-cement machine (all similar types), wheel tractors (industrial or farm type w/dozer-hoe-end-loader or other attachments), pugmill with pump backfillers, asphalt surfacing machine, euclid loader, forklifts, formless finishing machine, jeeps w/ditching machine, or other attachments, tunneluger, rock crushers, automatic cement and gravel batching plants, mobile drills (soil testing and similar types), (require oiler), flaherty spreader or similar types (require oiler), heavy equipment greaser (top greaser on spread), gurries and similar type), 1 and 2 drum hoists (buck hoists and similar types freight and passenger elevators Chicago boom, boring machine and pipe jacking, machine, hydro boom, starting engineer on pipeline, C.M.I. and similar types (require oiler) straw blower, hydro seeder and F.W.D. and similar types

DECISION NO. IL76-2015

POWER EQUIPMENT OPERATORS (Cont'd)

Group 3: Tractor (track type) without power unit pulling rollers, rollers on asphalt, brick or macadam, concrete breakers, concrete spreaders, mule pulling rollers, center stripper, cement finishing machines, barber greene or similar loaders, vibro tamper (all similar types), self-propelled, winch or boom truck, mechanical bull floats, mixer over 3 bags to 27E, tractor pulling power blade or elevating grader, porter rex rail, clary screed, pugmill (without pump) screed man on laydown machine, firemen and spray machine on paving

Group 4: Air compressor, all air and steam valves, power subgrader, oil distributor, straight tractor, trac-air without attachments, curb machines, truck crane oilers, and truck type hoptoe oilers

Group 5: Herman Nelson heater, Dravo, Warner, Silent glo, and similar types, one engineer will operate 1-5 and after 5, two operators will be required, self-propelled concrete saws, assistant heavy equipment greaser on spreed, roller, 5 tons and under on earth or gravel, form grader, pump 1 or 2, generator (1) or (2), welding machine (1) or (2) - 300 amp. or over, mixer (3) bag and under (standard capacity), bulk cement plant, crawler crane and skid rig oilers

DECISION NO. IL76-2015 ILL-82-TD-1-2-3

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$8.85	.50	a14.00		
GROUP II	.25	.50	a14.00		
GROUP III	9.45	.50	a14.00		

TRUCK DRIVERS

GROUP I:
Drivers on 2 axle trucks hauling less than 9 tons, air compressor and welding machine including those pulled by separate units, truck driver helpers, warehouseman, mechanic helpers, greasers & tiremen, pick-up trucks when hauling materials, tools, or men to and from and on the jobs site; Fork lifts up to 6,000 lbs., capacity.

GROUP II:
2 or 3 exle trucks hauling more than 9 ton, but hauling less than 16 tons; A-frame winch trucks, hydrolifts trucks, or similar equipment when used for tranportation purposes; Fork lifts over 6,000 lb. capacity; winch trucks; 4-axle combination units; ticket writers

GROUP III:
2-3 or 4 axle trucks hauling 16 ton or more, drivers on oil distributors, water pulls, mechanics & working foreman; 5-axle or more combination units; dispatchers.

FOOTNOTES:
a.-Per Week Per Employee.

DREDGING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP 1	$ 9.67	.45	.55		.05
GROUP 2	9.47	.45	.55		.05
GROUP 3	9.045	.45	.55		.05
GROUP 4	9.02	.45	.55		.05
GROUP 5	8.21	.45	.55		.05

CLASSIFICATIONS:

GROUP 1: Operators on hydraulic dipper or clamshell dredges, Engineers and Repairmen, Operators on Work Boats.
GROUP 2: Power Winches 1-2-3 Drums
GROUP 3: Security Engineer
GROUP 4: Cranemen on dipper dredges, Operators on Launches or Power Boats.
GROUP 5: Fireman & Oilers

STATE: Illinois

COUNTIES: Henry, Knox, Mercer & Rock Island

DECISION NO. IL76-2016

DATE: Date of Publication

Supersedes Decision No. IL75-2051 dated March 21, 1975, in 40 FR 12976

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments			
		I & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.00	.30	.25		.10
BOILERMAKERS	10.15	.65	.85		.03
BRICKLAYERS & STONEMASONS:					
RockIsland & Mercer Counties:					
Bricklayers & Stonemasons	9.40	.35	.50		.03
Marble, Tile & Terrazzo Workers	9.20		.50		
Henry County:					
Bricklayers, Stonemasons and Plasterers	9.85	.20			
Knox County:					
Bricklayers & Stonemasons	9.52	.45	.55		.10
CARPENTERS:					
Rock Island, Mercer & Henry Cos:					
Carpenters & Soft Floor Layers	9.06	.35	.50		.04
Millwrights	9.30	6%	7%		4%
Piledrivermen	9.31	.35	.50		.04
Knox County:					
Carpenters, Piledrivermen & Soft Floor Layers	8.76	.40	.40		.05
Millwrights	9.26	.40	.40		.05
CEMENT MASONS:					
Rock Island; Mercer & Western ½ of Henry County	8.77	.40	.60		
Remainder of Henry County	9.40		.20		
CEMENT MASONS & PLASTERERS:					
Knox County	9.00	.35	.25		
ELECTRICIANS:					
Knox County, Mercer (Twps. of Ohio Grove, North Henderson & Suez) County	9.35	.40	1%+.30		.25%
Henry (Twps. of Annawan, Burns, Cambridge, Galva, Kewanee, Weller & Westerfield) County	10.25	.40	1%+.30		.25%
Rock Island County & Remainder of Henry & Mercer Counties	10.05	.45	5.5%		.03
ELEVATOR CONSTRUCTORS:					
Constructors	8.885	.445	.29	3%+q+b	.02
Helpers	70%JR	.445	.29	3%+a+b	.02
Helpers (Prob.)	50%JR				

DECISION NO IL76-2016

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GLAZIERS	9.05	.50	1.00		
IRONWORKERS:					
Knox (All Area South & East of Galesburg) County	9.925	.40	.475		
Mercer Co., Knox (All Area West & Southwest of Galesburg) Co.	9.45	.40	.30		
Rock Island County, Henry Co. & Knox (Within Galesburg & all Area North of City) County	10.50	.50	.375		.07
LATHERS:					
Knox County	9.00				.01
Remainder of Counties	8.98		.20		
LEADBURNERS	9.25	.35	c		.01
PAINTERS:					
Rock Island, Mercer, Henry Counties & West of line extending from NE Corner to SW Corner of Knox County:					
Brush & Roller	8.22	.45	.40		.09
Spray & Structural Steel	8.47	.45	.40		.09
Remainder of Knox County:					
Brush & Paperhangers	6.38	.25	.15		
Structural Steel	6.63	.25	.15		
PLASTERERS:					
Rock Island & Mercer Counties	9.18				
PLUMBERS & STEAMFITTERS	9.44	.44	.90		.17
ROOFERS:					
Knox County	7.50				
Remainder of Counties	10.35		.40		
SHEET METAL WORKERS:					
Rock Island & Mercer Counties	9.25	.45	.40		.10
Knox & Henry Counties	9.25	.45	.40		.10
SPRINKLER FITTERS	10.55	.50	.80		.08
WELDER - receive rate prescribed for craft performing to which welding is incidental.					

DECISION NO IL76-2016

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

a. Six Paid Holidays: A through F.

b. Employer contributes 4% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.

c. Nine paid holidays, A through F plus Washington's Birthday and Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

DECISION NO. IL76-2016

ILL-81-LAB-1-2-3

LABORERS:	Basic Hourly Rate	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROCK ISLAND & MERCER COUNTIES					
UNSKILLED	$7.82	.40	.50		.035
SEMI-SKILLED	8.07	.40	.50		.035
SKILLED	8.32	.40	.50		.035

LABORERS - ROCK ISLAND & MERCER COUNTIES

UNSKILLED
Common Laborer; Carpenter Tender; Rod & Chain Man; Flagman; Gravel Box Men; Dumpmen & Spotters; Form Handlers; Material Handlers; Fencing Laborers; Cleaning Lumber; Material Checkers; Dispatchers; Landscapers; Unloading Explosives; Laying of Sod; Planting of Trees; Removal of Trees; Asphalt Plant Laborers; Wrecking Laborers; Writers of Scale Tickets, Scaleman (Permanent-Portable or Temporary Plant); Deck Hand.

SEMI-SKILLED
Laying & Jointing of Telephone Conduit; Darco & Jackhammer Operator; Mechanical Tamper and Air Spade; Wagon & Hand Drill; Vibrator Operator; Operator on Power Tools used under the jurisdiction of Laborers; Cement Jumper; Puddler; Form Setter Helper; Power & Hand Saw (when clearing timber); Center Strip; Reinforcing in Concrete; Wire Mesh; Concrete Saw; Mortar Mixer; Prime Mover or any mechanical devise taking the place of concrete buggy or wheelbarrow; Sand Point Setter; Asphalt Kettleman; Mastic Asphalt Mixerman or other preparations used on joints; Sheeting Hammer Drivers (2-Men) Back up Man or Joint Man with Pipelayer; Laborer in ditch or tunnel on sewer and water main & telephone conduit Gas Distribution Men; Pipe Setter on Laterals, Drain Tiles, Culvert Pipe, & Storm Sewer Connections to Catch Basins, Manholes or Main Line; Handling of Materials treated with oil, creosote, asphalt and/or any foreign material harmful to skin or clothing; Chloride Handlers; the Unloading & Laborers w/Steel Workers and Re-Bars; Tunnel Helpers in Free Air; Batch Dumpers; Tank Cleaners; Cofferdam Workers; Bankmen on Floating Plant.

SKILLED
String on Wireline (1-man); Head Form Setter; Dynamite Man; Asphalt Raker; Tunnel Miner; Pipelayer on Sewer & Water Main; Gunnite Nozzle Man; Welders; Cutters; Burners & Torchman; Screedman on Asphalt Pavers; Lutemen; Curb Asphalt Machine Operator; Laser Beam Operator; Concrete Burning Machine Operator; Coring Machine Operator; Head Grade Man.

DECISION NO. IL76-2016

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
HENRY COUNTY					
UNSKILLED	$7.84	.35	.30		.035
SEMI-SKILLED	8.04	.35	.30		.035
SKILLED	8.24	.35	.30		.035
KNOX COUNTY					
UNSKILLED	8.07	.35	.30		.035
SEMI-SKILLED	8.27	.35	.30		.035
SKILLED	8.47	.35	.30		.035

LABORERS: Henry & Knox Counties

UNSKILLED: Common Laborer, carpenter tenders; tool cribmen; firemen or salamander tenders; flagmen; gravel box men; dumpmen & spotters; form handerlers; fencing laborers; cleaning lumber; pit men; material checkers; dispatchers; landscapers; unloading explosives; laying of sod; planting of trees; asphalt palnt laborers; wrecking laborers; writer of scale tickets; fire shop laborers; fireproofing laborers; janitors; wrecking-dismantling buildings; wallmen & housemovers; driving of stakes; stringlines for all machinery

SEMI-SKILLED: Handling of meterials treated with oil, creosote, asphalt or any foreign material, track laborers; cement handlers; chloride handlers; the unloading and laborers w/steel workers & rebars; concrete workers (wet); tunnel helpers in free air; batch dumpers; mason & plasterer tenders & material wheelers; kettlemen & tarmen; tank cleaners; plastic installer; scaffold workers; materials; buggies or motorized unit used for wet concrete or handling of building materials; laborers w/dewatering systems; all sewer workers plus depth; rod of chainmen with land surveyors; vibrator operators; mortar mixer operator; cement silica, clay, fly ash, lime & plasters; handlers (bulk or bag); cofferdam workers plus depth; (on concrete paving) placing, cutting & trying or reinforcing; deck hand; dredge hand & shore laborers; bankmen on floating plant; asphalt workers w/machine; asphalt raker; grader checker

SKILLED: Dynamite man or blasters; caisson workers plus depth; gunnite nozzle men; leadman on sewer work; welders; cutters; burners; torchmen;chain saw operator; jackhammer & drill operators; layout man; steel form setters (Street & highway); air tamping hammerman; signal man on crane, concrete saw operator; screenman on asphalt payers; laborers tending masons w/hot materials are used; multiple concrete duct-leadmen; lutemen; cirb asphalt machine operator; ready-mix scalemen; portable or temporary plant; laborers handling materplate or similar materials; laser beam operator; coring machine operator

DECISION NO. IL76-2016

ILL-6-PEO-1

POWER EQUIPMENT OPERATORS KNOX CO; & EASTERN ½ OF HENRY CO.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$9.67	.45	.55		.05
Group 2	9.47	.45	.55		.05
Group 3	9.095	.45	.55		.05
Group 4	8.82	.45	.55		.05
Group 5	8.21	.45	.55		.05

POWER EQUIPMENT OPERATORS:

Group 1: Cranes, escalated rate on crane, derricks, booms, $.01 per hour, per foot, after 80 feet or boom including jib, overhead cranes, gradall, cherry pickers (and similar types, over 15 ton lifting capacity (require oiler), mechanics, central concrete mixing plant operator, road pavers (27E-dual drum-tri batchers), blacktop plant operators and plant engineers, 3 drum hoist, derricks, hydro cranes, shovels skimmer scoops, koehring scoopers, draglines, backhoe, hoptoes-crane-type that require oilers, derrick boats, pile drivers and skid rigs, clamshells, locomotive cranes, dredge (all types), motor patrol, power blades dumore-elevating and similar types tower cranes (crawler mobile) and stationary, crane-type backfiller, drott yumbo and similar types considered as cranes, caisson rigs (require oilers) dozer, tourna-dozer, work boats, ross carrier and helicopter

Group 2: Trench machine, pumpcrete-belt crete-squeeze cretes-screw-type pumps and gypsum bulker and pump, dinkeys, power launches, tournapulls (all), multiple unit, earth movers, $.25 per hour for each scoop over one, scoops (all sizes), push cats, endloaders (all types), side boom, P-H one pass soil-cement machine (all similar types), wheel tractors (industrial or farm type w/dozer-hoe-end-loader or other attachments), pugmill with pump backfillers, asphalt surfacing machine, euclid loader, forklifts, formless finishing machine, jeeps w/ditching machine, or other attachments, tuneluger, rock crushers, automatic cement and gravel batching plants, mobile drills (soil testing and similar types), (require oiler), flaherty spreader or similar types (require oiler), heavy equipment greaser (top greaser on spread), gurries and similar type), 1 and 2 drum hoists (buck hoists and similar types freight and passenger elevators Chicago boom, boring machine and pipe jacking, machine, hydro boom, starting engineer on pipeline, C.M.I. and similar types (require oiler) straw blower, hydro seeder and F.W.D. and similar types

DECISION NO. IL76-2016

POWER EQUIPMENT OPERATORS (Cont'd)

Group 3: Tractor (track type) without power unit pulling rollers, rollers on asphalt, brick or macadam, concrete breakers, concrete spreaders, mule pulling rollers, center stripper, cement finishing machines, barber greene or similar loaders, vibro tamper (all similar types), self-propelled, winch or boom truck, mechanical bull floats, mixer over 3 bags to 27E, tractor pulling power blade or elevating grader, porter rex rail, clary screed, pugmill (without pump) screed man on laydown machine, firemen and spray machine on paving

Group 4: Air compressor, all air and steam valves, power subgrader, oil distributor, straight tractor, trac-air without attachments, curb machines, truck crane oilers, and truck type hoptoe oilers

Group 5: Herman Nelson heater, Dravo, Warner, Silent glo, and similar types, one engineer will operate 1-5 and after 5, two operators will be required, self-propelled concrete saws, assistant heavy equipment greaser on spreed, roller, 5 tons and under on earth or gravel, form grader, pump 1 or 2, generator (1) or (2), welding machine (1) or (2) - 300 amp. or over, mixer (3) bag and under (standard capacity), bulk cement plant, crawler crane and skid rig oilers

DECISION NO. IL76-2016

ILL-15-PEO-1-2-3

POWER EQUIPMENT OPERATORS: ROCK ISLAND, HENDER & WESTERN ½ OF HENRY COUNTY	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class 1	$9.45	.40	.50		.08
Class 2	9.45	.40	.50		.08
Class 3	9.45	.40	.50		.08
Class 4	8.05	.40	.50		.08
Class 5	8.50	.40	.50		.08
Class 6	7.00	.40	.50		.08

POWER EQUIPMENT OPERATORS:

Class 1: All hoists or steel erecting equipment used to hoist or erect iin conjunction with the crew of a specialty trade

Class 2: Craned, shovel, clamshell, dragline, backhoe, derrick, tower crane, cableway, concrete spreader (servicing two pavers), asphalt spreader, asphalt mixer plant engineer, dipper operator, dipper dredge craneman, dual purpose truck (boom or winch), leverman or engineman (hydraulic dredge), mechanic, paving mixer with tower attached (two operators required), pile driver, boom tractor, stationary, portable or floating mixing plant, trenching machine, cleaning and priming machine, endloader (one half cubic yard or over, on basement excavation work), backfiller (throw bucket), locomotive engineer, Qualified welder, tow or push boat concrete paver, seaman trav-L-plant or similar machines, CMI autograder or similar machines, slip form paver, caisson augering machine, mucking machine, asphalt heater-planer unit hydraulic cranes

Class 3: Athey, Barber-Green, euclid or hasis loader, asphalt pug mill, fireman and drier, concrete pump, concrete spreader (servicing one paver), bulldozer, endloader (other than mentioned above), forklift, elevating grader, group equipment greaser, letourneapull and similar machines, DW-10, straddle carrier, hyster winch and similar machines, motor patrol, power blade push cat, tractor pulling elevating grader or power blade, tractor operating scoop or scraper, tractor with power attachment, roller on asphalt or blacktop, single drum hoist, Jaeger mix and place machine, pipe bending machine, welding machines (3 or 4), fuller kenyon cement pump or similar machines, automatic cement and gravel batch plants (one stop set-up), Seaman pulvimixer or similar machines, propelled sheep foot roller or compactor (used in conjunction with a grading spreader), mud jack, underground boring machine (over 8"), apsco spreader or similar machine

DECISION NO. IL76-2016

POWER EQUIPMENT OPERATORS: (CONT'D)

Class 4: Asphalt booster, fireman and pump operator at asphalt plant, compressor (500 cu. ft. and over), concrete finishing machine, form grader with roller on earth, mixers (3 bag to 16E), power operated bull float, tractor without power attachment, Dope pot (agitating motor), Dope chop machine, distributor (back end), Flexaplane or similar machines, portable machine fireman, Hydrohammer, power winch on paving work, self-propelled roller or compactor (other than provided for above), pump operator crusher operator, trench machine (20 H.P. and under), power sub grader (on forms), or similar machines, asphalt spreader screed operator, conveyor.

Class 5: Oiler, mechanic's helper, water pump (pumping water to paver), mechanical heater (other than steam boiler) belt machine, small outboard motor boat

Class 6: Air compressor (275 c.f.m. or over) driver on truck crane or similar machines, light plant, mixers (1 or 2 bags), power batching machine (cement auger or conveyor), boiler (engineer or fireman, water pumps, welding machine, mechanical broom, automatic cement and gravel batch plants (two or three stop set-up), small backhoes or endloaders) self-propelled curing machine

DECISION NO. IL76-2016

ILL-82-TD-1-2-3

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$8.85	.50	a14.00		
GROUP II	9.25	.50	a14.00		
GROUP III	9.45	.50	a14.00		

TRUCK DRIVERS

GROUP I:
Drivers on 2 axle trucks hauling less than 9 tons, air compressor and welding machine including those pulled by separate units, truck driver helpers, warehouseman, mechanic helpers, greasers & tiremen, pick-up trucks when hauling materials, tools, or men to and from and on the jobs site; Fork lifts up to 6,000 lbs., capacity.

GROUP II:
2 or 3 exle trucks hauling more than 9 ton, but hauling less than 16 tons; A-frame winch trucks, hydrolifts trucks, or similar equipment when used for transportation purposes; Fork lifts over 6,000 lb. capacity; winch trucks; 4-axle combination units; ticket writers

GROUP III:
2-3 or 4 axle trucks hauling 16 ton or more, drivers on oil distributors, water pulls, mechanics & working foreman; 5-axle or more combination units; dispatchers.

FOOTNOTES:
a.-Per Week Per Employee.

SUPERSEDEAS DECISION

STATE: Illinois
DECISION NUMBER: IL76-2019
COUNTIES: See Below
DATE: Date of Publication
Supersedes Decision No. IL75-2044, dated March 7, 1975, in 40 FR 10892
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

COUNTIES: Boone, Carroll, DeKalb, JoDaviess, Lee, Ogle, Stephenson, Whiteside & Winnebago

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
Boone, Ogle, Stephenson & Winnebago Counties	$10.22	.45	.60	.75	.04
Carroll, JoDaviess & Whiteside Counties	9.00	.30	.25		.10
BOILERMAKERS:					
Boone, Ogle & Winnebago Cos.	10.55	.65	1.00	5%	.03
Remainder of Counties	10.15	.65	.85		.03
BRICKLAYERS & STONEMASONS:					
Boone, Ogle & Winnebago Cos.	9.85	.30	.40	.45	
Carroll, JoDaviess & Stephenson Counties	9.50	.30	.20		
Lee & Whiteside Counties	9.55	.30	.40		
DeKalb County	10.85	.30			
CARPENTERS:					
Stephenson County:					
Carpenters & Soft Floor Layers	8.28	.30	.35		
Millwrights	9.18	.30	.35		
Piledrivermen	8.53	.30	.35		
Winnebago & Boone Counties:					
Carpenters, Piledrivermen & Soft Floor Layers	9.70	.25	.35		
Millwrights	8.28	.25	.25		
Carroll & JoDaviess Counties:					
Carpenters & Soft Floor Layers	8.28	.30	.35		
Millwrights	9.18	.30	.35		
Piledrivermen	8.53	.30	.35		
Whiteside (All areas east of Hwy. #78) Co., & Ogle (Twps. of Mount Maryland, Forreston, Harper, Haldane, Buffalo, Brookville, Adeline, Lightsville & Baileyville) Co:					
Carpenters & Soft Floor Layers	8.23	.35	.35		
Millwrights	9.13	.35	.35		
Piledrivermen	8.48	.35	.35		
Whiteside Co., (All areas west of Hwy. #78)					
Carpenters & Soft Floor Layers	9.06	.35	.50		.04
Millwrights	9.30	6%	7%		4%
Piledrivermen	9.31	.35	.50		.04

DECISION NO. IL76-2019

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS (Cont'd)					
DeKalb Co., Ogle (East of Hwy. #51 incl. Rochelle City) Co., Lee (Eastern ½ of Co., incl. Roxbury & Compton) Co:					
Carpenters & Soft Floor Layers	$10.01	.45	.25		
Millwrights & Piledrivermen	10.26	.45	.25		
Remainder of Lee & Ogle Cos:					
Carpenters & Soft Floor Layers	8.88	.45			
Millwrights & Piledrivermen	9.38	.45			
CEMENT MASONS:					
Boone & Winnebago Counties	9.35	.25	.45		
DeKalb County	10.85	.30			
Whiteside (Erie & Area S.W. thereof) County	8.77	.40	.60		
Carroll, JoDaviess, Lee, Ogle, Stephenson & Remainder of Whiteside County	9.10	.30	.50		
ELECTRICIANS:					
Boone, DeKalb, Winnebago, Stephenson, Ogle, Lee, JoDaviess (Warren, Rush, Nora, Stockton, Wards Grove, Pleasant Valley, Berrenman Twps.) Co; Carroll (Cherry Grove, Shannon, Rock Creek, Lima, Wysox, Elkhorn Grove Twps.) Co; Whiteside (Genesee, Jordan, Hopkins, Sterling, Hume, Montgomery, Tampico, Hahnaman Twps.) Co.	10.40	.40	1%+.20		½%
JoDaviess (Savanna Ordnance Depot) Co., Carroll (Cities of Chadwick, Mt. Carroll, Savanna & Thompson) Co; & Remainder of Whiteside Co.	10.05	.45	5.5%		.03
Remainder of JoDaviess County	8.37	.30	1%		1%
ELEVATOR CONSTRUCTORS:					
DeKalb County:					
Constructors	9.97	.445	.29	3%+a&b	.02
Helpers	70%JR	.445	.29	3%+a&b	.02
Helpers (Prob.)	50%JR				

DECISION NO. IL76-2019

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELEVATOR CONSTRUCTORS (CONT'D)					
Carroll & Whiteside Counties:					
Constructors	$8.985	.445	.29	3%+a&b	.02
Helpers	70%JR	.445	.29	3%+a&b	.02
Helpers (Prob.)	50%JR				
Remainder of Counties:					
Constructors	8.98	.445	.29	3%+a&b	.02
Helpers	70%JR	.445	.29	3%+a&b	.02
Helpers (Prob.)	50%JR				
GLAZIERS:					
DeKalb (Lee, Watermon, Hinckley & South thereof) Co.	8.15				
Winnebago, Boone, Lee (Eastern ½ of Co.) Co., Remainder of DeKalb County	8.90	.37	.20	.74	.02
Carroll, JoDaviess, Stephenson, Whiteside Co., Lee (Western ½ of County incl. Dixon) County	8.05	.50	1.00		
IRONWORKERS:					
DeKalb (S.E. 2/3 of Co., incl. Sycamore & DeKalb)	11.59	.50	.525		.045
Carroll (Vicinity of Savanna & Thompson) Co; JoDaviess (E. Dubuque, Galena, Hanover & Vic.) Co; & Remainder of Whiteside County	10.50	.50	.375		.07
Boone, Winnebago, Stephenson, Lee, Whiteside (Cities of Rock Falls, Sterling & West Sterling) Co; Remainder of Carroll, JoDaviess & DeKalb Counties	11.20	.50	.375		.05
LABORERS:					
Boone County:					
Common Laborer & Plasterer					
Laborer	7.20	.57	1.10		
Concrete Vibrator	7.45	.57	1.10		
Jackhammermen	7.425	.57	1.10		

DECISION NO. IL76-2019

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
MARBLE-TILE-TERRAZZO WORKERS:					
Carroll, Boone, DeKalb, Stephenson Ogle & Winnebago Counties	$9.05	.30		.30	
PAINTERS:					
DeKalb County:					
Brush	8.545	.50	.60		.04
Spray	8.945	.50	.60		.04
Carroll, Lee, Ogle, Whiteside Counties:					
Brush	6.95				
Spray, Structural Steel, Sand-Blast	7.30				
JoDaviess County:					
Brush & Roller	8.22	.45	.40		.09
Spray, Structural Steel, Sand-Blast	8.47	.45	.40		.09
Winnebago, Boone & Stephenson Counties:					
Brush & Roller	7.80	.30			
Structural Steel & Sandblast	8.05	.30			
Spray	8.70	.30			
PLASTERERS:					
DeKalb County	10.85	.30			
Boone & Winnebago Counties	7.18	.20	.50		
Whiteside (Erie & Area S.W. thereof) Co.	9.18				
Carroll, JoDaviess, Lee, Stephenson Cos; & Remainder of Whiteside County	9.05	.30	.50		.01
PLUMBERS & STEAMFITTERS:					
DeKalb County	10.75	.37	.70		.10
Whiteside, Lee, Carroll (West of Rt. #78 excluding Mt. Carroll by 1 mile outside the city limits continuing North on Rt. #78) Co; JoDaviess (South line of Co., then west to the River 1 mile north of Bl anding) Co; Savanna Ordnance Depot	9.44	.44	.90		.17
Boone, Ogle, Stephenson, Winnebago, Carroll (to Rt. #78 incl. Mt. Carroll) Co; Remainder of JoDaviess County	9.25	.35	.40		.05

DECISION NO. IL76-2019

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS:					
DeKalb (Eastern ½ of Co., incl. Sycamore, DeKalb & Waterman) County	$9.90	.50	.15	.30	
Boone, Carroll, JoDaviess, Lee, Ogle, Stephenson, Winnebago, Whiteside (Cities of Rock Falls, Sterling & W. Sterling County, DeKalb (Western ½ of County):					
Composition-Slate & Tile	10.00	.25			
Remainder of Whiteside County:					
Flat Slate-Tile-Damp-Waterproof	10.35		.40		
SHEET METAL WORKERS:					
Boone, DeKalb, Lee, Ogle, Whiteside, Winnebago, Carroll (Eastern ½ of Co.)	9.73	.30	.45	.50	.02
Carroll County(Western ½ of Co.)	9.25	.45	.40		.10
JoDaviess & Stephenson Counties	7.30	.30	.25	.25	.02
SPRINKLER FITTERS	10.55	.50	.80		.08
TRUCK DRIVERS:					
Boone, Stephenson, Winnebago Cos., Carroll (North of Rt. #72 & East of Rt. #78) Co; JoDaviess (East of Rt. #78 except City of Stockton) County:					
2-3 Axles Trucks	8.25	.30	.50		
4-Axle Trucks	8.40	.30	.50		
5-Axle Trucks	8.60	.30	.50		
6-Axle Trucks	8.80	.30	.50		
DeKalb County; East of Rt. #51) in Lee & Ogle Counties:					
2-3 Axles Trucks	8.30	d20.00	d24.00		
4-Axle Trucks	8.45	d20.00	d24.00		
5-Axle Trucks	8.65	d20.00	d24.00		
6-Axle Trucks	8.85	d20.00	d24.00		
Welder - receive rate prescribed for craft performing to which welding is incidental.					

DECISION NO. IL76-2019

PAID HOLIDAYS (WHERE APPLICABLE):

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Six Paid Holidays; A through F
b. Employer contributes 4% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.
c. Nine paid Holidays; A through F plus Washington's Birthday & Good Friday & Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular sheduled work days immediately preceding and following the holiday.
d. Per Week; Per Employee.

DECISION NO. IL76-2019

ILL-101-LAB-1-2-3

LABORERS: REMAINDER OF COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I	$ 8.05	.35	.35		.035
CLASS II	8.25	.35	.35		.035
CLASS III	8.35	.35	.35		.035

LABORERS:

CLASS I Common Laborers, Carpenter Tenders, Tool Cribmen, Fireman or Salamander Tenders, Flagmen, Gravel Box Men, Dumpmen & Spotters, Form Handlers, Material Handlers, Fencing Laborers, Cleaning Lumber, Pit men, Material Checkers, Dispatchers, Landscapers, Unloading Explosives, Laying of Sod, Planting of Trees, Removal of Trees, Asphalt Plant Laborers, Wrecking Laborers, Writer of Scale Tickets, Fire Shop Laborers, Fireproofing Laborers, Janitors, Driving of Stakes, Stringlines for all machinery, Rod & Chainmen with Techinical Engineers, with Land Surveyors, Asphalt Workers with Machine & Layers, Grade Checker, Singal Man on Crane, Coring Machine Operator, Concrete Workers (Wet), On Concrete Paving, Placing,Cutting and Tying or Reinforcing Steel Form Setters-Street & Highway

CLASS II Scaffold Workers, Handling of materials treated with any foreign matter harmful to skil or lcothing, Bulk Cement Handlers, Unloading of Rebars, Tunnel Helpers in Free Air, Batch Dumpers, Mason Tenders, Kettle and Tar Men, Tank Cleaners, Plastic Installers, Motorized Buggies or Motorized Unit used for wet concrete or handling of Building Materials, Vibrator Operators, Mortar Mixer Operators, Cement Silica, Clay Fly Ash, Line & Plasters, Handlers (Bulk or Bag) Deck Hand, Dredge Hand & Shore Laborers, Bankmen on Floating Plant, Power Tools, Material Selector (Firebrick or Castable Material) Chain saw Operators, Air Tamping Hammerman, Concrete Saw Operator, Front End Man on Chip Spreader, Luteman, Asphalt Raker

CLASS III Jackhammer and Drill Operators, Laborers with De-Watering Systems, Bottom Sewer Workers Plus Depth, Cofferdam Workers plus depth, Caisson Workers pu plus depth, Gunnite Nozzle Men, Leadman on Sewer Work, Welders, Cutters, Burners and Torchmen, Layout Man and/or Tile Layer, Screenman on Asphalt Pavers, Laborers Tending Masons with Hot Material, Multiple Concrete Duct-Leadman, Curb Asphalt Machine Operator, Ready-Mix Scalemen, Permanant, Portable or Temporary Plant, Laser Beam Operator, Concrete Burning Machine Operator, Underpinning and Shoring of Building, Pump Men

DECISION NO. IL76-2019

ILL-12-PEO-1

POWER EQUIPMENT OPERATORS: BOONE, CARROLL, DEKALB, JODAVIESS, LEE, OGLE, STEPHENSON, WINNEBAGO & EASTERN ½ OF WHITESIDE COUNTY	Basic Hourly r	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I	$10.55	.65	.85	.40	.05
CLASS II	9.25	.65	.85	.40	.05
CLASS III	8.10	.65	.85	.40	.05
CLASS IV	6.85	.65	.85	.40	.05

POWER EQUIPMENT OPERATORS:

CLASS I: Asphalt plant, asphalt spreader, auto-grad, batch plant, Benoto (requires two engineers), boiler & throttle valve, caisson rigs, central redi-mix plant, combination backhoe front end-loader machine, compressor & throttle valve, concrete breaker (truck mounted), conveyor, concrete paver, concrete placer, concrete tower, cranes (all), derricks (all), grader, elevating, grouting machines, highlift shovels or front endloader 2¼ yd. & over, hoists, one, two & three drum, hoists, two & three, drum, hoists, two tugger one floor, hydraulic boom trucks, locomotives (all), mechanic, motor patrol, pile drivers & skid rig, post-hole digger, pre-stress machine, pump cretes dual ram (requiring frequent lubrication & water), pumpcretes, squeeze cretes - screw types pumps, Gysum bulker & pump, rock drill (self-propelled), rock drill (truck mounted), scoopes - tractor drawn, slip form paver, straddle buggies, tournapull, tractor with boom & side boom, trenching machines

CLASS II: Boilers, bulldozers, broom all power propelled, concrete mixer (2 bag & over), conveyor portable, forklift truck greaser engineer, highlift shovels or front endloaders under 2¼ yd., hoists, automatic, hoists, all elevators, hoists, tugger single drum, rollers, all, steam generators, stone crushers, tractors, all, winch trucks with "A" frame

CLASS III: Air compressor - small 150 & under (1) to 5 not to exceed a total of 300 ft.), Air compressor - large over 150, combination - small equipment opr., generators under & over 50 KW, heaters, mechanical, pumps, over 3" (1 to 3 not to exceed a total of 300 ft.), pumps, well points, welding machines (2 through 5), winches, 4 small electric drill winches

CLASS IV: Oilers

DECISION NO. IL76-2019

ILL-15-PEO-1-2-3

POWER EQUIPMENT OPERATORS: WESTERN ½ OF WHITESIDE COUNTY	Basic Hourly Rate	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class 1	$9.45	.40	.50		.08
Class 2	9.45	.40	.50		.08
Class 3	9.45	.40	.50		.08
Class 4	8.05	.40	.50		.08
Class 5	8.50	.40	.50		.08
Class 6	7.00	.40	.50		.08

POWER EQUIPMENT OPERATORS:

Class 1: All hoists or steel erecting equipment used to hoist or erect iin conjunction with the crew of a specialty trade

Class 2: Craned, shovel, clamshell, dragline, backhoe, derrick, tower crane, cableway, concrete spreader (servicing two pavers), asphalt spreader, asphalt mixer plant engineer, dipper operator, dipper dredge craneman, dual purpose truck (boom or winch), leverman or engineman (hydraulic dredge), mechanic, paving mixer with tower attached (two operators required), pile driver, boom tractor, stationary, portable or floating mixing plant, trenching machine, cleaning and priming machine, endloader (one half cubic yard or over, on basement excavation work), backfiller (throw bucket), locomotive engineer, Qualified welder, tow or push boat concrete paver, seaman trav-L-plant of similar machines, CMI autograder or similar machines, slip form paver, caisson augering machine, mucking machine, asphalt heater-planer unit hydraulic cranes

Class 3: Athey, Barber-Green, euclid or hasis loader, asphalt pug mill, fireman and drier, concrete pump, concrete spreader (servicing one paver), bulldozer, endloader (other than mentioned above), forklift, elevating grader, group equipment greaser, letourneapull and similar machines, DW-10, straddle carrier, hyster winch and similar machines, motor patrol, power blade push cat, tractor pulling elevating grader or power blade, tractor operating scoop or scraper, tractor with power attachment, roller on asphalt or blacktop, single drum hoist, Jaeger mix and place machine, pipe bending machine, welding machines (3 or 4), fuller kenyon cement pump or similar machines, automatic cement and gravel batch plants (one stop set-up), Seaman pulvimixer or similar machines, propelled sheep foot roller or compactor (used in conjunction with a grading spreader), mud jack, underground boring machine (over 8"), apsco spreader or similar machine

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POWER EQUIPMENT OPERATORS: (CONT'D)

Class 4: Asphalt booster, fireman and pump operator at asphalt plant, compressor (500 cu. ft. and over), concrete finishing machine, form grader with roller on earth, mixers (3 bag to 16E), power operated bull float, tractor without power attachment, Dope pot (agitating motor), Dope chop machine, distributor (back end), Flexaplane or similar machines, portable machine fireman, Hydrohammer, power winch on paving work, self-propelled roller or compactor (other than provided for above), pump operator crusher operator, trench machine (20 H.P. and under), power sub grader (on forms), or similar machines, asphalt spreader screed operator, conveyor.

Class 5: Oiler, mechanic's helper, water pump (pumping water to paver), mechanical heater (other than steam boiler) belt machine, small outboard motor boat

Class 6: Air compressor (275 c.f.m. or over) driver on truck crane or similar machines, light plant, mixers (1 or 2 bags), power batching machine (cement auger or conveyor), boiler (engineer or fireman, water pumps, welding machine, mechanical broom, automatic cement and gravel batch plants (two or three stop set-up), small backhoes or endloaders) self-propelled curing machine

DECISION NO. IL76-2019

TRUCK DRIVERS: JODAVIESS (W. OF RT. #78 INCL. CITY OF STOCKTON) CO: & THE REMAINDER OF CARROLL, WHITESIDE, OGLE & LEE COUNTIES

ILL-82-TD-1-2-3

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$8.85	.50	a14.00		
GROUP II	9.25	.50	a14.00		
GROUP III	9.45	.50	a14.00		

TRUCK DRIVERS

GROUP I:

Drivers on 2 axle trucks hauling less than 9 tons, air compressor and welding machine including those pulled by separate units, truck driver helpers, warehouseman, mechanic helpers, greasers & tiremen, pick-up trucks when hauling materials, tools, or men to and from and on the jobs site; Fork lifts up to 6,000 lbs., capacity.

GROUP II:

2 or 3 exle trucks hauling more than 9 ton, but hauling less than 16 tons; A-frame winch trucks, hydrolifts trucks, or similar equipment when used for tranportation purposes; Fork lifts over 6,000 lb. capacity; winch trucks; 4-axle combination units; ticket writers

GROUP III:

2-3 or 4 axle trucks hauling 16 ton or more, drivers on oil distributors, water pulls, mechanics & working foreman; 5-axle or more combination units; dispatchers.

FOOTNOTES:

a.-Per Week Per Employee.

STATE: Illinois
DECISION NO: IL76-2020
COUNTIES: See Below
DATE: Date of Publication
Supersedes Decision No. IL75-2078, dated May 30, 1975, in 40 FR 23637
DESCRIPTION OF WORK: Heavy and Highway Construction

ILL-HH-1

COUNTIES: Boone, DeKalb, DuPage, Kane, Kendall, Lake McHenry & Will	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS & PILEDRIVERMEN:					
Boone & DeKalb Counties	$10.01	.45	.25		
DuPage & Lake Counties	10.15	.65	.83		.06
Kane, Kendall & McHenry Counties	10.28	.45	.68		
Will County	10.33	.55	.75		
CEMENT MASONS:					
Boone County	7.25	.25	.45		
DeKalb County	10.85	.30			
DuPage County	9.85	.50	.55		.05
Kane, Kendall & McHenry Counties	10.50	.45	.77		
Lake County	10.17	.65	.90		.03
Will County	10.22	.50	1.00		.05
ELECTRICIANS:					
Boone & DeKalb Counties	10.40	.40	1%+.20		½%
DuPage County	11.00	3%	7%	8%	½ of 1%
Kendall County; Twps. of Aurora, Sugar Grove, Big Rock, Kaneville, Blackberry, Batavia, Geneva & the City of St. Charles in Kane Co; Sandwich Township in DeKalb Co.	11.82	5%	4%		.5 of 1%
McHenry County; Kane Co: (that portion North of St. Charles, Geneva & Blackberry Townships) excluding St. Charles School for Boys; Townships of Hamshire, Rutland, Dundee, Burlington, Plato, Elgin, Virgil & Compton	11.64	5%	7%		.5 of 1%
Lake County	11.39	.50	1%+.30		.1%
Will County	11.87	.50	1%+.40		.2%
IRONWORKERS:					
Boone Co; DeKalb Co.,(excluding S.E. 2/3 incl. Sycamore & DeKalb) & the NW ½ of McHenry County	11.20	.50	.375		.05
Kane Co; DeKalb Co.,(SE 2/3 incl. Sycamore & DeKalb), DuPage Co. (excl. Argonne & Vic.)the No.½ of Kendall Co; & the SE ½ of McHenry County	11.59	.50	.525		.045
Lake Co; Hebron & Woodstock & E. thereof in McHenry County	10.75	.94	.98		.08
Will Co; Argonne & Vic. in DuPage Co; & So. ½ of Kendall County	9.85	2.50	.325		

DECISION NO. IL76-2020

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS:					
DeKalb County:					
Common, Landscaping & Carpenter Tenders	$8.05	.35	.35		.035
Mortar Mixers, Mason & Plasterer Tenders, Vibrator Operator	8.25	.35	.35		.035
Bottom Sewer Workers, Jackhammer Opr., Cofferdam, Caisson Workers, Gunnite Nozzleman	8.35	.35	.35		.035
LINEMEN:					
Boone Co; & Remainder of DeKalb County:					
Linemen & Digger Operator	10.21	.35	1%		.25%
Groundman Equip. & Tractor Opr.	8.70	.35	1%		.25%
Groundman	6.94	.35	1%		.25%
DuPage County:					
Linemen & Digger Operator	9.25	.35	1%		.25%
Groundman Equip. & Tractor Opr.	6.28	.35	1%		.25%
Groundman	6.06	.35	1%		.25%
McHenry Co; No. ½ of Kane Co., (Excluding St. Charles Township & School for Boys):					
Linemen & Digger Operator	9.25	.35	1%		.25%
Groundman Equip. & Tractor Opr.	6.28	.35	1%		.25%
Groundman	6.06	.35	1%		.25%
Kendall Co; Sandwich Township in DeKalb Co; Townships of Aurora, Sugar Grove, Big Rock, Kaneville, Blackberry, Batavia & Geneva in Kane County:					
Linemen & Digger Operator	9.25	.35	1%		.25%
Groundman Equip. & Tractor Opr.	6.28	.35	1%		.25%
Groundman	6.06	.35	1%		.25%
Lake County:					
Linemen & Digger Operator	9.25	.35	1%		.25%
Groundman Equip. & Tractor Opr.	6.28	.35	1%		.25%
Groundman	6.06	.35	1%		.25%
Will County:					
Linemen & Equipment Operator	11.87	.50	1%+.40		½%
Cable Splicer	12.18	.50	1%+.40		½%
Groundman	10.87	.50	1%+.40		½%

DECISION NO. IL76-2020

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
Kane, Kendall, DeKalb, DuPage & McHenry Counties:					
Brush	$8.545	.50	.60		.04
Spray	8.945	.50	.60		.04
Lake County:					
Brush	8.80	.575	.30		.013
Boone County:					
Brush & Roller	7.80	.30			
Spray	8.70	.30			
Will County:					
Brush	9.20	.42	.35		.03
Bridges:					
Butt Plates & Handrails	9.70	.42	.35		.03
W/Superstructures	10.20	.42	.35		.03
WO/Superstructures	9.70	.42	.35		.03
TRUCK DRIVERS:					
Boone County:					
2-3 Axle Trucks	8.25	.30	.50		
4-Axle Trucks	8.40	.30	.50		
5-Axle Trucks	8.60				
6-Axle Trucks	8.80				
Remainder of District #1:					
2-3 Axle Trucks	8.30	a20.00	a24.00		
4-Axle Trucks	8.45	a20.00	a24.00		
5-Axle Trucks	8.65	a20.00	a24.00		
6-Axle Trucks	8.85	a20.00	a24.00		
WELL DRILLERS:					
Driller, Pump Installer, Welder & Mechanic	8.75	.50	.50	b	
Tool Dresser, Helper	8.10	.50	.50	b	

FOOTNOTES:
a.-Per Week Per Employee
b.-Six (6) Paid Holidays: New Years Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day & Christmas Day

DECISION NO. IL76-2020

ILL-9-LAB-1-2-3

LABORERS:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Common Laborers; Plasterers Laborers; Pumps for Dewatering & other Unclassified Laborers	$ 7.20	.57	1.10		
Cement Gun Laborers	7.275	.57	1.10		
Scaffold Laborers & Chimney Laborers over 40'	7.30	.57	1.10		
Windlass & Cement Gun Nozzle Laborers - Gunnite	7.35	.57	1.10		
Stone Handlers & Derrickmen	7.40	.57	1.10		
Jackhammermen	7.425	.57	1.10		
Concrete Vibrator; Plumbers Laborer & Chain Saw Operator	7.45	.57	1.10		
Firebrick & Boiler Setters' Laborers	7.525	.57	1.10		
Chimney Laborers on Firebrick; Caisson Diggers & Well Point System Men	7.55	.57	1.10		
Jackhammermen on Firebrick Only	7.775	.57	1.10		

DECISION NO. IL76-2020

ILL-10-PEO-2-3

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I	$ 10.20	.65	.85	.40	.05
CLASS II	9.65	.65	.85	.40	.05
CLASS III	8.90	.65	.85	.40	.05
CLASS IV	7.80	.65	.85	.40	.05
CLASS V	6.80	.65	.85	.40	.05

POWER EQUIPMENT OPERATORS:

CLASS I Asphalt plant, asphalt heater & planer combination, asphalt spreader, autograde, belt loader, caisson rigs, central redimix plant, concrete breaker (truck mounted), concrete conveyor, concrete paver over 27E cu. ft., concrete placer, concrete tube float, cranes, all attachments, cranes, Linden, Peco & machines of a like nature, derricks, traveling, dredges, euclid loader, elevating type, gradall, & machines of a like nature, derricks, all, derrick boats, derricks, travelling, dredges, euclid loader, elevating type, gradall, and machines of a like nature, grader, elevating hoists, 1,2 & 3 drum, locomotives, all, mucking machine, 1 cu. yd. & over, mucking machine, under 1 cu. yd., piledrivers & skid rig, pre-stress machine, pump cretes dual ram (requiring frequent lubrication & water), rock drill crane type, slip form paver, straddle buggies, tractor w/boom, tractaire w/ attachments, trenching machine, underground boring &/or mining machine under 5 ft., wheel exactor widener (Apsco)

CLASS II Mechanic-welder, batch plant, bituminous mixer, bulldozer, combination backhoe front endloader machine, concrete breaker or hydro-hammer, concrete grinding machine, concrete mixer or paver 7S Series to & including 27 cu. ft., concrete spreader, concrete curing machine, burlap machine, belting machine & sealing machine, finishing machine, concrete grader, motor patrol auto patrol, form grader, pull grader, subgrader, highlift shovels or front endloader, hydraulic boom trucks (all attachments), locomotives, dinky, pump cretes; Squeeze cretes; screw type pumps Gypsum bulker & pump, rock drill (self-propelled), roto-tiller, seaman, etc. self-propelled scoops; tractor drawn, self-propelled compactor, spreader, chipstone, etc., scraper, tank car heater, tractor, push, pulling sheeps foot, disc., compactor, etc. tug boats

DECISION NO. IL76-2020

POWER EQUIPMENT OPERATORS (CONT'D)

CLASS III Boilers, boiler & throttle valve, brooms, all power propelled, cement supply tendor, compressor & throttle valve, concrete mixer (2 bags & over) conveyor, portable, fireman on boiler, forklift trucks, greaser engineer, grouting machine hoists, automatic, hoists, all elevators, hoists, tugger, single drum, jeep diggers, pipe power saw, concrete, power-driven, pug mills, rollers, all, steam generators, stone crushers, stump machine, winch trucks with "A" frame, work boats, tamper, form motor driven

CLASS IV Air Compressors, all, generators, heaters, mechanical, light plants, all (1 through 5), pumps, all, pump well points, tractaire, welding machines (2 through 6)

CLASS V Oilers

STATE: Illinois COUNTIES: See Below
DECISION NO. IL76-2021 DATE: Date of Publication
Supersedes Decision No. IL75-2079, dated June 13, 1975 in 40 FR 25382
DESCRIPTION OF WORK: Heavy and Highway Construction

COUNTIES: Bureau, Carroll, Henry, Lee, JoDaviess, Ogle, Rock Island, Stephenson, Whiteside & Winnebago

ILL-HHI-2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS & PILEDRIVERMEN:					
Bureau County	$ 9.93	.45	.35		.03
Carroll, Stephenson & JoDaviess Counties	9.685	.30	.35		
Lee County	9.885	.45			
Whiteside County	9.635	.35	.35		
Rock Island & Henry Cos; Oregon & South thereof in Ogle County	9.485	.35	.50		
Winnebago County; North of Oregon in Ogle County	9.635	.25	.45		
CEMENT MASONS:					
Bureau County	9.60		.70		
Carroll, JoDaviess, Lee Ogle & Stephenson Cosl Whiteside Co. excluding Erie & SW thereof	9.10	.30	.50		
Rock Island County; Western ½ of Henry County & Erie & SW thereof in Whiteside County	8.77	.40	.60		
Easton ½ of Henry County	9.40		.20		
Winnebago County	7.25	.25	.45		
ELECTRICIANS:					
Winnebago, Ogle, Lee & Stephenson Cos; Twps. of Warren, Rush Nora, Stockton, Wards Grove, Pleasant Valley & Berrenman in JoDaviess County; Twps. of Cherry Grove, Shannon, Rock Creek, Lima, Wysox & Elkhorn Grove in Carroll Co., Twps. of Genesee, Jordan, Hopkins, Sterling. Hune, Montgomery, Tampico & Hahnaman in Whiteside Co.	10.40	.40	1%+.20		2%
Remainder of JoDaviess County	8.37	.30	1%		1%
Bureau County; Twps. of Walnut, Ohio, Lamoille, Clarion, Bureau, Dover, Berlin & Westfield	11.87	.50	1%+.40		.2%
Henry County; Twps of Annawan, Burns, Cambridge, Galva, Kawanee, Weller & Whethersfield Bureau Co., Twps. of Arispe, Concord, Fairfield, Gold, Greenville, Hall, Indianatown, Leepertown, Macon, Manilus, Mil					

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS (CONT'D)					
Mineral, Neponset, Princeton, Selby, Wheatland & Wyanet	$10.25	.40	1%+.30		.25%
Rock Island & Whiteside Cos; Cities of Chadwick, Nt. Carroll, Savanna & Thompson in Carroll Co., Savanna Ord. Plant in JoDaviess Co., & Remainder of Henry County	10.30	.45	5.5%		.03
IRONWORKERS:					
Bureau County	10.84	.50	.375		.02
Henry & Rock Island Cos; Thompson & Savanna & Vicinity in Carroll County; E. Dubuque Galena & Hanover & Vicinities in JoDaviess County, & the Western ½ of Whiteside County	10.50	.50	.375		.07
Lee, Ogle, Stephenson & Winnebago Counties; Eastern ½ of Whiteside Co., & Remainder of Carroll and JoDaviess Counties	11.20	.50	.375		.05
LABORERS:					
Henry County:					
Unskilled	7.98	.35	.30		.035
Semi-Skilled	8.18	.35	.30		.035
Skilled	8.38	.35	.30		.035
LINEMEN:					
Bureau Co; Portion S. of Alba, Cambridge & Cornwall Twps. in Henry County:					
Linemen	9.66	.35	1%		.25%
Groundman Equip. Opr.-Class 1	9.01	.35	1%		.25%
Groundman Truck Driver:					
W/Winch	6.74	.35	1%		.25%
WO/Winch	6.42	.35	1%		.25%
Grcundman Class "A"	6.13	.35	1%		.25%
Winnebago, Stephenson, Ogle & Lee Counties; Portion of Co. east of Derinda, Elizabeth, Guilford & Seals Mound Twps. in JoDaviess Co., Portion east of Clyde, Lyon, Mt. Pleasant & Prophetstown, Twps. in Whiteside Co;, Fairhaven,					

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINEMEN (CONT'D)					
Freedom & Salem Twps. in Carrol Co.:					
Linemen & Digger Operator	$10.21	.35	1%		.25%
Groundman Equip. & Tractor Opr.	8.70	.35	1%		.25%
Groundman	6.94	.35	1%		.25%
Rock Island County & Remainder of Henry, JoDaviess, Whiteside & Carroll Counties:					
Linemen & Technicians	8.50	.35	1%		½of1%
Cable Splicers	8.56	.35	1%		½of1%
Dynamiter	7.26	.35	1%		½of1%
Groundman Truck Driver:					
W/Winch	6.10	.35	1%		½of1%
WO/Winch	5.90	.35	1%		½of1%
Groundman:					
Over 6 months	5.90	.25	1%		½of1%
Less than 6 months	4.51	.35	1%		½of1%
PAINTERS:					
Winnebago & Stephenson Counties:					
Brush & Roller	7.80	.30			
Spray	8.70	.30			
Rock Island, Bureau, JoDaviess & Henry Counties:					
Brush & Roller	8.22	.45	.40		.09
Structural Steel & Spray	8.47	.45	.40		.09
Bridges	9.22	.45	.40		.09
Lee, Carroll, Ogle & Whiteside Counties:					
Brush	6.95				
Structural Steel & Spray	7.30				
TRUCK DRIVERS:					
Stephenson & Winnebago Cos., Jo-Daviess Co. (W. of Rt. #28) & Carroll Co., (S. of Rt. #72 & W. of Rt. #78):					
2-3 Axle Trucks	8.25	.30	.50		
4-Axle Trucks	8.40	.30	.50		
5-Axle Trucks	8.60	.30	.50		
6-Axle Trucks	8.80	.30	.50		

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS (CONT'D)					
Lee County; Ogle County, (east of Rt. #51)					
2-3 Axle Trucks	8.30	a20.00	a24.00		
4-Axle Trucks	8.45	a20.00	a24.00		
5-Axle Trucks	8.65	a20.00	a24.00		
6-Axle Trucks	8.85	a20.00	a24.00		

FOOTNOTE: a. Per Week Per Employee

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ILL-50-LAB-1-2-3

LABORERS: BUREAU COUNTY	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
UNSKILLED	$ 8.07	.35	.30		.035
SEMI-SKILLED	8.27	.35	.30		.035
SKILLED	8.47	.35	.30		.035

LABORERS:

UNSKILLED: Common Laborer; Carpenter tenders; tool cribmen; firemen or salamander tenders; flagmen, gravel box men; dumpmen & spotters; form handlers; material handlers; fencing laborers; cleaning lumber; pit men; material checkers; dispatchers; landscapers; unloading explosives; laying of sod; planting of trees; asphalt plant laborers; wrecking laborers; writer of scale tickets; fire shop laborers; fireproofing laborers; janitors; wrecking-dismantiling buildings; wallmen & housemovers; driving of stakes; stringlines for all machinery

SEMI-SKILLED: Handling of materials treated with oil, creosote, asphalt or any other foreign material, track laborers; cement handlers; chloride handlers; the unloading and laborers w/steel workers & rebars; concrete workers (wet); tunnel halpers in free air; batch dumpers; mason & plasterer tenders & material wheelers; kettlemen & tarmen; tank cleaners; plastic installers; scaffold workers; motorized buggies or motorized units used for wet concrete or handling of building materials; laborers w/dewatering systems; all sewer workers plus depth; rod & chairmen with land surveyors; vibrator operators; mortar mixer operator; cement silica, clay, fly ash, lime & plasters; handlers (bulk or bag); cofferdam workers plus depth; (on concrete paving) placing, cutting & trying or reinforcing; deck hand; dredge hand & shore laborers; bankmen on floating plant; asphalt workers w/ machine; asphalt raker; grade checker

SKILLED: Dynamite man or blasters; caisson workers plus depth; gunnite nozzle men; leadman on sewer work; welders; cutters; burners; torchmen; Chain saw operator; jackhammer & drill operators; layout man; steel form setters (street & highway); air tamping hammerman; signal man on crane, concrete saw operator; screenman on asphalt pavers; laborers tending masons w/hot materials are used; multiple concrete duct-leadman; lutemen; curb asphalt machine operator; ready-mex scalemen; portable or temporary plant; laborers handling masterplate or similar materials; laser beam operator; coring machine operator

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ILL-81-LAB-1-2-3

LABORERS: ROCK ISLAND COUNTY	Basic Hourly Rat	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
UNSKILLED	$7.82	.40	.50		.035
SEMI-SKILLED	8.07	.40	.50		.035
SKILLED	8.32	.40	.50		.035

LABORERS:

UNSKILLED Common Laborer; Carpenter Tender; Rod & Chain Man; Flagman; Gravel Box Men; Dumpmen & Spotters; Form Handlers; Material Handlers; Fencing Laborers; Cleaning Lumber; Material Checkers; Dispatchers; Landscapers; Unloading Explosives; Laying of Sod; Planting of Trees, Removal of Trees, Asphalt Plant Laborers; Wrecking Laborers; Writers of Scale Ticket, Scaleman (Permanent-Portable or Temporary Plant); Deck Hand

SEMI-SKILLED Laying & Jointing of Telephone Conduit; Darco & Jackhammer Operator; Operator on Power Tools used under the jurisdiction of Laborers; Cement Jumper; Puddler; Form setter Helper; Power & Hand Saw (when clearing timber); Center Strip; Reinforcing in Concrete ; Wire Mesh; Concrete Saw; Mortar Mixer; Prime Mover or any mechanical devise taking the place of concrete buggy or wheelbarrow; Sand Point Setter; Asphalt Kettleman; Mastic Asphalt Mixerman or other preparations used on joints; Sheeting hammer Drivers (2-Men) Backup Man or Joint Man with Pipelayer; Laborer in ditch or tunnel on sewer and water main & telephone conduit Gas Distribution Men; Pipe Setter on Laterals, Drain Tiles, Culvert Pipe, & Storm Sewer Connections to Catch Basins, Manholes or Maine Line; Handling of Materials treated with oil, creosote, asphalt and/or any foreign material harmfull to skin or clothing Chloride Handlers; the Unloading & Laborers w/steel Workers and Re-Bars; Tunnel Helpers in Free Air; Batch Dumpers; Tank Cleaners; Cofferdam Workers; Bankmen on Floating Plant

SKILLED String or Wireline (1 man); Head Form Setter; Dynamite Man; Asphalt Raker; Tunnel Miner; Pipelayer on Sewer & Water Main; Gunnite Nozzle Man; Welders; Cutters; Burners and Torchman; Screedman on Asphalt Pavers; Luteman; Curb Asphalt Machine Operator; Laser Beam Operator; Concrete Burning Machine Operator; Coring Machine Operator; Head Grade Man

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ILL-101-LAB-1-2-3

LABORERS: REMAINDER OF COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I	$ 8.05	.35	.35		.035
CLASS II	8.25	.35	.35		.035
CLASS III	8.35	.35	.35		.035

LABORERS:

CLASS I Common Laborers, Carpenter Tenders, Tool Cribmen, Fireman or Salamander Tenders, Flagmen, Gravel Box Men, Dumpmen & Spotters, Form Handlers, Material Handlers, Fencing Laborers, Cleaning Lumber, Pit men, Material Checkers, Dispatchers, Landscapers, Unloading Explosives, Laying of Sod, Planting of Trees, Removal of Trees, Asphalt Plant Laborers, Wrecking Laborers, Writer of Scale Tickets, Fire Shop Laborers, Fireproofing Laborers, Janitors, Driving of Stakes, Stringlines for all machinery, Rod & Chainmen with Techinical Engineers, with Land Surveyors, Asphalt Workers with Machine & Layers, Grade Checker, Singal Man on Crane, Coring Machine Operator, Concrete Workers (Wet), On Concrete Paving, Placing,Cutting and Tying or Reinforcing Steel Form Setters-Street & Highway

CLASS II Scaffold Workers, Handling of materials treated with any foreign matter harmful to skil or loothing, Bulk Cement Handlers, Unloading of Re-bars, Tunnel Helpers in Free Air, Batch Dumpers, Mason Tenders, Kettle and Tar Men, Tank Cleaners, Plastic Installers, Motorized Buggies or Motorized Unit used for wet concrete or handling of Building Materials, Vibrator Operators, Mortar Mixer Operators, Cement Silica, Clay Fly Ash, Line & Plasters, Handlers (Bulk or Bag) Deck Hand, Dredge Hand & Shore Laborers, Bankmen on Floating Plant, Power Tools, Material Selector (Firebrick or Castable Material) Chain saw Operators, Air Tamping Hammermen, Concrete Saw Operator, Front End Man on Chip Spreader, Luteman, Asphalt Raker

CLASS III Jackhammer and Drill Operators, Laborers with De-Watering Systems, Bottom Sewer Workers Plus Depth, Cofferdam Workers plus depth, Caisson Workers pu plus depth, Gunnite Nozzle Men, Leadman on Sewer Work, Welders, Cutters, Burners and Torchmen, Layout Man and/or Tile Layer, Sreenman on Asphalt Pavers, Laborers Tending Masons with Hot Material, Multiple Concrete Duct-Leadman, Curb Asphalt Machine Operator, Ready-Mix Scalemen, Permanant, Portable or Temporary Plant, Laser Beam Operator, Concrete Burning Machine Operator, Underpinning and Shoring of Building, Pump Men

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ILL-15-PEO-1-2-3

POWER EQUIPMENT OPERATORS: ROCK ISLAND & THE WESTERN ½ OF HENRY CO.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class 1	$9.[illegible]	.40	.50		.08
Class 2	9.45	.40	.50		.08
Class 3	9.45	.40	.50		.08
Class 4	8.05	.40	.50		.08
Class 5	8.50	.40	.50		.08
Class 6	7.00	.40	.50		.08

POWER EQUIPMENT OPERATORS:

Class 1: All hoists or steel erecting equipment used to hoist or erect iin conjunction with the crew of a specialty trade

Class 2: Craned, shovel, clamshell, dragline, backhoe, derrick, tower crane, cableway, concrete spreader (servicing two pavers), asphalt spreader, asphalt mixer plant engineer, dipper operator, dipper dredge craneman, dual purpose truck (boom or winch), leverman or engineman (hydraulic dredge), mechanic, paving mixer with tower attached (two operators required), pile driver, boom tractor, stationary, portable or floating mixing plant, trenching machine, cleaning and priming machine, endloader (one half cubic yard or over, on basement excavation work), backfiller (throw bucket), locomotive engineer, Qualified welder, tow or push boat concrete paver, seaman trav-L-plant or similar machines, CMI autograder or similar machines, slip form paver, caisson augering machine, mucking machine, asphalt heater-planer unit hydraulic cranes

Class 3: Athey, Barber-Green, euclid or hasis loader, asphalt pug mill, fireman and drier, concrete pump, concrete spreader (servicing one paver), bulldozer, endloader (other than mentioned above), forklift, elevating grader, group equipment greaser, letourneapull and similar machines, DW-10, straddle carrier, hyster winch and similar machines, motor patrol, power blade push cat, tractor pulling elevating grader or power blade, tractor operating scoop or scraper, tractor with power attachment, roller on asphalt or blacktop, single drum hoist, Jaeger mix and place machine, pipe bending machine, welding machines (3 or 4), fuller kenyon cement pump or similar machines, automatic cement and gravel batch plants (one stop set-up), Seaman pulvimixer or similar machines, propelled sheep foot roller or compactor (used in conjunction with a grading spreader), mud jack, underground boring machine (over 8"), apsco spreader or similar machine

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POWER EQUIPMENT OPERATORS: (CONT'D)
ROCK ISLAND & THE WESTERN ½ OF HENRY CO.

Class 4: Asphalt booster, fireman and pump operator at asphalt plant, compressor (500 cu. ft. and over), concrete finishing machine, form grader with roller on earth, mixers (3 bag to 16E), power operated bull float, tractor without power attachment, Dope pot (agitating motor), Dope chop machine, distributor (back end), Flexaplane or similar machines, portable machine fireman, Hydrohammer, power winch on paving work, self-propelled roller or compactor (other than provided for above), pump operator crusher operator, trench machine (20 H.P. and under), power sub grader (on forms), or similar machines, asphalt spreader screed operator, conveyor.

Class 5: Oiler, mechanic's helper, water pump (pumping water to paver), mechanical heater (other than steam boiler) belt machine, small outboard motor boat

Class 6: Air compressor (275 c.f.m. or over) driver on truck crane or similar machines, light plant, mixers (1 or 2 bags), power batching machine (cement auger or conveyor), boiler (engineer or fireman, water pumps, welding machine, mechanical broom, automatic cement and gravel batch plants (two or three stop set-up), small backhoes or endloaders) self-propelled curing machine

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ILL-20-PEO-2-3

POWER EQUIPMENT OPERATORS: EASTERN ½ OF HENRY CO., & REMAINDER OF BUREAU CO.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$9.645	.45	.55		.05
Group 2	9.445	.45	.55		.05
Group 3	9.07	.45	.55		.05
Group 4	8.795	.45	.55		.05
Group 5	8.185	.45	.55		.05

POWER EQUIPMENT OPERATORS:

Group 1: Crane, hydro crane, shovels, crane type backfiller, tower cranes-mobile and crawler and stationary derricks and hoist (3-drum); Dragline, Dragline, Drott Yumbo and similar types considered as cranes, backhoe, derrick boats, pile driver and skid rigs, clam shells, locomotive cranes, road pavers - single drum, dual drum and tri batcher, motor patrols and power blades - Dumore, elevating similar types, mechanics central concrete mixing plant operator, blacktop plant operators and plant engineers, grad-all, caisson rigs - requires oiler, skimmerscoopkerbing scooper, dredges (all types) hop-toe-crane type (require oiler), Escalated rate on crane and derricks booms, $.01 per hour, per ft., over 80' including jib all cherry pickers, cherry pickers (over 15 tons require oiler), work boat, Ross carrier, helicopter, dozen and tournadozer

Group 2: Asphalt heater and planter combination (used to plant streets), trench machines, pump crete - belt crete - seqeeze crete - screw type pumps and gysum, bulker and pump, dinkeys, tournapulls-all, and similar types, multiple unit earth movers, $.25 per hour for each scoop over one scoops (all sizes), pushcats, endloaders (all types), side booms, P-H one-pass soil cement machines and similar types, wheel tractors (industrial or farm-type with dozer hoe - end loader or other attachments, backfillers, asphalt surfacing machines euclid loader, fork lifts, formless finishings, jeep w/ditching machine or other attachments, tuneluger, rock crusher, automatic cement and gravel batching mobile drills (soil testing) and similar types, pugmill with pump, flaherty spreader or similar types (require oiler), heavy equipment greaser (top greaser on spread), power launches, boring machine, C.M.I. and similar types (require oiler), all (1) and (2) drum hoists, dewatering system, straw blower, hydro-seeder, boring machine, hydro-boom, starting engineer on pipeline, F.W.D. and similar types

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POWER EQUIPMENT OPERATORS: (CONT'D)

EASTERN ½ OF HENRY CO., & REMAINDER OF BUREAU CO.

Group 3: Apsco spreader or similar types, tractors (track-type) without power units pulling rollers, rollers on asphalt - breck or macadam, concrete breakers, concrete spreaders, center stripper, cement finishing machines, vibro tampers (all similar types) self-propelled, mechanical bull floats, mixers over three bag to 27E, winch and boom trucks, tractor pulling power blade or elevating grader, Porter Rex rail, Clary screed, mule pulling rollers, pugmill without pump, Barber Greene or similar loaders, track-type tractors with power unit attached (minimum fireman, screed man on laydown machine, and spray machine on paving

Group 4: Power subgrader, oil distributor, straight tractor, tract-air (without attachments), curb machines, paver ditch machines, truck crane oiler, and truck type hoptoe oilers

Group 5: Herman Nelson Heater, Dravo, Warner, Silent glo and similar types, one engineer will operate 1-5 and after 5, two operators will be required, self-propelled concrete saws, assistant heavy equipment greaser crawler crane and skid oilers, rollers 5 ton and under on earth and gravel, form graders, pump (1) or (2), light plant (1) or (2), generator (1) or (2), conveyor (1) or (2), welding machine (1) or (2) mixer 3 bags and under, and bulk cement plant

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ILL-10-PEO-2-3

POWER EQUIPMENT OPERATORS: REMAINDER OF COUNTIES

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I	$ 10.20	.65	.85	.40	.05
CLASS II	9.65	.65	.85	.40	.05
CLASS III	8.90	.65	.85	.40	.05
CLASS IV	7.80	.65	.85	.40	.05
CLASS V	6.80	.65	.85	.40	.05

POWER EQUIPMENT OPERATORS:

CLASS I Asphalt plant, asphalt heater & planer combination, asphalt spreader, autograde, belt loader, caisson rigs, central redimix plant, concrete breaker (truck mounted), concrete conveyor, concrete paver over 27E cu. ft., concrete placer, concrete tube float, cranes, all attachments, cranes, Linden, Peco & machines of a like nature, derricks, traveling, dredges, euclid loader, elevating type, gradall, & machines of a like nature, derricks, all, derrick boats, derricks, travelling, dredges, euclid loader, elevating type, gradall, and machines of a like nature, grader, elevating hoists, 1,2 & 3 drum, locomotives, all, mucking machine, 1 cu. yd. & over, mucking machine, under 1 cu. yd., piledrivers & skid rig, pre-stress machine, pump cretes dual ram (requiring frequent lubrication & water), rock drill crane type, slip form paver, straddle buggies, tractor w/boom, tractaire w/ attachments, trenching machine, underground boring &/or mining machine under 5 ft., wheel exactor widener (Apsco)

CLASS II Mechanic-welder, batch plant, bituminous mixer, bulldozer, combination backhoe front endloader machine, concrete breaker or hydro-hammer, concrete grinding machine, concrete mixer or paver 7S Series to & including 27 cu. ft., concrete spreader, concrete curing machine, burlap machine, belting machine & sealing machine, finishing machine, concrete grader, motor patrol auto patrol, form grader, pull grader, subgrader, highlift shovels or front endloader, hydraulic boom trucks (all attachments), locomotives, dinky, pump cretes; Squeeze cretes; screw type pumps Gypsum bulker & pump, rock drill (self-propelled), roto-tiller, seaman, etc. self-propelled scoops; tractor drawn, self-propelled compactor, spreader, chipstone, etc., scraper, tank car heater, tractor, push, pulling sheeps foot, disc., compactor, etc. tug boats

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POWER EQUIPMENT OPERATORS (CONT'D) REMAINDER OF COUNTIES

CLASS III Boilers, boiler & throttle valve, brooms, all power propelled, cement supply tender, compressor & throttle valve, concrete mixer (2 bags & over) conveyor, portable, fireman on boiler, forklift trucks, greaser engineer, grouting machine hoists, automatic, hoists, all elevators, hoists, tugger, single drum, jeep diggers, pipe power saw, concrete, power-driven, pug mills, rollers, all, steam generators, stone crushers, stump machine, winch trucks with "A" frame, work boats, tamper, form motor driven

CLASS IV Air Compressors, all, generators, heaters, mechanical, light plants, all (1 through 5), pumps, all, pumps well points, tractaire, welding machines (2 through 6)

CLASS V Oilers

ILL-82-TD-1-2-3

TRUCK DRIVERS REMAINDER OF COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$8.85	.50	a14.00		
GROUP II	9.25	.50	a14.00		
GROUP III	9.45	.50	a14.00		

TRUCK DRIVERS

GROUP I:
Drivers on 2 axle trucks hauling less than 9 tons, air compressor and welding machine including those pulled by separate units, truck driver helpers, warehouseman, mechanic helpers, greasers & tiremen, pick-up trucks when hauling materials, tools, or men to and from and on the jobs site; Fork lifts up to 6,000 lbs., capacity.

GROUP II:
2 or 3 exle trucks hauling more than 9 ton, but hauling less than 16 tons; A-frame winch trucks, hydrolifts trucks, or similar equipment when used for transportation purposes; Fork lifts over 6,000 lb. capacity; winch trucks; 4-axle combination units; ticket writers

GROUP III:
2-3 or 4 axle trucks hauling 16 ton or more, drivers on oil distributors, water pulls, mechanics & working foreman; 5-axle or more combination units; dispatchers.

FOOTNOTES:
a.-Per Week Per Employee.

...RSEDEAS DECISION

STATE: Iowa COUNTY: Black Hawk (City of Waterloo and abutting municipalities)

DECISION NO.: IA76-4054 DATE: Date of Publication

Supersedes Decision No. IA75-4170, dated October 31, 1975, in 40 FR 50870

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.75	.30	.50		.10
BOILERMAKERS	9.45	.70	1.00		.02
BRICKLAYERS & STONEMASONS	9.17	.38	.50		
CARPENTERS:					
Carpenters; Piledrivermen	7.78	.38	.75		.02
Millwrights	8.18	.38	.75		.02
CEMENT MASONS	7.53	.38	.75		
ELECTRICIANS:					
Electricians	9.68	.30	1%		1%
Cable splicers	10.28	.30	1%		1%
ELEVATOR CONSTRUCTORS	8.74	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
IRONWORKERS	9.10				.02
LABORERS:					
GROUP 1 - Common laborers; Carpenters' helpers; Moving; Wrecking & demolition	6.60	.38	.10		
GROUP 2 - Mason tenders; Hod carriers; Machine and air tool operators	6.70	.38	.10		
GROUP 3 - Powderman	6.85	.38	.10		
LATHERS	7.24	.31			
LINE CONSTRUCTION:					
GROUP 1 - Cable splicers; Lineman; Welder; Technicians; All rigs setting assembled "H" fixtures and steel transmission structures	8.28	.35	1%		1/2%
GROUP 2 - Groundman; Truck driver (without winch); Experienced (not less than 6 months)	5.38	.35	1%		1/2%
GROUP 3 - Groundman; Truck driver (with winch)	5.55	.35	1%		1/2%
GROUP 4 - Blaster; Special equipment operations (hole digging machines, all tractions, transmission line pole hauling & setting equipment other than assembled "H" fixtures)	6.62	.35	1%		1/2%
GROUP 5 - Groundman-1st 6 mos.	4.55	.35	1%		1/2%

DECISION NO. IA76-4054

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
Brush, roller	$ 6.15		.20		.03
Tapers	6.25		.20		.03
Spray	6.65		.20		.03
PLASTERERS	8.68	.38			
PLUMBERS & STEAMFITTERS	9.79	.42	.55		.08
ROOFERS	8.00				
SHEET METAL WORKERS	8.41	.35	.20		
SOFT FLOOR LAYERS	7.78	.38	.75		.02
SPRINKLER FITTERS	10.40	.50	.80		.08
TILE SETTERS	7.01	.31		.25	
TRUCK DRIVERS:					
Up to 6 tons	5.14	.25	.30		
Helpers	4.97	.25	.30		
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

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 service as Vacation Pay Credit. Six Paid Holidays - A thru F

PAID HOLIDAYS

A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

DECISION NO. IA76-4054

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
GROUP 1	$ 8.95	.50	.50		.05
GROUP 2	8.83	.50	.50		.05
GROUP 3	8.035	.50	.50		.05
GROUP 4	7.73	.50	.50		.05

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Cranes, including those being used as backhoe, dragline, clamshell, etc.; Tower cranes; Truck cranes and cherry pickers 12½ ton & over rated capacity; Derricks; Piledrivers and extractors; Caisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3 drum hoist; Welders; Mechanics; Locomotive; Dredge (levermen)

GROUP 2 - 1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Economobiles; Plant mixers; Farm type tractors (with loaders, backhoes, attachments, etc.); Scrapers (tournapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Group No. 1; Motor patrol; Bulldozers; Push cat; Truck cranes and cherry pickers (under 12½ ton); Concrete mixers (1 yard and over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump; Dewatering pumps; Temporary hoist cage operated; Second man on locomotive; Vibrating concrete spreader (Gomaco, C-450 or equal)

GROUP 3 - Tractors (under 35 HP) with or without attachments; Endloaders (under 35 HP) with ot without attachments; Air Compressors (one or a combination of 250 cfm or more); Pumps 3" or over; Welding machines 600 amps or combination thereof; Conveyors; Firemen (Boiler); Generator (75 KW & over); Fork lifts (other than above Group No. 2); Gunnite machine; Self-propelled rollers; Stump chippers; Self-propelled tampers; Air and electric tuggers (other than above); Ditching machine under 8"

GROUP 4 - Oilers; Mechanical heaters; Truck crane drivers; Permanent elevators

DECISION NO. IA76-4054

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS & PILEDRIVERMEN	$ 7.75	.38			
CEMENT MASONS	6.86				
LABORERS:					
Group 1	6.60	.30	.10		
Group 2	6.35	.30	.10		
Group 3	6.10	.30	.10		
Group 4	5.95	.30	.10		
Group 5	5.85	.30	.10		

LABORERS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Sandblasters; Powderman and Blaster; Pipe layer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond and core drills, powered by air; All work performed by Laborers working from a bos'n chair, swinging stage, life belt, tag line or block and tackle; Drill operator of air tracs, wagon drills and similar drills

GROUP 2 - Tree climber; Form setters; Rakers; Boxtenders; Asphalt curb machines; Potmen, not mechanical; Bull float, hand operated; Scalers; Timbermen; Underpinning and shoring; Caissons over 12 ft.; Grade checker and cutting torches on demolition work

GROUP 3 - Power buggyman; Concrete and paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker and jointer and painter; Timber and chain saw man; Mechanical grouters; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or pre-stressed concrete on or off the job; Powderman helpers

GROUP 4 - Form tamper; Air, gas and electric tool operators, vibrators, barco hammer, paving breakers, spaders, tampers; electric drills, hammers, and jack hammers; Tree groundmen; Chuck tenders; Drill helpers, tool room men and checkers; Sand blaster helper; Concrete processing material and monitors; Cement finishers' helpers; Stringman on paving work

GROUP 5 - Fence erectors; Handling and placing of metal mesh, dowel bars, reinforcing bars and chairs; Dumpmen and spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching and planting of trees, shrubs and flowers; Water boy; Common laborers; Rodmen; Tending to carpenters; Hot asphalt labor

DECISION NO. IA76-4054

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
Group 1	$ 7.30	.40	.40		.03
Group 2	6.90	.40	.40		.03
Group 3	6.50	.40	.40		.03
TRUCK DRIVERS	6.34	.35			

POWER EQUIPMENT OPERATORS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Power Shovel, Crane, Backhoe and Dragline; Central Mix Plant Operator; Dredge Engineer; Dredge Leverman; Paver or Spreader Operator; Hoisting Engineer (Steel Erection); Motor Patrol; Piledriver Machine; Concrete Mixer; Tow or Push Boat Operator; Master Mechanic; C.M.I. Paver; C.M.I. Subgrader (or equivalent); Asphalt Plant; Front End Loader; Scraper; Bulldozer; Push Cat; Tractor Pulling Scraper; Sideboom Tractor; Churn or Rotary Drill; Trenching Machine (Cleveland 80 or similar capacity); Asphalt Laydown; Asphalt Screed; Asphalt Heater-Planer Unit; Asphalt Roller; Self-Propelled Elevating Grader or similar machine; Spreader (concrete); Horizontal Boring Machine; Mechanics-Welders; Group Equipment Greaser; Concrete Pump; Self-Propelled Curb Machine

GROUP 2 - Concrete Curb Breaker; Concrete Widening Machine; Paving Breaker; Barber-Greene, Haiss Loader or similar machine; Tractor Pulling Ripper, Disc, Sheepsfoot or Flat Roller; Self-Propelled Sheepsfoot Roller; Self-Propelled Roller (other than asphalt); Distributor; Screening and Washing Plant; Self-Propelled Vibrating Compactor; Trenching Machine (other than above); Steel Placing Machine; Conveyor; Finishing Machine (on concrete); Flexplane; Bullfloat; Form Grader

GROUP 3 - Boiler; Mechanical Broom; Oiler or Mechanics Helper or Group Greaser Helper; Farm-type Tractor (pulling disc, harrow or roller); Welding Machine; Pump Operator (other than dredge); Boom and Winch Truck; Compressor; Tank Car Heater (combination boiler and booster); Pumps on Well Points and Deep Wells for Dewatering; Truck Crane Combination Driver-Oiler; Concrete Curbing Machine; Safety Boat Operator; Batch Plant (Dry)

STATE: Iowa COUNTY: Cerro Gordo (City of Mason City)
DECISION NO.: IA76-4055 DATE: Date of Publication
Supersedes Decision No. IA75-4171, dated October 31, 1975, in 40 FR 50873
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.68	.58	.605		
BOILERMAKERS	9.45	.70	1.00		.02
BRICKLAYERS & STONEMASONS	8.17		.35		
CARPENTERS:					
Carpenters	7.29		.20		.01
Millwrights; Piledriverman	7.54		.20		.01
CEMENT MASONS	8.55				
ELECTRICIANS	9.65	.30	1%		1%
GLAZIERS	7.13	.45	.25		
IRONWORKERS	9.045	.30	.705		.02
LABORERS:					
GROUP 1 - Construction laborers; Tenders; Power tools, barco operators; Mortar mixers; Concrete saw; Sand point setter	6.29	.30	.30		
GROUP 2 - Caissons, after 6 ft. depth; Dynamite men; Gunniting-nozzle man and backup man; Laborers working on swinging stage work, wood hoist, towers, scaffolds or ladders at a height of 35 ft. or over	6.54	.30	.30		
GROUP 3 - Laborers working on swinging stage work, wood hoist towers, scaffolds or ladders at a height of 75 ft. or over	6.79	.30	.30		
LINE CONSTRUCTION:					
GROUP 1 - Cable splicers; Lineman; Welders; Technicians; All rigs setting assembled "H" fixtures and steel transmission structures	8.28	.35	1%		1/2%
GROUP 2 - Groundman; Truck driver (without winch); Experienced (not less than 6 months)	5.38	.35	1%		1/2%
GROUP 3 - Groundman; Truck driver (with winch)	5.55	.35	1%		1/2%
GROUP 4 - Blaster; Special equipment operations (hole digging machines, all tractors, transmission line pole hauling & setting equipment other than assembled "H" fixtures)	6.62	.35	1%		1/2%
GROUP 5 - Groundman-1st 6 mos.	4.55	.35	1%		1/2%

DECISION NO. IA76-4055

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
Brush	$ 6.37		.20		
Tapers	6.47		.20		
Spray	6.87		.20		
PLASTERERS	7.72				
PLUMBERS & STEAMFITTERS	9.40		.20		.02
ROOFERS	6.62				
SHEET METAL WORKERS	7.18	.35	.20		.02
SOFT FLOOR LAYERS	7.29		.20		.01
SPRINKLER FITTERS	10.40	.50	.80		.08
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

DECISION NO. IA76-4055

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
GROUP 1	$ 8.95	.50	.50		.05
GROUP 2	8.83	.50	.50		.05
GROUP 3	8.035	.50	.50		.05
GROUP 4	7.73	.50	.50		.05

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Cranes, including those being used as backhoe, dragline, clamshell, etc.; Tower cranes; Truck cranes & cherry pickers 12½ton & over rated capacity; Derricks; Piledrivers and extractors; Caisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3 drum hoist; Welders; Mechanics; Locomotive; Dredge (levermen)

GROUP 2 - 1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Economobiles; Plant mixers; Farm type tractors (with loaders, backhoes, attachments, etc.); Scrapers (tournapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Group No. 1; Motor patrol; Bulldozers; Push cat; Truck cranes & cherry pickers (under 12½ ton); Concrete mixers (1 yard and over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump; Dewatering pumps; Temporary hoist cage operated; Second man on locomotive; Vibrating concrete spreader (Gomaco, C-450 or equal)

GROUP 3 - Tractors (under 35 HP) with or without attachments; Endloaders (under 35 HP) with ot without attachments; Air compressors (one or a combination of 250 cfm or more); Pumps 3" or over; Welding machines 600 amps or combination thereof; Conveyors; Firemen (Boiler); Generator (75 KW & over); Fork lifts (other than above Group No. 2); Gunnite machine; Self-propelled rollers; Stump chippers; Self-propelled tampers; Air and electric (other than above); Ditching machine under 8"

GROUP 4 - Oilers; Mechanical heaters; Truck crane drivers; Permanent elevators

DECISION NO. IA76-4055

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS & PILEDRIVERMEN	$ 6.25	.31			
CEMENT MASONS	6.00				
LABORERS:					
Group 1	5.15	.30	.10		
Group 2	4.90	.30	.10		
Group 3	4.65	.30	.10		
Group 4	4.50	.30	.10		
Group 5	4.40	.30	.10		

LABORERS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Sandblasters; Powderman and blaster; Pipelayer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond and core drills, powered by air; All work performed by laborers working from a bos'n chair, swinging stage, life belt, tag line or block and tackle; Drill operator of air tracs, wagon drills and similar drills

GROUP 2 - Tree climber; Form setters; Rakers; Boxtenders; Asphalt curb machines; Potmen (not mechanical); Bull float, hand operated; Scalers; Timbermen; Underpinning and shoring; Caissons (over 12 ft.); Grade checker and cutting torches on demolition work

GROUP 3 - Power buggyman; Concrete and paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker and jointer and painter; Timber and chain-saw man; Mechanical grouters; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or pre-stressed concrete (on or off the job); Powdermen helpers

GROUP 4 - Form tamper; Air, gas and electric tool operator, vibrator, barco hammer, paving breaker, spader, tamper, electric drills, hammer and jack hammer; Tree groundmen; Chuck tender; Drill helpers, tool room men and checkers; Sandblaster helper; Concrete processing material and monitors; Cement finishers' helpers; Stringman on paving work

GROUP 5 - Fence erectors; Handling and placing of metal mesh, dowel bars, reinforcing bars and chairs; Dumpmen and spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching and planting of trees, shrubs and flowers; Water boy; Common laborers; Rodmen; Tending to carpenters; Hot asphalt labor

DECISION NO. IA76-4055

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
Group 1	$ 7.30	.40	.40		.03
Group 2	6.90	.40	.40		.03
Group 3	6.50	.40	.40		.03
TRUCK DRIVERS	5.94	.35			

POWER EQUIPMENT OPERATORS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Power Shovel, Crane, Backhoe and Dragline; Central Mix Plant Operator; Dredge Engineer; Dredge Leverman; Paver or Spreader Operator; Hoisting Engineer (Steel Erection); Motor Patrol; Piledriver Machine; Concrete Mixer; Tow or Push Boat Operator; Master Mechanic; C.M.I. Paver; C.M.I. Subgrader (or equivalent); Asphalt Plant; Front Endloader; Scraper; Bulldozer; Push cat; Tractor Pulling Scraper; Sideboom Tractor; Churn or Rotary Drill; Trenching Machine (Cleveland 80 or similar capacity); Asphalt Laydown; Asphalt Screed; Asphalt Heater-Planer Unit; Asphalt Roller; Self-Propelled Elevating Grader or similar machine; Spreader(Concrete); Horizontal Boring Machine; Mechanics-Welders; Group Equipment Greaser; Concrete Pump; Self-Propelled Curb Machine

GROUP 2 - Concrete Curb Breaker; Concrete Widening Machine; Paving Breaker; Barber-Greene, Haiss Loader or similar machine; Tractor Pulling Ripper, Disc, Sheepsfoot or Flat Roller; Self-Propelled Sheepsfoot Roller; Self-Propelled Roller (other than asphalt); Distributor; Screening and Washing Plant; Self-Propelled Vibrating Compactor; Trenching Machine (other than above); Steel Placing Machine; Conveyor; Finishing Machine (on concrete); Flexplane; Bull Float; Form Grader

GROUP 3 - Boiler; Mechanical Broom; Oiler or Mechanics Helper or Group Greaser Helper; Farm-type Tractor (pulling disc, harrow or roller); Welding Machine; Pump Operator (other than dredge); Boom and Winch Truck; Compressor; Tank Car Heater (combination boiler and booster); Pumps on Well Points and Deep Wells for Dewatering; Truck Crane Combination Driver-Oiler; Concrete Curbing Machine; Safety Boat Operator; Batch Plant (Dry)

SUPERSEDEAS DECISION

STATE: Iowa COUNTY: Clinton (City of Clinton and abutting municipalities)

DECISION NO.: IA76-4056 DATE: Date of Publication

Supersedes Decision No. IA75-4172, dated October 31, 1975, in 40 FR 50876

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.75	.30	.50		.10
BOILERMAKERS	9.45	.70	1.00		.02
BRICKLAYERS & STONEMASONS	9.25		.45		
CARPENTERS:					
Carpenters	8.34	.35	.50		
Piledrivermen	8.74	.35	.50		
Millwrights	9.30	6%	7%		4%
CEMENT MASONS	8.75		.45		
ELECTRICIANS:					
Electricians	10.05	.45	5.5%		.03
Cable splicers	10.30	.45	5.5%		.03
GLAZIERS	8.05	.50	1.00		
IRONWORKERS	10.50	.50	.375		.07
LABORERS:					
GROUP 1 - Common laborers	7.27	.30	.25		
GROUP 2 - Operator on air or power tools; mortar mixer man; any work 35 ft. high or over; cement dumper, puddlers or vibrator man and men working with concrete pump hose; ditch work 8 ft. below ground level; any man working with creosote materials	7.52	.30	.25		
GROUP 3 - Cutting torch burner; caisson & cofferdam workers	7.57	.30	.25		
MARBLE SETTERS	9.20		.50		
PAINTERS:					
Brush	8.07	.45	.55		.09
Spray; Structural steel	8.32	.45	.55		.09
PLASTERERS	9.25		.45		
PLUMBERS & STEAMFITTERS	9.85	.40	.60		.10
ROOFERS	10.35		.40		
SHEET METAL WORKERS	9.25	.45	.40		.10
SOFT FLOOR LAYERS	8.34	.35	.50		
SPRINKLER FITTERS	10.40	.50	.80		.08
TERRAZZO WORKERS	9.20		.50		
TILE SETTERS	9.20		.50		
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental					

DECISION NO. IA76-4056

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
GROUP 1	$ 9.45	.40	.50		.08
GROUP 2	8.05	.40	.50		.08
GROUP 3	7.00	.40	.50		.08

POWER EQUIPMENT OPERATOR CLASSIFICATION DEFINITIONS

GROUP 1 - All hoists or steel erecting equipment; Crane, Shovel, Clamshell, Dragline, Backhoe, Derricks, Tower Crane, Cable Way, Concrete Spreader (servicing 2 pavers), Asphalt Spreader, Asphalt Mixer Plant Engineer, Dipper Dredge Operator; Dipper Dredge Craneman, Dual Purpose Truck (boom or winch); Leverman or Engineman (hydraulic dredge), Mechanic, Paving Mixer with tower attached (2 operators required); Pile Driver, Boom Tractor, Stationary, Portable or Floating Mixing Plant, Trenching Machine (over 40 HP), Building Hoist (2 drums), Hot Paint Wrapping Machine, Cleaning & Priming Machine, Backfiller (throw bucket), Locomotive Engineer, Qualified Welder, Tow or Push Boat, Concrete Paver, Seaman Trav-L-Plant or similar machines, CMI Autograder or similar machines, Slip Form Paver, Caisson Augering Machine, Mucking Machine, Asphalt Heater-Planer Unit, Hydraulic Cranes, Mine Hoists; Athey, Barber-Green, Euclid or Haiss Loader, Asphalt Pug Mill, Fireman & Drier, Concrete Pump, Concrete Spreader (servicing 1 paver); Bulldozer, Endloader, Log Chippers or similar machines, Elevating Grader, Group Equipment Greaser, LeTourneaupull & similar machines, DW-10, Hyster Winch & similar machines, Motor Patrol, Power Blade, Push Cat, Tractor Pulling Elevating Grader or Power Blade, Tractor Operating Scoop or Scraper, Tractor with Power Attachments, Roller on Asphalt or Blacktop, Single Drum Hoist, Jaeger Mix & Place Machine, Pipe Bending Machine, Flexaplane or similar machines, Automatic Curbing Machines, Automatic Cement & Gravel Batch Plants (1 stop set-up), Seaman Pulvi-Mixer or similar machines, Blastholer Self-Propelled Rotary Drill or similar machines, Work Boat, Combination Concrete Finishing Machine & Float, Self-Propelled Sheep Foot Roller or Compactor (used in conjunction with a Grading Spread), Asphalt Spreader Screed Operator, Apsco Spreader or similar machine, Slusher, Forklift (over 6000 lbs. cap. or working at heights above 28 ft.), Concrete Conveyors

GROUP 2 - Asphalt Booster, Fireman & Pump Operator at Asphalt Plant, Mud Jack, Underground Boring Machine, Concrete Finishing Machine, Form Grader with Roller on Earth, Mixers (3 bag to 16E), Power Operated Bull Float, Tractor without Power attachments, Dope Pot (agitating motor), Dope Chop Machine, Distributor (back end), Straddle Carrier, Portable Machine Fireman, Hydro-Hammer, Power Winch on Paving Work; Self-Propelled Roller or Compactor (other than provided for above), Pump Operator (more than 1 well point pump), Portable Crusher Operator, Trench Machine (under 40 HP), Power Subgrader (on forms) or similar machines, Forklift (6000 lbs. or less capacity), Gypsum Pump, Conveyor over 20 HP, Fuller-Kenyon Cement Pump or similar machines; Air Compressor (275 CFM or over), Driver on Truck Crane or similar machines, Light Plant, Mixers (1 or 2 bag), Power Batching Machine (Cement Auger or Conveyor), Boiler (Engineer or Fireman), Water Pumps, Mechanical Broom, Automatic Cement & Gravel Batch Plants (2 or 3 stop set-up), Small Rubber-tired Tractors (not including backhoes or endloaders), Self-Propelled Curing Machine

GROUP 3 - Oiler, Mechanic's Helper, Mechanical Heater (other than steam boiler), Belt Machine, Small Outboard Motor Boat, Engine Driven Welding Machine

DECISION NO. IA76-4056

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS:					
Construction, alteration or repair of bridges, locks, dams, levees, docks & on drainage & soil conservation work there on, which relates to the Mississippi River	$ 9.18	.35	.50		.02
Other heavy & highway construction:					
Carpenters & piledrivermen	7.30	.31			
CEMENT MASONS	6.86				
LABORERS:					
Group 1	6.60	.30	.10		
Group 2	6.35	.30	.10		
Group 3	6.10	.30	.10		
Group 4	5.95	.30	.10		
Group 5	5.85	.30	.10		

LABORERS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Sandblasters; Powderman and Blaster; Pipe Layer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond and core drills powered by air; All work performed by Laborers working from a bos'n chair, swinging stage, life belt, tag line, or block and tackle; Drill operators of air tracs, wagon drills and similar drills

GROUP 2 - Tree climber; Form setters; Rakers; Boxtenders; Asphalt Curb Machines; Potmen, not mechanical; Bull float, hand operated; Scalers; Timberman; Underpinning and shoring; Caissons over 12 ft.; Grade checker and cutting torches on demolition work

GROUP 3 - Power buggyman; Concrete and paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker and jointer and paintor; Timber and chain saw man; Mechanical grouters; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or pre-stressed concrete on or off the job; Powderman helpers

GROUP 4 - Form tamper; Air, gas and electric tool operators, vibrators, barco hammer, paving breakers, spaders, tampers, electric drills, hammers, and jack hammers; Tree groundmen; Chuck tenders; Drill helpers, tool room men and checkers; Sand blaster helper; Concrete processing material and monitors; Cement finishers' helpers; Stringman on paving work

GROUP 5 - Fence erectors; Handling and placing of metal mesh, dowel bars, reinforcing bars and chairs; Dumpmen and spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching and planting of trees, shrubs and flowers; Water boy; Common laborer; Rodmen; Tending to carpenters; Hot asphalt labor

DECISION NO. IA76-4056

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
Group 1	$ 6.60	.40	.40		.03
Group 2	6.55	.40	.40		.03
Group 3	6.20	.40	.40		.03
Group 4	6.10	.40	.40		.03
Group 5	5.80	.40	.40		.03
Group 6	5.45	.40	.40		.03
TRUCK DRIVERS	6.34	.35			

POWER EQUIPMENT OPERATORS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Power shovel, crane, backhoe and dragline; Central mix plant operator; Dredge engineer; Dredge leverman; Paver or spreader operator; Hoisting engineer (steel erection); Motor patrol; Piledriver machine operator; Concrete mixer; Tow or push boat operator; Master mechanic

GROUP 2 - C.M.I. paver; C.M.I. subgrader (or equivalent); Asphalt plant operator; Front endloader operator; Scraper operator; Bulldozer; Push Cat; Tractor pulling scraper; Sideboom tractor; Churn or rotary drill; Trenching Machine (Cleveland 80 or similar capacity); Asphalt laydown operator; Asphalt Screed Operator; Asphalt Heater-planer unit; Asphalt roller operator; Self-propelled elevating grader or similar machine; Spreader Operator (concrete); Horizontal boring machine operator; Mechanics-Welders; Group equipment greaser; Concrete pump

GROUP 3 - Concrete curb breaking machine; Concrete widening machine operator; Paving breaker operator; Barber-Green, Haiss Loader or similar machine; Tractor pulling ripper, disc, sheepsfoot or flat roller; Self-propelled sheepsfoot roller

GROUP 4 - Self-propelled roller operator (other than asphalt); Distributor operator; Screening and washing plant operator; Self-propelled vibrating compactor; Trenching machine operator (other than above); Steel placing machine operator; Conveyor Operator; Finishing Machine Operator (on concrete); Flexplane Operator; Bull Float Operator; Form Grader Operator

GROUP 5 - Boiler Operator; Mechanical broom operator; Oiler or mechanics' helper or group greaser helper; Farm-type tractor (pulling disc, harrow or roller); Welding machine operator; Pump Operator (other than dredge); Boom and winch truck operator; Compressor Operator; Tank car heater (combination boiler & booster); Pumps on wellpoints & deep wells for dewatering; Truck crane combination driver-oiler; Concrete curing machine operator; Safety boat operator

GROUP 6 - Batch plant operator - dry

SUPERSEDEAS DECISION

STATE: Iowa

COUNTY: Des Moines (City of Burlington and abutting municipalities and Burlington Ordnance Plant)

DECISION NO.: IA76-4057

DATE: Date of Publication

Supersedes Decision No. IA75-4173, dated October 31, 1975, in 40 FR 50879

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.75	.30	.50		.10
BOILERMAKERS	9.45	.70	1.00		.02
BRICKLAYERS & STONEMASONS	9.62		.20		
CARPENTERS:					
Carpenters	8.45	.45	.40		.02
Millwrights & piledrivermen	9.13	.45	.40		.02
CEMENT MASONS	9.35				
ELECTRICIANS	10.05	.33	1%		1%
GLAZIERS	8.05	.50	1.00		
IRONWORKERS	9.45	.40	.30		
LABORERS:					
GROUP 1 - Common laborers; Signal man; Wrecking deck hand	6.97	.30			
GROUP 2 - Plaster tender; Mortar mixer; Mason tender; Stone & marble setter tender; Drill operator; Jackhammer man; Air tamper; Air spade (electric or pneumatic); Spraying equipment & all mechanically operated tools; Excavation work over 6 ft. deep below ground level or basement level	7.13	.30			
GROUP 3 - Tile layers (sewers)	7.23	.30			
GROUP 4 - Gunniting & sandblasting	7.34	.30			
GROUP 5 - Tunnel & sewer mucker & miner over 6 ft. deep; Caisson worker & drill operator in tunnel & caisson; Powdermen	7.44	.30			
LINE CONSTRUCTION:					
GROUP 1 - Cable splicers; Lineman; Welder; Technicians; All rigs setting assembled "H" fixtures and steel transmission structures	8.28	.35	1%		1/2%
GROUP 2 - Groundman; Truck driver (without winch); Experienced (not less than 6 months)	5.38	.35	1%		1/2%
GROUP 3 - Groundman; Truck driver (with winch)	5.55	.35	1%		1/2%

DECISION NO. IA76-4057

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION (CONT'D):					
GROUP 4 - Blaster; Special equipment operations (hole digging machines, all tractors, transmission line pole hauling & setting equipment other than assembled "H" fixtures)	$ 6.62	.35	1%		1/2%
GROUP 5 - Groundman-1st 6 mos.	4.55	.35	1%		1/2%
PAINTERS:					
GROUP 1 - Brush	7.35		.15		
GROUP 2 - Rollers	7.45		.15		
GROUP 3 - Sign	7.85		.15		
GROUP 4 - Structural steel over 25 ft. from the ground or floor; bridges, water towers & stage work	8.05		.15		
GROUP 5 - Spray gun & sandblasting	8.35		.15		
PLASTERERS	8.98				
PLUMBERS & STEAMFITTERS	9.35	.35	.65		.05
ROOFERS	6.35			.25	
SHEET METAL WORKERS	9.00	.45	.40		.10
SOFT FLOOR LAYERS	8.45	.45	.40		.02
SPRINKLER FITTERS	10.40	.50	.80		.08
TRUCK DRIVERS:					
GROUP 1 - Warehouseman; Helpers; Teamsters; Mechanic helpers; Greasers; Single axle flat beds & dump trucks; Pulling air compressors & welding machines; Batch trucks 2-34E batches or less; Chip spreader	7.12	13.50p/w			
GROUP 2 - Cheater axle; Tandems; 6 wheel trucks; Semi-trailers; Carryall; Winch; Mixers; Batch over 2-34E	7.33	13.50p/w			
GROUP 3 - Track trucks; Euclid type truck; Oil distributors; Front & rear; All types of dumpsters; Pavement breakers	7.43 -	13.50p/w			
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental					

DECISION NO. IA76-4057

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
GROUP 1	$ 9.45	.40	.50		.08
GROUP 2	8.05	.40	.50		.08
GROUP 3	7.00	.40	.50		.08

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - All hoists or steel erecting equipment; Crane, Shovel, Clamshell, Dragline, Backhoe, Derrick, Tower Crane, Cable Way, Concrete Spreader (servicing 2 pavers), Asphalt Spreader, Asphalt Mixer Plant Engineer, Dipper Dredge Operator, Dipper Dredge Craneman, Dual Purpose Truck (boom or winch), Leverman or Engineman (hydraulic dredge), Mechanic, Paving Mixer with tower attached (2 operators required), Pile Driver, Boom Tractor, Stationary, Portable or Floating Mixing Plant, Trenching Machine (over 40 HP), Building Hoist (2 drums), Hot Paint Wrapping Machine, Cleaning & Priming Machine, Backfiller (throw bucket), Locomotive Engineer, Qualified Welder, Tow or Push Boat, Concrete Paver, Seaman Trav-L-Plant or similar machines, CMI Autograder or similar machines, Slip Form Paver, Caisson Augering Machine, Mucking Machine, Asphalt Heater-Planer Unit, Hydraulic Cranes, Mine Hoists; Athey, Barber-Green, Euclid or Haiss Loader, Asphalt Pug Mill, Fireman and Drier, Concrete Pump, Concrete Spreader (servicing 1 paver), Bulldozer, Endloader, Log Chippers or similar machines, Elevating Grader, Group Equipment Greaser, LeTourneaupull and similar machines, DW-10, Hyster Winch & similar machines, Motor Patrol, Power Blade, Push Cat, Tractor Pulling Elevating Grader or Power Blade, Tractor Operating Scoop or Scraper, Tractor with Power Attachments, Roller on Asphalt or Blacktop, Single Drum Hoist, Jaeger Mix & Place Machine, Pipe Bending Machine, Flexaplane or similar machines, Automatic Curbing Machines, Automatic Cement and Gravel Batch Plants (1 stop set-up), Seaman Pulvi-Mixer or similar machines, Blastholer Self-propelled Rotary Drill or similar machines, Work Boat, Combination Concrete Finishing Machine & Float, Self-propelled Sheepsfoot Roller or Compactor (used in conjunction with a Grading Spread), Asphalt Spreader Screen Operator, Apsco Spreader or similar machine, Slusher, Forklift (over 6000 lbs. capacity or working at heights above 28 ft.), Concrete Conveyors

GROUP 2 - Asphalt Booster, Fireman and Pump Operator at Asphalt Plant, Mud Jack, Underground Boring Machine, Concrete Finishing Machine, Form Grader with Roller on Earth, Mixers (3 bag to 16E), Power Operated Bull Float, Tractor without Power attachment, Dope Pot (agitating Motor), Dope Chop Machine, Distributor (Back end), Straddle Carrier, Portable Machine Fireman, Hydro-Hammer, Power Winch on Paving Work, Self-propelled Roller or Compactor (other than provided for above), Pump Operator (more than 1 well point pump), Portable Crusher Operator, Trench Machine (under 40 HP), Power Subgrader (on forms) or similar machines, Forklift (6000 lbs. or less capacity), Gypsum Pump, Conveyor over 20 HP, Fuller Kenyon Cement Pump or similar machines; Air Compressor (275 CFM or over), Driver on Truck Crane or similar machines, Light Plant, Mixers (1 or 2 bag), Power Batching Machine (Cement Auger or Convevor), Boiler (Engineer or Fireman), Water Pumps, Mechanical Broom, Automatic Cement & Gravel Batch Plants (2 or 3 stop set-up), Small Rubber-tired Tractors (not including backhoes or endloaders), Self-propelled curing machine

GROUP 3 - Oiler, Mechanic's Helper, Mechanical Heater (other than steam boiler), Belt Machine, Small Outboard Motor Boat, Engine Driven Welding Machine

DECISION NO. IA76-4057

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS & PILEDRIVERMEN	$ 7.30	.31			
CEMENT MASONS	6.86				
LABORERS:					
Group 1	6.60	.30	.10		
Group 2	6.35	.30	.10		
Group 3	6.10	.30	.10		
Group 4	5.95	.30	.10		
Group 5	5.85	.30	.10		

LABORERS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Sandblasters; Powderman and Blaster; Pipe layer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond and core drills, powered by air; All work performed by Laborers working from a bos'n chair, swinging stage, life belt, tag line or block and tackle; Drill operator of air tracs, wagon drills and similar drills

GROUP 2 - Tree climber; Form setters; Rakers; Boxtenders; Asphalt curb machines; Potmen, not mechanical; Bull float, hand operated; Scalers; Timbermen; Underpinning and shoring; Caissons over 12 ft.; Grade checker and cutting torches on demolition work

GROUP 3 - Power buggyman; Concrete and paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker and jointer and painter; Timber and chain saw man; Mechanical grouters; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or pre-stressed concrete on or off the job; Powderman helpers

GROUP 4 - Form tamper; Air, gas and electric tool operators, vibrators, barco hammer, paving breakers, spaders, tampers; electric drills, hammers and jack hammers; Tree groundmen; Chuck tenders; Drill helpers, tool room men and checkers; Sand blaster helper; Concrete processing material and monitors; Cement finishers' helpers; Stringman on paving work

GROUP 5 - Fence erectors; Handling and placing of metal mesh, dowel bars, reinforcing bars and chairs; Dumpmen and spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching and planting of trees, shrubs and flowers; Water boy; Common labor; Rodmen; Tending to carpenters; Hot asphalt labor

DECISION NO. IA76-4057

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
Group 1	$ 6.60	.40	.40		.03
Group 2	6.55	.40	.40		.03
Group 3	6.20	.40	.40		.03
Group 4	6.10	.40	.40		.03
Group 5	5.80	.40	.40		.03
Group 6	5.45	.40	.40		.03
TRUCK DRIVERS	6.34	.35			

POWER EQUIPMENT OPERATORS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Power shovel, crane, backhoe and dragline; Central mix plant operator; Dredge engineer; Dredge leverman; Paver or spreader operator; Hoisting engineer (steel erection); Motot patrol; Piledriver machine operator; Concrete mixer; Tow or push boat operator; Master mechanic

GROUP 2 - C.M.I. Paver; C.M.I. Subgrader (or equivalent); Asphalt plant operator; Front endloader operator; Scraper operator; Bulldozer; Push Cat; Tractor pulling scraper; Sideboom tractor; Churn or rotary drill; Trenching machine (Cleveland 80 or similar capacity); Asphalt laydown operator; Asphalt screed operator; Asphalt heater-planer unit; Asphalt roller operator; Self-propelled elevating grader or similar machines; Spreader operator (concrete); Horizontal boring machine operator; Mechanics-Welders; Group equipment greaser; Concrete pump

GROUP 3 - Concrete curb breaking machine; Concrete widening machine operator; Paving breaker operator; Barber-Greene, Haiss loader or similar machine; Tractor pulling ripper, disc, sheepsfoot or flat roller; Self-propelled sheepsfoot roller

GROUP 4 - Self-propelled roller operator (other than asphalt); Distributor operator; Screening and washing plant operator; Self-propelled vibrating compactor; Trenching machine operator (other than above); Steel placing machine operator; Finishing machine operator (on concrete); Flexplane operator; Bull float operator; Form Grader operator; Conveyor

GROUP 5 - Boiler operator; Mechanical broom operator; Oiler or mechanics' helper; or group greaser helper; Farm-type tractor (pulling disc, harrow or roller); Welding machine operator; Pump operator (other than dredge); Boom and winch truck operator; Compressor operator; Tank car heater (combination boiler & booster); Pumps on wellpoints & deep wells for dewatering; Truck crane combination driver-oiler; Concrete curing machine operator; Safety boat operator

GROUP 6 - Batch plant operator - dry

STATE: Iowa

COUNTY: Dubuque (City of Dubuque and abutting municipalities)

DECISION NO.: IA76-4058

DATE: Date of Publication

Supersedes Decision No, IA75-4174, dated October 31, 1975, in 40 FR 50882

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.75	.30	.50		.10
BOILERMAKERS	9.45	.70	1.00		.02
BRICKLAYERS & STONEMASONS	8.59	.38			
CARPENTERS:					
Carpenters	8.37		.37		
Piledrivermen	8.77		.37		
Millwrights	8.87		.37		
CEMENT MASONS	8.75				
ELECTRICIANS	9.37	.30	1%+.25		1%
ELEVATOR CONSTRUCTORS	8.74	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.05	.50	1.00		
IRONWORKERS					
SE Portion	10.50	.50	.375		.07
Remainder of County	9.10				.02
LABORERS:					
GROUP 1 - Common laborers; Gas distributors	5.97	.30	.10		
GROUP 2 - All air operated tools; Bricklayers' helpers & tenders; Caisson workers; Carpenters' helpers; Handling & cleaning of all steel floor pans & wall forms; Mortar mixers; Plasterers' helpers & tenders; Tile setters (4"-6"-8")	6.07	.30	.10		
GROUP 3 - Tile setters (10" and up)	6.22	.30	.10		
LATHERS	8.70				
MARBLE SETTERS	8.29	.38			
PAINTERS:					
Brush or roller epoxy; Paperhanging; Tapers	7.45		.30		
High work and steel; spraying	7.90		.30		
PLASTERERS	8.70				
PLUMBERS & STEAMFITTERS	10.31	.36	.30		.08

DECISION NO. IA76-4058

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS	$ 7.89				
SHEET METAL WORKERS	9.10	.45	.40		.10
SPRINKLER FITTERS	10.40	.50	.80		.08
TERRAZZO WORKERS	8.29	.38			
TILE SETTERS	8.29	.38			
TRUCK DRIVERS:					
Single axle	5.24	9.50p/w			
Tandem axle; Tractor trailers; winches	5.39	9.50p/w			
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental					

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' service as Vacation Pay Credit. Six Paid Holidays A thru F

PAID HOLIDAYS

A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

DECISION NO. IA76-4058

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
GROUP 1	$ 8.95	.50	.50		.05
GROUP 2	8.83	.50	.50		.05
GROUP 3	8.035	.50	.50		.05
GROUP 4	7.73	.50	.50		.05

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Cranes, including those being used as backhoe, dragline, clamshell, etc.; Tower cranes; Truck cranes and cherry pickers 12½ ton & over rated capacity; Derricks; Piledrivers and extractors; Caisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3 drum hoist; Welders; Mechanics; Locomotive; Dredge (levermen)

GROUP 2 - 1 and 2 drum hoist; Air and electric tuggers (on power plants or setting steel or grating); Economobiles; Plant mixers; Farm type tractors (with loaders, backhoes, attachments, etc.); Scrapers (tournapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Group No. 1; Motor patrol; Bulldozers; Push Cat; Truck Cranes and cherry pickers (under 12½ ton); Concrete Mixers (1 yard and over); Ditching machines (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump; Dewatering pump; Temporary hoist cage operated; Second man on locomotive; Vibrating concrete spreader (Gomaco, C-450 or equal)

GROUP 3 - Tractor (under 35 HP) with or without attachments; Endloaders (under 35 HP) with or without attachments; Air compressors (one or a combination of 250 cfm or more); Pumps 3" or over; Welding machines 600 amps or combination thereof; Conveyors; Firemen (Boiler); Generator (75 KW & over); Fork lifts (other than above Group No. 2); Gunnite machine; Self-propelled rollers; Stump chippers; Self-propelled tampers; Air and electric tuggers (other than above); Ditching machine under 8"

GROUP 4 - Oilers; Mechanical heaters; Truck crane drivers; Permanent elevators

DECISION NO. IA76-4058

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS & PILEDRIVERMEN	$ 7.30	.31			
CEMENT MASONS	6.86				
LABORERS:					
Group 1	6.60	.30	.10		
Group 2	6.35	.30	.10		
Group 3	6.10	.30	.10		
Group 4	5.95	.30	.10		
Group 5	5.85	.30	.10		

LABORERS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Sandblasters; Powderman and Blaster; Pipelayer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond and core drills, powered by air; All work performed by Laborers working from a bos'n chair, swinging stage, life belt, tag line, or block and tackle; Drill operators of air tracs, wagon drills and similar drills

GROUP 2 - Tree climber; Form setters; Rakers; Boxtenders; Asphalt curb machines; Potmen, not mechanical; Bull float, hand operated; Scalers; Timbermen; Underpinning and shoring; Caissons over 12 ft.; Grade checker and cutting torches on demolition work

GROUP 3 - Power buggyman; Concrete and paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker and jointer and painter; Timber and chain saw man; Mechanical grouters; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or pre-stressed concrete on or off the job; Powderman helpers

GROUP 4 - Form tamper; Air, gas and electric tool operators, vibrators, barco hammers, paving breakers, spaders, tampers, electric drills, hammers and jack hammers; Tree groundman; Chuck tenders; Drill helpers, tool room men and checkers; Sand blaster helper; Concrete processing material and monitors; Cement finishers' helpers; Stringman on paving work

GROUP 5 - Fence erectors; Handling and placing of metal mesh, dowel bars, reinforcing bars and chairs; Dumpmen and spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching and planting of trees, shrubs and flowers; Water boy; Common laborers; Rodmen; Tending to carpenters; Hot asphalt labor

DECISION NO. IA76-4058

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
Group 1	$ 7.30	.40	.40		.03
Group 2	6.90	.40	.40		.03
Group 3	6.50	.40	.40		.03
TRUCK DRIVERS	6.34	.35			

POWER EQUIPMENT OPERATORS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Power Shovel, Crane, Backhoe and Dragline; Central Mix Plant Operator; Dredge Engineer; Dredge Leverman; Paver or Spreader Operator; Hoisting Engineer (Steel Erection); Motor Patrol; Piledriver Machine; Concrete Mixer; Tow or Push Boat Operator; Master Mechanic; C.M.I. Paver; C.M.I. Subgrader (or equivalent); Asphalt Plant; Front Endloader; Scraper; Bulldozer; Push Cat; Tractor Pulling Scraper; Sideboom Tractor; Churn or Rotary Drill; Trenching Machine (Cleveland 80 or similar capacity); Asphalt Laydown; Asphalt Screed; Asphalt Heater-Planer Unit; Asphalt Roller; Self-Propelled Elevating Grader or similar machine; Spreader (Concrete); Horizontal Boring Machine; Mechanics-Welders; Group Equipment Greaser; Concrete Pump; Self-Propelled Curb Machine

GROUP 2 - Concrete Curb Breaker; Concrete Widening Machine; Paving Breaker; Barber-Greene, Haiss Loader or similar machine; Tractor Pulling Ripper, Disc, Sheepsfoot or Flat Roller; Self-Propelled Sheepsfoot Roller; Self-Propelled Roller (other than asphalt); Distributor; Screening and Washing Plant; Self-Propelled Vibrating Compactor; Trenching Machine (other than above); Steel Placing Machine; Conveyor; Finishing Machine (on concrete); Flexplane; Bull Float; Form Grader

GROUP 3 - Boiler, Mechanical Broom; Oiler or Mechanics' Helper or Group Greaser Helper; Farm-type Tractor (pulling discs, harrow or roller); Welding Machine; Pump Operator (other than dredge); Boom and Winch Truck; Compressor; Tank Car Heater (combination boiler and booster); Pumps on Well Points and Deep Wells for Dewatering; Truck Crane Combination Driver-Oiler; Concrete Curbing Machine; Safety Boat Operator; Batch Plant (Dry)

SUPERSEDEAS DECISION

STATE: Iowa COUNTY: Johnson (City of Iowa City and abutting municipalities)

DECISION NO.: IA76-4059 DATE: Date of Publication

Supersedes Decision No. IA75-4175, dated October 31, 1975, in 40 FR 50885

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.75	.30	.50		.10
BOILERMAKERS	9.45	.70	1.00		.02
BRICKLAYERS & STONEMASONS	9.685		.55		
CARPENTERS:					
Carpenters; Soft floor layers	7.23	.35	.30		.03
Piledriverman	7.48	.35	.30		.03
Millwrights	9.30	6%	7%		4%
CEMENT MASONS	7.23	.25			
ELECTRICIANS	9.90	.50	1%		1%
ELEVATOR CONSTRUCTORS	8.74	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.05	.50	1.00		
IRONWORKERS	9.10				.02
LABORERS:					
GROUP 1 - Common laborers	5.72	.30	.25		
GROUP 2 - Mason mortar mixers	5.92	.30	.25		
GROUP 3 - All jack & chipping hammers; All water & sewer tile layers; Chain saw; Cutting torches; Power buggies; Rock drills; Tampers; Vibrators; Well point work	6.02	.30	.25		
LATHERS	9.48				
LINE CONSTRUCTION:					
GROUP 1 - Cable splicers; Lineman; Welder; Technicians; All rigs setting assembled "H" fixtures and steel transmission structures	8.28	.35	1%		1/2%
GROUP 2 - Groundman; Truck driver (without winch); Experienced (not less than 6 months)	5.38	.35	1%		1/2%
GROUP 3 - Groundman; Truck driver (with winch)	5.55	.35	1%		1/2%
GROUP 4 - Blaster; Special equipment operations (hole digging machines, all tractors, transmission line pole hauling & setting equipment other than assembled "H" fixtures)	6.62	.35	1%		1/2%
GROUP 5 - Groundman-1st 6 mos.	4.55	.35	1%		1/2%

DECISION NO. IA76-4059

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
Brush & rollers	$ 8.58				
Paperhangers	8.83				
Sandblasting; Spray painting	9.23				
PLASTERERS	8.50				
PLUMBERS & STEAMFITTERS	9.80	.40	.30		.10
ROOFERS	7.70				
SPRINKLER FITTERS	10.40	.50	.80		.08
TRUCK DRIVERS	4.63				
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

FOOTNOTE:

a - Employer contributes 4% of the basic hourly rate for over 5 years' service and 2% of the basic hourly rate for 6 months to 5 years' of service as Vacation Pay Credit. Six Paid Holidays A thru F

PAID HOLIDAYS

A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

DECISION NO. IA76-4059

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
GROUP 1	$ 8.95	.50	.50		.05
GROUP 2	8.83	.50	.50		.05
GROUP 3	8.035	.50	.50		.05
GROUP 4	7.73	.50	.50		.05

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Cranes, including those being used as backhoe, dragline, clamshell, etc.; Tower cranes; Truck cranes and cherry pickers 12½ ton & over rated capacity; Derricks; Piledrivers and extractors, caisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3 drum hoist; Welders; Mechanics; Locomotive; Dredge (leverman)

GROUP 2 - 1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Economobiles; Plant mixers; Farm type tractors (with loaders, backhoes, attachments, etc.); Scrapers (tournapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Group No. 1; Motor patrol; Bulldozers; Push Cat; Truck cranes and cherry pickers (under 12½ ton); Concrete mixers (1 yard and over); Ditching machine (8" and over); Fork lifts (on steel erection and machninery moving or hoisting above one complete story); Concrete pump; Dewatering pump; Temporary hoist cage operated; Second man on locomotive; Vibrating concrete spreader (Gomaco, C-450 or equal)

GROUP 3 - Tractors (under 35 HP) with or without attachments; Endloaders (under 35 HP) with or qithout attachments; Air compressors (one or a combination of 250 CFM or more); Pumps 3" or over; Welding machines 600 amps or combination thereof; Conveyors; Firemen (Boiler); Generator (75 KW and over); Fork lifts (other than above Group No. 2); Gunnite machine; Self-propelled rollers; Stump chippers; Self-propelled tampers; Air and electric tuggers (other than above); Ditching machine under 8"

GROUP 4 - Oilers; Mechanical heaters; Truck crane drivers; Permanent elevators

DECISION NO. IA76-4059

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS & PILEDRIVERMEN	$ 5.91	.25			
CEMENT MASONS	5.65				
LABORERS:					
Group 1	5.50	.30	.10		
Group 2	5.25	.30	.10		
Group 3	5.00	.30	.10		
Group 4	4.85	.30	.10		
Group 5	4.75	.30	.10		

LABORERS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Sandblasters; Powderman and Blaster; Pipe layer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond and core drills, powered by air; All work performed by Laborers working from a bos'n chair, swinging stage, life belt, tag line, or block and tackle; Drill operator of air tracs, wagon drills and similar drills

GROUP 2 - Tree climber; Form setters; Rakers; Boxtenders; Asphalt curb machines; Potmen, not mechanical; Bull float, hand operated; Scalers; Timbermen; Underpinning and shoring; Caissons over 12 ft.; Grade checker and cutting torches on demolition work

GROUP 3 - Power buggyman; Concrete and paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker and jointer and painter; Timber and chain saw man; Mechanical grouters; Boring machines; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or pre-stressed concrete on or off the job; Powderman helpers

GROUP 4 - Form tamper; Air,gas and electric tool operator, vibrators, barco hammer, paving breakers, spaders, tampers; electric drills, hammers and jack hammers; Tree groundmen; Chuck tenders; Drill helpers, tool room men and checkers; Sandblaster helper; Concrete processing material and monitors; Cement finisher' helpers

GROUP 5 - Fence erectors; Handling and placing of metal mesh; dowel bars, reinforcing bars and chairs; Dumpmen and spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching and planting of trees, shrubs and flowers; Water boy; Common laborers; Rodmen; Tending to carpenters; Hot casphalt labor; Stringman on paving work

DECISION NO. IA76-4059

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
GROUP 1	$ 6.40	.30	.30		.01
GROUP 2	6.25	.30	.30		.01
GROUP 3	6.00	.30	.30		.01
GROUP 4	5.80	.30	.30		.01
GROUP 5	5.60	.30	.30		.01
GROUP 6	5.30	.30	.30		.01

POWER EQUIPMENT OPERATORS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Power shovel and crane type equipment (1/2 cu. yd. and over); Central mix plant operator, concrete 5 cu. yd. and over; Dredge engineer; Dredge leverman; Concrete mixer, paver operator; Hoisting engineer, steel erection; Tractor operating scrapers in tandem; Motor patrol operator on finishing work; Master mechanic, when four or more mechanics are employed; Tow or push boat operator; Piledriver machine operator

GROUP 2 - Asphalt plant operator; Asphalt pugmill; Power shovel, crane type equipment (under 1/2 cu. yd.); Front end loader operator, all types 40 HP or over; Mechanics and welders; Tournapull operators, DW 10 and all similar equipment, over 10 cu. yds. struck capacity; All self-loading scrapers; Tractor operator, bulldozer, push cat or pulling scraper or rooter; Sideboom tractor; Churn or rotary drill operators; Trenching machine operator, Cleveland 80 or similar capacity; Self-propelled sheepsfoot roller, 100,000 lbs. and over; Central mix plant operator, concrete, under 5 cu. yds.; Asphalt spreader operator; Group equipment greaser; Automatic subgrade machines, slip form paving operator

GROUP 3 - Motor patrol operator, other than finish; Asphalt roller operator, high type surfacing; Concrete curb breaking machine operator; Concrete widening machine operator; Elevating grader and Athey loader operator; Tournapull operator, DW 10 and all similar equipment, under 10 cu. yds. struck capacity; Paving breaker operator, drop or pneumatic; Spreader box operator, self-propelled or tractor-pushed; Subgrade stab. (P&H and similar sizes); Boiler operator, two or one boiler and dryer; Subgrading machine operator; Asphalt paver, back hoe under 3/8 cu. yd.

GROUP 4 - Self-propelled roller operator, other than high type asphalt; Distributor operator; Screening and washing plant operator; Spreader operator, concrete; Tank car heater, combination boiler and booster; Self-propelled vibrating compactor; Trenching machine operator; (Other) pumps on well points and deep wells for dewatering; Mechanical broom operator; Steel placing machine operator; Boat operator; Compressor operator; Concrete mixer operator, side loader; Conveyor operator; Crusher feeder operator; Finishing machine operator on concrete; Flexplane operator; Bull float operator; Form grade operator; Motor crane combination driver and oiler, Concrete curing machine operator

GROUP 5 - Boiler Operator, single; Apprentice engineer or oil or mechanics' helper or group greaser helper; Self-propelled tractor (pulling disc, harrow or sheepsfoot roller); Welding machine operator; Pump operator, other than dredge; Boom and winch truck

GROUP 6 - Batching plant operator, dry; Front end loader operator, rubber tired, with backhoe attachment, under 3/8 cu. yd.; Farm tractor pulling pneumatic roller

DECISION NO. IA76-4059

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS					
GROUP 1	$ 4.65	.25			
GROUP 2	4.75	.25			

TRUCK DRIVERS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Truck drivers, not otherwise specified; Warehousemen; Drivers on: four-wheel service trucks, bus hauling men, carry-all and winch trucks, dump cretes and scoopmobiles

GROUP 2 - Truck drivers for semi and tandem; Ready mix; Dumpster operator; Drivers on: tandem service trucks, Korking and similar dumpsters, track trucks, euclids, hug bottom drums, tournapulls or similar equipment used for transportation, pavement breakers, pole trailers, air compressors and welding machines, including those pulled by separate units

STATE: Iowa COUNTY: Linn
DECISION NO.: IA76-4060 DATE: Date of Publication
Supersedes Decision No. IA75-4176, dated October 31, 1975, in 40 FR 50888
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.75	.30	.50		.10
BOILERMAKERS	9.45	.70	1.00		.02
BRICKLAYERS & STONEMASONS	9.685		.55		
CARPENTERS:					
Carpenters	7.23	.30			.02
Millwrights; Piledrivermen	7.60	.30			.02
CEMENT MASONS	7.23	.25			
ELECTRICIANS	9.90	.50	1%		1%
ELEVATOR CONSTRUCTORS	8.74	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.05	.50	1.00		
IRONWORKERS	9.10				.02
LABORERS:					
GROUP 1 - Common laborers	7.14	.30	.40		
GROUP 2 - All water service, mortar mixers; Sewer tile layers	7.265	.30	.40		
GROUP 3 - Air, electric or gasoline powered jackhammers, chipping hammers; Machine rock drills; Power driven buggies; Tampers; Vibrators; Well point work	7.34	.30	.40		
LATHERS	9.48				
LINE CONSTRUCTION:					
GROUP 1 - Cable splicers; Lineman; Welder; Technicians; All rigs setting assembled "H" fixtures and steel transmission structures	8.28	.35	1%		1/2%
GROUP 2 - Groundman; Truck driver (without winch); Experienced (not less than 6 months)	5.38	.35	1%		1/2%
GROUP 3 - Groundman; Truck driver (with winch)	5.55	.35	1%		1/2%
GROUP 4 - Blaster; Special equipment operations (hole digging machines, all tractors, transmission line pole hauling & setting equipment other than assembled "H" fixtures)	6.62	.35	1%		1/2%
GROUP 5 - Groundman-1st 6 mos.	4.55	.35	1%		1/2%

DECISION NO. IA76-4060

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
Brush & rollers	$ 8.58				
Paperhangers	8.83				
Sandblasting; Spraying	9.23				
PLASTERERS	8.50				
PLUMBERS & STEAMFITTERS	9.80	.40	.30		.10
ROOFERS	7.70				
SOFT FLOOR LAYERS	7.23	.30			.02
SPRINKLER FITTERS	10.40	.50	.80		.08
TRUCK DRIVERS	5.64				
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental					

FOOTNOTE:
a - Employer contributes 4% of basic hourly rate for over 5 years' service; 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays A thru F

PAID HOLIDAYS
A-New Years' Day; B-Memorial Day
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day

DECISION NO. IA76-4060

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
GROUP 1	$ 8.95	.50	.50		.05
GROUP 2	8.83	.50	.50		.05
GROUP 3	8.035	.50	.50		.05
GROUP 4	7.73	.50	.50		.05

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Cranes, including those being used as backhoe, dragline, clamshell, etc.; Tower Cranes; Truck cranes and cherry pickers 12½ ton & over rated capacity; Derricks; Piledrivers and extractors; Caisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3 drum hoist; Welders; Mechanics; Locomotive; Dredge (levermen)

GROUP 2 - 1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Economobiles; Plant mixers; Farm type tractors (with loaders, backhoes, attachments, etc.); Scrapers (tournapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Group No. 1; Motor patrol; Bulldozers; Push Cat; Truck cranes and cherry pickers (under 12½ ton); Concrete Mixers (1 yard & over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump; Dewatering pump; Temporary hoist cage operated; Second man on locomotive; Vibrating concrete spreader (Gomaco, C-450 or equal)

GROUP 3 - Tractors (under 35 HP) with or without attachments; Endloaders (under 35 HP) with or without attachments; Air compressors (one or a combination of 250 CFM or more); Pumps 3" or over; Welding machines 600 amps or combination thereof; Conveyors; Firemen (Boiler); Generator (75 KW & over); Fork lifts (other than above Group No. 2); Gunnite machine; Self-propelled rollers; Stump chippers; Self-propelled tampers; Air and electric tuggers (other than above); Ditching machine under 8"

GROUP 4 - Oilers; Mechanical heaters; Truck crane drivers; Permanent elevators

DECISION NO. IA76-4060

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS & PILEDRIVERMEN	$ 7.30	.31			
CEMENT MASONS	6.86				
LABORERS:					
Group 1	6.60	.30	.10		
Group 2	6.35	.30	.10		
Group 3	6.10	.30	.10		
Group 4	5.95	.30	.10		
Group 5	5.85	.30	.10		

LABORERS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Sandblasters; Powderman and Blaster; Pipe layer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond and core drills, powered by air; All work performed by Laborers working from a bos'n chair, swinging stage, life belt, tag line, or block and tackle; Drill operator of air tracs, wagon drills and similar drills

GROUP 2 - Tree climber; Form setters; Rakers; Boxtenders; Asphalt curb machines; Potmen, not mechanical; Bull float, hand operated; Scalers; Timbermen; Underpinning and shoring; Caissons over 12 ft.; Grade Checker and cutting torches on demolition work

GROUP 3 - Power buggyman; Concrete and paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker and jointer and painter; Timber and chain saw man; Mechanical grouters; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or pre-stressed concrete on or off the job; Powderman helpers

GROUP 4 - Form tamper; Air, gas and electric tool operators, vibrators, barco hammer, paving breakers, spaders, tampers; electric drills, hammers and jack hammers; Tree groundmen; Chuck tenders; Drill helpers, tool room men and checkers; Sandblaster helper; Concrete processing material and monitors; Cement finishers helpers; Stringman on paving work

GROUP 5 - Fence erectors; Handling and placing of metal mesh, dowel bars, reinforcing bars and chairs; Dumpmen and spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching and planting of trees, shrubs and flowers; Water boy; Common laborers; Rodmen; Tending to carpenters; Hot asphalt labor

DECISION NO. IA76-4060

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
Group 1	$ 7.30	.40	.40		.03
Group 2	6.90	.40	.40		.03
Group 3	6.50	.40	.40		.03
TRUCK DRIVERS	6.34	.35			

POWER EQUIPMENT OPERATORS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Power Shovel, Crane, Backhoe and Dragline; Central Mix Plant Operator; Dredge Engineer; Dredge Levermen; Paver or Spreader Operator; Hoisting Engineer (Steel Erection); Motor Patrol; Piledriver Machine; Concrete Mixer, Tow or Push Boat Operator; Master Mechanic; C.M.I. Paver; C.M.I. Subgrader (or equivalent); Asphalt Plant; Front Endloader; Scraper; Bulldozer; Push Cat; Tractor Pulling Scraper; Sideboom Tractor; Churn or Rotary Drill; Trenching Machine (Cleveland 80 or similar capacity); Asphalt Laydown; Asphalt Screed; Asphalt Heater-Planer Unit; Asphalt Roller; Self-Propelled Elevating Grader or similar machine; Spreader (Concrete); Horizontal Boring Machine; Mechanics-Welders; Group Equipment Greaser; Concrete Pump; Self-Propelled Curb Machine

GROUP 2 - Concrete Curb Breaker; Concrete Widening Machine; Paving Breaker; Barger-Greene, Haiss Loader or similar machine; Tractor Pulling Ripper, Disc, Sheepsfoot or Flat Roller; Self-Propelled Sheepsfoot Roller; Self-Propelled Roller (other than asphalt); Distributor; Screening and Washing Plant; Self-Propelled Vibrating Compactor; Trenching Machine (other than above); Steel Placing Machine; Conveyor; Finishing Machine (on concrete); Flexplane; Bull Float; Form Grader

GROUP 3 - Boiler; Mechanical Broom; Oiler or Mechanics Helper or Group Greaser Helper; Farm-type Tractor (pulling disc, harrow or roller); Welding Machine; Pump Operator (other than dredge); Boom and Winch Truck; Compressor; Tank Car Heater (combination boiler and booster); Pumps on Well Points and Deep Wells for Dewatering; Truck Crane Combination Driver-Oiler; Concrete Curbing Machine; Safety Boat Operator; Batch Plant (Dry)

SUPERSEDEAS DECISION

STATE: Iowa COUNTY: Polk
DECISION NO.: IA76-4061 DATE: Date of Publication
Supersedes Decision No. IA75-4177, dated October 31, 1975, in 40 FR 50891.
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.68	.58	.605		
BOILERMAKERS	9.45	.70	1.00		.02
BRICKLAYERS & STONEMASONS	9.80	.35	.40		.02
CARPENTERS:					
Carpenters	8.99	.30	.25		.04
Millwrights; Piledrivermen	9.34	.30	.25		.04
CEMENT MASONS	9.355				
ELECTRICIANS	10.17	.40	1%+.50		1%
ELEVATOR CONSTRUCTORS	8.73	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.30	.45	.25	4.35%	.01
IRONWORKERS	9.045	.30	.705		.02
LABORERS:					
GROUP 1 - General laborers	7.00	.41	.375		
GROUP 2 - Mortar mixers; motor buggies, when pouring concrete; power tool operators (air tools, concrete vibrator, gunnite nozzlemen, electric drills & hammers)	7.10	.41	.375		
GROUP 3 - Plasterers' tenders	7.125	.41	.375		
GROUP 4 - Powdermen	7.15	.41	.375		
GROUP 5 - Air tool, power tampers & other similar self-powered tools weighing 50 lbs. & over	7.20	.41	.375		
GROUP 6 - All tunnel work	7.25	.41	.375		
GROUP 7 - Paving breakers weighing 50 lbs. and over	7.30	.41	.375		
LATHERS	9.00				
LINE CONSTRUCTION:					
GROUP 1 - Cable splicers; Lineman; Welder; Technicians; All rigs setting assembled "H" fixtures and steel transmission structures	8.28	.35	1%		1/2%
GROUP 2 - Groundman; Truck driver (without winch); Experienced (not less than 6 months)	5.38	.35	1%		1/2%
GROUP 3 - Groundman; Truck driver (with winch)	5.55	.35	1%		1/2%

DECISION NO. IA76-4061

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION (CONT'D):					
GROUP 4 - Blaster; Special equipment operations (hole digging machines, all tractors, transmission line pole hauling & setting equipment other than assembled "H" fixtures)	$ 6.62	.35	1%		1/2%
GROUP 5 - Groundman-1st 6 mos.	4.55	.35	1%		1/2%
MARBLE SETTERS	9.595				
PAINTERS:					
GROUP 1 - Brush, roller, drywall finisher	9.04		.20		.03
GROUP 2 - Paperhangers	9.29		.20		.03
GROUP 3 - Spray; Structural steel; Sandblasting; Swing stage	9.54		.20		.03
GROUP 4 - Stack; tower work over 100 ft.	10.14		.20		.03
PLASTERERS	8.50				
PLUMBERS & STEAMFITTERS	9.90	.40	.75		.10
ROOFERS	8.49		.25		
SHEET METAL WORKERS	9.98	.35	.20		.07
SOFT FLOOR LAYERS	8.715	.30	.25		.04
SPRINKLER FITTERS	10.40	.50	.80		.08
TERRAZZO WORKERS	9.595				
TILE SETTERS	9.595				
TRUCK DRIVERS	5.91				
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

FOOTNOTE
a - Employer contributes 4% of basic hourly rate for over 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays A thru F

PAID HOLIDAYS
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

DECISION NO. IA76-4061

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
GROUP 1	$ 8.95	.50	.50		.05
GROUP 2	8.83	.50	.50		.05
GROUP 3	8.035	.50	.50		.05
GROUP 4	7.73	.50	.50		.05

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Cranes, including those being used as backhoe, dragline, clamshell, etc.; Tower crane; Truck cranes and cherry pickers 12½ ton & over rated capacity; Derricks; Piledrivers and extractors; Caisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3 drum hoist; Welders; Mechanics; Locomotive; Dredge (levermen)

GROUP 2 - 1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Economobiles; Plant mixers; Farm type tractors (with loaders, backhoes, attachments, etc.); Scrapers (tournapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Group No. 1; Motor patrol; Bulldozers; Push cat; Truck cranes and cherry pickers (under 12½ ton); Concrete mixers (1 yard and over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump; Dewatering pump; Temporary hoist cage operated; Second man on locomotive; Vibrating concrete spreader (Gomaco, C-450 or equal)

GROUP 3 - Tractors (under 35 HP) with or without attachments; Endloaders (under 35 HP) with or without attachments; Air compressors (one or a combination of 250 CFM or more); Pumps 3" or over; Welding machines 600 amps or combination thereof; Conveyors; Firemen (Boiler); Generator (75 KW & over); Fork lifts (other than above Group No. 2); Gunnite machine; Self-propelled rollers; Stump chippers; Self-propelled tampers; Air and electric tuggers (other than above); Ditching machine under 8"

GROUP 4 - Oilers; Mechanical heaters; Truck crane drivers; Permanent elevators

DECISION NO. IA76-4061

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS & PILEDRIVERMEN	$ 7.30	.31			
CEMENT MASONS	6.86				
LABORERS:					
Group 1	6.60	.30	.10		
Group 2	6.35	.30	.10		
Group 3	6.10	.30	.10		
Group 4	5.95	.30	.10		
Group 5	5.85	.30	.10		

LABORERS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Sandblasters; Powderman and Blaster; Pipe layer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond and core drills, powered by air; All work performed by Laborers working from a bos'n chair, swinging stage, life belt, tag line, or block and tackle; Drill operators of air tracs, wagon drills and similar drills

GROUP 2 - Tree climber; Form setters; Rakers; Boxtenders; Asphalt curb machines; Potmen, not mechanical; Bull float, hand operated; Scalers; Timbermen; Underpinning and shoring; Caissons over 12 ft.; Grade checkers and cutting torches on demolition work

GROUP 3 - Power buggyman; Concrete and paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker and jointer and painter; Timber and chain saw man; Mechanical grouters; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or pre-stressed concrete on or off the job; Powderman helpers

GROUP 4 - Form tamper; Air, gas and electric tool operators, vibrators, barco hammer, paving breakers, spaders, tampers, electric drills, hammers and jack hammers; Tree groundmen; Chuck tenders; Drill helpers, tool room men and checkers; Sand blaster helper; Concrete processing material and monitors; Cement finishers helpers; Stringman on paving work

GROUP 5 - Fence erectors; Handling and placing of metal mesh, dowel bars, reinforcing bars and chairs; Dumpmen and spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching and planting of trees, shrubs and flowers; Water boy; Common laborers; Roumen; Tending to carpenters; Hot asphalt labor

DECISION NO. IA76-4061

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
Group 1	$ 7.30	.40	.40		.03
Group 2	6.90	.40	.40		.03
Group 3	6.50	.40	.40		.03
TRUCK DRIVERS	6.34	.35			

POWER EQUIPMENT OPERATORS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Power Shovel, Crane, Backhoe and Dragline; Central Mix Plant Operator; Dredge Engineer; Dredge Leverman; Paver or Spreader Operator; Hoisting Engineer (Steel Erection); Motor Patrol; Piledriver Machine; Concrete Mixer; Tow or Push Boat Operator; Master Mechanic; CMI Paver; CMI Subgrader (or equivalent); Asphalt Plant; Front Endloader; Scraper; Bulldozer; Push cat; Tractor Pulling Scraper; Sideboom Tractor; Churn or Rotary Drill; Trenching Machine (Cleveland 80 or similar capacity); Asphalt Laydown; Asphalt Screed; Asphalt Heater-Planer Unit; Asphalt Roller; Self-Propelled Elevating Grader or similar machine; Spreader (Concrete); Horizontal Boring Machine; Mechanics-Welders; Group Equipment Greaser; Concrete Pump; Self-Propelled Curb Machine

GROUP 2 - Concrete Curb Breaker; Concrete Widening Machine; Paving Breaker; Barber-Greene, Haiss Loader or similar machine; Tractor Pulling Ripper, Disc, Sheepsfoot or Flat Roller; Self-Propelled Sheepsfoot Roller; Self-Propelled Roller (other than asphalt); Distributor; Screening and Washing Plant; Self-Propelled Vibrating Compactor; Trenching Machine (other than above); Steel Placing Machine; Conveyor; Finishing Machine (on concrete); Flexplane; Bull Float; Form Grader

GROUP 3 - Boiler; Mechanical Broom; Oiler or Mechanics Helper or Group Greaser Helper; Farm-type Tractor (pulling disc, harrow or roller); Welding Machine; Pump Operator (other than dredge); Boom and Winch Truck; Compressor; Tank Car Heater (combination boiler and booster); Pumps on Well Points and Deep Wells for Dewatering; Truck Crane Combination Driver-Oiler; Concrete Curbing Machine; Safety Boat Operator; Batch Plant (Dry)

STATE: Iowa COUNTY: Story (City of Ames and abutting municipalities

DECISION NO.: IA76-4062 DATE: Date of Publication

Supersedes Decision No. IA75-4179, dated October 31, 1975, in 40 FR 50897

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.68	.58	.605		
BOILERMAKERS	9.45	.70	1.00		.02
BRICKLAYERS & STONEMASONS	9.39		.20		
CARPENTERS:					
Carpenters; Piledrivermen	8.65		.15		
Millwrights	9.00		.15		
CEMENT MASONS	9.355				
ELECTRICIANS	10.17	.40	1%+.50		1%
ELEVATOR CONSTRUCTORS	8.73	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.30	.45	.25	4.35%	.01
IRONWORKERS	9.045	.30	.705		.02
LABORERS:					
GROUP 1 - Common laborers	6.73	.30	.05		
GROUP 2 - Mortar, plaster & grout mixers; Jackhammer; Paving breaker; Rock drill; Vibrator operator; Motor buggy operators while pouring concrete	6.88	.30	.05		
GROUP 3 - Plasterers' tenders	6.93	.30	.05		
GROUP 4 - Concrete saw man	6.98	.30	.05		
GROUP 5 - Sandblaster	7.08	.30	.05		
GROUP 6 - Digging of or work within a shaft entering into natural underground cavities or caverns and work within the said shaft or caverns	7.23	.30	.05		
LATHERS	9.00				
LINE CONSTRUCTION:					
GROUP 1 - Cable splicers; Linemen; Welder; Technicians; All rigs setting assembled "H" fixtures and steel transmission structures	8.28	.35	1%		1/2%
GROUP 2 - Groundman; Truck driver (without winch); Experienced (not less than 6 months)	5.38	.35	1%		1/2%

DECISION NO. IA76-4062

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION (CONT'D):					
GROUP 3 - Groundman; Truck driver (with winch)	$ 5.55	.35	1%		1/2%
GROUP 4 - Blaster; Special equipment operations (hole digging machines, all tractors, transmission line pole hauling & setting equipment other than assembled "H" fixtures)	6.62	.35	1%		1/2%
GROUP 5 - Groundman-1st 6 mos.	4.55	.35	1%		1/2%
PAINTERS:					
GROUP 1 - Brush; Roller; Dry-wall finisher	9.04		.20		.03
GROUP 2 - Paperhangers	9.29		.20		.03
GROUP 3 - Spray; Structural steel; Sandblasting	9.54		.20		.03
GROUP 4 - Work over 100 ft.; Stack	10.14		.20		.03
PLASTERERS	8.50				
PLUMBERS & STEAMFITTERS	9.90	.40	.75		.10
ROOFERS	8.49		.25		
SHEET METAL WORKERS	9.98	.35	.20		.07
SOFT FLOOR LAYERS	8.715	.30	.25		.04
SPRINKLER FITTERS	10.40	.50	.80		.08
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental					

FOOTNOTE

a - Employer contributes 4% of the basic hourly rate for 5 years service and 2% of the basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit. Six Paid Holidays A thru F

PAID HOLIDAYS

A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

DECISION NO. IA76-4062

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
GROUP 1	$ 8.95	.50	.50		.05
GROUP 2	8.83	.50	.50		.05
GROUP 3	8.035	.50	.50		.05
GROUP 4	7.73	.50	.50		.05

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Cranes, including those being used as backhoe, dragline, clamshell, etc.; Tower cranes; Truck cranes and cherry pickers 12½ ton & over rated capacity; Derricks; Piledrivers and extractors; Caisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3 drum hoist; Welders; Mechanics; Locomotive; Dredge (levermen)

GROUP 2 - 1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Econombiles; Plant mixers; Farm type tractors (with loaders, backhoes, attachments, etc.); Scrapers (tournapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Group No. 1; Motor patrol; Bulldozers; Push cat; Truck cranes and cherry pickers (under 12½ tons); Concrete mixers (1 yard and over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump: Dewatering pumps; Temporary hoist cage operated; Second man on locomotive; Vibrating concrete spreader (Gomaco, C-450 or equal)

GROUP 3 - Tractors (under 35 HP) with or without attachments; Endloaders (under 35 HP) with or without attachments; Air compressors (one or a combination of 250 CFM or more); Pumps 3" or over; Welding machine 600 amps or combination thereof; Conveyors; Firemen (Boiler); Generator (75 KW & over); Fork lifts (other than above Group No. 2); Gunnite machine; Self-propelled rollers; Stump chippers; Self-propelled tampers; Air and electric tuggers (other than above); Ditching machine under 8"

GROUP 4 - Oilers; Mechanical heaters; Truck crane drivers; Permanent elevators

DECISION NO. IA76-4062

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS & PILEDRIVERMEN	$ 7.30	.31			
CEMENT MASONS	6.86				
LABORERS:					
Group 1	6.60	.30	.10		
Group 2	6.35	.30	.10		
Group 3	6.10	.30	.10		
Group 4	5.95	.30	.10		
Group 5	5.85	.30	.10		

LABORERS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Sandblasters; Powderman and Blaster; Pipe layer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzlemen; Diamond and core drills, powered by air; All work performed by Laborers working from a bos'n chair, swing stage, life belt, tag line, or block and tackle; Drill operators of air tracs, wagon drills and similar drills

GROUP 2 - Tree climber; Form setters; Rakers; Box tenders; Asphalt curb machines; Potmen, not mechanical; Bull float, hand operated; Scalers; Timbermen; Underpinning and shoring; Caissons over 12 ft.; Grade checkers and cutting torches on demolition work

GROUP 3 - Powder buggyman; Concrete and paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker and jointer and painter; Timber and chain saw man; Mechanical grouters; Automatic concrete power curbing machines; Stresser of stretcherman on post-tension or pre-stressed concrete on or off the job; Powderman helpers

GROUP 4 - Form tamper; Air, gas and electric tool operators, vibrators, barco hammers, paving breakers, spaders, tampers, electric drills, hammers and jack hammers; Tree groundmen; Chuck tenders; Drill helpers, tool room men and checkers; Sand blaster helper; Concrete processing material and monitors; Cement finishers helpers; Stringman on paving work

GROUP 5 - Fence erectors; Handling and placing of metal mesh, dowel bars, reinforcing bars and chairs; Dumpmen and spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching and planting of trees, shrubs and flowers; Water-boy; Common laborer; Rodmen; Tending to carpenters; Hot asphalt labor

DECISION NO. IA76-4062

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
Group 1	$ 7.30	.40	.40		.03
Group 2	6.90	.40	.40		.03
Group 3	6.50	.40	.40		.03
TRUCK DRIVERS	6.34	.35			

POWER EQUIPMENT OPERATORS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Power Shovel, Crane, Backhoe and Dragline; Central Mix Plant Operator; Dredge Engineer; Dredge Leverman; Paving or Spreader Operator; Hoisting Engineer (Steel Erection); Motor Patrol; Piledriver Machine; Concrete Mixer; Tow or Push Boat Operator; Master Mechanic; CMI Paver; CMI Subgrader (or equivalent); Asphalt Plant; Front Endloader; Scraper; Bulldozer; Push Cat; Tractor Pulling Scraper; Sideboom Tractor; Churn or Rotary Drill; Trenching Machine (Cleveland 80 or similar capacity); Asphalt Laydown; Asphalt Screed; Asphalt Heater-Planer Unit; Asphalt Roller; Self-Propelled Elevating Grader or similar machine; Spreader (Concrete); Horizontal Boring Machine; Mechanics-Welders; Group Equipment Greaser; Concrete Pump; Self-Propelled Curb Machine

GROUP 2 - Concrete Curb Breaker; Concrete Widening Machine; Paving Breaker; Barber-Greene, Haiss Loader or similar machine; Tractor Pulling Ripper, Disc; Sheepsfoot or Flat Roller; Self-Propelled Sheepsfoot Roller; Self-Propelled Roller (other than asphalt); Distributor; Screening and Washing Plant; Self-Propelled Vibrating Compactor; Trenching Machine (other than above); Steel Placing Machine; Conveyor; Finishing Machine (on concrete); Flexplane; Bull Float; Form Grader

GROUP 3 - Boiler; Mechanical Broom; Oiler or Mechanics Helper or Group Greaser Helper; Farm-type Tractor (pulling disc, harrow or roller); Welding Machine; Pump Operator (other than dredge); Boom and Winch Truck; Compressor; Tank Car Heater (combination boiler and booster); Pumps on Well Points and Deep Wells for Dewatering; Truck Crane Combination Driver-Oiler; Concrete Curbing Machine; Safety Boat Operator; Batch Plant (Dry)

SUPERSEDEAS DECISION

STATE: Iowa COUNTY: Webster (City of Fort Dodge)
DECISION NO.: IA76-4063 DATE: Date of Publication
Supersedes Decision No. IA75-4180, dated October 31, 1975, in 40 FR 50900
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.68	.58	.605		
BOILERMAKERS	9.45	.70	1.00		.02
BRICKLAYERS & STONEMASONS	8.37		.20		
CARPENTERS:					
Carpenters; Piledrivermen	8.11				
Millwrights	8.36				
CEMENT MASONS	6.50				
ELECTRICIANS	9.15	.40	1%		1%
ELEVATOR CONSTRUCTORS	8.73	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
IRONWORKERS	9.045	.30	.705		.02
LABORERS:					
GROUP 1 - Common laborers	4.85				
GROUP 2 - Machine & air tool operators	5.10				
GROUP 3 - Mortar mixers	5.05				
LATHERS	9.00				
LINE CONSTRUCTION:					
GROUP 1 - Cable splicers; Linemen; Welder; Technicians; All rigs setting assembled "H" fixtures and steel transmission structures	8.28	.35	1%		1/2%
GROUP 2 - Groundman; Truck driver (without winch); Experienced (not less than 6 months)	5.38	.35	1%		1/2%
GROUP 3 - Groundman; Truck driver (with winch)	5.55	.35	1%		1/2%
GROUP 4 - Blaster; Special equipment operations (hole digging machines, all tractors, transmission line pole hauling & setting equipment other than assembled "H" fixtures)	6.62	.35	1%		1/2%
GROUP 5 - Groundman-1st 6 mos.	4.55	.35	1%		1/2%

DECISION NO. IA76-4063

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
GROUP 1 - Brush; Drywall finishers; Rollers	$ 5.45				
GROUP 2 - Paperhangers	5.70				
GROUP 3 - Spray	5.95				
PLASTERERS	4.425				
PLUMBERS & STEAMFITTERS	9.90	.40	.75		.10
ROOFERS	6.05				
SPRINKLER FITTERS	10.40	.50	.80		.08
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

FOOTNOTE
a - Employer contributes 4% of the basic hourly rate for over 5 years service and 2% of basic hourly rate for 6 months to 5 years of service as Vacation Pay Credti. Six Paid Holidays A thru F

PAID HOLIDAYS
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

DECISION NO. IA76-4063

BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
GROUP 1	$ 8.95	.50	.50		.05
GROUP 2	8.83	.50	.50		.05
GROUP 3	8.035	.50	.50		.05
GROUP 4	7.73	.50	.50		.05

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Cranes, including those being used as backhoe, dragline, clamshell, etc.; Tower crane; Truck cranes and cherry pickers 12½ ton & over rated capacity; Derricks; Piledrivers and extractors; Caisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3 drum hoist; Welders; Mechanics; Locomotive; Dredge (levermen)

GROUP 2 - 1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Economobiles; Plant Mixers; Farm type Tractors (with loaders, backhoes, attachments, etc.); Scrapers (tournapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Group No. 1; Motor patrol; Bulldozers; Push cat; Truck cranes and cherry pickers (under 12½ ton); Concrete mixers (1 yard & over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump; Dewatering pump; Temporary hoist cage operated; Second man on locomotive; Vibrating concrete spreader (Gomaco, C-450 or equal)

GROUP 3 - Tractors (under 35 HP) with or without attachments; Endloader (under 35 HP) with or without attachments; Air compressors (one or a combination of 250 cfm or more); Pumps 3" or over; Welding machines 600 amps or combination thereof; Conveyors; Firemen (Boiler); Generator (75 KW and over); Fork lifts (other than above Group No. 2); Gunnite machine; Self-propelled rollers; Stump chippers; Self-propelled tampers; Air and electric tuggers (other than above); Ditching machines under 8"

GROUP 4 - Oilers; Mechanical heaters; Truck crane drivers; Permanent elevators

DECISION NO. IA76-4063

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS & PILEDRIVERMEN	$ 6.25	.31			
CEMENT MASONS	6.00				
LABORERS:					
Group 1	5.15	.30	.10		
Group 2	4.90	.30	.10		
Group 3	4.65	.30	.10		
Group 4	4.50	.30	.10		
Group 5	4.40	.30	.10		

LABORERS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Sandblasters; Powderman and blaster; Pipelayer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond and core drills, powered by air; All work performed by laborers working from a bos'n chair, swinging stage, life belt, tag line or block and tackle; Drill operators of air tracs, wagon drills and similar drills

GROUP 2 - Tree climber; Form setters; Rakers; Boxtenders; Asphalt curb machines; Potmen (not mechanical); Bull float, hand operated; Scalers; Timbermen; Underpinning and shoring; Caissons over 12 ft.; Grade checker and cutting torches on demolition work

GROUP 3 - Power buggyman; Concrete and paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker and jointer and painter; Timber and chain saw man; Mechanical grouter; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or pre-stressed concrete on or off the job; Powdermen helpers

GROUP 4 - Form tamper; Air, gas and electric tool operators; vibrator, barco hammer, paving breaker, spader, tamper, electric drills, hammer and jack hammer; Tree groundmen; Chuck tender; Drill helpers, tool room men and checker; Sandblaster helper; Concrete processing material and monitors; Cement finishers helpers; Stringman on paving work

GROUP 5 - Fence erectors; Handling and placing of metal mesh, dowel bars, reinforcing bars and chairs; Dumpmen and spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching and planting of trees, shrubs and flowers; Water boy; Common laborer; Rodmen; Tending to carpenters; Hot asphalt labor

DECISION NO. IA76-4063

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
Group 1	$ 7.30	.40	.40		.03
Group 2	6.90	.40	.40		.03
Group 3	6.50	.40	.40		.03
TRUCK DRIVERS	5.84	.35			

POWER EQUIPMENT OPERATORS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Power Shovel, Crane, Backhoe and Dragline; Central Mix Plant Operator; Dredge Engineer; Dredge Leverman; Paver or Spreader Operator; Hoisting Engineer (Steel Erection); Motor Patrol; Piledriver Machine; Concrete Mixer; Tow or Push Boat Operator; Master Mechanic; C.M.I. Paver; C.M.I. Subgrader (or equivalent); Asphalt Plant; Front Endloader; Scraper; Bulldozer; Push cat; Tractor pulling Scraper; Sideboom Tractor; Churn or Rotary Drill; Trenching Machine (Cleveland 80 or similar capacity); Asphalt Laydown; Asphalt Screed; Asphalt Heater-Planer Unit; Asphalt Roller; Self-Propelled Elevating Grader or similar machine; Spreader (Concrete); Horizontal Boring Machine; Mechanics-Welders; Group Equipment Greaser; Concrete Pump; Self-propelled Curb Machine

GROUP 2 - Concrete Curb Breaker; Concrete Widening Machine; Paving Breaker; Barber-Greene, Haiss Loader or similar machine; Tractor pulling Ripper, Disc, Sheepsfoot or Flat Roller; Self-propelled Sheepsfoot Roller; Self-propelled Roller (other than asphalt); Distributor; Screening and Washing Plant; Self-propelled Vibrator Compactor; Trenching Machine (other than above); Steel Placing Machine; Conveyor; Finishing Machine (on concrete); Flexplane; Bull Float; Form Grader

GROUP 3 - Boiler; Mechanical Broom; Oiler or Mechanics Helper;or Group Greaser Helper; Farm-type Tractor (pulling disc, harrow or roller); Welding Machine; Pump Operator (other than dredge); Boom and Winch Truck; Compressor; Tank Car Heater (combination boiler and booster); Pump on Well Points and Deep Wells for Dewatering; Truck Crane Combination Driver-Oiler; Concrete Curbing Machine; Safety Boat Operator; Batch Plant (Dry)

STATE: Iowa COUNTY: Woodbury (City of Sioux City and abutting municipalities)

DECISION NO.: IA76-4064 DATE: Date of Publication

Supersedes Decision No. IA75-4190, dated November 14, 1975, in 40 FR 53180

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.49	.35	.40		
BOILERMAKERS	9.45	.70	1.00		.02
BRICKLAYERS & STONEMASONS	9.435		.20		.01
CARPENTERS:					
Carpenters; Piledrivermen	7.00	.30	.25		.01
Millwrights	7.30	.30	.25		.01
CEMENT MASONS	8.255				
ELECTRICIANS	9.89	.27	1%		1%
ELEVATOR CONSTRUCTORS	7.64	.395	.26	2½%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.395	.26	2½%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	6.95				
IRONWORKERS	8.96	.30	.25		.01
LABORERS:					
GROUP 1 - Common laborers	6.785	.37	.20		
GROUP 2 - Mortar mixer; Plasterers' mixers; Air tool operators; Mechanical tampers; Concrete saw; Gunnite nozzle; Chain saw; Wrecking torch; Sandpot and blasting	6.935	.37	.20		
LATHERS	8.00				
LINE CONSTRUCTION:					
GROUP 1 - Cable splicers; Lineman; Welder; Technicians; All rigs setting assembled "H" fixtures and steel transmission structures	8.28	.35	1%		1/2%
GROUP 2 - Groundman; Truck driver (without winch); Experienced (not less than 6 months)	5.38	.35	1%		1/2%
GROUP 3 - Groundman; Truck driver (with winch)	5.55	.35	1%		1/2%
GROUP 4 - Blaster; Special equipment operations (hole digging machine, all tractors, transmission line pole hauling & setting equipment other than assembled "H" fixtures)	6.62	.35	1%		1/2%
GROUP 5 - Groundman-1st 6 mos.	4.55	.35	1%		1/2%
MARBLE SETTERS	9.435		.20		.01

DECISION NO. IA76-4064

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
GROUP 1 - Brush	$ 7.95	.40	.30		
GROUP 2 - Spray; All swing work; All work higher than 40 ft. - scaffolds, jacks, ladders, etc.; Pressure roller, sandblasting; Structural steel over 25 ft.	8.45	.40	.30		
PLASTERERS	8.00				
PLUMBERS & STEAMFITTERS	8.74	.30	.55		.10
ROOFERS:					
Roofers	7.43				
Kettlemen	7.21				
SHEET METAL WORKERS	8.62	.35	.25		
SPRINKLER FITTERS	10.40	.50	.80		.08
TERRAZZO WORKERS	9.435		.20		.01
TILE SETTERS	7.20				
TRUCK DRIVERS	5.49	.37	.20		.02
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental					

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' service as Vacation Pay Credit; Six Paid Holidays A thru F

PAID HOLIDAYS

A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

DECISION NO. IA76-4064

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
GROUP 1	$ 8.50	.50	.50		.05
GROUP 2	8.38	.50	.50		.05
GROUP 3	7.585	.50	.50		.05
GROUP 4	7.28	.50	.50		.05

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Cranes including those being used as backhoe, dragline, clamshell, etc.; Tower cranes; Truck cranes and cherry pickers 12½ ton & over rated capacity; Derricks; Piledrivers and extractors; Caisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3 drum hoist; Welders; Mechanics; Locomotive; Dredge (levermen)

GROUP 2 - 1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Economobiles; Plant mixer; Farm type tractors (with loaders, backhoes, attachments, etc.); Scrapers (tournapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Group No. 1; Motor patrol; Bulldozers; Push cat; Truck cranes and cherry pickers (under 12½ ton); Concrete mixers (1 yard and over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump; Dewatering pump; Temporary hoist cage operated; Second man on locomotive; Vibrating concrete spreader (Gomaco, C-450 or equal)

GROUP 3 - Tractors (under 35 HP) with or without attachments; Endloaders (under 35 HP) with or without attachments; Air compressors (one or a combination of 250 CFM or more); Pumps 3" or over; Welding machines 600 amps or combination thereof; Conveyors; Firemen (Boiler); Generator (75 KW and over); Fork lifts (other than above Group No. 2); Gunnite machine; Self-propelled rollers; Stump chippers; Self-propelled tampers; Air and electric tuggers (other than above); Ditching machine under 8"

GROUP 4 - Oilers; Mechanical heaters; Truck crane drivers; Permanent elevators

SUPERSEDEAS DECISION

STATE: Kentucky COUNTIES: *See below
DECISION NUMBER: KY76-1031 DATE: Date of Publication
Supersedes Decision No.: AR-4034 dated September 13, 1974 in 39 FR 33158
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories.)

*
Counties: Boone, Campbell, Kenton, Pendleton

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asbestos workers	10.91	.45	.85		.02
Boilermakers	10.25	.60	.80	.55	.01
Bricklayers	10.095	.45	.35		.01
Carpenters:					
Carpenters	10.55	.45	.55		.025
Millwrights	9.84	.40	.65		.10
Piledrivermen	10.55	.45	.55		.025
Cement masons	10.395	.45	.60		.12
Electricians	10.80	.60	1%+.30		½ of 1%
Elevator Constructors	8.94	.395	.26	2½%+a+b	.02
Elevator Constructors' helpers	70%JR	.395	.26	2½%+a+b	.02
Elevator Constructors' helpers (prob.)	50%JR				
Glaziers	10.10		.35		.005
Ironworkers, Structural & Ornamental	10.545	.65	.70		.03
Ironworkers, Reinforcing	8.895	.55	.85		.015
Laborers: (Demolition)					
Wrecking laborers	8.17	.50	.30		
Jackhammer operators	8.32	.50	.30		
Wallmen	8.32	.50	.30		
Burners	8.32	.50	.30		
Lathers	11.145		.25		.025
Lead burners	8.25	.30	c		.01
Linemen	10.00	.60	1%+.30		.5%
Marble setters	9.885	.45	.35		
Marble setters' helpers	9.235				
Painters, brush:					
Commercial	9.40		.15		
Industrial	9.55		.15		
Painters, spray:					
Commercial	9.65		.15		
Industrial	9.80		.15		
Pipe fitters	10.80	.70	.975		.06
Plasterers	10.995		.45		.05
Plumbers & Gas Fitters	10.92	.65	.90		.05
Resilient Floor Layers	8.95	.45	.55		.05
Roofers	9.945		.85		
Sheet Metal Workers	10.585	.76	.70		.02
Sprinkler fitters	9.25	.30	.50		.05
Stone masons	9.885	.45	.35		
Terrazzo Workers:					
Terrazzo workers	9.835	.45	.35		

KY76-1031 - (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Terrazzo Workers Cont'd:					
Terrazzo Workers' Helpers & Grinders	$9.185				
Terrazzo Base Grinder	9.605				
Tile Setters	9.835	.45	.35		
Tile Setters' Helpers	9.135				
Tile Setters' Helpers (Prob.)	75%JR				

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

a. Six paid holidays; A through F.

b. Employer contributes 1% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

c. Nine paid holidays: A through F plus Washington's Birthday, Good Firday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

KY76-1031 - (Cont'd)

LABORERS: (excluding demolition)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP a	9.05	.50	.30		
GROUP B	9.15	.50	.30		
GROUP C	9.20	.50	.30		
GROUP D	9.25	.50	.30		
GROUP E	9.40	.50	.30		
GROUP F	9.55	.50	.30		
GROUP G	9.80	.50	.30		

Group A - Common laborers, cement masons helpers, hand operator mechanical mule, mechanical sweeper, signal man

Group B - Bottom man, pipe layers

Group C - Burning torch operator, jack hammer, mechanical and air tamper operator, mechanical concrete buggies, power operated mechanical mule, concrete pump hose man, vibrator man

Group D - Plasterers' tender, mason tender, stone mason tender, bottom jackhammer man

Group E - Plaster mixer pump operator

Group F - Tunnel laborer

Group G - Gunnite nozzle operator

KY76-1031 - (Cont'd)

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A	$9.61	.46	.80		.11
GROUP B	9.45	.46	.80		.11
GROUP C	9.09	.46	.80		.11
GROUP D	8.31	.46	.80		.11
GROUP E	7.98	.46	.80		.11
GROUP F	7.23	.46	.80		.11

CLASSIFICATION DEFINITIONS

GROUP A - A-frames, air compressor on steel erection, rotary drills used on caisson work for foundations and sub-structure work, boiler or compressor operator mounted on crain (piggyback operation), boom trucks (all types), cableways, cherry pickers, combination concrete mixer and tower, concrete pumps, cranes (all types), derricks (all types), draglines, dredge (dipper, clam or suction) 3 man crew, elevating grader or euclid loader, floating equipment, gradalls, helicopter operator and helicopter winch operator when hoisting builders materials, hoes (all types), hoisting engines (two or more drums), lift slab or panel jack operator, locomotives (all types), maintenance engineer (mechanic or welder), mixer paving (multiple drum), mobile concrete pumps with boom, panelboard (all types on site), pile driver, power shovels, side booms, slip form pavers, straddle carriers (building constructio on site), hammerhead tower cranes, trench machines (over 24" wide), tug boat.

GROUP B - Asphalt paver, bulldozer, C.M.I. type equipment, endloaders, Kohlman type loaders (dirt loading), mucking machines, power grader, power scoops, powe scrapers, push cat.

GROUP C - Air compressor (pressureizing shafts or tunnels), asphalt rollers, fork lifts, hoist (one drum), house elevators, man lift, power boilers (over 15 lbs. pressure), pump operators installing well points or other type of dewatering system, pumps (4" and over discharge), submersible pumps (4" and over discharge), trenchers 24" and under.

GROUP D - Compressors on building construction, conveyors (building material), generators, gunnite machines, mixers (capacity more than one bag), mixers (one bag capacity, side loader), post driver, post hole digger, pavement breaker (hydraulic or cable), road widening trencher, rollers, welder operator

GROUP E - Backfillers & tampers, batch plant, bar and joint installing machines bull floats, burlap and curing machines, clefplanes, concrete spreading mach., crushers, deck hands, drum firemen (asphalt), farm type tractors pulling attac ments, finishin machines, form trenchers, high pressure pumps over 1/2" discharge, hydro seeders, self propelled power spreader, self propelled sub-grader, tire repairman, tractors pulling sheeps foot roller or grader, vibratory compactors (with integral power).

GROUP F - Oiler, helper, signalman, inboard & outboard motor boat launch, light plant operator, power driven heaters (oil fired), power boilers (less than 15 lbs. pressure, pumps under 4" discharge, submersible pumps under 4" discharge.

KY76-1031 - (Cont'd)

TRUCK DRIVERS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Tractor trailer combinations and drags	$6.27	a16.50	a17.00	b&c	
Drivers	6.08	a16.50	a17.00	b&c	
Helpers	6.03	a16.50	a17.00	b&c	

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Per week per employee on payroll 30 days or more.
b. Paid vacation: 1 year of employment - 1 week; 2 years - 2 weeks; 10 years-3 weeks; 15 years - 4 weeks.
c. Six paid holidays; A through F.

SUPERSEDEAS DECISION

STATE: New Jersey

COUNTIES: Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Monmouth, Ocean and Salem

DECISION NUMBER: NJ76-3127

DATE: Date of Publication

Supersedes Decision No. NJ75-3049, dated June 20, 1975, in 40 FR 26219.

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS:					
Zone 1	$10.52	.50	.50		
Zone 2	9.85	.50	.50		.025
Zone 3	9.202	.5803	.4974		.02
Zone 4	10.64	.55	1.00		.03
Zone 5	11.17	.60	.60		.06

AREA COVERED BY ASBESTOS WORKERS ZONES

Zone 1 - Atlantic, Burlington (Bass River and Washington Twps.), Cape May, Cumberland and Ocean (Englewood, Lacy, Little Egg Harbor, Long Beach, Ocean, Stafford, Tuckerton and Union Twps.) Counties.

Zone 2 - Burlington (Bordentown, Burlington, Chesterfield, Easthampton, Florence, Mansfield, Mount Holly, New Hanover, North Hanover, Pemberton, Roebling, Springfield, Wrightstown and Woodlawn Twps.), Mercer, Monmouth (Allentown, Blansinburg, Brielle, Englishtown, Farmingdale, Freehold, Howell, Manalapan, Manasquan, Millstone, Roosevelt, Sea Girt, South Belmar, Spring Lake Heights, Upper Freehold, Wall and West Belmar Twps.) and Ocean (Remainder of County) Counties.

Zone 3 - Monmouth (remainder of County) County

Zone 4 - Salem County

Zone 5 - Burlington (remainder of County), Camden and Gloucester Counties.

BOILERMAKERS	9.48	8%	19%	10%	.01
BOILERMAKERS HELPERS	8.95	8%	19%	10%	.01
BRICKLAYERS, STONEMASONS, MARBLE MASONS, CEMENT MASONS, PLASTERS, TILE LAYERS AND TERRAZZO WORKERS:					
Zone 1					
Bricklayers, Stonemasons, Marble Masons and Plasterers	9.72	.60	.35		.02
Cement Masons, Tile Layers and Terrazzo Workers	9.47	.60	.35		.02

DECISION NO. NJ76-3127

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Zone 2					
Bricklayers, Stonemasons, Marble Masons, Tile Layers and Terrazzo Workers	$ 9.70	.85	.85		
Cement Masons	9.15	.55	.70		
Plasterers	9.27				
Zone 3	8.95	.50	.25		.02
Zone 4	9.60	.60	1.00		.03
Zone 5	10.54		.56		

AREA COVERED BY BRICKLAYERS, STONEMASONS, ETC. ZONES

Zone 1 - Atlantic and Cape May Counties

Zone 2 - Camden, Gloucester and Salem Counties

Zone 3 - Cumberland County

Zone 4 - Burlington and Mercer Counties

Zone 5 - Monmouth and Ocean Counties

CARPENTERS, MILLWRIGHTS AND INSULATORS:					
Zone 1	10.14	.60	6%		1/5 of 1%
Zone 2					
Carpenters and Insulators	10.22	7%	7%		1/5 of 1%
Millwrights	10.47	7%	7%		1/5 of 1%
Zone 3	9.73	6%	6%		.02
Zone 4	9.85	.50	.55		.02

DECISION NO. NJ76-3127

Zone 1 - Atlantic, Camden, Cape May, Cumberland, Gloucester and Salem Counties

Zone 2 - Burlington (except the City of Bordentown), Monmouth and Ocean Counties

Zone 3 - Mercer (beginning from the present Post Office in Lawrenceville to a point northward through th ent "Radio Site" to the junction of Rosedale Road and Read's Mill Road to the junction of Pennington and Mount Rose Road to the Somerset County Line; again starting at the present Post Office in Lawrenceville and eastward to the junction of Brunswick Pike and Delaware and Raritan Canal Bridge taking the center of the road to Clarksville then south on Providence Line Road to the Pennsylvania Railroad then east to Dutch Neck North to Grover's Mills to the Middlesex County Line) County

Zone 4 - Burlington (City of Bordentown only) and Mercer (remainder of County) Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DOCKBUILDERS & PILEDRIVERMEN:					
Zone 1	$10.17	1.58	1.10	a	.12
Zone 2	10.39	1.10	1.70	.66	.02

AREA COVERED BY DOCKBUILDERS & PILEDRIVERMEN ZONES

Zone 1 - Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer (Trention Area), Ocean and Salem Counties

Zone 2 - Mercer (Princeton Area) and Monmouth Counties

DRYWALL TAPERS & FINISHERS					
ZONE 1	$10.25	.50	.50		.10
ZONE 2	9.15	.89	.50	.85	.03

AREA COVERED BY DRYWALL TAPERS & FINISHERS ZONES

Zone 1 - Atlantic, Burlington, Cape May, Cumberland, Mercer, Monmouth & Ocean Counties

Zone 2 - Camden, Gloucester & Salem Counties

DECISION NO. NJ76-3127

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS & CABLE SPLICERS:					
Zone 1	$11.70	4%	1% +.40		.01
Zone 2	12.20	4%	1% +.40		.10
Zone 3	11.50	4%	1% +.30		.05
Zone 4	11.07	4%	1% +.25		.04
Zone 5	10.56	4%	1% +.35		.02

AREA COVERED BY ELECTRICIANS & CABLE SPLICERS

Zone 1 - Monmouth & Ocean Counties

Zone 2 - Burlington(that portion north of a line following the west and south limits of Burlington Borough from the Delaware River in a southeasternly direction to the Burlington - Mt. Holly Road, south - southeast along this road to and including the town of Mt. Holly, east along the Pennsylvania Railroad to and including New Lisbon, and continuing along the Pennsylvania Railroad to the Ocean County Line) and Mercer Counties

Zone 3 - Burlington (Edgewater Park, Delanco, Delran, Cinnaminson, Moorestown, Mount Laurel, Willingsboro, Hainesport, Lumberton, Medford, Evesham Townships in Burlington County and that portion of Shamong, Tabernacle, Woodland Townships north of the Central Railroad of New Jersey Line and that portion of Burlington, Westhampton, Easthampton, South Hampton and Pemberton Townships in the county south of a line starting at the Delaware River and following the southern boundary of Burlington Borough to the Burlington, Mount Holly Road, along this road to Mount Holly around but excluding Mount Holly to the Pennsylvania Railroad, along the Pennsylvania Line through, but excluding Pemberton, through but excluding New Lisbon to the Ocean County Line), Camden, Gloucester (Washington, Deptford, West Deptford, Greenwich, East Greenwich, Mantua, Harrison, South Harrison, Woolwich and Logan Twps. and Pitman Borough) and Salem (from Lower Penns Neck, Upper Penns Neck, Oldmans Twps. and that portion of Mannington and Pilesgrove Twps. north of a line following State Hwy. #45 northeast from Fenswick Creek to the Borough of Woodstown, around and including Woodtown to U.S. Hwy #40 and east on #40 to Upper Pittsgrove Twp. line) Counties

DECISION NO. NJ76-3127

AREA COVERED BY ELECTRICIANS & CABLE SPLICERS ZONES (CONT'D)

Zone 4 - Atlantic (that portion south and west of a line following the White Horse Pile (U.S. Hwy #30) in a southeasternly direction from Camden County to the Mays Landing - DaCosta Road, continuing south along that road to the Great Egg Harbor River near Weymouth along that river to the Harding Hwy. to the Mays Landing - Tuckahoe Road, south on that road to the north limits of County), Cumberland, Gloucester (remainder of county) & Salem (remainder of county) Counties

Zone 5 - Atlantic (remainder of county), Burlington (remainder of county) and Cape May Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELEVATOR CONSTRUCTORS:					
Mechanics	$11.35	.495	.32	4%+b+c	.02
Helpers	7.945	.495	.32	4%+b+c	.02
Probationary Helpers	5.675				
GLAZIERS:					
Monmouth and Ocean Counties	10.05	.61	.65		.02
Altantic and Cape May Counties	7.40		.30		
Camden, Gloucester and Salem Cos.	9.58	.40	.20		.01
Burlington (that portion north of a line that begins at Florence-Roebling and that extends in a southeasterly direction that includes Fort Dix to the Ocean County Line) & Mercer Counties	9.41	.35	.50		.02
IRONWORKERS-STRUCTURAL, ORNAMENTAL and REINFORCING:					
Atlantic and Cape May Counties	10.10	.64	1.06		.05
Camden Gloucester and Salem Cos.	10.30	.64	1.06		.03
Mercer County	10.36	.79	1.11		.05

DECISION NO. NJ76-3127

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS, BUILDING CONSTRUCTION:					
Zone 1					
Laborers, mason tenders and plasterers tenders	$ 7.00	.55	.40		.02
Air, gas, electric tool operators	7.25	.55	.40		.02
Gunnite men	7.40	.55	.40		.02
Zone 2					
Construction laborers	7.15	.40	.65		.02
Brick tenders, motor tenders, scaffold builders (brick), hod carriers (brick) & power tool operators	7.25	.40	.65		.02
Motorized buggy operators, burners, nozzlemen (gunnite work)	7.375	.40	.65		.02
Jackhammer operators, barko tamper operators & concrete vibrator operators (over 27 lbs)	7.50	.40	.65		.02
Plasterer & lather tenders	7.65	.40	.65		.02
Zone 3					
Laborers	7.55	.40	.40		.02
Hod carriers, mason tenders, operators of jackhammers, tampers and electric hammers	7.80	.40	.40		.02
Zone 4	8.00	.45			.02
Zone 5					
Laborers	7.35	.65	.45		.02
Jackhammers	7.60	.65	.45		.02
Zone 6					
Laborers	7.40	.40	.55		.02
Hod carriers and plasterers tenders	7.50	.40	.55		.02

DECISION NO. NJ76-3127

AREA COVERED BY LABORERS, BUILDING ZONES

Zone 1 - Atlantic, Burlington (T Washington and Bass River), Cape May, Cumberland (Twps of Fairfield, Millville, Maurice River, Lawrence, Dawne and Commercial) and Ocean (that portion of the county up to and including Lacey Twp.) Counties

Zone 2 - Burlington (Twps of Edgewater Park, Delance, Willingsboro, West Hampton, East Hampton, Pemberton, Delran, Cinnaminson, Morrestown, Mt. Laurel, Hainesport, Lumberton, South Hampton, Evesham, Medford, Shamong, Tabernacle and Woodland), Camden, Gloucester and Salem Counties

Zone 3 - Mercer (Twps of Princeton, Lawrence and West Windsor and Boro of Princeton) County

Zone 4 - Monmouth (Twps of Matawan, Union Beach, Raritan, Keansburg, Highlands, Holmdel, Middletown, Fair Haven, Red Bank, Matawan Boro. and Marlboro) County

Zone 5 - Mercer (Twps of Washington, Highstown and East Windsor), Monmouth (remainder of County) and Ocean (remainder of County) Counties

Zone 6 - Burlington (remainder of County) and Mercer (remainder of County) Counties

DECISION NO. NJ76-3127

	Basic Hourly Rates	Fringe Benefits Payments		
		H & W	Pensions	Vacation
LABORERS, HEAVY & HIGHWAY CONSTRUCTION:				
Zone 1				
Group 1	$ 7.75	.60	.95	d
Group 2	7.45	.60	.95	d
Group 3	7.40	.60	.95	d
Group 4	7.25	.60	.95	d
Group 5	7.15	.60	.95	d
Group 6	6.90	.60	.95	d
Group 7	6.85	.60	.95	d
Group 8	6.75	.60	.95	d
Zone 2				
Group 1	8.25	.60	.95	d
Group 2	8.10	.60	.95	d
Group 3	7.85	.60	.95	d
Group 4	7.80	.60	.95	d
Group 5	7.70	.60	.95	d
Group 6	7.60	.60	.95	d
Group 7	7.35	.60	.95	d
Group 8	7.20	.60	.95	d
Group 9	7.15	.60	.95	d
FREE AIR TUNNEL JOBS				
Group 1	8.62	.60	.95	d
Group 2	8.22	.60	.95	d
Group 3	8.06	.60	.95	d
Group 4	7.55	.60	.95	d

AREA COVERED BY LABORERS, HEAVY & HIGHWAY CONSTRUCTION ZONES

Zone 1 - Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Ocean & Salem Counties.

Zone 2 - Monmouth County.

DECISION NO. NJ76-3127

CLASSIFICATION DEFINITIONS
LABORERS, HEAVY & HIGHWAY CONSTRUCTION - ZONE 1

Group 1 - Blasters

Group 2 - Finisher, Rammers, Pavers, Gunnite Nozzle Men, Form Setters

Group 3 - Timbermen

Group 4 - Wagon Drill Operator, Drill Master, Jack Hammers, Pavement Breakers, Power Buggy, Concrete Cutters, Asphalt Hammer & Tree Cutter Operators, Sandblasting, Cutting, power tools used to perform work usually done manually by

Group 5 - Sewer Pipe, Laser Men, Conduit and Duct Line Layers

Group 6 - Wagon drill operator helpers, Drill Master Helpers, and Magazine Tenders

Group 7 - Wrapping and Coating of all pipes

Group 8 - Common Laborers, Landscape Laborers, Railroad Track Flagmen, Traffic Directors, Salamander Tenders, Pitmen and proofing, Rakers & Tampers on Cold Patch Work

LABORERS, HEAVY & HIGHWAY CONSTRUCTION - ZONE 2

Group 1 - Blasters

Group 2 - Finishers, Rammers, Pavers, Gunnite Nozzle Men And

Group 3 - Timbermen

Group 4 - Form Setters

Group 5 - Wagon Drill Operators, Drill Maters, Jack Hammers, Pavement Breakers, Power Buggy, Concrete Cutters, Asphalt Hammers and Tree Cutter Operators, Sandblasting, Cutting, other power tools used to perform work usually done manually by

Group 6 - Sewer Pipe, Laser Men, Conduit and Duct Line Layers

Group 7 - Wagon Drill Operator Helpers, Drill Master Helpers, and Magazine Tenders

Group 8 - Wrapping and Coating of all Pipe

Group 9 - Common Laborers, Landscape Laborers, Railroad Track Flagmen, Traffic Directors, Salamander Tenders, Pitmen and Proofing, Rakers and Tampers on Cold Patch Work

DECISION NO. NJ76-3127

LABORERS - FREE AIR TUNNEL JOBS

Group 1 - Blasters

Group 2 - Skilled Men (including Miners, Drill Runners, Iron Men, Maintenance Men, Conveyor Men, Safety Miners, Riggers, Block Layers, Cement Finishers, Rail Men, Caulkers, Powder Carriers, All other Skilled Men)

Group 3 - Semi-skilled men (including Miner's Helpers, Chuck Tenders, Track Men, Nippers, Brake Men, Derail Men, Cable Men, Hose Men, Grout Men, Gravel Men, Form Men, Bell or Signal Men (top or bottom), Form Workers and Movers, Concrete Workers, Shaft Men, Tunnel Laborers, Caulkers' Helpers, All other Semi-skilled Men)

Group 4 - All others (including Powder Watchmen, change house attendants, Tool Laborers)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS, ASPHALT CONSTRUCTION:					
STREET:					
Seed Rakers	$ 7.40	.60	.95	d	
Rakers & Screed Men	7.25	.60	.95	d	
Tampers, Smoothers, Kettlemen, Painters, Shovelers & Roller Boys	7.00	.60	.95	d	
PLANT:					
Scale Mixer & Burner Men	7.25	.60	.95	d	
Feeders & Dust Men	7.00	.60	.95	d	
LAYERS:					
Zone 1	9.55	.50	.25		.02
Zone 2	7.85		.15		.01

AREA COVERED BY LAYERS ZONES

Zone 1 - Burlington, Camden, Cumberland, Gloucester, Mercer, Monmouth, Ocean and Salem Counties

Zone 2 - Atlantic & Cape May Counties

DECISION NO. NJ76-3127

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LEADBURNERS	$ 9.25	.35		e	.01
LINE CONSTRUCTION:					
Zone 1					
Linemen, Cable Splicers & Equipment Operators	10.20	4%	1%+.30		½ of 1%
Groundmen	8.25	4%	1%+.30		½ of 1%
Zone 2					
Linemen, Cable Splicers & Equipment Operators	12.20	4%	1%+.40		½ of 1%
Groundmen & Winch Operators	9.75	4%	1%+.40		½ of 1%
Zone 3					
Linemen	11.50	4%	1%+.30		½ of 1%
Groundmen & Winch Operators	9.15	4%	1%+.30		½ of 1%
Zone 4					
Linemen	11.07	4%	1%+.25		½ of 1%
Line Digger Truck Drivers	6.60	4%	1%+.25		½ of 1%
Groundmen	7.75	4%	1%+.25		½ of 1%
Zone 5					
Linemen, Equipment Operators, Technicians & Centified Linemen Welders	10.50	.25	1%+.60		½ of 1%
Truck Drivers	7.55	.25	1%+.60		½ of 1%
Groundmen	7.00	.25	1%+.60		½ of 1%

DECISION NO. NJ76-3127

AREA COVERED BY LINE CONSTRUCTION ZONES

Zone 1 - Monmouth & Ocean Counties

Zone 2 - Burlington (that portion north of a line following the west and south limits of Burlington Borough from the Delaware River in a southeasterly direction to the Burlington - Mt. Holly Road, south - southeast along this road to and including the town of Mt. Holly, east along the Pennsylvania Railroad to and including New Lisbon, and continuing along the Pennsylvania Railroad to the Ocean County Line) & Mercer Counties

Zone 3 - Burlington (Edgewater Park, Delanco, Delran, Cinnaminson, Moorestown, Mount Laurel, Willingsboro, Hainesport, Lumberton, Medford, Evesham Twps. in the county and that portion of Shamong, Tabernacle, Woodland Twps north of the Central Railroad of New Jersey Line and that portion of Burlington, Westhampton, Easthampton, South Hampton and Pemberton Twps. in the county south of a line starting at the Delaware River and following the southern boundary of Burlington Borough to the Burlington, Mount Holly Road, along this road to Mount Holly around but excluding Mount Holly to the Pennsylvania Railroad along the Pennsylvania Line through, but excluding Pemberton, through but excluding New Lisbon to the Ocean County Line), Camden, Gloucester (Washington, Deptford, West Deptford, Greenwich, East Greenwich, Manuta, Harrison, South Harrison, Woolwich, and Logan Twps. and Pitman Borough) and Salem (from Lower Penns Neck, Upper Penns Neck, Oldmans Twps. and that portion of Mannington and Pilesgrove Twps. North of a line following State Hwy. #45 northeast from Fenswick Creek to the Borough of Woodstown, around and including Woodstown to U. S. Hwy #40 and east on #40 to Upper Pittsgrove Twps. line) Counties

Zone 4 - Atlantic (that portion south and west of a line following the White Horse Pike (U. S. Hwy. #30) in a southeasterly direction from Camden County to the Mays Landing-DaCosta Road, continuing south along that road to the to the Great Egg Harbor River near Weymouth along that river to the Herding Hwy. to the Mays Landing - Tuckahoe Road, south on that road to the north limits of Corbin City to the Tuckahoe River), Cumberland, Gloucester (remainder of county) and Salem (remainder of county) Counties

Zone 5 - Atlantic (remainder of county), Burlington (remainder of county) and Cape May Counties

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
Zone 1					
Base Rates:					
Paperhanging, Painting & Allied Work	$ 8.55		.50		
Spraying & Sandblasting	9.45		.50		
Middle Rates:					
Work performed 25' or more above the finished floor & from swinging scaffolds three stories or less in height	8.85		.50		
Spraying & Sandblasting under these conditions	9.75		.50		
Premium Rates:					
Work on Tanks, Stacks, Bridges, Radio & T.V. Towers, Water Towers, Open Structural Steel & all work above 3 stories on the exterior of all structures	9.20		.50		
Spraying & Sandblasting under these conditions	10.10		.50		
Zone 2					
Painters on New Construction and Major Alterations	8.90	.55	.50	.15	.05
Painters on Repaint Work	8.50	.55	.50	.15	.05
Spraying or application of hazardous or dangerous materials on Repaint Work	9.10	.55	.50	.15	.05
Exterior work exceeding 3 stories in height for painting of open structural steel and tanks under 3 stories in height except flat tanks on the ground and on interior work which requires painting higher than 20' above the ground or floor (this shall not be applicable to machinery or equipment located therein)	9.05	.55	.50	.15	.05

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Repaint Work as described above	$ 8.65	.55	.50	.15	.05
On Bridges, Television and Radio Towers, Structural Steel and Tanks above 3 stories in height (30' or over), Smoke Stacks, Water Towers, Sandblasting, Steam-cleaning, Spraying or application of hazardous materials	9.50	.55	.50	.15	.05
Zone 3					
Commercial Brush or Roller	9.25	.50	.50		
Brushing Steel or Working Swing or Bosun Chair	10.00	.50	.50		
Commercial Spray or Dipping	10.00	.50	.50		
Spraying or Rolling on Steel or Tanks, Sandblasting or Power Tools	10.65	.50	.50		
Commercial Brushing or Rolling or Spraying of Special Material	10.65	.50	.50		
Zone 4					
Brush or Roller, Paperhanging & Vinyl-Wall Covering	9.00	.45	.45		
Structural Steel, Tanks, Flag Poles, Spray, Swing, Sandblasting & Stripping of Lines by Mechanical Machines & Hazardous Material	10.00	.45	.45		
Zone 5					
Brush	7.20				
Brush-Steel & Swing	7.45				
Sandblasting, Spray & Roller	7.80				
Brush - Steel & Swing over 70'	7.85				
Spray & Roller - Steel & Swing					
Sandblasting - Steel & Swing	8.05				
Spray & Roller - Exotic Material	8.80				
Exotic Material - Steel	9.05				
Exotic Material - Steel over 70'	9.45				

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AREA COVERED BY PAINTERS ZONES

Zone 1 - Monmouth & Ocean (northern half of County) Counties

Zone 2 - Mercer County

Zone 3 - Burlington, Camden, Glou... & Salem (the northern portion of County north of Salem Bridge) Counties

Zone 4 - Atlantic, Cape May & Ocean (remainder of County) Counties

Zone 5 - Cumberland & Salem (remainder of County) Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PLUMBERS & PIPEFITTERS					
Zone 1	$11.40	.[illegible]	.46		.025
Zone 2	10.40	.[illegible]	1.00	1.00	.05
Zone 3	9.95	.[illegible]	.77	1.10	.09
Zone 4	11.14	.[illegible]	.85		.05
Zone 5	10.92	[illegible]%	.75		.05
Zone 6	10.36	.41	.70	1.00	.20

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AREA COVERED BY PLUMBERS & PIPEFITTERS ZONES

Zone 1 - Atlantic, Burlington (that portion of the County including Atsion, Bass River Twp., Batsto, Chatsworth, Green Bank, Herman, Jenkins, New Gretna, Quaker Bridge, Wading River, Washington & Woodland Twp.), Cape May, Cumberland, Gloucester (Ashbury, Blue Bell, Malega & Newfield Twps. only), Ocean (southern half of the County to and including Whiting, Bamber, Waretown & Barnegat Light) & Salem (that portion of the County including Aldine, Alliance, Alloway, Brotmanville, Canton, Centerton, Friesburg, Hancock's Bridge, Lower Alloways Creek Twp., Moore's Corner, Norma, Oakwood Beach, Olivet, Penn (Beach), Pittsgrove Twp., Quinton & Shirley) Counties

Zone 2 - Burlington (that portion of the County starting on the west by the Delaware River, on the north by a line following the center of High Street to the Pennsylvania Railroad running from Camden to Mount Holly, Birmingham, Seaside Park & Shore Points on the Jersey Coast. Along aforesaid Railroad to the Town of Whitings; thense diagonally across Burlington County to the junction of Burlington, Camden & Atlantic Counties), Camden, Gloucester (remainder of County) & Salem (remainder of County) Counties

Zone 3 - Mercer (Bakersville, Berrien City, Clarksville, Dutch Neck, East Windsor Twp., Edinburg, Etra, Grover's Mills, Hightstown, Locust Corner, Mount Rose, North Princeton, Penns Neck, Port Mercer, Princeton & Rosedale) County

Zone 4 - Burlington (remainder of County), Mercer (remainder of County) & Monmouth (Allentown only) Counties

Zone 5 - Monmouth (the southern half of the county to and including Manalapan, Eton, Jerseyville, West Farms, Collingwood Park & Deal) & Ocean (remainder of County) Counties

Zone 6 - Monmouth (remainder of County) County

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$13.52	7%	15%	f	3%
GROUP 2	11.92	7%	15%	f	3%
GROUP 3	11.14	7%	15%	f	3%
GROUP 4	11.04	7%	15%	f	3%
GROUP 5	10.84	7%	15%	f	3%
GROUP 6	10.40	7%	15%	f	3%
GROUP 7	10.15	7%	15%	f	3%
GROUP 8	10.00	7%	15%	f	3%
GROUP 9	9.95	7%	15%	f	3%
GROUP 10	9.85	7%	15%	f	3%
GROUP 11	9.80	7%	15%	f	3%
GROUP 12	9.60	7%	15%	f	3%
GROUP 13	9.24	7%	15%	f	3%
GROUP 14	9.09	7%	15%	f	3%
GROUP 15	8.79	7%	15%	f	3%

50¢ per hour on machines where "Cat Head" or "Sheave Point" is at least 100 feet above ground level and less than 140 feet; 75¢ per hour on machines where "Cat Head" or Sheave Point" is 140 feet, or over above ground level.

CLASSIFICATION DEFINITIONS
POWER EQUIPMENT OPERATORS

GROUP 1 - Helicopters pilot/engineer.

GROUP 2 - Autograde-combination subgrader, base MTL spreader & base trimmer (CMI & similar type); autograde placer-trimmer-spreader-combination (CMI & similar types); autograde slip form paver (CMI & similar types); back hoes (all types, including all combination hoe loaders); central power plants (all types); concrete paving machines; cranes (all types, including overhead & straddle travelling type); cranes, gantry; derricks - land or floating (building & heavy construction rate only), drillmaster, quarry master (down the hole drill); draglines; elevator graders; engines, large diesel (1625 HP) and staging pump; front end loaders (5 yds & over); gradalls; grader, rago; helicopters co-pilot and communication engineer; jacks, screw air hydraulic power operated unit or console type (not hand jack or pile load test type); locomotive (large); mucking machines; pavers (21E and over); paver, resinous, Broyhill; pavement and concrete breaker (i.e. superhammer); pavement breaker truck mounted; piledriver; scooper (loader and shovel) Koehring; shovels; treechopper with boom; trench machines.

GROUP 3 - Pump, staging.

GROUP 4 - A-frame, boom attachment on loaders; boring & drilling machines; brush chopper, chipper & shredder; cableways; carryalls; cherry pickers - 6 tons & under (over 6 tons - crane rate applies); concrete pump; concrete pump system, pumpcrete, squeezecrete & similar types; conveyors, 125' & over; economobiles (hilo, lull, hyster similar type equipment); forklifts; front end loaders (2yds but less than 5yds); groove cutting machines (ride or type); heater planer; hoist (Chicago Boom); Pans, LeTourneau, DW's, Ukes, pumpcrete-unit type; pumpcrete machines, squeezecrete & concrete pumping; scrapers-LeTourneau, DW's Ukes; side booms; squeezecrete; "straddle" carrier, Ross and similar types; winch trucks (hoisting).

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CLASSIFICATIONS DEFINITIONS
POWER EQUIPMENT OPERATORS (CONT'D)

GROUP 5 - Aerial platform (used as hoist); hoists all types except Chicago Boom type (building & heavy construction rate only); elevator or house cars (building and heavy construction rate only); roof hoists.

GROUP 6 - Asphalt spreaders; bridge deck finisher; grader, finish only; rollers-blacktop.

GROUP 7 - Asphalt curbing machines; asphalt plant engineer; autograde tube finisher & texturing machine (CMI & similar types); autograde curecrete machine (CMI & similar types); autograde curb trimmer & sidewalk shoulder, slipform (CMI & similar types); barbending machines (power); batchers, batching plant & crusher on site; bet convey or systems; boilers and steam jennies (building & heavy construction rate only); boom type skimmer machines (building & heavy construction rate only); car dumpers (railroad); compressor and blower type units; concrete breaking machines; concrete finishing machines; concrete saws & cutters (ride on type); concrete spreaders-hetzel, recomatic & similar types; concrete vibrators (highway, road, street & sewer construction rate only); conveyors, under 125 ft.; crushing machines; ditching machine, small (ditch witch or similar); drill doctor (duties include dust collector); dope pots (mechanical with or without pump); dumpsters; fine grade machine (large type); front end loaders (1 yd & over but less than 2 yds) - highway, road, street & sewer construction rate only; front end loaders (under 2 yds) - building and heavy construction rates only; generators; giraffe grinders; graders and motor patrols; gunnite machines (excluding nozzle); hammer vibratory (in conjunction with generator); hoppers; hopper doors (power operated); ladders (motorized) - building & heavy construction rate only; laddervator; lights, portable generating light plants; locomotive (dinky type); mechanic; mixers (excepting paving mixers); motor patrols & graders; pavers (under 21E); pavement breakers - small, self-propelled ride on type (also maintains compressor or hydraulic unit); pipe bending machine (power); pitch pump; plaster pump (regardless of size) - building & heavy construction rate only; post hole digger; rod bending machines (power); scales, power; seaman pulverizing mixer; silos; skimmer machines (boom type) - highway, road, street & sewer construction rate only; steam jennies and boilers; steel cutting machines, services & maintains; vibrating plants (used in conjunction with unloading); welder and repair mechanic

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CLASSIFICATIONS DEFINITIONS
POWER EQUIPMENT OPERATORS (CONT'D)

GROUP 8 - Compressors (2 or 3 within a total distance of 100' constitutes a battery) - building & heavy construction rate only; welding machines, gas or electric converters of any type - (2 or 3 in battery) - building and heavy construction rates only; welding system, multiple (rectifier transformer type) - building & heavy construction rate only.

GROUP 9 - Brooms & sweepers; bulldozer, D5 and over; fireman; sprinkler and water pump trucks (used on job site or in conjunction with jobsite); stone spreaders; sweepers & brooms; tractors, D8 & over; water and sprinkler trucks (used on job site or in conjunction with job site).

GROUP 10 - Compressors (2 or 3 within a total distance of 100' constitutes a battery) - highway, road, street and sewer construction rate only.

GROUP 11 - Front end loaders (under 1 yd.) - highway, road, street & sewer construction rate only.

GROUP 12 - Bulldozer under D5; rollers - grade fill or stone base; tractors, under D8.

GROUP 13 - Compressor (single); heaters (Nelson or other type including propane, natural gas or flow type units); pumps (4 inch suction & over including submersible pumps); pumps (2 of less than 4 inch suction including submersible pumps); pumps, diesel engine & hydraulic (immaterial of power) - highway, road, street & sewer construction rate only; temporary heating plant (Nelson or other type, including propape, natural gas or flow type units); welding machines, gas or electric converters of any type - single (building & heavy construction rate only); welding machines, gas or electric converters of any type (2 or 3 in battery) - highway, road, street & sewer construction rate only; wellpoint systems (including installation and maintenance).

CLASSIFICATIONS DEFINITIONS
POWER EQUIPMENT OPERATORS (CONT'D)

GROUP 1 - Helicopters pilot/engineer.

GROUP 2 - Cranes (all cranes - land or floating with booms - including jib, 140 feet and over above the ground); derricks (land or floating with booms including jib, 140 feet and over above the ground); helicopters co-pilot & communications engineer.

GROUP 3 - Cranes (all cranes - land or floating with booms - including jib, less than 140 feet above the ground); derricks (land or floating, with booms including jib, less than 140 feet above the ground).

GROUP 4 - Aerial platform used as hoist; A-frame; cherry pickers - 6 tons and under (over 6 tons - crane rate applies); fork lifts; hoists (all types except Chicago Boom type); jacks (screw air hydraulic power operated unit or console type, not hand jack or pile load test type); side booms.

GROUP 5 - Compressors (2 or 3 in battery); generators; welding machines (gas or electric convertors of any type 2 or 3 in battery multiple welders); welding system multiple (rectifier transformer type).

GROUP 6 - Maintenance engineer.

GROUP 7 - Fireman

GROUP 8 - Compressor (single); rod bending machines (power); welding machines (gas or electric converters of any type-single).

GROUP 9 - Assistant engineer/oiler; straddle carrier.

CLASSIFICATIONS DEFINITIONS
POWER EQUIPMENT OPERATORS (CONT'D)

GROUP 14 - Concrete spreaders, (small type) convey or loaders (not including elevator graders) - highway, road, street & sewer construction rate only; farm tractors (highway, road, street & sewer construction rate only); fertilizing equipment; fine grade machine (small type) - highway, road, street and sewer construction rate only; form line graders (small type) - highway, road, street & sewer construction rate only; grease, gas, fuel and oil supply trucks; mixers, concrete small (highway, road, street and sewer construction rate only); muching equipment; road finishing machines (small type) - highway, road, street and sewer construction only; seeding equipment; tamping machines, vibrating self-propelled; welding machines, gas or electric converters of any type-single (highway, road, street and sewer construction rate only).

GROUP 15 - Assistant engineer/oiler; mechanics helper; tire repair and maintenance.

POWER EQUIPMENT OPERATORS: STEEL ERECTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$15.12	7%	15%	f	3%
GROUP 2	13.52	7%	15%	f	3%
GROUP 3	12.72	7%	15%	f	3%
GROUP 4	12.07	7%	15%	f	3%
GROUP 5	10.50	7%	15%	f	3%
GROUP 6	10.15	7%	15%	f	3%
GROUP 7	10.02	7%	15%	f	3%
GROUP 8	9.69	7%	15%	f	3%
GROUP 9	9.19	7%	15%	f	3%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS:					
Zone 1					
Composition, Rollermen and Kettlemen	$ [illegible]	.50	.60		
Slate, Tile and Damproofing	[illegible]	.50	.60		
Helpers	[illegible]	.50	.60		
Zone 2					
Composition	[illegible]	1.65	.82	g	
Journeyman Assistant	[illegible]	1.65	.82	g	
Slate, Tile and Asbestos	[illegible]	1.00	.50		
Asphalt Shingle	[illegible]	1.00	.50		
Zone 3					
Composition, Damp and Waterproofing	[illegible]	.55	.50		
Slate and Tile	[illegible]	.55	.50		
Slate and Tile Helpers	[illegible]	.55	.50		
Zone 4					
Composition, Waterproofing, Slate and Asphalt Shingle	[illegible]	.50	.60		

AREA COVERED BY ROOFERS ZONES

Zone 1 - Atlantic, Cape May and Cumberland Counties

Zone 2 - Burlington (Beverly, Charleston, Rancocas, Lumberton, Medford, Fairview, Medford Lakes, Smalls, Atsion and areas inclusive to the Camden County Line), Camden, Gloucester and Salem Counties

Zone 3 - Monmouth (the entire county except the southwest corner which includes Perrineville and the towns west there of) and Ocean (from the county line southward to Cassville, Lakehurst, Whitings, Wheatland and Cedar Bridge inclusive) Counties

Zone 4 - Burlington (remainder of County), Mercer, Monmouth (remainder of county) and Ocean (remainder of County) Counties

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
SHEET METAL WORKERS:					
Zone 1	$ 9.95	.83	.60		
Zone 2	9.82	6%	4%+.45	8%	.02
Zone 3	10.21	.84	.60		.02
Zone 4	11.06	.89	.65		.03

AREA COVERED BY SHEET METAL WORKERS ZONES

Zone 1 - Atlantic, Cape May & Cumberland Counties

Zone 2 - Monmouth & Ocean Counties

Zone 3 - Burlington & Mercer Counties

Zone 4 - Camden, Gloucester & Salem Counties

SOFT FLOOR LAYERS					
Zone 1	10.14	.60	6%		1/5 of [illegible]
Zone 2	10.08	6%	5% + .50		

AREA COVERED BY SOFT FLOOR LAYERS ZONES

Zone 1 - Atlantic, Camden, Cape May, Cumberland, Gloucester & Salem Counties

Zone 2 - Burlington, Mercer, Monmouth & Ocean Counties

SPRINKLER FITTERS:					
Zone 1	9.70	.30	.50		.02
Zone 2	11.25	.50	.80		.08

AREA COVERED BY SPRINKLER FITTERS ZONES

Zone 1 - Camden, Gloucester, Mercer (Town of Trenton) & Salem (Penns Grove excluding Penns Grove Airport) Counties

Zone 2 - Atlantic, Burlington, Cape May, Cumberland, Mercer (remainder of County), Monmouth, Ocean & Salem (remainder of County) Counties

DECISION NO. [illegible]

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TILE SETTERS HELPERS:					
Atlantic & Monmouth Counties	$ 8.45	6%	7%		
TRUCK DRIVERS:					
Zone 1					
Group 1	5.45	g&h	i	j&k	
Group 2	5.55	g&h	i	j&k	
Group 3	5.70	g&h	i	j&k	
Group 4	5.85	g&h	i	j&k	
Zone 2					
Group 1	5.80	1	m	n+o	
Group 2	6.30	1	m	n+o	
Group 3	6.45	1	m	n+o	
Group 4	6.50	1	m	n+o	
Group 5	6.65	1	m	n+o	
Group 6	6.85	1	m	n+o	
Group 7	7.00	1	m	n+o	
Zone 3					
Group 1	7.27	.68	.75	p+q	
Group 2	7.50	.68	.75	p+q	
Group 3	7.55	.68	.75	p+q	
Group 4	7.65	.68	.75	p+q	
Group 5	7.75	.68	.75	p+q	

AREA COVERED BY TRUCK DRIVERS ZONES

Zone 1 - Atlantic & Cape May Counties

Zone 2 - Burlington (that portion west of the Jersey Turnpike to the Delaware River), Camde, Cumberland, Gloucester & Salem Counties

Zone 3 - Burlington (remainder of County), Mercer, Monmouth & Ocean Counties

CLASSIFICATION DEFINITIONS
TRUCK DRIVERS - ZONE 1

Group 1 - Warehousemen and Helpers

Group 2 - Teamsters & Chauffeurs

Group 3 - Drivers on Tractors, Trailers, 10 wheel Flats and Dumps

Group 4 - Drivers on Euclids, 10 wheel Tractors and Tractor Trailer Trucks, Low Beds and Pole Trailers

DECISION NO. [illegible]

TRUCK DRIVERS - ZONE 2

Group 1 - Ten wheel dump truck driver and trailer dump driver off site

Group 2 - Straight truck driver (helper)

Group 3 - Warehousemen, fork lift truck and part men

Group 4 - Straight truck driver including all "dual purpose" trucks, (straight), transit mix trucks, [illegible] trucks, Seeding trucks fertilizing trucks, dumpcrete trucks, mulching trucks, "A" frame (when transporting material), water sprinkler trucks, tanks, straight trucks with mechanical tailgates, asphalt distributor trucks, batch trucks and similar type of equipment and mechanics (helper), Pick-up trucks (only when transporting material), & Flat bed trucks.

Group 5 - All truck towing

Group 6 - Winch straight tractor and trailor truck driver and Euclid trailer dump (not self-loading), fuel truck drivers and asphalt oil distributors on dumpcrete trucks, transit - mixers, flat bed trucks, low bed trucks, tanks, water tanks, fuel tanks, euclid water sprinkler, Asphalt distributor, pole trailor, water trailor, I beam trucks, euclids (all), and similar type equipment

Group 7 - Mechanics

TRUCK DRIVERS - ZONE 3

Group 1 - Mechanic Helper

Group 2 - Drivers on the following type vehicles: Straight dumps, Flats, Floats, Pick-ups, Container haulers, Fuel, Water Sprinkler, Road Oil, Stringer, Bead, Hot Pass, Bus, Dumpcrete, Transit Mixers, Agitator Mixer, Half truck, Winch Truck, Side-O-Matic, Dynomite, Powder, X-Ray, Welding, Skid, Jeep, Station Wagon, Stringer, A-Frame, All dual purpose trucks, Trucks with mechanical tailgates, Asphalt distributor, batch trucks, Seeding, Mulching, Fertilizer, Air Compressor Trucks (intransit), parts chaser, escort, [illegible]ssor, Hi-lift, telescope, concrete breaker, gin pole, stone, sand, Asphalt distributor and spreader, Nipper, fuel trucks (drivers on fuel trucks including handling of unit), Skid truck (debris container - entire unit), concrete mobile trucks (entire unit), Expediter (parts chaser), Beltcrete trucks, Dumpcrete trucks, Line truck, Reel truck, Wreckers, Utility trucks, Tack trucks, Warehousemen, Warehouse Parts-men, Yardmen, Lift truck in warehouse, Helper when required on lift truck in warehouse, Warehouse clerk, Parts man, Material checkers, Receivers, Shippers, Binning men (materials), Carman; Helper when required on Broyhill coal tar epoxy truck and asphalt and bituminous distributor truck; Drivers on the following type vehicles: Broyhill Coal tar epoxy trucks, Little-Ford Bituminous distributor, Slurry seal truck or vehicle, Thiokol trackmaster pick-up (swamp cat pickup), Bucket loader dump truck and any rubber tired tractor used in pulling and towing farm wagons and trailers of any description, similar type vehicles; Off-site and on-site repair shop, Team Drivers, Vacuum or Vac-all

DECISION NO [illegible]

Trucks (entire unit)
Group 3 - Drivers on straight 3-axle materials: Truck & Floats

Group 4 - Drivers on all Euclid Type Vehicle: Euclids, International Harvesters, Wabcos, Caterpillar, Koehring, Tractors, and wagons, Dumptors, Straight, Bottom, Rear and side dumps, Carryalls and scrapers (not self-loading - loading over the top), Water sprinkler, Trailers, Water pulls and similar types of vechiles; Drivers on tractors and trailer type vehicles: Flat, Floats, I-beam, Low beds, Water sprinkler, Bituminous transit mix, Road Oil, Fuel, Bottom, Dump Hopper, Rear Dump, Office Shanty, Epoxy, Asphalt, Agitator Mixer, Mulching, Stringer, Seeding, Fertilizing Pole, Spread, Bituminous Distributor, Water Pulls (enfire unit) (Tractor Trailer), Reel Trailer, and similar types of vehicles

Group 5 - Winch Trailer Drivers

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Paid Holidays: Washington's Birthday, Good Friday, Memorial Day; Independence Day; Labor Day; Presidential Election Day, Veterans Day or Thanksgiving Day.

b. Paid Holidays: A through F

c. Employer contributes 4% of the basic hourly rate for 5 years or more of service, or 2% of the basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

d. Paid Holidays: A through F, plus Washington's Birthday, Veterans' Day and Presidential Election Day providing the employee works on 3 days for the same employer within a period of 10 working days, consisting of 5 working days before and 5 working days after the day upon which the holiday falls or is observed as such.

DECISION NO [illegible]

FOOTNOTES: (Cont'd)

e. Paid Holidays: A through F, plus Washington's Birthday, Good Friday, Christmas Day, providing the employee has worked 45 full days for the employer during the 120 calendar days immediately prior to the holiday, and the employee works his regular scheduled work days immediately preceding and following the holiday.

f. Paid Holidays: A through F, plus Washington's Birthday, Presidential Election Day and Veterans Day provided the employee works any of the 3 days in the 5 work days preceeding the holiday and the first work day after the recognized holiday.

g. $1.00 per week employer contribution to Life Insurance Fund per employee.

h. Employer contributes $2.30 per day per employee to Health and Welfare Funds.

i. Employer contributes $1.60 per day per employee to the Pension Fund.

j. One week vacation after one year's work; two weeks vacation after 3 year's work.

k. Paid Holidays: A through F, plus Washington's Birthday, Veterans' Day and Presidential Election Day provided the employee works 3 days in the week in which the holiday falls.

l. Employer contributes $2.70 per day per employee to Health and Welfare Fund.

m. Employer contributes $2.20 per day per employee to Pension Fund.

n. Employee who has worked or received pay for 90 days within a year prior to his anniversary date shall receive 56 hours straight time vaction pay; for 3 years but less than 8 years of service he will receive 100 hours of straight time vacation pay; more than 8 years but less than 15 years he will receive 168 hours of straight time vacation pay; 15 years or more he will receive 240 hours of straight time vacation pay.

o. Paid Holidays: A through F, plus Washington's Birthday, Presidential Election Day and Veterans' Day provided the employee is available for work on at least 2 days in the week in which the holiday falls.

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FOOTNOTES: (Cont'd)

p. Employees working or receiving pay for 80 days within a year receive one weeks paid vacation (48 hours); 125 days receive two weeks vacation (96 hours); 145 days receive 15 days (120 hours); 15 years seniority and 145 days receive 4 weeks vacation (160).

q. Paid Holidays: A through F, plus Lincoln's Birthday, Washington's Birthday, Good Friday, General Election Day, Columbus Day and Veterans' Day provided the employee has been assigned to work or "shapes" one day of the calendar week during which the holiday falls.

STATE: New Jersey

COUNTIES: Bergen, Essex, Hudson Hunterdon, Middlesex, Morris, Passaic, Somerset, Sussex, Union and Warren

DECISION NO.: NJ76-3128

DATE: Date of Publication

Supersedes Decision No. NJ75-3050, dated July 11, 1975, in 40 FR 29501.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS:					
ZONE 1	$ 9.85	.50	.50		.025
ZONE 2	9.202	.5803	.4974		.02

AREA COVERED BY ASBESTOS WORKERS ZONES

ZONE 1 - Hunterdon (Alexander, Bethlehem, Bloomsbury, Clinton, Delaware, East Armwell, Flemington, Franklin, Frenchtown, Glen Gardner, Hampton, High Bridge, Holland, Kingwood, Lambertville, Labanon, Milford, Raritan, Readington, Stockton, Union, and West Amwell Townships); Middlesex (Cranbury, East Brunswick, Helmetta, Jamesburg, Milltown, Monroe, North Brunswick, Plainsboro, South Brunswick and Spotswood Townships); Somerset (Branchburg, Franklin Hillsborough, Manville, Millstone, Montgomery and Rocky Hill Townships) and Warren (Franklin, Greenwich, Hamony, Lopatcong, Oxford, Phillipsburg, Pohotcong, Washington and White Townships) Counties.

ZONE 2 - Bergen, Essex, Hudson, Hunterdon (remainder of county), Middlesex (remainder of county), Morris, Passaic, Somerset (remainder of county), Sussex, Union and Warren (remainder of county) Counties.

BOILERMAKERS	9.48	8%	19%	10%	.01
BOILERMAKERS HELPERS	8.95	8%	19%	10%	.01
BRICKLAYERS, STONE MASONS, CEMENT MASONS & PLASTERERS:					
ZONE 1	10.60	.60	.70		.02
ZONE 2	9.70	.97	.70		.02
ZONE 3	10.05	.84	.65		.02
ZONE 4					
Bricklayers & Stone Masons	10.76	.87	.75		
Cement Masons & Plasterers	8.50	1.00	.50		.05
ZONE 5	10.20	.60	.55		
ZONE 6	10.25	.60	.60		.02
ZONE 7	10.50	.55	.50		.01
ZONE 8	10.44	.45	.45		.02
ZONE 9	10.00	.35	.35		

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AREA COVERED BY BRICKLAYERS, STONEMASONS, ETC. ZONES

ZONE 1 - Bergen (North Arlington, Lyndhurst - east of Ridge Rd. and north to Rutherford Avenue and Barry's Creek west of the Hackensack River); Essex (Except Millburnn Township); Hudson (that portion west of the Hackensack River) and Union (Hillside Township).

ZONE 2 - Bergen (except Wallington, part of East Patterson, Garfield, Lodi, North Arlington, part of Lyndhurst and part of Edgewater) County.

ZONE 3 - Bergen (remainder of county); Morris (Pompton Plains, Pequannock, Lincoln Park, Kinnelon, Butler and Riverdale); Passaic and Sussex (that portion north of a line along Route #521 from Dingmans Ferry to Tuttles Corner, along Route #206 to Lafayette, then along North Church Road to Route #23, then along Route #23 to Passaic County Line) Counties.

ZONE 4 - Hudson (remainder of county) County.

ZONE 5 - Middlesex (except Dunellen, South Plainfield, New Market, Middlesex and Oak Tree) and Somerset (Franklin Park only) Counties.

ZONE 6 - Essex (Millburn Township), Middlesex (remainder of county), Morris (Gillette & Sterling) and Union Counties.

ZONE 7 - Hunterdon (Califon, Oldwick, Annadale, Lebanon, White House Station, Readington, Stanton and Three Bridges Townships) and Somerset (remainder of county) Counties.

ZONE 8 - Hunterdon (remainder of county), Morris, (Stephensburg, Pleasant Grove, Middle Valley and Parker Townships), Sussex (Branchville, Flatbrookville, Swartswood, Halsey, Newton and Stillwater Townships) and Warren Counties.

ZONE 9 - Morris (remainder of county) and Sussex (remainder of county) Counties.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS, INSULATORS & MILLWRIGHTS:					
ZONE 1	$ 9.61	8%	8%+.50		.02
ZONE 2	9.85	.50	.55		.02
ZONE 3					
Carpenters & Insulators	10.22	7%	7%		1/5 of 1%
Millwrights	10.47	7%	7%		1/5 of 1%

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AREA COVERED BY CARPENTERS, ETC. ZONE

ZONE 1 - Bergen (east of the Hackensack River including but not limited to Cliffside, Fort Lee, Grantwood, Palisades Park, Ridgefield, Edgewater, Fairview, Leonia and Coytesville) and Hudson Counties.

ZONE 2 - Hunterdon (starts at the south of the town of Frenchtown on the Delaware River, thence following the line in the center of the road to Baptistown to Croton to the City of Flemington to Flemington Junction to Three Bridges, thence following the Sommerset County Line northward, all territory south of this line including the City of Flemington) and Somerset (all territory south of a line beginning at Amwell on the County Line to Zion to Fairview to Dutchtown to Plainsville to Belle Mead to Griggstown to the Delaware and Raritan Canal) Counties.

ZONE 3 - Bergen (remainder of county), Essex, Hunterdon (remainder of county), Middlesex, Morris, Passaic, Somerset (remainder of county), Sussex, Union and Warren Counties.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DOCK BUILDERS & PILEDRIVERMEN	$10.36	1.10	1.20	.66	.02
DRYWALL TAPERS & FINISHERS	10.25	.50	.50		.10
ELECTRICIANS & CABLE SPLICERS:					
ZONE 1	10.80	6%	8%	10%	½ of 1%
ZONE 2	11.90	4%+.28	1%		.02
ZONE 3	12.10	1%	1%+.42		.02
ZONE 4	11.90	1%	1%+.50		
ZONE 5	11.92	5%	6%+.58		1.5%
ZONE 6	11.00	1%	6%	10%	
ZONE 7	11.52	1%	1%+.50		
ZONE 8	11.95	1%	1%+.42		.02
ZONE 9	11.95	1%	1%+.50		
ZONE 10	11.95	1%	1%+.50		.02
ZONE 11	12.20	1%	1%+.50		.02
ZONE 12	12.28	1%	1%+.42		.02
ZONE 13	12.05	1%+1	3.75%		.02
ZONE 14	10.80	1%	1%+.20		½ of 1%
ZONE 15	10.80	1%	1%+.50		

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AREA COVERED BY ELECTRICIANS & CABLE SPLICERS ZONES

ZONE 1 - Essex County

ZONE 2 - Union (that portion east and north of a line running in a southerly direction from Morris Avenue along Baltusrol Way, across Baltusrol Country Club to Baltusrol Rd., along Baltusrol Rd. and Summit Lane in Mountainside to and along New Providence Rd., to and along the Mountainside Line, to and along Washington Valley Rd., to and along Diamond Hill Rd., to and along Park Ave. in Scotch Plains, and continuing along Martine Ave., to and northeast along the Raritan Rd., to and easterly along the Westfield-Scotch Plains Line, to the Lehigh Valley Railroad and southwest on the railroad to the County Line) County.

ZONE 3 - Union (that portion south and west of a line running east from Somerset County on Mountain Ave., in New Providence Boro, to the Diamond Hill Rd, south on that road to and along Park Ave. in Scotch Plains and continuing along Martine Ave., to and northeast along the Raritan Rd., to and easterly along the Westfield-Scotch Plains Line to the Lehigh Valley Railroad and southwest on the railroad to Middlesex County Line) County.

ZONE 4 - Union (reminder of county) County.

ZONE 5 - Bergen and Hudson Counties.

ZONE 6 - Passaic County.

ZONE 7 - Morris and Sussex Counties.

ZONE 8 - Hunterdon (except Tewksbury Township and Califon Boro) and Somerset (that portion south of a line following Mountain Ave. from the Union County Line west to Hillcrest Ave. in Union Village, north on Hillcrest Ave., to and west on the Passaic River, west on the Dead River, west on Allen Rd., north on Somerville Rd., west on Howell Rd., southwest on Mount Prospect Rd., west on Martinsville Pluckemin Rd., west on Klines Mill Rd., North on John Kane Rd., west on Whitney Rd., west on Still well Rd., and west on Hall's Bridge Rd., to Hunterdon County Line, and also that portion of Montgomery Township west and south of a line following U.S. Highway #206 north from Mercer County to the Harlingen Rd. and west along that road and the Dutchtown - Zion Rd. to Hillsboro Township Line) Counties.

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AREA COVERED BY ELECTRICIANS & CABLE SPLICERS ZONES (Cont'd)

ZONE 9 - Hunterdon (Tewksbury Township and Califon Boro) and Somerset (that portion north of a line following Mountain Ave. from the Union County Line west to Hillcrest Ave. in Union Village north on Hillcrest Ave. to and west to the Passaic River, west on the Dead River, west on Allen Rd, North on Somerville Rd., west on Howell Rd., southwest on Mount Prospect Rd., west on Martinsville-Pluckemin Rd., west on Klines Mill Rd., North on John Kane Rd., west on Whitney Rd., west on Stillwell Rd., and west on Hall's Bridge Rd., to the Hunterdon County Line) Counties.

ZONE 10 - Somerset (remainder of county) County.

ZONE 11 - Middlesex (that portion south and west of a line extending east from the Raritan River along the Philadelphia and Reading Railroad to Stelton Road, south on Stelton Rd. to Lincoln Highway, along Lincoln Highway to Vineyard Road to Old Post Road, along Old Post Road to Mill Road, along Mill Road to the Raritan River along the Raritan River to the South River, along the South River to the sourthern boundary of the Borough of South River, along this boundary to the Cranbury South River Turnpike, along this road and continuing on to the Washington Road and Maplewood Avenue in Cranbury to Scott Avenue, along Scott Avenue to Main Street, on Main Street and the Turnpike to the Millstone River) County.

ZONE 12 - Middlesex (that portion north and west of a line following the Philadelphia and Reading Railroad east from the Raritan River to Dismal Rd., northeast on Dismal Rd. to Park Ave., north on Park Ave. to the Lehigh Valley Railroad, and northeast along that railroad to the Union County Line) County.

ZONE 13 - Middlesex (remainder of county) County.

ZONE 14 - Warren (from Pahaquarry, Blairstown, Knowlton, Hope, Liberty, White, Oxford, Washington, Harmony, Franklin, Lopatcong, Greenwich, Pohatcong Townships, and that portion of Mainsfield Township west of Line following the Point Mt. - Port Murray Rd. to Independence Township) County.

ZONE 15 - Warren (remainder of county) County.

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ELEVATOR CONSTRUCTORS:					
Construction:					
Mechanics	$ 9.52	.445	.29+a	b+c	.02
Helpers	7.14	.445	.29+a	b+c	.02
Probationary Helpers	4.76				
Modernization:					
Mechanics	8.75	.445	.29+a	b+c	.02
Helpers	6.56	.445	.29+a	b+c	.02
Probationary Helpers	4.76				
Contract Repair:					
Mechanics	7.90	.445	.29+a	b+d	.02
Helpers	5.92	.445	.29+a	b+d	.02
Probationary Helpers	4.76				
GLAZIERS:					
ZONE 1	9.27	.45	1.00		.01
ZONE 2	10.05	.61	.65		.02
ZONE 3	10.80	.70	.65		.05

AREA COVERED BY GLAZIERS ZONES

ZONE 1 - Bergen and Passaic Counties

ZONE 2 - Middlesex, Somerset (Bernardsville, Basking Ridge and Watchung) and Union (Carteret, Port Reading, Fords and Woodbridge) Counties.

ZONE 3 - Essex, Hudson, Morris, Somerset (remainder of county), Sussex, Union (remainder of county) and Warren Counties.

IRONWORKERS - Structural, Reinforcing & Ornamental					
Warren County	10.68	.79	1.11		
Bergen, Essex, Hudson, Hunterdon, Middlesex, Morris, Passaic, Somerset, Sussex & Union Counties	**10.19**	**7%**	**23%**	**10%**	**1%**

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LABORERS, BUILDING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ZONE 1					
Laborers, Air Tool Ops. (jackhammers, vibrators), Mason Tenders, Mortar Mixers, Pipelayers (concrete & clay) & Plasterer Tenders	$ 7.10	.65	.70		.02
ZONE 2					
Laborers, Air Tool Ops. (jackhammers, vibrators), Mason Tenders, Mortar Mixers, Pipelayers (concrete & clay), Plasterer Tenders, Wrecking & Excavation	6.95	.90	.60		.02
ZONE 3					
Regular Laborers	7.60	.70	.30		.02
Mortar Mixers, Scaffold Men & Pneumatic Hammer Ops.	7.85	.70	.30		.02
ZONE 4					
Common Laborers	7.75	.70	.30		.02
ZONE 5					
Common Laborers	7.15	.70	.60		.02
ZONE 6					
Common Laborers, Air Tool Ops., Mason Tenders, Mortar Mixers & Pipelayers (concrete & clay)	7.35	.50	.60		.02
ZONE 7					
Common Laborers	6.80	.60	.60	.50	.02
ZONE 8					
Common Laborers	7.55	.40	.50		.02
ZONE 9					
Common Laborers	7.65	.40	.40		
ZONE 10					
Laborers, Wrecking, Demolition, Concrete Mixers, W/O Hoppers, Drill Runners, Jackhammers, Mason Tenders, Mortar Mixers, Excavation & Foundations, Scaffold Builders, Carpenter Tenders & Grading for Concrete	7.55	.45	.45		.02

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LABORERS, BUILDING CONSTRUCTION: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ZONE 11					
Laborers, Air Tool Ops. (jackhammer, vibrator), Mason Tenders, Mortar Mixers, Plasterer Tenders, Pipelayers, Wreckers & Excavation	$ 7.30	.65	.50		.02
ZONE 12					
Laborers, Tenders, Scaffolds, Excavation, Bituminous Concrete & Aggregates, Pipelayers, Underpinning, Lagging, Bracing & Wrecking	7.45	.50	.50		.02
ZONE 13					
Laborers, Tenders, Scaffolds, Excavating & Site Preparation & Clearance, Bituminous Concrete & Aggregates, Trenches Manholes, Handling & Distribution of Pipes, Underpinning, Lagging, Bracing, Propping & Shoring	7.15	.70	.60		.02
ZONE 14					
Common Laborers	7.30	.50	.50		.02
ZONE 15					
Common Laborers	7.35	.55	.55		.02
ZONE 16					
Common Laborers, Air Tool Ops., Mason Tenders, Plaster Tenders & Mortar Mixers	7.15	.70	.60		.02
ZONE 17					
Common Laborers, Hod Carriers, Power Tool Ops. & Plasterer Tenders	7.25	.50	.35		.02

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AREA COVERED BY LABORERS, BUILDING CONSTRUCTION ZONES

ZONE 1 - Bergen (Garfield, Passaic and Wallington Townships, Lodi, Lodi Boro. and East Patterson) and Passaic Counties.

ZONE 2 - Bergen (remainder of county) County.

ZONE 3 - Essex (City of East Orange, Townships of South Orange and Maplewood) County.

ZONE 4 - Essex (Orange and Montclair) County.

ZONE 5 - Essex (Millburn) and Union (Springfield and Union Townships) Counties.

ZONE 6 - Essex (remainder of county) and Hudson (Kearny, East Newark and Harrison) Counties.

ZONE 7 - Hudson (remainder of county) Counties.

ZONE 8 - Middlesex (Perth Amboy, Carteret, Woodbridge and Metuchen Townships) County.

ZONE 9 - Middlesex (remainder of county) and Somerset (East Millstone and Franklin Townships) Counties.

ZONE 10 - Morris (Boonton, Boonton Township, Montville, Lincoln Park Boro., Butler, Kinnelon Boro., Pin Brook, Towaco, Danville, Mountain Lakes, Pequannock, Pompton Plains and Riverdale Boro) County.

ZONE 11 - Morris (Jefferson, Rockaway, Mt. Arlington, Rockaway Boro., Wharton, Mine Hill, Dover, Netcong, Roxbury, Mt. Oliver and Randolph Townships) and Sussex Counties.

ZONE 12 - Morris (Morristown, Morris Township, Morris Plains, Mendham, Ralston, Chester, Brookside, Flanders, Ironia, Mt. Freedom, Mt. Tabor, Parsippany, Troy Hills, Pine Brook, Ced Knools, Whippany, Hanover Township and Long Valley) County.

ZONE 13 - Morris (remainder of county) County.

ZONE 14 - Somerset (Townships of Bernardsville, Peapack, Gladstone, Far Hills, Bernards and Bedminster) County.

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AREA COVERED BY LABORERS, BUILDING CONSTRUCTION ZONES (Cont'd)

ZONE 15 - Somerset (Townships of Bridgewater, Branchburg, Raritan, Bound Brook, Somerville, Manville, Hillsboro, Millstone, Montgomery and Rocky Hill) County.

ZONE 16 - Somerset (remainder of county) and Union (remainder of county) Counties.

ZONE 17 - Hunterdon and Warren Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS, HEAVY & HIGHWAY CONSTRUCTION:					
GROUP 1	$ 8.25	.60	.95	e	
GROUP 2	8.10	.60	.95	e	
GROUP 3	7.85	.60	.95	e	
GROUP 4	7.80	.60	.90	e	
GROUP 5	7.70	.60	.90	e	
GROUP 6	7.60	.60	.90	e	
GROUP 7	7.35	.60	.90	e	
GROUP 8	7.20	.60	.90	e	
GROUP 9	7.15	.60	.90	e	

CLASSIFICATION DEFINITIONS
LABORERS, HEAVY AND HIGHWAY CONSTRUCTION

GROUP 1 - Blasters

GROUP 2 - Finishers, Rammers, Pavers, Gunite Nozzle Men and Stonecutters.

GROUP 3 - Timbermen

GROUP 4 - Formsetters

GROUP 5 - Wagon Drill Operators, Drill Masters, Jackhammers, Chipping Hammers, Pavement Breakers, Power Buggies, Concrete Cutters, Asphalt Cutters, Sheet Hammer and Tree Cutter Operators, Sandblasting, Cutting, Burning, and such other power tools used to perform work usually done manually by Laborers.

GROUP 6 - Sewer Pipe, Laser Men, Conduit and Duct Line Layers.

GROUP 7 - Wagon Drill Operator Helpers, Drill Master Helpers, Powder Carriers and Magazine Tenders.

GROUP 8 - Wrapping and Coating of all pipe.

GROUP 9 - Common Laborers, Landscape Laborers, Railroad Track Laborers, Flagmen, Traffic Directors, Pitmen and Dumpmen, Waterproofing, Rakers and Tampers on cold Patch Work.

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS - FREE AIR TUNNEL JOBS:					
GROUP 1	$ 7.62	.60	.95	e	
GROUP 2	8.22	.60	.95	e	
GROUP 3	8.06	.60	.95	e	
GROUP 4	7.55	.60	.90	e	

CLASSIFICATION DEFINITIONS
LABORERS - FREE AIR TUNNEL JOBS

GROUP 1 - Blasters

GROUP 2 - Skilled Men (including Miners, Drill Runners, Iron Men, Maintenance Men, Conveyor Men, Safety Miners, Riggers, Block Layers, Cement Finishers, Rodmen, Caulkers, Powder Carriers, All Other Skilled Men).

GROUP 3 - Semi-Skilled Men (including Miner's Helpers, Chuck Tenders, Trackmen, Nippers, Brakemen, Derail Men, Cable Men, Hose Men, Grout Men, Gravel Men, Form Men, Bell or Signal Men (top or bottom), Form Workers and Movers, Concrete Workers, Shaft Men, Tunnel Laborers, Caulkers' Helpers, All Other Semi-Skilled Men).

GROUP 4 - All Other (including Powder Watchmen, Changehouse Attendents, Top Laborers).

LABORERS, ASPHALT CONSTRUCTION:					
ZONE 1					
STREET:					
Head Raker	7.70	.61	.69	e	
Rakers & Screen Men	7.55	.61	.69	e	
Tampers, Smoothers, Kettlemen, Painters, Top Shovelers & Roller Boys	7.30	.61	.69	e	
PLANT:					
Scale Mixer & Burner Men	7.55	.61	.69	e	
Feeders & Dust Men	7.30	.61	.69	e	

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS, ASPHALT CONSTRUCTION: (Cont'd)					
ZONE 2					
STREET:					
Head Rakers	$ 7.40	.60	.95	e	
Rakers & Screed Men	7.25	.60	.95	e	
Tampers, Smoothers, Kettlemen, Painters, Shovelers & Roller Boys	7.00	.60	.95	e	
PLANT:					
Scale Mixer & Burner Men	7.25	.60	.95	e	
Feeders & Dust Men	7.00	.60	.95	e	

AREA COVERED BY LABORERS, ASPHALT CONSTRUCTION ZONES

ZONE 1 - Bergen, Essex, Hudson, Hunterdon, Middlesex (northern half of county), Morris, Passaic, Somerset, Sussex, Union and Warren Counties.

ZONE 2 - Middlesex (remainder of county) County.

LATHERS	9.55	.50	.25		.02
LEAD BURNERS	9.25	.35		f	.01
LINE CONSTRUCTION:					
ZONE 1					
Linemen, Cable Splicers, Line Equipment Operators, Line Truck Operators, Groundmen & Welders	10.80	6%	8%	10%	½ of 1%
ZONE 2					
Linemen & Equipment Operators	11.00	4%	6%	10%	½ of 1%
Cable Splicers	11.95	4%	6%	10%	½ of 1%
Groundmen	7.70	4%	6%	10%	½ of 1%

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LINE CONSTRUCTION: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ZONE 3					
Linemen, Cable Splicers, Equipment Operators & Groundmen	$11.92	5%	6%+.58		½ of1%
ZONE 4					
Linemen, Cable Splicers, Line Equipment Operators & Groundmen	11.90	4% + .28	4%		½ of1%
ZONE 5					
Linemen, Cable Splicers, Line Equipment Operators & Groundmen	11.90	4%	1%+.42		½ of 1%
ZONE 6					
Linemen, Cable Splicers, Line Equipment Operators & Groundmen	11.90	4%	1%+.50		½ of1%
ZONE 7					
Linemen & Equipment Operators	11.52	4%	1%+.50		½ of1%
Groundmen & Line Truck Operator	9.97	4%	1%+.50		½ of1%
ZONE 8					
Linemen & Equipment Operators	11.95	4%	1%+.42		½ of1%
Groundmen & Winch Operators	10.09	4%	1%+.42		½ of1%
ZONE 9					
Linemen & Equipment Operators	11.95	4%	1%+.50		½ of1%
Groundmen & Line Truck Operator	10.09	4%	1%+.50		½ of1%
ZONE 10					
Linemen & Equipment Operators	12.20	4%	1%+.50		½ of1%
Groundmen & Winch Operators	11.35	4%	1%+.50		½ of1%
ZONE 11					
Linemen & Equipment Operators	12.20	4%	1%+.42		½ of1%
Groundmen & Winch Operators	11.35	4%	1%+.42		½ of1%
ZONE 12					
Linemen & Equipment Operators	12.05	4%+1	3.75%		½ of1%
Groundmen & Winch Operators	11.20	4%+1	3.75%		½ of1%
ZONE 13					
Linemen, Line Truck Operators, Equipment Operators & Cable Splicers	10.80	4%	1%+.25		½ of1%
Groundmen	6.47	4%	1%+.25		½ of1%

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LINE CONSTRUCTION: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ZONE 14					
Linemen, Line Truck Operators, Equipment Operators & Cable Splicers	$10.80	4%	1%+.50		½ of1%
Groundmen	6.47	4%	1%+.50		½ of1%

AREA COVERED BY LINE CONSTRUCTION ZONES

ZONE 1 - Essex County

ZONE 2 - Passaic County

ZONE 3 - Bergen and Hudson Counties

ZONE 4 - Union (that portion east and north of a line running in a southerly direction from Morris Ave. along Baltusrol Way, across Baltusrol Country Club to Baltusrol Rd., along Baltusrol Rd. and Summit Lane in Mountainside to and along New Providence Rd, to and along the Mountainside Line, to and along Washington Valley Rd., to and along Diamond Hill Rd., to and along Park Ave. in Scotch Plains, and continuing along Martine Ave., to and northeast along the Raritan Rd., to and easterly along the Westfield-Scotch Plains Line, to the Lehigh Valley Railroad and southwest on the railroad to the County Line) County.

ZONE 5 - Union (that portion south and west of a line running east from Somerset County on Mountain Ave. in New Providence Boro. to the Diamond Hill Rd. south on that road to and along Park Ave. in Scotch Plains and continuing along Martine Ave., to and northeast along the Raritan Road, to and easterly along the Westfield-Scotch Plains Line to the Lehigh Valley Railroad and south west on the railroad to the Middlesex County Line) County.

ZONE 6 - Union (remainder of county) County.

ZONE 7 - Morris and Sussex Counties

ZONE 8 - Hunterdon (except Tewksbury Township and Califon Boro.) and Somerset (that portion south of a line following Mountain Ave. from the Union County Line west to Hillcrest Ave. in Union Village, north on Hillcrest Ave. to and west on the Passaic River, west on the Dead River, west on Allen Rd., north on Somerville Rd., west on Howell Rd., southwest on Mount Prospect Rd., west on Martinsville-Pluckemin Rd., west on Klines Mill Rd., north on John Kane Rd. west on Whitney Rd., west on Stillwell Rd., and west on Hall's Bridge Road to Hunterdon County Line, and also that portion of Montgomery Township west and south of a line following U. S. Highway #206 north from Mercer County to the Harlingen Rd., and west along that road the Dutchtown - Zion Rd. to Hillsboro Township Line) Counties.

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AREA COVERED BY LINE CONSTRUCTION ZONES (Cont'd.)

ZONE 9 - Hunterdon (remainder of county) and Somerset (remainder of county) Counties.

ZONE 10 - Middlesex (that portion south and west of a line extending east from the Raritan River along the Philadelphia and Reading Railroad to Stelton Road, south on Stelton Rd. to Lincoln Hwy., along Lincoln Hwy. to Vinyard Rd. to Old Post Rd., along Old Post Rd. to Mill Rd. along Mill Rd. to the Raritan River, along the Raritan River to the South River, along the South River to the southern Boundary of the Borough of South River, along this boundary to the Cranbury South River Turnpike, along this road and continuing onto the Washington Rd. and Maplewood Ave. in Cranbury to Scott Ave., along Scott Ave. to Main St., on Main St. and the Turnpike to the Millstone River) County.

ZONE 11 - Middlesex (that portion north and west of a line following the Philadelphia and Reading Railroad east from the Raritan River to Dismal Rd., northeast on Dismal Rd. to Park Ave., north on Park Ave., to the Lehigh Valley Railroad, and northeast along that railroad to the Union County Line) County.

ZONE 12 - Middlesex (remainder of county) County.

ZONE 13 - Warren (from Pahaquarry, Blairstown, Knowlton, Hope, Liberty, White, Oxford, Washington, Harmony, Franklin, Lopatcong, Greenwich, Pohatcong Twps. and that portion of Mansfield Twp. west of line following the Point Mt. - Port Murray Rd. to Independence Twp.) County.

ZONE 14 - Warren (remainder of county) County.

MARBLESETTERS, TERRAZZO WORKERS & TILESETTERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ZONE 1	$10.44	.45	.45		.02
ZONE 2					
Marble Setters	7.80	.78	.9[illegible]	g	
Terrazzo Workers	9.10	1.09	1.50		
Tile Setters	8.50	.80	2.10		

AREA COVERED BY MARBLESETTERS, TERRAZZO WORKERS & TILESETTERS ZONES

ZONE 1 - Hunterdon (remainder of county), Morris (Stephensburg, Pleasant Grove, Middle Valley and Parker Twps.), Sussex (Branchville, Flatbrookville, Swartswood, Halsey, Newton and Stillwater Twps.) and Warren County.

ZONE 2 - Bergen, Essex, Hudson, Hunterdon (Wertsville, Reaville, Flemington, Hamden, Clinton, Penwell and cities east thereof to the County Line), Middlesex, Morris (remainder of county), Passaic, Somerset, Sussex (remainder of county) and Union Counties.

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MARBLESETTERS, TERRAZZO WORKERS & TILESETTERS HELPERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ZONE 1					
Marble Setters Helpers	$ 7.33	.74	.88	g	
Terrazzo Workers Helpers	7.43	.925	.475		
ZONE 2					
Tile Setters Helpers	8.45	6%	7%		

AREA COVERED BY MARBLESETTERS HELPERS, ETC. ZONES

ZONE 1 - Bergen, Essex, Hudson, Hunterdon (Wertsville, Reaville, Flemington, Hamden, Clinton, Penwell and cities east thereof to the County Line), Middlesex, Morris, Passaic, Somerset, Sussex (Colesville, Beemerville, Mt. Pisah, Swartswood, Huntsburg and all cities inclusive to the Morris and Passaic County Line) and Union Counties.

ZONE 2 - Bergen, Essex, Hudson, Hunterdon, Middlesex, Morris, Passaic, Somerset, Sussex and Union Counties.

PAINTERS:					
ZONE 1					
Commercial, Industrial, Tapers & Paperhangers	9.05	.90	1.35		.06
Steel Outside	10.05	.90	1.35		.06
Spray Rate	11.55	.90	1.35		.06
ZONE 2					
Brush	7.90	.55	.40		
Structural Steel, Bridges, Tanks & Towers, Spray & Sandblasting	8.95	.55	.40		
ZONE 3					
Brush	7.15	.65	.50		
Roller (using epoxies-urethanes)	8.05	.65	.50		
Structural Steel, Towers, Tanks, Steeples, Boat Swain Chairs, Stacks, Spraying & Sandblasting	8.25	.65	.50		

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
ZONE 4					
Painters on new construction and major alterations	$ 8.90	.55	.50	.15	.05
Painters on repaint work	8.50	.55	.50	.15	.05
Spraying or application of hazardous or dangerous materials on repaint work	9.10	.55	.50	.15	.05
Exterior work exceeding 3 stories in height for painting of open structural steel and tanks under 3 stories in height except flat tanks on the ground and on interior work which requires painting higher than 20' above the ground or floor (this shall not be applicable to machinery or equipment located therein)	9.05	.55	.50	.15	.05
Repaint work as described above	8.65	.55	.50	.15	.05
On bridges, televison and radio towers, structural steel and tanks above 3 stories in height (30' or over), smoke stacks, water towers, sandblasting, steam-cleaning, spraying or application of hazardous materials	9.50	.55	.50	.15	.05
ZONE 5					
Industrial & commercial	6.75	.70	1.15	.30	
Exterior scaffold work, structural steel, tanks, bridge towers, flag poles (steel & wood), sandblasting & hazardous work	7.25	.70	1.15	.30	

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AREA COVERED BY PAINTERS ZONES

ZONE 1 - Bergen, Passaic and Sussex Counties.

ZONE 2 - Middlesex (Perth, Amboy, Carteret, Woodbridge Twp., Edison Twp., North of Metuchen, Sayreville, South Amboy, Metuchen, Old Bridge and Madison Twp.) County.

ZONE 3 - Middlesex (Edison Twp., South of Metuchen, Highland Park, New Brunswick, North Brunswick, East Brunswick and South Brunswick Twps, and Monroe Twp.) and Somerset (Franklin Twp.) Counties.

ZONE 4 - Essex, Hudson (west half of county), Hunterdon, Middlesex (remainder of county), Morris, Somerset (remainder of county) Union and Warren Counties.

ZONE 5 - Hudson (remainder of county).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PIPE FITTERS:					
Bergen & Hudson Counties	$10.40	.80	.80	1.00	.25
PLUMBERS:					
ZONE 1	9.70	.70	.65	1.00	.03
ZONE 2	9.85	.66	.65	1.00	.02
ZONE 3	11.40	.70	1.00		.15
ZONE 4	10.06	.60	1.00	.85	.11
ZONE 5	9.94	7%	8%	12%	1%

AREA COVERED BY PLUMBERS ZONES

ZONE 1 - Bergen (Alpine, Bergenfield, Bogota, Carlstadt, Closter, Cresskill, Demarest, Dumont, East Rutherford, Emerson, Englewood Cliffs, Hackensack, Harrington Park, Hasbrouck Heights, Haworth, Hillsdale, Leonia, Little Ferry, Lyndhurst, Maywood, Montvale, Moonachie, North Arlington, Northvale, Norwood, Old Tappan, Oradell, Palisades Park, Paramus, Park Ridge, Ridgefield Park, River Edge, Rivervale, Rochelle Park, Rockleigh, Rutherford, Saddle Brook, Saddle River, South Hackensack, Teaneck, Tenafly, Teterboro, Upper Saddle River, Warren Point, Washington Twp., Westwood, Woodcliff Lake and Wood-Ridge) County.

ZONE 2 - Bergen (Cliffside Park, Edgewater, Fairview, Fort Lee, Morsemere and Ridgefield) and Hudson (Guttenberg, North Bergen, Secaucus, Weehawken and West New York) Counties.

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AREA COVERED BY PLUMBERS ZONES (CONT'D)

ZONE 3 - Hudson (Cities of Hoboken, Bayonne and Jersey City) County.

ZONE 4 - Union (Fanwood, Netherwood, Plainfield and Plainfield Twp.) County.

ZONE 5 - Union (Cranford, Cranford Twp., Garwood, Hillside, Hillside Twp., Kenilworth, Linden, Lorraine, Lyons Farms, Mountainside, Picton, Rahway, Roselle, Roselle Park, Scotch Plains, Scotch Plains Twp., South Elizabeth, Townley, Union, Union Twp., West Elizabeth, Westfield, Westfield Twp. and Winfield) County.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLUMBERS & GASFITTERS: Essex (except all of the Oranges, Livingston & Maplewood) & Hudson (Harrison, East Newark & Kearny) Counties	$11.025	.60	1.00		.05
PLUMBERS & PIPEFITTERS:					
ZONE 1	10.01	.60	1.00	10%	.05
ZONE 2	11.50		.70		.08
ZONE 3	10.13	6%	8%	10%	1%
ZONE 4	10.55	.575	1.36		.04

AREA COVERED BY PLUMBERS AND PIPEFITTERS ZONES

ZONE 1 - Essex (Orange, West Orange, East Orange, South Orange, Maplewood and Livingston) County.

ZONE 2 - Middlesex (Piscastaway to Old Bridge to the County Line and North thereof) County.

ZONE 3 - Middlesex (Adams, Berdines Corners, Dayton, Deans, Helmetta, Highland Park, Kingston, Livingston Park, Jamesburg, Milltown, Monroe Twp., New Brunswick, New Durham, North Brunswick Twp., Northstelton, Old Bridge, Piscataway, Raritan Twp., South Brunswick Twp., South River, Spotswood and Steelmanville) and Somerset (Clyde, Middlebush, South Bound Brook, South Branch, Voorhees, Warren Twp. and West New Brunswick) Counties.

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AREA COVERED BY PLUMBERS AND PIPEFITTERS ZONES (CONT'D)

ZONE 4 - Bergen (East Paterson, Fairlawn, Glen Rock, Ridgewood, Midland Park, Holokus, Waldwick, Allendale, Upper Saddle River Twp., Ramsey, Oakland, Franklin Lakes and Mahawah), Morris (Lincoln Park, Pompton Plains, Pequanock, Pequanock Twp., Riverdale, Butler, Kinnelon Boro., Jacksonville and Brook Valley) and Passaic (Paterson, West Paterson, Little Falls, Totowa Boro., Wayne, North Haledon, Haledon, Hawthorne, Pompton Lakes, West Milford Twp., Ringwood Boro., Boro of Wanaque, Bloomingdale, Mountain View, Part of Clifton and Clinton) Counties.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLUMBERS & STEAMFITTERS:					
ZONE 1					
Plumbers	$10.065	.60	1.00	1.00	
Steamfitters	10.21	.505	.90	1.00	
ZONE 2	10.17	.60	1.00	.75	.10
ZONE 3	11.14	.67	.85		.05
ZONE 4	9.95	.74	.77	1.10	.09
ZONE 5	9.92	.60	.90	1.00	.15
ZONE 6	10.82	.60	1.00		.20
ZONE 7	10.92	.60	1.00		.15
ZONE 8					
Steamfitters	10.18	6%	8%	10%	½ of 1%

AREA COVERED BY PLUMBERS AND STEAMFITTERS ZONES

ZONE 1 - Bergen (Lodi, Garfield and Wallington and Passaic (Passaic) Counties.

ZONE 2 - Essex (Short Hills and Millburn) and Union (Ashbrook, Berkeley Heights, Great Island, Murray Hill , Springfield, Chatham Twp., Unionburg, Unionville, Vauxhall, Warners, Summit, Summit Twp., New Providence and New Providence Twp.) Counties.

ZONE 3 - Hunterdon (Barbertown, Bowne, Cooperhill, Flemington, Idell, Lambertville, Larisons Corners, Linvale, Lockton, Raven Rock, Ringoes, Rocktown Rosemont, Sand Brook, Sergeantsville, Stockton and West Armwell Twp.) County.

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AREA COVERED BY PLUMBERS AND STEAMFITTERS ZONES (CONT'D)

ZONE 4 - Hunterdon (remainder of county), Middlesex (Cranbury, Cranbury Twp., Cranbury Station, Franklin Park, Monmouth Junction, Oakley, Plainsboro, Plainsboro Twp. and Prospect Plains) and Somerset (Griggstown, Harlingen, Kingston, Skillman and Stoutsburg) Counties.

ZONE 5 - Somerset (remainder of county) and Warren (area encompassed by the Delaware River, Hunterdon and Morris County Lines including Belvidere and south thereof) Counties.

ZONE 6 - Morris (beginning at Dover to Rockaway, Mountain Lakes, Denville, Succasunna, Budd Lake, Hackettstown, Columbia, Flatbrookville, Montague, Port Jervis, (N.Y.), Glenwood, Stockholm, Charlottsburg and returning to Dover), Sussex and Warren (remainder of county) Counties.

ZONE 7 - Morris (remainder of county) County.

ZONE 8 - Essex (except Millburn and Short Hills), Middlesex (Middlesex Boro., South Plainfield, New Market, Dunellen, New Market, a portion of Piscataway Twp. & a portion of Edison TWP.), Somerset (North Plainfield, Warren Twp. & Greenbrook Twp.) & Union (except Springfield & a portion of Mountainside & Union Twp.) Counties.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
GROUP 1	$13.52	7%	15%	h	3%
GROUP 2	11.92	7%	15%	h	3%
GROUP 3	11.14	7%	15%	h	3%
GROUP 4	11.04	7%	15%	h	3%
GROUP 5	10.84	7%	15%	h	3%
GROUP 6	10.40	7%	15%	h	3%
GROUP 7	10.15	7%	15%	h	3%
GROUP 8	10.00	7%	15%	h	3%
GROUP 9	9.95	7%	15%	h	3%
GROUP 10	9.85	7%	15%	h	3%
GROUP 11	9.80	7%	15%	h	3%
GROUP 12	9.60	7%	15%	h	3%
GROUP 13	9.24	7%	15%	h	3%
GROUP 14	9.09	7%	15%	h	3%
GROUP 15	8.79	7%	15%	h	3%

50¢ per hour on machines where "Cat Head" or Sheave Point" is at least 100 feet above ground level and less than 140 feet; 75¢ per hour on machines where "Cat Head" or Sheave Point" is 140 feet, or over above ground level.

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CLASSIFICATION DEFINITIONS
POWER EQUIPMENT OPERATORS

GROUP 1 - Helicopters pilot/engineer.

GROUP 2 - Autograde-combination subgrader. base MTL spreader & base trimmer (CMI & similar type); autograde placer-trimmer-spreader-combination (CMI & similar types); autograde slip form paver (CMI & similar types); back hoes (all types, including all combination hoe loaders); central power plants (all types); concrete paving machines; cranes (all types. including overhead & straddle travelling type); cranes, gantry; derricks - land or floating (building & heavy construction rate only). drillmaster. quarry master (down the hole drill); draglines; elevator graders; engines. large diesel (1625 HP) and staging pump; front end loaders (5 yds & over); gradalls; grader. rago; helicopters co-pilot and communication engineer; jacks, screw air hydraulic power operated unit or console type (not hand jack or pile load test type); locomotive (large); mucking machines; pavers (21E and over); paver, resinous. Broyhill; pavement and concrete breaker (i.e. superhammer); pavement breaker truck mounted; piledriver; scooper (loader and shovel) Koehring; shovels; treechopper with boom; trench machines.

GROUP 3 - Pump, staging.

GROUP 6 - A-frame, boom attachment on loaders; boring & drilling machines; brush chopper, chipper & shredder; cableways; carryalls; cherry pickers - 6 tons & under (over 6 tons - crane rate applies); concrete pump; concrete pump system, pumpcrete, squeezecrete & similar types; conveyors, 125' & over; economobiles (hilo, lull, hyster similar type equipment); forklifts; front end loaders (2yds but less than 5yds); groove cutting machines (ride or type); heater planer; hoist (Chicago Boom); Pans, LeTourneau. DW's. Ukes, pumpcrete-unit type; pumpcrete machines. squeezecrete & concrete pumping; scrapers-LeTourneau. DW's Ukes; side booms; squeezecrete; "straddle" carrier, Ross and similar types; winch trucks (hoisting).

CLASSIFICATIONS DEFINITIONS
POWER EQUIPMENT OPERATORS (CONT'D)

GROUP 5 - Aerial platform (used as hoist); hoists all types except Chicago Boom type (building & heavy construction rate only); elevator or house cars (building and heavy construction rate only); roof hoists.

GROUP 6 - Asphalt spreaders; bridge deck finisher; grader, finish only; rollers-blacktop.

GROUP 7 - Asphalt curbing machines; asphalt plant engineer; autograde tube finisher & texturing machine (CMI & similar types); autograde curecrete machine (CMI & similar types); autograde curb trimmer & sidewalk shoulder, slipform (CMI & similar types); barbending machines (power); batchers, batching plant & crusher on site; bet convey or systems; boilers and steam jennies (building & heavy construction rate only); boom type skimmer machines (building & heavy construction rate only); car dumpers (railroad); compressor and blower type units; concrete breaking machines; concrete finishing machines; concrete saws & cutters (ride on type); concrete spreaders-hetzel, recomatic & similar types; concrete vibrators (highway, road, street & sewer construction rate only); conveyors, under 125 ft.; crushing machines; ditching machine, small (ditch witch or similar); drill doctor (duties include dust collector); dope pots (mechanical with or without pump); dumpsters; fine grade machine (large type); front end loaders (1 yd & over but less than 2 yds) - highway, road, street & sewer construction rate only; front end loaders (under 2 yds) - building and heavy construction rates only; generators; giraffe grinders; graders and motor patrols; gunnite machines (excluding nozzle); hammer vibratory (in conjunction with generator); hoppers; hopper doors (power operated); ladders (motorized) - building & heavy construction rate only; laddervator; lights, portable generating light plants; locomotive (dinky type); mechanic; mixers (excepting paving mixers); motor patrols & graders; pavers (under 21E); pavement breakers - small, self-propelled ride on type (also maintains compressor or hydraulic unit); pipe bending machine (power); pitch pump; plaster pump (regardless of size) - building & heavy construction rate only; post hole digger; rod bending machines (power); scales, power; seaman pulverizing mixer; silos; skimmer machines (boom type) - highway, road, street & sewer construction rate only; steam jennies and boilers; steel cutting machines, services & maintains; vibrating plants (used in conjunction with unloading); welder and repair mechanic

CLASSIFICATIONS DEFINITIONS
POWER EQUIPMENT OPERATORS (CONT'D)

GROUP 8 - Compressors (2 or 3 within a total distance of 100' constitutes a battery) - building & heavy construction rate only; welding machines, gas or electric converters of any type - (2 or 3 in battery) - building and heavy construction rates only; welding system, multiple (rectifier transformer type) - building & heavy construction rate only.

GROUP 9 - Brooms & sweepers; bulldozer, D5 and over; fireman; sprinkler and water pump trucks (used on job site or in conjunction with jobsite); stone spreaders; sweepers & brooms; tractors, D8 & over; water and sprinkler trucks (used on job site or in conjunction with job site).

GROUP 10 - Compressors (2 or 3 within a total distance of 100' constitutes a battery) - highway, road, street and sewer construction rate only.

GROUP 11 - Front end loaders (under 1 yd.) - highway, road, street & sewer construction rate only.

GROUP 12 - Bulldozer under D5; rollers - grade fill or stone base; tractors, under D8.

GROUP 13 - Compressor (single); heaters (Nelson or other type including propane, natural gas or flow type units); pumps (4 inch suction & over including submersible pumps); pumps (2 of less than 4 inch suction including submersible pumps); pumps, diesel engine & hydraulic (immaterial of power) - highway, road, street & sewer construction rate only; temporary heating plant (Nelson or other type, including propane, natural gas or flow type units); welding machines, gas or electric converters of any type - single (building & heavy construction rate only); welding machines, gas or electric converters of any type (2 or 3 in battery) - highway, road, street & sewer construction rate only; wellpoint systems (including installation and maintenance).

CLASSIFICATIONS DEFINITIONS
POWER EQUIPMENT OPERATORS (CONT'D)

GROUP 14 - Concrete spreaders, (small type) convey or loaders (not including elevator graders) - highway, road, street & sewer construction rate only; farm tractors (highway, road, street & sewer construction rate only); fertilizing equipment; fine grade machine (small type) - highway, road, street and sewer construction rate only; form line graders (small type) - highway, road, street & sewer construction rate only; grease, gas, fuel and oil supply trucks; mixers, concrete small (highway, road, street and sewer construction rate only); mulching equipment; road finishing machines (small type) - highway, road, street and sewer construction only; seeding equipment; tamping machines, vibrating self-propelled; welding machines, gas or electric converters of any type-single (highway, road, street and sewer construction rate only).

GROUP 15 - Assistant engineer/oiler; mechanics helper; tire repair and maintenance.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS: STEEL ERECTION:					
GROUP 1	$15.12	7%	15%	h	3%
GROUP 2	13.52	7%	15%	h	3%
GROUP 3	12.72	7%	15%	h	3%
GROUP 4	12.07	7%	15%	h	3%
GROUP 5	10.50	7%	15%	h	3%
GROUP 6	10.15	7%	15%	h	3%
GROUP 7	10.02	7%	15%	h	3%
GROUP 8	9.69	7%	15%	h	3%
GROUP 9	9.19	7%	15%	h	3%

CLASSIFICATIONS DEFINITIONS
POWER EQUIPMENT OPERATORS (CONT'D)

GROUP 1 - Helicopters pilot/engineer.

GROUP 2 - Cranes (all cranes - land or floating with booms - including jib, 140 feet and over above the ground); derricks (land or floating with booms including jib, 140 feet and over above the ground); helicopters co-pilot & communications engineer.

GROUP 3 - Cranes (all cranes - land or floating with booms - including jib, less than 140 feet above the ground); derricks (land or floating, with booms including jib, less than 140 feet above the ground).

GROUP 4 - Aerial platform used as hoist; A-frame; cherry pickers - 6 tons and under (over 6 tons - crane rate applies); fork lifts; hoists (all types except Chicago Boom type); jacks (screw air hydraulic power operated unit or console type, not hand jack or pile load test type); side booms.

GROUP 5 - Compressors (2 or 3 in battery); generators; welding machines (gas or electric convertors of any type 2 or 3 in battery multiple welders); welding system multiple (rectifier transformer type).

GROUP 6 - Maintenance engineer.

GROUP 7 - Fireman

GROUP 8 - Compressor (single); rod bending machines (power); welding machines (gas or electric converters of any type-single).

GROUP 9 - Assistant engineer/oiler; straddle carrier.

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS:					
ZONE 1					
Composition	$10.35	.68	1.00		
ZONE 2					
Composition, Waterproofing, Slate & Asphalt Shingle	10.15	.50	.60		
ZONE 3					
Composition, Damp & Waterproofing	10.71	.70	.50		
ZONE 4					
Slate & Tile	8.96	.60	1.00		
Slate & Tile Helpers	7.21	.60	1.00		
ZONE 5					
Slate & Tile	10.40	.70	.30		
Slate & Tile Helpers	9.30	.70	.30		
ZONE 6					
Composition, Damp & Waterproofing	10.25	.55	.50		
Slate & Tile	10.375	.55	.50		
Slate & Tile Helpers	9.25	.55	.50		
Zone 7					
Composition, Damp & Waterproofing	9.00	1.44	2.20	.63	

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AREA COVERED BY ROOFERS ZONES

ZONE 1 - Bergen & Passaic Counties

ZONE 2 - Hunterdon & Somerset (Rocky Hill, Harlingen, Belle Meade, Neshanic, Clover Hill, Montgomery, Zion, Skillman, Stoutsburg, Blawenburg, Centerville & Kingston) Counties.

ZONE 3 - Essex, Hudson (west of the Hackensack River), Morris, Somerset (Pottersville, Peapack, Gladstone, Bernardsville, Basking Ridge, Bedminster, Far Hills, Mine Brook, Lyons, Liberty Corner, Pluckamin, Mt. Bethel & Watchung), Sussex, Union (remainder of county) & Warren Counties.

ZONE 4 - Bergen, Passaic & Sussex Counties.

ZONE 5 - Essex, Hudson, Morris, Somerset (Pottersville, Peapack, Gladstone, Bernardsville, Basking Ridge, Bedminster, Far Hills, Mine Brook, Lyons, Liberty Corner, Pluckamin, Mt. Bethel & Watchung), Sussex, Union (remainder of county) & Warren Counties.

ZONE 6 - Middlesex, Somerset (remainder of county) & Union (Scotch Plains, Plainfield, Clark & Rahway) Counties.

ZONE 7 - Hudson (remainder of county) County.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SHEET METAL WORKERS:					
Middlesex County	$ 9.82	6%+1	4%+.10	8%	.07
Essex & Passaic Counties	10.53	4%+.09	4%+.055	8%	.05
Bergen & Hudson Counties	10.17	5%+.16+i	5%+.10	4%+.06	.02
Warren County	10.00	.86	.50		
Morris, Somerset, Sussex & Union Counties	9.85	.56	.71	.54	.07
Hunterdon County	10.21	.50+i	.60		.02
SOFT FLOOR LAYERS	10.08	6%	5%+.50		
SPRINKLER FITTERS:					
ZONE 1	11.33	.50	.80		.07
ZONE 2	11.25	.50	.80		.08

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AREA COVERED BY SPRINKLER FITTERS ZONES

ZONE 1 - Bergen, Essex, Hudson, Middlesex (New Brunswick, Milltown, Old Bridge, Browntown & North thereof), Morris, Passaic, Somerset (Bernardsville, Basking Ridge, Mine Brook, Far Hills, Lyons, Mt. Bethel, Watchung, North Plainfield, Martinville & Somerville) & Union Counties.

ZONE 2 - Hunterdon, Middlesex (remainder of county), Somerset (remainder of county), Sussex & Warren Counties.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS:					
ZONE 1					
GROUP 1	$ 7.27	.68	.75	j&k	
GROUP 2	7.50	.68	.75	j&k	
GROUP 3	7.55	.68	.75	j&k	
GROUP 4	7.65	.68	.75	j&k	
GROUP 5	7.75	.68	.75	j&k	
ZONE 2					
GROUP 1	7.27	1	.81	j&k	
GROUP 2	7.50	1	.81	j&k	
GROUP 3	7.55	1	.81	j&k	
GROUP 4	7.65	1	.81	j&k	
GROUP 5	7.75	1	.81	j&k	

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CLASSIFICATION DEFINITIONS
TRUCK DRIVERS - ZONES 1 & 2

ZONE 1 - Mechanic Helper

ZONE 2 - Drivers on the following type vehicles: Straight Dumps, Flats, Floats, Pickups, Container Haulers, Fuel, Water Sprinkler, Road Oil, Stringer, Bead, Hot Pass, Bus, Dumpcrete, Transit Mixers, Agitator Mixer, Half Truck, Winch Truck, Side-o-Matic, Dynamite, Powder, X-Ray, Welding, Skid, Jeep, Station Wagon, Stringer, A-Frame, All Dual Purpose Trucks, Trucks with mechanical tail gates, Asphalt Distributor, Batch Trucks, Seeding, Mulching, Fertilizer, Air Compressor Trucks (intransit), Parts Chaser, Escort, Scissor, Hi-lift, Telescope, Concrete Breaker, Gin Pole, Stone, Sand, Asphalt Distributor & Spreader, Nippor, Fuel Trucks (drivers on Fuel Trucks including handling of hose & nozzle-entire unit), Team Drivers, Vacuum or Vac-all Trucks (entire unit), Skid Truck (debris container - entire unit), concrete Mobile Trucks (entire unit), Expediter (parts chaser), Beltcrete Trucks, Pump Crete Trucks, Line Truck, Reel Truck, Wreckers, Utility Trucks, Tack Trucks, Warehousemen, Warehouse Parts-Men, Yardmen, Lift Truck in Warehouse, Helper when required on Lift Truck in Warehouse, Warehouse Clerk, Parts Man, Material Checkers, Receivers, Shippers, Binning Men (Materials), Cardex Man, Helper when required on Broyhill Coal Tar Epoxy Truck & Asphalt & Bituminous Distributor Truck, Drivers on the following type vehicles: Broyhill Coal Tar Epoxy Trucks, Little-Ford Bituminous Distributor, Slurry Seal Truck or Vehicle, Thiokol Track Master Pickup (Swamp Cat Pickup), Bucket Loader Dump Truck & any Rubber Tired Tractor used in pulling & towing Farm Wagons & Trailers of any description, similar type vehicles, Off-site & On-site Repair Shop.

ZONE 3 - Drivers on straight 3-Axle Materials: Trucks & Floats.

ZONE 4 - Drivers on all Euclid Type Vehicles: Euclids, International Harvesters, Wabcos, Caterpillar, Koehring, Tractors & Wagons, Dumptors, Straight, Bottom, Rear & Side Dumps, Carryalls & Scrapers (not self loading-loading over the top), Water Sprinkler Trailers, Water Pulls & similar types of Vehicles; Drivers on Tractors & Trailer type vehicles: Flat, Floats, I-Beams, Low Beds, Water Sprinkler, Bituminous Transit Mix, Road Oil, Fuel, Bottom Dump Hopper, Rear Dump, Office, Shanty, Epoxy, Asphalt, Agitator Mixer, Mulching, Stringer, Seeding, Fertilizing Pole, Spread, Bituminous Distributor, Water Pulls (entire unit) (Tractor Trailer), Reel Trailer, and similar types of vehicles.

ZONE 5 - Winch Trailers Drivers

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AREA COVERED BY TRUCK DRIVERS ZONES

ZONE 1 - Bergen, Hudson, Hunterdon, Middlesex, Passaic, Somerset, Union (up to Woods Ave. south of Cranford) & Warren Counties.

ZONE 2 - Essex, Morris, Sussex & Union (remainder of county) Counties.

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes $8.00 per day per employee to an Annuity Fund.

b. Paid Holidays: A through F; plus Lincoln's Birthday, Washington's Birthday, Columbus Day, Election Day & Armistice Day.

c. Employees with 6 months of service but less than 5 years of service receive 2 weeks vacation; 5 or more years of service receive 3 weeks vacation.

d. Employees with 6 months of service but less than 5 years of service receive 2 weeks vacation; 5 years but less than 15 years of service receive 3 weeks; 15 or more years of service receive 4 weeks.

e. Paid Holidays: A through F, plus Washington's Birthday, Veterans' Day and Presidential Election Day providing the employee works on 3 days for the same Employer within a period of 10 working days, consisting of 5 working days before and 5 working days after the day upon which the holiday falls or is observed as such.

f. Paid Holidays: A through F, plus Washington's Birthday, Good Friday and Christmas Eve, providing the employee has worked 45 full days for the employer during the 120 calendar days immediately prior to the holiday, and the employee works his regularly scheduled work days immediately preceeding and following the holiday.

g. Paid Holiday: St. Patrick's Day

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FOOTNOTES: (Cont d)

h. Paid Holidays: A through F, plus Washington's Birthday, Presidential Election Day and Veterans' Day providing the employee works any of the 3 days in the 5 days preceeding the holiday and the first work day after the recognized holiday.

i. Employer contribution of 3% based on the basic hourly rate plus health & welfare plus pension and vacation fringes.

j. Paid Holidays: A through F, plus Lincoln's Birthday, Washington's Birthday, Good Friday, General Election Day, Columbus Day and Veterans' Day provided the employee has been assigned to work or "shapes" one day of the calendar week during which the holiday falls.

k. Employees working or receiving pay for 80 days within a year receive one week's vacation (48 hours); 126 days receive two weeks vacation (96 hours); 145 days receive 15 days (120 hours); 15 years seniority and 145 days receive 4 weeks vacation (160 hours).

l. Employer contribution of $83.00 per month per employee to Health & Welfare Funds.

SUPERSEDEAS DECISION

STATE: NEW YORK

COUNTIES: ALBANY, RENSSELAER, SARATOGA, SCHENECTADY

DECISION NO.: NY76-3144

DATE: DATE OF PUBLICATION

SUPERSEDES DECISION NOS.: NY75-3124 dated December 29, 1975 in 40 FR59681; NY76-3131 dated January 23, 1976 in 41 FR3653; NY76-3132 dated January 23, 1976 in 41 FR3657; NY76-3133 dated January 23, 1976 in 41 FR3662.

DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$10.43	.32	.28		.02
BOILERMAKERS	10.68	.75	10%		.02
BRICKLAYERS, CEMENT MASONS, PLASTERERS, STONE MASONS, POINTERS AND CAULKERS	9.74	.70	.35		.01
CARPENTERS, BUILDING SARATOGA COUNTY: TWPS. OF DAY, HADLEY, EDINBURG, CORINTH, AND MOREAU					
CARPENTERS AND SOFT FLOOR LAYERS	8.85	.50	.50	g	.005
MILLWRIGHTS	9.10	.50	.50	g	.005
PILEDRIVERMEN	9.00	.50	.50	g	.005
CARPENTERS, BUILDING ALBANY COUNTY, RENSSELAER COUNTY, SCHENECTADY COUNTY, SARATOGA COUNTY: REMAINDER OF COUNTY					
CARPENTERS AND SOFT FLOOR LAYERS	9.20	.60	.60		.02
MILLWRIGHTS	9.70	.60	.60		.02
PILEDRIVERMEN	9.86	.95	1.53	.55	.02
CARPENTERS, HEAVY AND HIGHWAY	8.82	.50	.50		.025
CEMENT MASONS	8.95	.45	.30		
ELECTRICIANS: SARATOGA COUNTY: GANSEVOORT, MT. McGREGOR, SCHUYLERVILLE, VICTORY MILLS, WAYVILLE, STILLWATER, MECHANICVILLE, AND WATERFORD	10.35	.65	1%+.55	a	h
REMAINDER OF COUNTY	10.35	.55	1%+.70	i	.05
ALBANY COUNTY: ELECTRICIANS COHOES AND WATERVLIET	10.35	.65	1%+.55	g	h
REMAINDER OF COUNTY	10.85	.30	1%+.50	a	
RENSSELAER COUNTY: ELECTRICIANS RENSSELAER, GREENBUSH, CASTLETON, HUDSON, AND NASSAU	10.85	.30	1%+.50	a	
REMAINDER OF COUNTY	10.35	.65	1%+.55	g	h
SCHENECTADY COUNTY: ELECTRICIANS	10.35	.55	1%+.70	e	.05
ELEVATOR CONSTRUCTORS	10.04	.495	.32	3%+b+c	.02
ELEVATOR CONSTRUCTORS HELPERS	7.03	.495	.32	3%+b+c	.02
ELEVATOR CONSTRUCTORS HELPERS (PROB.)	4.74				
IRONWORKERS: STRUCTURAL, REINFORCING, AND ORNAMENTAL	9.49	.60	.85		.04

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS, BUILDING: LABORERS	[illegible]	.60	.75		.02
PIPELAYERS (2 MAN TEAM), HOD CARRIERS, MORTAR MIXERS (HAND OR MACHINE), JACKHAMMER OPERATOR, WELL POINTING, ALL AIR OR GAS DRIVEN TOOLS, CONCRETE VIBRATORS, POWER DRIVEN BUGGIES	8.35	.60	.75		.02
FORM SETTERS (CURB)	8.375	.60	.75		.02
WAGON DRILL OPERATOR	8.425	.60	.75		.02
ACELYTENE BURNERS	8.475	.60	.75		.02
DEMOLITION	8.45	.60	.75		.02
BLASTERS	8.675	.60	.75		.02
LEAD BURNERS	9.25	.35		d	.01
LATHERS	9.11	.70	.20		.01
LINE CONSTRUCTION: LINEMAN	10.40	.65	1%+.60	e	1/2%
CABLE SPLICER	11.44	.65	1%+.60	e	1/2%
GROUNDMAN DIGGING MACHINE OPERATOR	9.36	.65	1%+.60	e	1/2%
GROUNDMAN MOBILE EQUIPMENT OPERATOR	8.32	.65	1%+.60	e	1/2%
GROUNDMAN TRUCK DRIVER	7.90	.65	1%+.60	e	1/2%
GROUNDMAN DYNAMITE MAN AND MECHANIC	8.32	.65	1%+.60	e	1/2%
PAINTERS: ALBANY COUNTY, RENSSELAER COUNTY, AND SCHENECTADY COUNTY					
BRUSH	8.92		.35		
STRUCTURAL STEEL & BRIDGE	9.67		.35		
SPRAY	10.02		.35		
SWING SCAFFOLD, BOSUN CHAIR, WATER TOWERS, FLAGPOLES, AND WINDOW JACKS	9.42		.35		
PAINTERS: SARATOGA COUNTY TWPS. OF CLIFTON PARK, HALFMOON, MALTA, CHARLTON, GALWAY, MILTON & WEST MILTON					
BRUSH	8.92		.35		
STRUCTURAL STEEL & BRIDGE	9.67		.35		
SPRAY	10.02		.35		
SWING SCAFFOLD, BOSUN CHAIR, WATER TOWERS, FLAGPOLES, AND WINDOW JACKS	9.42		.35		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS CONT'D					
SARATOGA COUNTY: TWPS. OF DAY, HADLEY, CORINTH, MOREAU, GANSEVOORT, AND MT. McGREGOR					
BRUSH	8.04	.25	.20		
STRUCTURAL STEEL, SWING SCAFFOLD AND BRIDGE	8.37	.25	.20		
SPRAY AND SANDBLASTING	8.59	.25	.20		
SARATOGA COUNTY: REMAINDER OF COUNTY					
COMMERCIAL WORK	7.25				
SWING SCAFFOLD, BOSUN CHAIR, WATER TOWERS, FLAGPOLES, AND WINDOW JACKS	7.75				
MARBLE SETTERS, TERRAZZO WORKERS, AND TILE SETTERS					
SARATOGA COUNTY	8.95	.70	.35		
PLUMBERS, STEAMFITTERS, AIR CONDITIONING AND REFRIGERATION					
ALBANY COUNTY:					
ALBANY AREA	9.79	.56	.87		.05
PLUMBERS AND STEAMFITTERS					
ALBANY COUNTY:					
COHOES AREA	9.79	.56	.87		.05
PLUMBERS AND STEAMFITTERS					
RENSSELAER COUNTY:					
TROY AND VICINITY	9.70	.50	1.00		.04
SOUTHERN PART OF COUNTY	9.79	.56	.87		.05
PLUMBERS AND STEAMFITTERS					
SARATOGA COUNTY: TWPS. OF STILLWATER, HALF MOON, GALWAY, MILTON, CHARLTON, CLIFTON PARK AND ATOMIC PROJECTS AT WEST					
MILTON AND MALTA	10.25	.50	.75		.10
SARATOGA COUNTY: REMAINDER OF					
COUNTY	8.80	.45	.90		.05
SCHENECTADY COUNTY	10.25	.50	.75		.10
ROOFERS	9.60	.63	.40		.02
SHEET METAL WORKERS	9.96	.70	.30		.05
SPRINKLER FITTERS	10.75	.50	.80		.08
TRUCK DRIVERS, BUILDING STRAIGHT, WINCH, TRANSIT MIX ON JOB SITE, ROAD OILERS, DUMP, PANEL, PICK-UP, WATER AND FUEL TRUCKS					
ON SITE	8.42	.70	.59	f	.02
EUCLIDS	8.71	.70	.59	f	.02
LOWBOY OR LOWDOY TRAILERS	8.59	.70	.59	f	.02

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holiday: E, provided the employee works the day after the holiday.

b. Holidays: A thru F.

c. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% of basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

d. Holidays: A thru F, Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 days prior to the holiday, and the regularly scheduled work days immediately preceeding and following the holiday.

e. Holidays: A thru F; Washington's Birthday, Election Day for the President of the United States and Election of Governor of New York (provided the employee works the day before and the day after the holiday).

f. One week vacation after one year's work; 2 weeks after 5 years work.

g. Holiday: D, providing employee was on the payroll the week before the holiday or on the payroll the week after the holiday.

h. Employer contributes $15.00 per year to an apprentice training program.

i. Holiday: D & E, plus two hours on Election Day.

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NY-27-LAB-2-3-G

HEAVY AND HIGHWAY CONSTRUCTION SARATOGA AND RENSSELAER COUNTIES:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:					
Laborers and driller helpers	$6.75	.55	.70	a	
Concrete aggregate bin, mortar mixer, hand or machine vibratoe gin buggy, mason tenders, concrete bootmen, chain saw, jackhammer, pavement breaker and all other gas, electric oil and air-tool operators, bull float tamper pipelayers	6.95	.55	.70	a	
Drillers, asphalt rakers, stone or granite curb setters and acetylene torch operator	7.15	.55	.70	a	
Blasters, form setters, stone or granite curb setters	7.35	.55	.70	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays A through F, providing the employee works the day before and after the holiday.

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NY 29-LAB 2 3 H

LABORERS: HEAVY AND HIGHWAY CONSTRUCTION ALBANY AND SCHENECTADY COUNTIES:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS A	$ 7.24	.60	.75	a	
CLASS B	7.44	.60	.75	a	
CLASS C	7.64	.60	.75	a	
CLASS D	7.84	.60	.75	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; E-Christmas Day.

FOOTNOTE:
a. Paid Holidays A through F, provided the employee has worked the day before and after the holiday.

LABORERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS A
Laborers, drill helper, flagmen, outboard and hand boats.

CLASS B
Bull float, chain saw, concrete aggregate, bin, concrete bootman, gin buggy, hand or machine vibrator, jackhammer, mason tender, mortar mixer, pavement breaker, handlers of all steel mesh, small generators for laborers' tools, installation of bridge drainage pipe, pipelayers, vibrator type rollers, tamper, drill doctor, tail or screw op. on asphalt paver, water pump op. (1½" and single diaphragm), nozzle (asphalt, gunnite, seeding and sand blasting), laborers on chain link fence erection, rock splitter and power unit, pusher type concrete saw and all other gas, electric, oil and air tool operators, wrecking laborer.

CLASS C
All rock or drilling machine operators (except quarry master and similar type), acetylene torch op., asphalt raker, powderman.

CLASS D
Blasters, form setters, stone or granite curb setters.

ALBANY AND SARATOGA COUNTIES:

BUILDING CONSTRUCTION - POWER EQUIPMENT OPERATORS:

GROUP 1: Oilers

GROUP 2: Firemen and heavy duty greasers, all boilers and steam generators

GROUP 3: Pumps, vibrators, concrete mixers, spreaders, concrete finishing machines, mortar mixers, air compressors, dust collectors, welding machines well points, two or more Herman Nelson and like heaters, batch and plant op., seed and mulching machines, generators, temporary light plants, concrete pump, beltcrete power [illegible] beltcrete system), electric submersible pump 4" and over

GROUP 4: Dinkey locomotives, Barber Greene loaders, loaders and conveyors, tractors, scoopmobiles, bulldozers, road rollers, form fine graders, power brooms and sweepers

GROUP 5: Black top spreaders, black top rollers, high lifts, fork lifts, one drum hoist or hod hoists, post hole diggers, traxcavators, core and well well drillers (one drum), economobile and similar type machines, elevators, A-L frame winches, power hoisting (single drum)

GROUP 6: LeTourneau graders or scrapers, trenching machines, push cart

GROUP 7: Tractor road pavers, cranes, power road graders, shovels, backhoes, draglines, pile drivers, hoists two or more drums, three drum engines, hysters, two drum and swinging engines, three drum swinging engine, locomotive cranes, gradalls, hydrocrane, model CHB Vibrotamp or similar, Murphy type diesel generator-beltcrete system, side booms, hydro hammer, tractor mounted drill (quarry master), euclid loaders, concrete pumps, all CMI equipment, concrete central mix plant, automated asphalt, concrete central plant, derrick, whirlies, tower cranes, cableways, hydraulic cranes, power hoisting (2 drum and over), mucking machine

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP 1	$9.36	.45	.80	a	.10
GROUP 2	9.43	.45	.80	a	.10
GROUP 3	9.54	.45	.80	a	.10
GROUP 4	9.73	.45	.80	a	.10
GROUP 5	10.06	.45	.80	a	.10
GROUP 6	10.21	.45	.80	a	.10
GROUP 7	10.39	.45	.80	a	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F.

RENSSELAER COUNTY:
City of Troy, Building, Heavy and Highway Construction
Remainder of County: Building Construction N.Y. 3-PEO-1-J 1 of 1

BUILDING CONSTRUCTION - POWER EQUIPMENT OPERATORS:

GROUP 1: Oilers

GROUP 2: Firemen and heavy duty greasers, all boilers and steam generators

GROUP 3: Pumps, vibrators, concrete mixers, spreaders, concrete finishing machines, mortar mixers, air compressors, dust collectors, welding machines well points, two or more Herman Nelson and like heaters, batch and plant op., seed and mulching machines, generators, temporary light plants, concrete pump, beltcrete power pac (beltcrete system), electric submersible pump 4" and over

GROUP 4: Dinkey locomotives, Barber Greene loaders, loaders and conveyors, tractors, scoopmobiles, bulldozers, road rollers, form fine graders, power brooms and sweepers

GROUP 5: Black top spreaders, black top rollers, high lifts, fork lifts, one drum hoist or hod hoists, post hole diggers, traxcavators, core and well well drillers (one drum), economobile and similar type machines, elevators, A-L frame winches, power hoisting (single drum)

GROUP 6: LeTourneau graders or scrapers, trenching machines, push cart

GROUP 7: Tractor road pavers, cranes, power road graders, shovels, backhoes, draglines, pile drivers, hoists two or more drums, three drum engines, hysters, two drum and swinging engines, three drum swinging engine, locomotive cranes, gradalls, hydrocrane, model CHB Vibrotamp or similar, Murphy type diesel generator-beltcrete system, side booms, hydro hammer, tractor mounted drill (quarry master), euclid loaders, concrete pumps, all CMI equipment, concrete central mix plant, automated asphalt, concrete central plant, derrick, whirlies, tower cranes, cableways, hydraulic cranes, power hoisting (2 drum and over), mucking machine

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP 1	$9.36	.45	.80	a	.10
GROUP 2	9.43	.45	.80	a	.10
GROUP 3	9.54	.45	.80	a	.10
GROUP 4	9.73	.45	.80	a	.10
GROUP 5	10.06	.45	.80	a	.10
GROUP 6	10.21	.45	.80	a	.10
GROUP 7	10.39	.45	.80	a	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F.

Building, Heavy, Highway Construction in the City of Schenectady and Building Construction in the Remainder of County.

BUILDING CONSTRUCTION - POWER EQUIPMENT OPERATORS:

GROUP 1: Oilers

GROUP 2: Firemen and heavy duty greasers, all boilers and steam generators

GROUP 3: Pumps, vibrators, concrete mixers, spreaders, concrete finishing machines, mortar mixers, air compressors, dust collectors, welding machines well points, two or more Herman Nelson and like heaters, batch and plant op., seed and mulching machines, generators, temporary light plants, concrete pump, beltcrete power pac (beltcrete system), electric submersible pump 4" and over

GROUP 4: Dinkey locomotives, Barber Greene loaders, loaders and conveyors, tractors, scoopmobiles, bulldozers, road rollers, form fine graders, power brooms and sweepers

GROUP 5: Black top spreaders, black top rollers, high lifts, fork lifts, one drum hoist or hod hoists, post hole diggers, traxcavators, core and well well drillers (one drum), economobile and similar type machines, elevators, A-L frame winches, power hoisting (single drum)

GROUP 6: LeTourneau graders or scrapers, trenching machines, push cart

GROUP 7: Tractor road pavers, cranes, power road graders, shovels, backhoes, draglines, pile drivers, hoists two or more drums, three drum engines, hysters, two drum and swinging engines, three drum swinging engine, locomotive cranes, gradalls, hydrocrane, model CHB Vibrotamp or similar, Murphy type diesel generator-beltcrete system, side booms, hydro hammer, tractor mounted drill (quarry master), euclid loaders, concrete pumps, all CMI equipment, concrete central mix plant, automated asphalt, concrete central plant, derrick, whirlies, tower cranes, cableways, hydraulic cranes, power hoisting (2 drum and over), mucking machine

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP 1	$9.36	.45	.80	a	.10
GROUP 2	9.43	.45	.80	a	.10
GROUP 3	9.54	.45	.80	a	.10
GROUP 4	9.73	.45	.80	a	.10
GROUP 5	10.06	.45	.80	a	.10
GROUP 6	10.21	.45	.80	a	.10
GROUP 7	10.39	.45	.80	a	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F.

NY 23 FEO 2 3 B

ALBANY AND SARATOGA COUNTIES
RENSSELAER AND SCHENECTADY COUNTIES
REMAINDER OF COUNTIES
POWER EQUIPMENT OPERATORS:
HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$9.30	.50	.50+a	b	.10
GROUP II	9.00	.50	.50+a	b	.10
GROUP III	8.35	.50	.50+a	b	.10
GROUP IV	7.60	.50	.50+a	b	.10

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 $.30per hour to an Supplemental Unemployment Benefit Fund.

b. Paid Holidays A through F; providing the employee works the working day before and after the holiday

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION

Group I - Automated concrete spreader (CMI), automatic fine grader, backhoe (except tractor mounted, rubber tired), belt placer (CMI type), blacktop plant (automated), cableway, caisson auger, central mix concrete plant (automated), cherry picker (over 5 tons capacity), concrete pump (8" or over), crane, cranes & derricks (steel erection), dragline, dredge, dual drum paver, excavator (all purpose-hydraulically operated, (gradall or similar), fork lift (factor rated 15 ft. and over), front end loader 4 c.y. and over), head tower (sauerman or equal) hoist (2 or 3 drum), mine hoist, mucking machine or mole, over head crane (gantry or straddle type), piledriver, power grader, quarry master (or equivalent), scraper, shovel, sideboom, slip form paver (if second man is needed, he shall be an oiler), tractor drawn belt type loader, truck crane, tunnel shovel.

Group II - Backhoe (tractor mounted, rubber tired), bituminous spreader and mixer, blacktop plant (non-automated), blast or rotary drill truck or tractor mounted), boring machine, cage-hoist, central mix plant (non-automated and all concrete batching plants), cherry picker (5 tons capacity and under), compressors (4 or less) exceeding 2000 C.F.M. combined capacity concrete paver (over 16S), concrete pump (under 8"), crusher, diesel power unit, drill rigs (tractor mounted), front end loader (under 4 c.y.), hi-pressure - boiler (15 lobs. and over), hoist (one drum) Kolman plant loader and similar type loaders (if another man is required to clean screen or to maintain the equipment, he shall be an oiler), locomotive maintenance/engineer/greaseman/welder, mixer (for stablized base self-propelled), monorail machine, plant engineer, pump crete, ready mix concrete plant, refrigeration equipment (for soil stabilization), road widener, roller (all above subgrade), tractor with dozer and/or pusher, trencher, tugger-hoist, winch, winch cat.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION CONT'D.

Group III - [illegible] truck, compressors (4 not to exceed 2000 C.F.M. combined capacity or [illegible] with more than 1200 C.F.M. but not to exceed 2000 C.F.M.), compressors (any size but subject to other provisions for compressors), dust collectors, generators, pumps, welding machines (4 of any type of combination), concrete pavement spreaders and finishers, conveyor, drill-core, [illegible]-well, electric pumps used in conjunction with well point system, farm tractor with accessories, fine grade machine, fork lift (under 15 ft.), gunite machine, hammers (hydraulic-self-propelled), post hole digger and post driver, power sweeper, roller (grade and fill), submersible electric pump (when used in lieu of well point system), tractor with loader accessories, vibratory compactor, vibro tamp, well point.

Group IV - Aggregate plant, boiler (used in conjunction with production), cement and lime operator, compressors (3 or less not to exceed 1200 C.F.M. combined capacity), compressor (any size, but subject to other provisions for compressors), dust collectors, generator pumps, welding machines (3 or less of any type or combination), concrete paver or mixer (16S and under), concrete saw (self-propelled), fireman, form tamper, hydraulic pump (jacking system), lighting plants, mulching machine, oiler parapet- (concrete or pavement grinder), power broom (towed), power heaterman, revinius widener, shell winder, steam cleaner, tractor.

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1	$7.39	.55	.50	a	
CLASS 2	7.44	.55	.50	a	
CLASS 3	7.49	.55	.50	a	
CLASS 4	7.64	.55	.50	a	
CLASS 5	7.79	.55	.50	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Paid Holidays A through F, provided the employee has worked the working day before and after the holiday.

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS 1
Warehouseman, yardmen, truck helpers, pickups, panel trucks, flatboy material trucks (straight jobs), single axel dump trucks, dumpsters, material checkers and receivers, greasers, truck tiremen, mechanic helpers and parts chaser.

CLASS 2
Tandems, batch trucks, mechanics and dispatcher.

CLASS 3
Semi-trailers, low-boy trucks, asphalt distributor trucks, agitator, mixer trucks and dumpcrete type vehicles, truck mechanic.

CLASS 4
Specialized earth moving equipment - euclid type or similar off-highway equipment, where not self loaded, and straddle (ross) carrier.

CLASS 5
Off-highway tandem back-dump, twin engine equipment and double-hitched equipment where not self loaded.

SUPERSEDEAS DECISION

STATE: Ohio
COUNTIES: Clermont & Hamilton
DECISION NO.: OH76-2029
DATE: Date of Publication
Supersedes Decision No. AP-685, dated May 25, 1973 in 38 FR 14050
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.
BRICKLAYERS	$ 6.64				
CARPENTERS	5.42				
CEMENT MASONS	5.67				
DRYWALL HANGERS	5.00				
DRYWALL FINISHERS	5.48				
ELECTRICIANS	5.13				
INSULATORS	4.00				
LABORERS	3.84				
PAINTERS	4.00				
PLUMBERS	7.08				
ROOFERS	5.72				
SHEET METAL WORKERS	5.61				
SOFT FLOOR LAYERS	8.15	.45	.55		.05
TILE SETTERS	5.50				
TRUCK DRIVERS	6.20				
BACKHOE OPERS.	5.51				
FRONT END LOADERS	6.73				
GRADERS	6.00				
SCRAPERS	6.00				
BULLDOZERS	9.45				
ASPHALT ROLLERS	6.00				

SUPERSEDEAS DECISION

STATE: Pennsylvania
DECISION NO.: PA-76-3145
DATE: Date of Publication
Supersedes Decision No. PA-75-3051, dated April 18, 19[illegible] FR 17533.
Description of work: Heavy & Highway Construction.

COUNTIES: Butler, Cambria, Erie, Fayette, Mercer, Washington, Westmoreland, Lawrence, Mercer & Somerset

FR-26--Lab-2--3-A

Heavy & Highway Construction:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Carpenters (Counties)					
Butler, Washington, Westmoreland, Fayette, Erie, Lawrence, Mercer	$9.61	7½%	7%		
Cambria & Somerset	9.27	7½%	7%		
Carpenter-welder (Counties)					
Butler, Washington, Westmoreland, Fayette, Erie, Lawrence & Mercer	9.95	7½%	7%		
Cambria & Somerset	9.63	7½%	7%		
Cement Masons	9.02	.5[illegible]	[illegible]		
Piledrivermen	10.12	5%	5%		
Ironworkers	6.925	.785	.775		
Butler, Fayette, Lawrence, Mercer, Washington & Westmoreland					
Landscape Laborers	5.50	.40	.40		
Skilled Landscape Laborer	5.65	.40	.40		
Cambria, Erie & Somerset					
Landscape Laborers	5.40	.40	.40		
Skilled Landscape Laborers	5.55	.40	.40		
LABORERS					
Heavy & Highway Construction					
Class 1	7.46	.40	.50		
Class 2	7.65	.40	.50		
Class 3	7.96	.40	.50		
Class 4	8.08	.40	.50		
Class 5	8.15	.40	.50		
Class 6	9.30	.40	.50		
Class 7	7.46	.40	.50		
Class 8	7.70	.40	.50		
Class 9	7.96	.40	.50		
Class 10	8.08	.40	.50		
Class 11	8.15	.40	.50		

Class 1: Construction Laborer (including tenders handling Salamanders, L.P. gas heaters or similar, etc.), Air or electric Impactor Wrench, Air Tamper Operator, Asphalt Tampers, Batchorman (weigh), Blaster's Helper, Blower Man (bulk cement), Brakeman, Coffer Dam, Concrete Pitman, Paddler including Vibrator Operator, Drill Runner's Helper (includes drill mounted on truck, track or similar and Davey drills (apply - clean-up and helps to maintain), Fence Construction, Form Stripper and Mover, Hydro-jet Blaster Nozzlemen, Manually moved Emulsion Sprayer, Radio actuated traffic control operator (non-automatic), Rip Rap work, Scaffolds and runways (as per agreement of record), Sheeters and Shorers, Structural Concrete Top Surfacer, Walk Behind Street Sweeper, Welder's Helper (pipeline), Wood Chipper

Class 2: Asphalt, Batch and Concrete Plant Operator (manually operated), Asphalt Rakers, Burner, Caisson Men (open air), Carryable Pumps, Chain Saw Operator, Chipping Hammer or similar (air or otherwise), Combination Tamper and Vibrator, Concrete Buster (paving breaker), Cribbing (concrete or steel), Curb Machine Operator (asphalt and concrete)(walk behind), Earth Drill, Fork Lift (walk behind), Form Setter (road forms line man), Handyman, Highway Slab Reinforcement Placers (including joint and basket setter), Hydraulic Pipe Pusher, Jack Hammer Operator, Liner Plates (tile or vitrified clay), Manually operated Diamond Head Core Drill, Mechanical Joint Sealer, Dope Pot, and Tar Kettle, Mortar Mixer (hand or machine), Pin Drivers or Puller (power-highway), Pipe Layers, Plant set-up, Maintenance Men, Portable single unit Conveyor, Post Hole Auger (2 or 4 cycle)(hand operated), Power Fence Operator, Power Wheelbarrows and Buggies, Rail Porter, or similar, Screed Operator, Signal Man, Whacker, All Railroad Track Work: Adzing Machine, Ballast Router, Bolting Machine, Power Jacks, Rail Drills, Railroad Brakemen, Rail Saws, Spike Drivers, Spike Pullers, Tamping Machine

Class 3: Cement Mortar Lining Car Pusher, Cement Mortar Mixer (pipe relining), Cement Saw Operator (walk behind), Form Setter (road forms-lead man), Grout Machine Operator, Gunnite (nozzle and machine man), Paving Block Rammers, Wagon Drill (air track or similar) Operators, Walk Behind Power Rollers (1 or 2 barrel), Walk Behind Roller and Tamper, Walk Behind Ditching Machine (trencher or similar)

Class 4: Blacksmith, Blaster, Brick and Block Pavers (wood, belgain and asphalt), Curb Cutters and Setters, Manhole or Catch Basin Builder (brick, block, concrete or any prefabrication)

Class 5: Multi-plate Pipe (aligning and securing) Placing Wire Mesh on Gunite projects, Reinforcing steel placers (bending, aligning and securing), Welder, elevated roadway drainage

Class 6: Welder (pipeline)

Class 7: Tunnel and Shaft Work (Inside); Change House Attendent

Class 8: Muckers, Brakemen and all other labor (includes installation of utility lines), Signal Man, Drill Runner Helper

Class 9: Miners and Drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment and jumbos)

Class 10: Caisson and Tunnel Men under pressure (0-18 pounds)

Class 11: Reinforcing steel placers (bending, aligning and securing)

DECISION No. PA-76-3145

HEAVY AND HIGHWAY CONSTRUCTION

POWER EQUIPMENT OPERATORS:

PA-2-PEO-2-3- K

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	C
CLASS I	$9.43	.50	.60		.09	
CLASS II	9.17	.50	.60		.09	
CLASS III	6.81	.50	.60		.09	
CLASS IV	6.36	.50	.60		.09	
CLASS V	6.21	.50	.60		.09	

HEAVY & HIGHWAY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

CLASS I: Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhow - 360 Swing, Cableway, Caisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick, Boat, Dragline, Dredge, Dredge Hydraulic (1 Leverman - 1 Oiler - Apprenti evating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilift (4cy. and over) Hoists 2 Drums or more (in one unit) Kocal, Koering Skooper, Lead Mechanic, Locomotive (std. Guage) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Presplitter Drill (self contained) Quad Nine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XXI Jarva or similar Whirley, Scrapers, and Dozer, D-8 or larger

CLASS II: Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd,) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180 Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Belt Placer (S.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Hilift (under 4 cy,) Job Work Boar (Powered) Jumbo Operator, Locomotive (narrow guage) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator

CLASS III: Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal

CLASS IV: Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader Concrete Mixer (1 cy. and under with Skip Concrete Saw (Ridden or self-propelled Conveyor, Curb Builder (Self-propelled) Elevator (Material Hauling only) Forklift (Ridden or self-propelled) Form line Machine, Generator, Crout Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boar (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tile Puller, Tie Tamper (Multi-head) Tractor-snaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (When hoisting and placing

CLASS V: Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helpers, Oiler, Power Broom, Side Delivery Shoulder Spreader

DECISION NO. PA-76-3145 P[illegible]-2-TD-2-3- B

Heavy and Highway Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TRUCK DRIVERS:					
Class 1	$8.05	7.3%	4.2%		
Class 2	7.80	7.3%	4.2%		
Class 3		7.3%	4.2%		
Class 4	7.98	7.3%	4.2%		
Class 5	7.85	7.3%	4.2%		
Class 6	7.75	7.3%	4.2%		
Class 7	8.07	7.3%	4.2%		

CLASSIFICATIONS DEFINITIONS

Class 1: Heavy Duty Trailer, such as Low-Boy, Hi-Boy, Dump Trailer, Pole Trailer, A-Frames (when used for transporting materials), Dumpsters, Ross Carriers, Form Trucks, Dual-purpose Trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), Mechanical Tailgate Trucks, Bucket Self-loading Trucks, Farm Tractors (when pulling and hauling), Fork Lift Trucks (in storage areas and warehouses), Tar and Asphalt Distributing Trucks.

Class 2: Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)

Class 3: Tandem-axle Ready-mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.); Liquid Tank Trucks - Straight and Semi (including water, sprinkler, oil trucks, etc.); Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), Flat bottom, Scissors, and combination fuel and grease)

Class 4: Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.); Tar and Asphalt Trailer Trucks; Heavy equipment whose capacity exceeds tha[illegible] which state licenses are issued - specifically refers to units in excess of 8 feet width (such as Euclids, Athey Wagon, Payloader, Tournawagons, and similar equipment when not self-loaded) Rated under forty-five tons, Tri Axle trucks

Class 5: Trucks with Dolley or Trailer

Class 6: Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pickup and similar equipment. Also parts man and warehouseman.)

Class 7: Heavy off-the-road equipment (rated at forty-five tons or over); Bottom or Belly-dump Trucks

SUPERSEDEAS DECISION

STATE: Pennsylvania COUNTIES: Allegheny and Beaver
DECISION NUMBER: PA-76-3146 DATE: Date of Publication
Supersedes Decision No. PA-75-3026 dated March 28, 1975, in 40 FR 14866.
DESCRIPTION OF WORK: Heavy and Highway Construction

PA-2-4-2-3-M

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Carpenters	$ 9.61	7½%	7%		
Carpenter - Welder	9.95	7½%	7%		
Cement Masons	9.02	.5%	1.44		
Piledrivermen	10.12	5%	9%		
Plumbers (Allegheny County on down spout and bridges)	9.705	.60	1.00		.07
LABORERS (Heavy and Highway Construction)					
Class 1	7.46	.40	.50		
Class 2	7.65	.40	.50		
Class 3	7.96	.40	.50		
Class 4	8.08	.40	.50		
Class 5	8.15	.40	.50		
Class 6	9.30	.40	.50		
Class 7	7.46	.40	.50		
Class 8	7.70	.40	.50		
Class 9	7.96	.40	.50		
Class 10	8.08	.40	.50		
Class 11	8.15	.40	.50		

Class 1: Construction Laborer (including tenders handling Salamanders, L.P. gas heaters or similar, etc.), Air or electric Impactor Wrench, Air Tamper Operator, Asphalt Tampers, Batcherman (weigh), Blaster's Helper, Blower Man (bulk cement), Brakeman, Coffer Dam, Concrete Pitman, Puddler including Vibrator Operator, Drill Runner's Helper (includes drill mounted on truck, track or similar and Davey drills (spots - clean-up and helps to maintain), Fence Construction, Form Stripper and Mover, Hydro-jet Blaster Nozzlemen, Manually moved Emulsion Sprayer, Radio actuated traffic control operator (non-automatic), Rip Rap work, Scaffolds and runways (as per agreement of record), Sheeters and Shorers, Structural Concrete Top Surfacer, Walk Behind Street Sweeper, Welder's Helper (pipeline), Wood Chipper

Class 2: Asphalt, Batch and Concrete Plant Operator (manually operated), Asphalt Rakers, Burner, Caisson Man (open air), Carryable Pumps, Chain Saw Operator, Chipping Hammer or similar (air or otherwise), Combination Tamper and Vibrator, Concrete Buster (paving breaker), Cribbing (concrete or steel), Curb Machine Operator (asphalt and concrete)(walk behind), Earth Drill, Fork Lift (walk behind), Form Setter (road forms line man), Handyman, Highway Slab Reinforcement Placers (including joint and basket setter), Hydraulic Pipe Pusher, Jack Hammer Operator, Liner Plates (tile or vitrified clay), Manually operated Diamond Head Core Drill, Mechanical Joint Sealer, Dope Pot, and Tar Kettle, Mortar Mixer (hand or machine), Pin Drivers or Puller (power-highway), Pipe Layers, Plant set-up, Maintenance Men, Portable single unit Conveyor, Post Hole Auger (2 or 4 cycle)(hand operated), Power Fence Operator, Power Wheelborrows and Buggies, Rail Porter, or similar, Screed Operator, Signal Man, Whacker, All Railroad Track Work: Adzing Machine, Ballast Router, Bolting Machine, Power Jacks, Rail Drills, Railroad Brakemen, Rail Saws, Spike Drivers, Spike Pullers, Tamping Machine

Class 3: Cement Mortar Lining Car Pusher, Cement Mortar Mixer (pipe relining), Cement Saw Operator (walk behind), Form Setter (road forms-lead man), Grout Machine Operator, Gunnite (nozzle and machine man), Paving Block Rammers, Wagon Drill (air track or similar) Operators, Walk Behind Power Rollers (1 or 2 barrel), Walk Behind Roller and Tamper, Walk Behind Ditching Machine (trencher or similar)

Class 4: Blacksmith, Blaster, Brick and Block Pavers (wood, belgain and asphalt), Curb Cutters and Setters, Manhole or Catch Basin Builder (brick, block, concrete or any prefabrication)

Class 5: Multi-plate Pipe (aligning and securing) Placing Wire Mesh on Gunite projects, Reinforcing steel placers (bending, aligning and securing), Welder, elevated roadway drainage

Class 6: Welder (pipeline)

Class 7: Tunnel and Shaft Work (Inside); Change House Attendent

Class 8: Muckers, Brakemen and all other labor (includes installation of utility lines), Signal Man, Drill Runner Helper

Class 9: Miners and Drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment and jumbos)

Class 10: Caisson and Tunnel Men under pressure (0-18 pounds)

Class 11: Reinforcing steel placers (bending, aligning and securing)

PA-2-PEC-2-3- K

HEAVY AND HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS I	$9.43	.50	.60		.09	
CLASS II	9.17	.50	.60		.09	
CLASS III	6.81	.50	.60		.09	
CLASS IV	6.36	.50	.60		.09	
CLASS V	6.21	.50	.60		.09	

HEAVY & HIGHWAY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

CLASS I: Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhow - 360 Swing, Cableway, Caisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick, Boat, Dragline, Dredge, Dredge Hydraulic (1 Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilift (4cy. and over) Hoists 2 Drums or more (in one unit) Kocal, Koering Skooper, Lead Mechanic, Locomotive (std. Guage) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Presplitter Drill (self contained) Quad Nine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XXI Jarva or similar Whirley, Scrapers, and Dozer, D-8 or larger

CLASS II: Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd,) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180 Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Belt Placer (S.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Hilift (under 4 cy,) Job Work Boar (Powered) Jumbo Operator, Locomotive (narrow guage) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator

CLASS III: Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal

CLASS IV: Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader Concrete Mixer (1 cy. and under with Skip Concrete Saw (Ridden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material Hauling only) Forklift (Ridden or self-propelled) Form line Machine, Generator, Crout Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boar (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tile Puller, Tie Tamper (Multi-head) Tractor-snaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (When hoistind and placing)

CLASS V: Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helpers, Oiler, Power Broom, Side Delivery Shoulder Spreader

DECISION NO. PA-76-3146 PA-2-TD-2-3- B

Heavy and Highway Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TRUCK DRIVERS:					
Class 1	$8.05	7.3%	4.2%		
Class 2	7.80	7.3%	4.2%		
Class 3	7.89	7.3%	4.2%		
Class 4	7.98	7.3%	4.2%		
Class 5	7.85	7.3%	4.2%		
Class 6	7.75	7.3%	4.2%		
Class 7	8.07	7.3%	4.2%		

CLASSIFICATIONS DEFINITIONS

Class 1: Heavy Duty Treailer, such as Low-Boy, Hi-Boy, Dump Trailer, Pole Trailer, A-Frames (when used for transporting materials), Dumpsters, Ross Carriers, Form Trucks, Dual-purpose Trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), Mechanical Tailgate Trucks, Bucket Self-loading Trucks, Farm Tractors (when pulling and hauling), Fork Lift Trucks (in storage areas and warehouses), Tar and Asphalt Distributing Trucks.

Class 2: Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)

Class 3: Tandem-axle Ready-mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.); Liquid Tank Trucks - Straight and Semi (including water, sprinkler, oil trucks, etc.); Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), Flat bottom, Scissors, and combination fuel and grease)

Class 4: Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.); Tar and Asphalt Trailer Trucks; Heavy equipment whose capacity exceeds tha[illegible] which state licenses are issued - specifically refers to units in excess of 8 feet width (such as Euclids, Athey Wagon, Payloader, Tournawagons, and similar equipment when not self-loaded) Rated under forty-five tons, Tri Axle trucks

Class 5: Trucks with Dolley or Trailer

Class 6: Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pickup and similar equipment. Also parts man and warehouseman.)

Class 7: Heavy off-the-road equipment (rated at forty-five tons or over); Bottom or Belly-dump Trucks

SUPERSEDEAS DECISION

STATE: Pennsylvania
DECISION NO.: PA-76-3147
Supersedes Decision No. PA-75-3029, dated April 4, 1975, in 40 FR 15318.
COUNTIES: Armstrong, Blair, Cameron, Centre, Clarion, Clearfield, Crawford, Forest, Greene, Indiana, McKean, Venango, & Warren.
DESCRIPTION OF WORK: Heavy and Highway Construction.
DATE: Date of Publication
PA--42-Lab-2-3-A

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Carpenters:					
Armstrong & Greene Counties	$9.61	7½%	7%		
Remaining Counties	9.27	7½%	7%		
Carpenter-Welders:					
Armstrong & Greene Counties	9.95	7½%	7%		
Remaining Counties	9.63	7½%	7%		
Cement Masons	9.02	.54	1.44		
Piledrivermen	10.12	5%	9%		
LABORERS:					
(Heavy & Highway Construction)					
Class 1	7.31	.40	.50		
Class 2	7.53	.40	.50		
Class 3	7.84	.40	.50		
Class 4	7.96	.40	.50		
Class 5	8.15	.40	.50		
Class 6	9.30	.40	.50		
Class 7	7.29	.40	.50		
Class 8	7.53	.40	.50		
Class 9	7.84	.40	.50		
Class 10	7.96	.40	.50		
Class 11	8.15	.40	.50		

PA-76-3147

LABORERS

Class 1: Construction Laborer (including tenders handling Salamanders, L.P. gas heaters or similar, etc.), Air or electric Impactor Wrench, Air Tamper Operator, Asphalt Tampers, Batchterman (wetab), Blaster's Helper, Blower Man (bulk cement), Brakeman, Coffer Dam, Concrete Pitman, Puddler including Vibrator Operator, Drill Runner's Helper (includes drill mounted on truck, track or similar and Davey drills (spots - clean-up and helps to maintain), Fence Construction, Form Stripper and Mover, Hydro-jet Blaster Nozzlemen, Manually moved Emulsion Sprayer, Radio actuated traffic control operator (non-automatic), Rip Rap work, Scaffolds and runways (as per agreement of record), Sheeters and Shorers, Structyrol Concrete Top Surfacer, Walk Behind Street Sweeper, Welder's Helper (pipeline), Wood Chipper

Class 2: Asphalt, Batch and Concrete Plant Operator (manually operated), Asphalt Rakers, Burner, Caisson Men (open air), Carryable Pumps, Chain Saw Operator, Chipping Hammer or similar (air or otherwise), Combination Tamper and Vibrator, Concrete Buster (paving breaker), Cribbing (concrete or steel), Curb Machine Operator (asphalt and concrete)(walk behind), Earth Drill, Fork Lift (walk behind), Form Setter (road forms line man), Handyman, Highway Slab Reinforcement Placers (including joint and basket setter), Hydraulic Pipe Pusher, Jack Hammer Operator, Liner Plates (tile or vitrified clay), Manually operated Diamond Head Core Drill, Mechanical Joint Sealer, Dope Pot, and Tar Kettle, Mortar Mixer (hand or machine), Pin Drivers or Puller (power-highway), Pipe Layers, Plant set-up, Maintenance Men, Portable single unit Conveyor, Post Hole Auger (2 or 4 cycle)(hand operated), Power Fence Operator, Power Wheelbarrows and Buggies, Rail Porter, or similar, Screed Operator, Signal Man, Whacker, All Railroad Track Work: Adzing Machine, Ballast Router, Bolting Machine, Power Jacks, Rail Drills, Railroad Brakemen, Rail Saws, Spike Drivers, Spike Pullers, Tamping Machine

Class 3: Cement Mortar Lining Car Pusher, Cement Mortar Mixer (pipe relining), Cement Saw Operator (walk behind), Form Setter (road forms-lead man), Grout Machine Operator, Gunnite (nozzle and machine man), Paving Block Rammers, Wagon Drill (air track or similar) Operators, Walk Behind Power Rollers (1 or 2 barrel), Walk Behind Roller and Tamper, Walk Behind Ditching Machine (trencher or similar)

Class 4: Blacksmith, Blaster, Brick and Block Pavers (wood, belgain and asphalt), Curb Cutters and Setters, Manhole or Catch Basin Builder (brick, block, concrete or any prefabrication)

Class 5: Multi-plate Pipe (aligning and securing) Placing Wire Mesh on Gunite projects, Reinforcing steel placers (bending, aligning and securing), Welder, elevated roadway drainage

Class 6: Welder (pipeline)

Class 7: Tunnel and Shaft Work (Inside); Change House Attendent

Class 8: Muckers, Brakemen and all other labor (includes installation of utility lines), Signal Man, Drill Runner Helper

Class 9: Miners and Drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment and jumbos)

Class 10: Caisson and Tunnel Men under pressure (0-18 pounds)

Class 11: Reinforcing steel placers (bending, aligning and securing)

COUNTIES: Armstrong, Blair, Centre, Crawford, Greene, Indiana, McKean, Venango & Warren

PA-2-PEO-2-3-J

HEAVY AND HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vocation	App. Tr.	Others
CLASS I	$8.88	.50	.50		.09	
CLASS II	8.62	.50	.50		.09	
CLASS III	6.26	.50	.50		.09	
CLASS IV	5.81	.50	.50		.09	
CLASS V	5.66	.50	.50		.09	

COUNTIES: Armstrong, Blair, Centre, Crawford, Greene, Indiana, McKean, Venango & Warren

HEAVY & HIGHWAY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

CLASS I: Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhow - 360 Swing, Cableway, Caisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick, Boat, Dragline, Dredge, Dredge Hydraulic (1 Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilift (4cy. and over) Hoists 2 Drums or more (in one unit) Kocal, Koering Skooper, Lead Mechanic, Locomotive (std. Guage) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Presplitter Drill (self contained) Quad Nine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XXI Jarva or similar Whirley, Scrapers, and Dozer, D-8 or larger

CLASS II: Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd,) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180 Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Belt Placer (S.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Hilift (under 4 cy,) Job Work Boar (Powered) Jumbo Operator, Locomotive (narrow guage) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator

CLASS III: Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal

CLASS IV: Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader Concrete Mixer (1 cy. and under with Skip Concrete Saw (Ridden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material Hauling only) Fork-lift (Ridden or self-propelled) Form line Machine, Generator, Crout Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boar (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tile Puller, Tie Tamper (Multi-head) Tractor-snaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (When hoistind and placing)

CLASS V: Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helpers, Oiler, Power Broom, Side Delivery Shoulder Spreader

COUNTIES: Armstrong, Blair, Centre, Crawford, Greene, Indiana McKean, Venango & Warren

PA-2-TD-23-

TRUCK DRIVERS (Heavy and Highway Construction)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class 1	$8.05	7.3%	4.2%		
Class 2	7.80	7.3%	4.2%		
Class 3	7.89	7.3%	4.2%		
Class 4	7.98	7.3%	4.2%		
Class 5	7.85	7.3%	4.2%		
Class 6	7.75	7.3%	4.2%		
Class 7	8.07	7.3%	4.2%		

COUNTIES: Armstrong, Blair, Centre, Crawford, Greene, Indiana, McKean, Venango & Warren

TRUCK DRIVERS

Class 1: Truck under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pickup and similar equipment, parts man and warehousemen)

Class 2: Trucks over 33,000 lbs. gross load catergory (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease), Ready-mix Concrete trucks with towed or built-in attachments (10c per hour additional to respective size truck, Tar and asphalt distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.) Tandem-axle Ready-mixed Concrete trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)

Class 3: Tri-axle trucks, Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 feet width (such as euclids: end or belly dump, single twin-engined or tandem: Athey wagon: Pay loader, Tournawagons, and similar equipment when not self-loaded rated under forty-five tons), (Tri-axle Ready-Mixed Concrete trucks (such as agitators, barrel, redi-mix concrete trucks, etc.), Tar and asphalt trailer trucks

Class 4: Heavy off-the-road equipment (rated at forty-five tons or over), bottom or belly-dump trucks

Class 5: Heavy duty trailer, such as low boy, Hi-boy, Pole trailer, A-Frames (when used for transporting materials), Dumpsters, Ross Carriers, Form trucks, Dual-purpose trucks (when load has been loaded or unloaded with truck, winch, loading, hauling and unloading), Mechanical tailgate trucks, Bucket self-loading trucks, Farm tractors (when pulling and hauling), Fork lift trucks (in storage areas and warehouses)

Class 6: Single-axle Ready-mixed Concrete trucks (such as agitators, barrel, redi-mix Concrete trucks, etc.)

Class 7: Trucks with dolly or trailer

COUNTIES: Cameron, Clarion, Clearfield & Forest

PA-5-PEO-2-3-G

HEAVY AND HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS I	$8.59	.50	.50		.09	
CLASS II	8.31	.50	.50		.09	
CLASS III	5.97	.50	.50		.09	
CLASS IV	5.48	.50	.50		.09	
CLASS V	5.37	.50	.50		.09	

COUNTIES: Cameron, Clarion, Clearfield & Forest

HEAVY & HIGHWAY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

CLASS I: Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhow - 360 Swing, Cableway, Caisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick, Boat, Dragline, Dredge, Dredge Hydraulic (1 Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilift (4cy. and over) Hoists 2 Drums or more (in one unit) Kocal, Koering Skooper, Lead Mechanic, Locomotive (std. Guage) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Presplitter Drill (self contained) Quad Nine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XXI Jarva or similar Whirley, Scrapers, and Dozer, D-8 or larger

CLASS II: Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd,) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180 Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Belt Placer (S.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Hilift (under 4 cy,) Job Work Boar (Powered) Jumbo Operator, Locomotive (narrow guage) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator

CLASS III: Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal

CLASS IV: Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader Concrete Mixer (1 cy. and under with Skip Concrete Saw (Ridden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material Hauling only) Forklift (Ridden or self-propelled) Form line Machine, Generator, Crout Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boar (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tile Puller, Tie Tamper (Multi-head) Tractor-snaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (When hoistind and placing)

CLASS V: Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helpers, Oiler, Power Broom, Side Delivery Shoulder Spreader

COUNTIES: Cameron, Clarion, Clearfield & Forest

PA-5-TD-2-3- B

Heavy and Highway Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TRUCK DRIVERS:					
Class 1	$7.86	7.3%	4.2%		
Class 2	7.54	7.3%	4.2%		
Class 3	7.64	7.3%	4.2%		
Class 4	7.80	7.3%	4.2%		
Class 5	7.70	7.3%	4.2%		
Class 6	7.65	7 3%	4.2%		
Class 7	7.51	7.3%	4.2%		
Class 8	7.89	7.3%	4.2%		

CLASSIFICATIONS DEFINITIONS

Class 1: Heavy Duth Trailer, such as Low-Boy, Hi-Boy, Dump Trailer, Pole Trailer, A-Frames (when used for transporting materials), Dumpsters, Ross Carriers, Form Trucks, Dual-purpose Trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), Mechanical Tailgate Trucks, Bucket Self-loading Trucks, Farm Tractors (when pulling and hauling), Fork Lift Trucks (in storage areas and warehouses), Tar and Asphalt Distributing Trucks

Class 2: Single-axle Ready-mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)

Class 3: Tandem-axle Ready-mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)

Class 4: Tri-axle Ready-mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.); Tar and Asphalt Trailer Trucks; Tri-axle Trucks); Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 feet width (such as Euclids, Athey Wagon, Payloader, Tournawagons, and similar equipment when not self-loaded) Rated under forty-five tons

DECISION No. PA-76-3147

COUNTIES: Cameron, Clarion, Clearfield & Forest

TRUCK DRIVERS (Cont'd)
Heavy and Highway Construction

Class 5: Liquid Tank Trucks - Straight and Semi (including water, sprinkler, oil trucks, etc.); Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease);

Class 6: Trucks with Dolley or Trailer

Class 7: Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pickup and similar equipment. Also parts man and warehouseman.)

Class 8: Heavy off-the-road Equipment (rated at forty-five tons and over); Bottom or Belly dump trucks

SUPERSEDEAS DECISION

STATE: Pennsylvania
DECISION NO.: 76-PA-3148
Supersedes Decision No. PA-75-3038 dated April 4, 1975, in 40 FR 15513
DESCRIPTION OF WORK: Heavy and Highway Construction.

COUNTIES: Bedford, Jefferson, Clinton, Elk, Franklin, Fulton, Huntingdon, Mifflin & Potter DATE: Date of Publication

PA-5-Lab-2-3-H

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Carpenters	$ 9.27	1½%	7%		
Cement Masons	9.02	.54	1.44		
Piledrivermen	10.12	5%	9%		
Carpenter - Welder	9.63	7½%	7%		
LABORERS (Heavy and Highway Construction)					
Class 1	7.19	.40	.50		
Class 2	7.41	.40	.50		
Class 3	7.70	.40	.50		
Class 4	7.84	.40	.50		
Class 5	8.15	.40	.50		
Class 6	9.30	.40	.50		
Class 7	7.17	.40	.50		
Class 8	7.41	.40	.50		
Class 9	7.70	.40	.50		
Class 10	7.84	.40	.50		
Class 11	8.15	.40	.50		

LABORERS

Class 1: Construction Laborer (including tenders handling Salamanders, L.P. gas heaters or similar, etc.), Air or electric Impactor Wrench, Air Tamper Operator, Asphalt Tampers, Batcherman (weigh), Blaster's Helper, Blower Man (bulk cement), Brakeman, Coffer Dam, Concrete Pitman, Puddler including Vibrator Operator, Drill Runner's Helper (includes drill mounted on truck, track or similar and Dewey drills (spots - clean-up and helps to maintain), Fence Construction, Form Stripper and Mover, Hydro-jet Blaster Nozzleman, Manually moved Emulsion Sprayer, Radio actuated traffic control operator (non-automatic), Rip Rap work, Scaffolds and runways (as per agreement of record), Sheeters and Shorers, Structural Concrete Top Surfacer, Walk Behind Street Sweeper, Welder's Helper (pipeline), Wood Chipper

Class 2: Asphalt, Batch and Concrete Operator (manually operated), Asphalt Rakers, Burner, Caisson Man (open air), Carryable Pumps, Chain Saw Operator, Chipping Hammer or similar (air or otherwise), Combination Tamper and Vibrator, Concrete Buster (paving breaker), Cribbing (concrete or steel), Curb Machine Operator (asphalt and concrete)(walk behind), Earth Drill, Fork Lift (walk behind), Form Setter (road forms line man), Handyman, Highway Slab Reinforcement Placers (including joint and basket setter), Hydraulic Pipe Pusher, Jack Hammer Operator, Liner Plates (tile or vitrified clay), Manually operated Diamond Head Core Drill, Mechanical Joint Sealer, Dope Pot, and Tar Kettle, Mortar Mixer (hand or machine), Pin Drivers or Puller (power-highway), Pipe Layers, Plant set-up, Maintenance Men, Portable single unit Conveyor, Post Hole Auger (2 or 4 cycle)(hand operated), Power Fence Operator, Power Wheelbarrows and Buggies, Rail Porter, or similar, Screed Operator, Signal Man, Whacker, All Railroad Track Work: Adzing Machine, Ballast Router, Bolting Machine, Power Jacks, Rail Drills, Railroad Brakemen, Rail Saws, Spike Drivers, Spike Pullers, Tamping Machine

Class 3: Cement Mortar Lining Gay Pusher, Cement Mortar Mixer (pipe relining), Cement Saw Operator (walk behind), Form Setter (road forms-lead man), Grout Machine Operator, Gunnite (nozzle and machine man), Paving Block Rammers, Wagon Drill (air track or similar) Operators, Walk Behind Power Rollers (1 or 2 barrel), Walk Behind Roller and Tamper, Walk Behind Ditching Machine (trencher or similar)

Class 4: Blacksmith, Blaster, Brick and Block Pavers (wood, belgain and asphalt), Curb Cutters and Setters, Manhole or Catch Basin Builder (brick, block, concrete or any prefabrication)

Class 5: Multi-plate Pipe (aligning and securing) Placing Wire Mesh on Gunite projects, Reinforcing steel placers (bending, aligning and securing), Welder, elevated roadway drainage

Class 6: Welder (pipeline)

Class 7: Tunnel and Shaft Work (Inside); Change House Attendent

Class 8: Muckers, Brakemen and all other labor (includes installation of utility lines), Signal Man, Drill Runner Helper

Class 9: Miners and Drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment and jumbos)

Class 10: Caisson and Tunnel Men under pressure (0-18 pounds)

Class 11: Reinforcing steel placers (bending, aligning and securing)

JEFFERSON COUNTY

PA-2-PEO-2-3-J

HEAVY AND HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS I	$8.88	.50	.50		.09	
CLASS II	8.62	.50	.50		.09	
CLASS III	6.26	.50	.50		.09	
CLASS IV	5.81	.50	.50		.09	
CLASS V	5.66	.50	.50		.09	

JEFFERSON COUNTY

HEAVY & HIGHWAY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

CLASS I: Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhow - 360 Swing, Cableway, Caisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick, Boat, Dragline, Dredge, Dredge Hydraulic (1 Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilift (4cy. and over) Hoists 2 Drums or more (in one unit) Kocal, Koering Skooper, Lead Mechanic, Locomotive (std. Guage) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Presplitter Drill (self contained) Quad Nine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XXI Jarva or similar Whirley, Scrapers, and Dozer, D-8 or larger

CLASS II: Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd,) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180 Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Belt Placer (S.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Hilift (under 4 cy,) Job Work Boar (Powered) Jumbo Operator, Locomotive (narrow guage) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator

CLASS III: Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal

CLASS IV: Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader Concrete Mixer (1 cy. and under with Skip Concrete Saw (Ridden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material Hauling only) Forklift (Ridden or self-propelled) Form line Machine, Generator, Crout Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boar (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tile Puller, Tie Tamper (Multi-head) Tractor-snaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (When hoistind and placing)

CLASS V: Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helpers, Oiler, Power Broom, Side Delivery Shoulder Spreader

DECISION No. PA-76-3148
Remaining Counties

PA-5-PEO-2-3-H

HEAVY AND HIGHWAY CONSTRUCTION

POWER EQUIPMENT OPERATORS:

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CLASS I	$9.14	.50	.60		.03	
CLASS II	8.86	.50	.60		.03	
CLASS III	6.52	.50	.60		.03	
CLASS IV	6.03	.50	.60		.03	
CLASS V	5.92	.50	.60		.03	

DECISION No. PA-76-3148
Remaining Counties

HEAVY & HIGHWAY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

CLASS I: Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhow - 360 Swing, Cableway, Caisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick, Boat, Dragline, Dredge, Dredge Hydraulic (1 Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilift (4cy. and over) Hoists 2 Drums or more (in one unit) Kocal, Koering Skooper, Lead Mechanic, Locomotive (std. Guage) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Prosplitter Drill (self contained) Quad Nine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XXI Jarva or similar Whirley, Scrapers, and Dozer, D-8 or larger

CLASS II: Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd,) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180 Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Belt Placer (S.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Hilift (under 4 cy,) Job Work Boar (Powered) Jumbo Operator, Locomotive (narrow guage) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator

CLASS III: Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal

CLASS IV: Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader Concrete Mixer (1 cy. and under with Skip Concrete Saw (Ridden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material Hauling only) Fork-lift (Ridden or self-propelled) Form line Machine, Generator, Grout Pump, Heater (Mechanical) Hoist (single drum) Jadavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boar (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tile Puller, Tie Tamper (Multi-head) Tractor-snaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (When hoisting and placing)

CLASS V: Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helpers, Oiler, Power Broom, Side Delivery Shoulder Spreader

Jefferson County

DECISION NO. PA-76-3148

PA-2-TD-2-3- B

Heavy and Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TRUCK DRIVERS:					
Class 1	$8.05	7.3%	4.2%		
Class 2	7.80	7.3%	4.2%		
Class 3	7.89	7.3%	4.2%		
Class 4	7.98	7.3%	4.2%		
Class 5	7.85	7.3%	4.2%		
Class 6	7.75	7.3%	4.2%		
Class 7	8.07	7.3%	4.2%		

CLASSIFICATIONS DEFINITIONS

Class 1: Heavy Duty Treailer, such as Low-Boy, Hi-Boy, Dump Trailer, Pole Trailer, A-Frames (when used for transporting materials), Dumpsters, Ross Carriers, Form Trucks, Dual-purpose Trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), Mechanical Tailgate Trucks, Bucket Self-loading Trucks, Farm Tractors (when pulling and hauling), Fork Lift Trucks (in storage areas and warehouses), Tar and Asphalt Distributing Trucks.

Class 2: Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.).

Class 3: Tandem-axle Ready-mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.); Liquid Tank Trucks - Straight and Semi (including water, sprinkler, oil trucks, etc.); Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), Flat bottom, Scissors, and combination fuel and grease)

Class 4: Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.); Tar and Asphalt Trailer Trucks; Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 feet width (such as Euclids, Athey Wagon, Payloader, Tournawagons, and similar equipment when not self-loaded) Rated under forty-five tons, Tri Axle trucks

Class 5: Trucks with Dolley or Trailer

Class 6: Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pickup and similar equipment. Also parts man and warehouseman.)

Class 7: Heavy off-the-road equipment (rated at forty-five tons or over); Bottom or Belly-dump Trucks

PA-5-TD-2-3- B

Heavy and Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TRUCK DRIVERS:					
Class 1	$7.86	7.3%	4.2%		
Class 2	7.54	7.3%	4.2%		
Class 3	7.64	7.3%	4.2%		
Class 4	7.80	7.3%	4.2%		
Class 5	7.70	7.3%	4.2%		
Class 6	7.65	7.3%	4.2%		
Class 7	7.51	7.3%	4.2%		
Class 8	7.89	7.3%	4.2%		

CLASSIFICATIONS DEFINITIONS

Class 1: Heavy Duth Trailer, such as Low-Boy, Hi-Boy, Dump Trailer, Pole Trailer, A-Frames (when used for transporting materials), Dumpsters, Ross Carriers, Form Trucks, Dual-purpose Trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), Mechanical Tailgate Trucks, Bucket Self-loading Trucks, Farm Tractors (when pulling and hauling), Fork Lift Trucks (in storage areas and warehouses), Tar and Asphalt Distributing Trucks

Class 2: Single-axle Ready-mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)

Class 3: Tandem-axle Ready-mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)

Class 4: Tri-axle Ready-mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.); Tar and Asphalt Trailer Trucks; Tri-axle Trucks); Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 feet width (such as Euclids, Athey Wagon, Payloader, Tournawagons, and similar equipment when not self-loaded) Rated under forty-five tons

DECISION NO. PA-76-3148

TRUCK DRIVERS (Cont'd)
Heavy and Highway Construction

Class 5: Liquid Tank Trucks - Straight and Semi (including water, sprinkler, oil trucks, etc.); Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease);

Class 6: Trucks with Dolley or Trailer

Class 7: Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pickup and similar equipment. Also parts man and warehouseman.)

Class 8: Heavy off-the-road Equipment (rated at forty-five tons and over); Bottom or Belly dump trucks

[FR Doc.76-5318 Filed 2-26-76;8:45 am]

federal register

FRIDAY, FEBRUARY 27, 1976

PART VI:

THE PRESIDENT

TRADE PREFERENCES FOR DEVELOPING COUNTRIES

Executive Order 11906

Title 3—The President

Executive Order 11906 • February 26, 1976

Amending the Generalized System of Preferences

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, including Title V and Section 604 of the Trade Act of 1974 (88 Stat. 2066, 19 U.S.C. 2461 et seq.; 88 Stat. 2073, 19 U.S.C. 2483), and as President of the United States of America, in order to modify, as provided by Section 504(c) of the Trade Act of 1974 (88 Stat. 2070, 19 U.S.C. 2464 (c)), the limitations on preferential treatment for eligible articles from countries designated as beneficiary developing countries and adjust the original designation of eligible articles, it is hereby ordered as follows:

Section 1. General Headnote 3(c)(iii) of the Tariff Schedules of the United States (as added by Section 9 of Executive Order No. 11888 of November 24, 1975) is amended by substituting therefor the General Headnote 3(c)(iii) set forth in Annex I, attached hereto and made a part hereof.

Sec. 2. Annex II of Executive Order No. 11888 of November 24, 1975, made a part thereof by Section 5 of that Order, is amended as provided in Annex II, attached hereto and made a part hereof.

Sec. 3. Annex III of Executive Order No. 11888 of November 24, 1975, made a part thereof by Section 5 of that Order, is amended by substituting therefor the new Annex III, attached hereto and made a part hereof.

Sec. 4. Notwithstanding the provisions of Sections 10 and 12 of Executive Order No. 11888, the provisions of this Order shall be effective with respect to articles that are entered for consumption, or withdrawn from warehouse for consumption, on or after February 29, 1976.

Gerald R. Ford

THE WHITE HOUSE,
February 26, 1976.

ANNEX I

"(iii) The following designated eligible articles provided for in TSUS item numbers preceded by the designation "A*", if imported from a beneficiary developing country set opposite the TSUS item numbers listed below, are not entitled to the duty-free treatment provided for in subdivision (c)(ii) of this headnote:

TSUS item No.	Country or territory
107.45	Brazil
110.45	Argentina
121.52	India
121.54	India
130.40	Mexico
130.63	Mexico
131.35	Hong Kong
132.55	Mexico
135.80	Nicaragua
135.90	Mexico
135.94	Mexico
136.00	Dominican Republic
136.80	Mexico
136.98	Dominican Republic
136.99	Republic of China (Taiwan)
137.75	Costa Rica
138.05	Mexico
140.09	Thailand
140.14	Thailand
141.35	Turkey
141.55	Dominican Republic
141.70	Republic of China (Taiwan)
145.09	Dominican Republic
145.24	Mexico
145.53	Turkey
145.60	Republic of China (Taiwan)
146.12	Argentina
146.44	Philippine Republic
147.33	Jamaica
147.80	Mexico
147.85	Brazil
147.92	India
148.72	Chile
148.77	Republic of Korea
149.15	Dominican Republic
149.50	Dominican Republic
152.43	Dominican Republic
152.58	India
152.72	Honduras
153.02	Dominican Republic
154.40	Republic of China (Taiwan)
155.20	Argentina Brazil Republic of China (Taiwan) Colombia Costa Rica Dominican Republic El Salvador Guyana India Jamaica Nicaragua Panama Peru Philippine Republic Thailand
155.35	Barbados
161.83	Mexico
162.11	India
166.30	Israel
166.40	Mexico
168.15	Trinidad
168.23	Peru
168.50	Mexico
175.51	Romania
176.01	Brazil
176.02	Brazil
176.33	Malaysia
186.40	Republic of China (Taiwan)
192.85	Mexico
202.60	Thailand
202.62	Mexico
203.20	Singapore
206.45	Philippine Republic
206.60	Mexico
206.95	Haiti
222.10	Hong Kong
222.32	Republic of China (Taiwan)
222.42	Hong Kong

ANNEX I

TSUS item No.	Country or territory
240.02	Philippine Republic
240.10	Republic of Korea
240.12	Brazil
240.38	Philippine Republic
240.40	Philippine Republic
251.30	Mexico
256.60	Republic of Korea
256.85	Mexico
304.40	Thailand
304.48	Republic of China (Taiwan)
304.58	India
305.20	India
305.22	India
305.28	India
305.40	Philippine Republic
306.53	Peru
308.80	Thailand
319.01	India
319.03	India
319.05	India
319.07	India
335.50	India
347.28	Hong Kong
347.30	India
360.35	India
364.18	Republic of China (Taiwan)
416.10	Turkey
419.60	Chile
420.24	Israel
420.78	Argentina
420.84	Romania
421.06	Colombia
422.76	Mexico
425.74	Brazil
425.84	Netherlands Antilles
426.78	Israel
437.16	India
437.51	Brazil
437.64	Brazil
455.16	Mexico
455.30	Mexico
460.60	India
460.70	Republic of China (Taiwan)
461.15	Bermuda
465.65	Brazil
465.70	Argentina
470.57	Argentina
472.44	India
473.36	Cyprus
473.38	Cyprus
473.52	Mexico
473.56	Mexico
493.21	Republic of China (Taiwan)
511.31	Mexico
511.41	Mexico
512.31	Mexico
512.44	Mexico
514.11	Dominican Republic
514.54	Mexico
515.51	Mexico
516.24	India
516.71	India
516.73	India
516.74	India
516.76	India
516.94	India
517.24	Malagasy Republic
518.41	Mexico
520.35	Thailand
520.51	Hong Kong
522.71	Somalia
523.61	Mexico
534.74	Republic of China (Taiwan)
535.31	Mexico
540.47	Mexico
545.37	Hong Kong
545.53	Mexico
545.65	Mexico
546.23	Republic of China (Taiwan)
547.51	Mexico
603.45	Republic of Korea
610.56	India
612.02	Peru
612.03	Chile Peru
612.06	Chile
612.15	Mexico
612.41	Mexico
612.45	Mexico
613.15	Mexico
613.18	Israel
620.26	Israel
624.02	Mexico
624.34	Mexico
624.42	Mexico
628.40	Barbados
644.08	Colombia
646.86	Hong Kong
646.88	Hong Kong
646.98	Mexico
648.57	Republic of China (Taiwan)
650.87	Hong Kong
651.01	Hong Kong

ANNEX I

TSUS item No.	Country or territory
652.84	Mexico
653.70	Hong Kong
653.85	Republic of China (Taiwan)
660.44	Mexico
660.80	Hong Kong
668.32	Nicaragua
672.10	Hong Kong
676.20	Mexico
676.52	Mexico
683.70	Hong Kong
683.80	Hong Kong
684.50	Hong Kong
685.24	Republic of China (Taiwan) Hong Kong Singapore
685.90	Mexico
686.30	Republic of China (Taiwan)
687.30	Malaysia
688.10	Republic of China (Taiwan)
688.12	Mexico
688.40	Hong Kong
692.27	Mexico
702.08	Republic of Korea
702.14	Hong Kong
702.20	Hong Kong
702.35	Mexico
702.45	Mexico
703.65	Mexico
703.75	Mexico
704.34	Republic of China (Taiwan)
706.40	Hong Kong
708.41	Hong Kong
709.21	Pakistan
710.30	Mexico
710.68	Republic of China (Taiwan)
711.30	Republic of China (Taiwan)
713.05	Israel
713.07	Yugoslavia
713.19	Mexico
722.14	Hong Kong
726.70	Mexico
730.27	Brazil
730.41	Brazil
730.77	Yugoslavia
734.10	Republic of China (Taiwan)
734.25	Hong Kong
734.30	Hong Kong
734.34	Hong Kong
734.51	Republic of China (Taiwan)
734.54	Republic of Korea
734.56	Haiti
734.60	Republic of China (Taiwan)
737.40	Hong Kong
737.50	Hong Kong
737.95	Hong Kong
740.30	Hong Kong
740.70	Yugoslavia
741.20	Hong Kong
741.30	Philippine Republic
745.08	Hong Kong
748.12	Haiti
748.25	Brazil
748.40	Republic of China (Taiwan)
750.05	Hong Kong
750.25	Hong Kong
750.35	Republic of China (Taiwan)
751.05	Republic of China (Taiwan)
751.15	Hong Kong
751.20	Republic of China (Taiwan)
760.65	Republic of China (Taiwan)
772.03	Hong Kong
772.35	Republic of China (Taiwan)
772.97	Hong Kong
773.10	Hong Kong
773.20	Republic of Korea
774.20	India
774.60	Hong Kong
790.07	Hong Kong
790.39	Republic of China (Taiwan)
790.70	Republic of Korea
791.20	Colombia
791.25	Mexico
791.35	Mexico
791.70	Republic of Korea
791.75	Republic of Korea
792.50	Philippine Republic
792.60	Hong Kong
792.75	Hong Kong"

ANNEX II

Annex II to Executive Order 11888 is amended--

(a) by deleting the following TSUS item numbers:

107.45	308.80	534.74	660.80
110.45	347.28	545.37	668.32
132.55	420.24	546.23	683.70
135.94	420.84	607.01	687.30
136.99	421.06	607.02	688.12
145.09	425.74	607.03	702.20
145.53	425.84	607.04	703.75
147.85	426.78	612.02	704.34
147.92	437.51	612.15	709.21
152.58	455.30	612.41	710.68
154.40	460.60	612.45	711.30
161.83	460.70	613.15	713.07
162.11	465.65	620.26	730.77
166.30	472.44	624.02	741.30
166.40	473.38	624.34	748.12
175.51	512.31	628.40	748.25
176.33	515.51	644.08	750.25
186.40	516.24	646.88	751.15
203.20	516.74	648.57	791.25
222.32	516.94	652.84	791.35
240.40	520.51	653.70	791.70
251.30	522.71	660.44	791.75

(b) by adding, in numerical sequence, the following TSUS item numbers:

106.60	245.45	472.48	661.65
106.70	304.04	493.20	678.50
107.48	305.30	511.51	694.60
111.15	306.52	517.21	696.35
121.50	355.04	520.37	703.20
137.40	364.35	531.04	725.20
140.16	365.05	544.11	730.39
148.35	365.14	602.30	730.65
152.00	403.78	605.60	731.30
153.08	418.28	618.29	731.50
155.40	421.46	628.90	734.40
155.75	421.90	646.06	740.05
156.45	425.32	646.82	748.20
168.18	426.94	647.10	750.40
190.10	428.92	649.37	771.05
200.91	446.10	652.36	
240.60	461.05	656.20	

ANNEX III

TSUS Item Number

107.45	176.01	437.51	613.15	722.14
110.45	176.02	437.64	613.18	726.70
121.52	176.33	455.16	620.26	730.27
121.54	186.40	455.30.	624.02	730.41
130.40	192.85	460.60	624.34	730.77
130.63	202.60	460.70	624.42	734.10
131.35	202.62	461.15	628.40	734.25
132.55	203.20	465.65	644.08	734.30
135.80	206.45	465.70	646.86	734.34
135.90	206.60	470.57	646.88	734.51
135.94	206.95	472.44	646.98	734.54
136.00	222.10	473.36	648.57	734.56
136.80	222.32	473.38	650.87	734.60
136.98	222.42	473.52	651.01	737.40
136.99	240.02	473.56	652.84	737.50
137.75	240.10	493.21	653.70	737.95
138.05	240.12	511.31	653.85	740.30
140.09	240.38	511.41	660.44	740.70
140.14	240.40	512.31	660.80	741.20
141.35	251.30	512.44	668.32	741.30
141.55	256.60	514.11	672.10	745.08
141.70	256.85	514.54	676.20	748.12
145.09	304.40	515.51	676.52	748.25
145.24	304.48	516.24	683.70	748.40
145.53	304.58	516.71	683.80	750.05
145.60	305.20	516.73	684.50	750.25
146.12	305.22	516.74	685.24	750.35
146.44	305.28	516.76	685.90	751.05
147.33	305.40	516.94	686.30	751.15
147.80	306.53	517.24	687.30	751.20
147.85	308.80	518.41	688.10	760.65
147.92	319.01	520.35	688.12	772.03
148.72	319.03	520.51	688.40	772.35
148.77	319.05	522.71	692.27	772.97
149.15	319.07	523.61	702.08	773.10
149.50	335.50	534.74	702.14	773.20
152.43	347.28	535.31	702.20	774.20
152.58	347.30	540.47	702.35	774.60
152.72	360.35	545.37	702.45	790.07
153.02	364.18	545.53	703.65	790.39
154.40	416.10	545.65	703.75	790.70
155.20	419.60	546.23	704.34	791.20
155.35	420.24	547.51	706.40	791.25
161.83	420.78	603.45	708.41	791.35
162.11	420.84	610.56	709.21	791.70
166.30	421.06	612.02	710.30	791.75
166.40	422.76	612.03	710.68	792.50
168.15	425.74	612.06	711.30	792.60
168.23	425.84	612.15	713.05	792.75
168.50	426.78	612.41	713.07	
175.51	437.16	612.45	713.19	

[FR Doc.76-5903 Filed 2-26-76;1:46 pm]