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# federal register

TUESDAY, JULY 6, 1976




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**Rules Going Into Effect Today**

NOTE: There were no items eligible for inclusion in the list of RULES GOING INTO EFFECT TODAY.

**List of Public Laws**

NOTE: No public bills which have become law 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

Twelve 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 |
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| DOT/FAA | USDA/REA | | DOT/FAA | USDA/REA |
| DOT/OHMO | CSC | | DOT/OHMO | CSC |
| DOT/PSOO | LABOR | | DOT/PSOO | 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. Comments should be submitted to the Director of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

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**Weekly Briefings at the Office of the Federal Register**

**(For Details, See 41 FR 22997, June 8, 1976)**

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PROCLAMATION 4448

# Captive Nations Week, 1976

*By the President of the United States of America*

### A Proclamation

This year we mark the beginning of our third century as an independent nation. Two hundred years ago our Declaration of Independence declared that "all men are created equal." It did not say "all Americans" but embraced all men everywhere. Throughout our history we have repeatedly demonstrated our conviction and concern that men and women throughout the world should share the full blessings of liberty.

As we celebrate our Bicentennial, it is important that we let the world know that America still cares, that the torch in the Statue of Liberty still burns brightly. The world should know that we stand for freedom and independence in 1976, just as we stood for freedom and independence in 1776.

For two centuries, the fundamental basis of American policy toward other nations has remained unchanged: the United States supports the aspirations for freedom, independence and national self-determination of all peoples. We do not accept foreign domination over any nation. We reaffirm today this principle and policy.

The Eighty-Sixth Congress, by a joint resolution approved July 17, 1959 (73 Stat. 212), authorized and requested the President to proclaim the third week in July of each year as Captive Nations Week.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, do hereby designate the week beginning July 18, 1976 as Captive Nations Week.

I call upon the people of the United States to observe this week with appropriate ceremonies and activities, and I urge rededication to the aspirations of all peoples for self-determination and liberty.

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

Gerald R. Ford

[FR Doc.76-19603 Filed 7-2-76;9:54 am]

Letter of July 1, 1976

## Adjustment Assistance for Shrimp Industry

THE WHITE HOUSE,
*July 1, 1976.*

DEAR MR. SECRETARY:

On May 11, the United States International Trade Commission (USITC) reported to me the results of its investigation TA-201-12 under Section 201 of the Trade Act of 1974. The Commission determined that shrimp provided for in item 114.45 of the Tariff Schedules of the United States are being imported in such increased quantities as to be a substantial cause of serious injury to the domestic industry catching and landing shrimp, and recommended the provision of adjustment assistance to remedy that injury.

Pursuant to Section 202(a)(2) of the Trade Act of 1974, I am, therefore, directing you to give expeditious consideration to any petitions for adjustment assistance filed by workers in the domestic industry catching and landing shrimp covered by the USITC determination, or their duly authorized representatives.

Pursuant to Section 202(b)(2) of the Trade Act of 1974, this Order is to be published in the FEDERAL REGISTER.

Sincerely,

Gerald R. Ford

THE HONORABLE W. J. USERY, JR.
*The Secretary of Labor,*
*Washington, D.C. 20210*

[FR Doc.76-19604 Filed 7-2-76;9:54 am]

Letter of July 1, 1976

## Adjustment Assistance for Shrimp Industry

THE WHITE HOUSE,
*July 1, 1976.*

DEAR MR. SECRETARY:

On May 11, the United States International Trade Commission (USITC) reported to me the results of its investigation TA–201–12 under Section 201 of the Trade Act of 1974. The Commission determined that shrimp provided for in item 114.45 of the Tariff Schedules of the United States are being imported in such increased quantities as to be a substantial cause of serious injury to the domestic industry catching and landing shrimp, and recommended the provision of adjustment assistance to remedy that injury.

Pursuant to Section 202(a)(2) of the Trade Act of 1974, I am, therefore, directing you to give expeditious consideration to petitions for adjustment assistance filed with you under Title II, Chapters 3 and 4 of the Trade Act of 1974, by domestic firms catching and landing shrimp covered by the USITC determination and by communities impacted by increased imports of such shrimp.

Pursuant to Section 202(b)(2) of the Trade Act of 1974, this Order is to be published in the FEDERAL REGISTER.

Sincerely,

Gerald R. Ford

THE HONORABLE ELLIOT L. RICHARDSON
*The Secretary of Commerce,*
*Washington, D.C. 20230*

[FR Doc.76–19605 Filed 7–2–76;9:54 am]

# rules and regulations

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

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

## Title 5—Administrative Personnel

## CHAPTER I—CIVIL SERVICE COMMISSION

## PART 213—EXCEPTED SERVICE

### Department of Labor

Section 213.3315 is amended to show that one position of Assistant to the Special Assistant to the Secretary is excepted under Schedule C.

Effective on July 6, 1976, § 213.3315(a) (47) is added as set out below:

**§ 213.3315 Department of Labor.**

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

(47 One Assistant to the Special Assistant to the Secretary.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[FR Doc.76–19322 Filed 7–2–76;8:45 am]

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## SUBCHAPTER B—CIVIL SERVICE REGULATIONS

## PART 352—REEMPLOYMENT RIGHTS

### Reemployment Rights Under the Indian Self-Determination Act

By virtue of the authority vested in the President by 3 U.S.C. 301, 5 U.S.C. 3301, and section 105(i) of the Indian Self-Determination and Education Assistance Act, Pub. L. 93–638, 88 Stat. 2210, and delegated to the Commission by the President (41 FR 3459), the Commission has prescribed regulations providing reemployment rights for former Federal employees, under certain conditions, to return to their last Federal employer after service under the Indian Self-Determination Act in tribal organizations.

Since this material concerns reemployment of former Federal employees, provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking and opportunity for public participation are inapplicable. 5 CFR Part 352 is amended by adding Subpart G, reading as follows:

**Subpart G—Reemployment Rights of Former Bureau of Indian Affairs and Indian Health Service Employees After Service Under the Indian Self-Determination Act in Tribal Organizations**

Sec.

352.701 Purpose.
352.702 Definitions.
352.703 Basic entitlement to reemployment rights on leaving Federal employment.
352.704 Duration of reemployment rights.
352.705 Return to Federal employment.
352.706 Agency response to reemployment application.
352.707 Employee appeals to the Civil Service Commission.

AUTHORITY: Sec. 105(i), Pub. L. 93–638, 88 Stat. 2210 (25 U.S.C. 450); E.O. 11899, 41 FR 3459.

**§ 352.701 Purpose.**

This subpart governs reemployment rights authorized by section 105(i) of the Indian Self-Determination Act (88 Stat. 2210; Pub. L. 93–638, the Act) and E.O. 11899 after service in an Indian tribal organization under the Act.

**§ 352.702 Definitions.**

In this subpart:

(a) "Agency" means the Bureau of Indian Affairs and the Indian Health Service. For reemployment purposes, the Public Health Service shall be considered the agency to which Indian Health Service employees may return.

(b) "Competitive area" is the same as defined in section 351.402 of this title.

(c) "Tribal organization" is defined in section 4(c) of the Indian Self-Determination Act (88 Stat. 2204).

**§ 352.703 Basic entitlement to reemployment rights on leaving Federal employment.**

(a) *Employees entitled.* The following employees of the Bureau of Indian Affairs, Department of the Interior, and the Indian Health Service, Public Health Service, Department of Health, Education, and Welfare, are granted reemployment rights subject to the conditions of this subpart, to the Bureau of Indian Affairs or the Public Health Service, as appropriate, if they leave their Federal employment to be employed, with no break in service following separation from their agency, by an Indian tribal organization to work in a function of their respective agency contracted under the Indian Self-Determination Act to be performed by that tribal organization:

(1) An employee serving in a competitive position under a career or career-conditional appointment and who has satisfactorily completed at least 6 months of a probationary period; or

(2) a non-temporary excepted service employee who has satisfactorily completed at least 6 months of a trial period if one is required by the agency.

(b) *Employees not entitled.* The following employees are not entitled to reemployment rights under this subpart:

(1) An employee who has received a notice of involuntary separation because of reduction in force, or other cause, not directly related to contracting under the Act to a tribal organization;

(2) An employee whose resignation has been accepted for reasons other than to accept tribal employment under this subpart; or

(3) An employee serving under a Schedule C excepted appointment or a noncareer executive assignment.

(c) *Not related to other benefits.* Entitlement to reemployment rights does not depend on continuation of Federal employee benefits coverage during service with a tribal organization.

**§ 352.704 Duration of reemployment rights.**

(a) *Termination of authority.* Rights are not granted to persons who leave Federal employment for employment with a tribal organization after the date (December 31, 1985, at present) specified in section 105(e) of the Indian Self-Determination Act (88 Stat. 2209).

(b) *Maximum period of entitlement.* Entitlement to reemployment terminates at the end of 6 years following the date employment commences in the tribal organization unless exercised or otherwise terminated before that time as provided in this subpart.

**§ 352.705 Return to Federal employment.**

(a) *Conditions.* Reemployment rights may be exercised only under the following conditions. The individual must apply in writing to the former employing agency for reemployment not later than 30 calendar days after:

(1) Receipt of notice of involuntary separation from tribal employment. For this purpose, involuntary separation means any separation against the will and without consent of the individual.

(2) Reversion of the function to Federal operation, whether reversion is through tribal or Federal action; or

(3) Separation with the joint consent of the tribal organization and the Federal agency for reasons of personal hardship or other special circumstances.

(b) *Termination.* A former employee's entitlement to reemployment terminates for:

(1) Failure to apply for reemployment within the time limit stated in paragraph (a) of this section;

(2) Resignation from tribal service without the joint consent, described in paragraph (a)(3) of this section, of the tribal organization and the Federal employer; or

(3) Failure to accept, within 10 calendar days of receipt thereof, an offer of reemployment made under section 352.706 which is determined by the employing agency or by the Commission on appeal to be a proper offer of reemployment.

**§ 352.706 Agency response to reemployment application.**

(a) *Employee's right to reemployment.* An employee is entitled to be reemployed by the reemploying agency as promptly as possible, and, in any event, within 45 calendar days after agency receipt of application.

(1) Within the competitive area the employee is entitled to reemployment in:

(i) The position held immediately before leaving the agency;

(ii) One in the same competitive level; or

(iii) Another position for which qualified and eligible at the same grade or level and in the same competitive area as the position the employee last held in the agency. The employing agency determines the position under (i), (ii), or (iii) to which the employee is entitled. Reduction-in-force procedures shall be applied where necessary in determining the position to which the employee has a right. In applying the reduction-in-force regulations, the applicant shall be considered an employee of the agency.

(2) *Extending the area.* Responsibility for reemploying an applicant is nationwide within the agency. If the applicant is not placed under (1), the agency must extend reemployment rights, based on the employee's availability, for assignment outside the competitive area. The employee is entitled to a position, for which qualified and eligible, at the same grade or level as the position last held in the agency. Where necessary, reduction-in-force procedures shall be applied in determining the position to which the employee has a right. The applicant shall be considered an employee for the purpose of applying the reduction-in-force regulations.

(b) *Employee option.* Before the competitive area is extended under (a)(2), an employee who cannot be placed under (a)(1) in the competitive area at the same grade or level as the position last held is entitled, if the employee elects, to reemployment in a position at a lower grade or level identified under the same conditions and procedures as (a)(1).

(c) *Agency option.* At any stage in the process, the agency has the option to satisfy the employee's right to reemployment by offering a vacant position which, under reduction-in-force regulations, is in accord with the employee's rights. Also, with the employee's consent, right to reemployment can be met by placement in a vacant position, for which the employee is qualified according to agency determination, and available, outside the organizational or geographic area of entitlement, either at the appropriate grade or at a grade other than the one to which entitled.

(d) *Basis for agency refusal to reemploy.* An agency may refuse to reemploy when the employee was last separated from tribal employment for serious cause establishing unsuitability for reemployment.

(e) *Basis for agency inability to reemploy.* An agency may find it is unable to reemploy in the event no position can be found under procedures in this section.

**§ 352.707 Employee appeals to the Civil Service Commission.**

(a) *Right to appeal.* (1) If an agency denies reemployment to a person claiming reemployment rights under this subpart, the agency shall inform the individual of that denial and of the reasons therefor by a written notice. In the same notice, the agency shall inform the employee of the right to appeal to the Commission within 15 calendar days after receipt of the notice.

(2) If an employee considers reemployment not in accordance with this subpart, the employee is entitled to appeal to the Commission within 15 calendar days after reemployment becomes effective.

(3) Refusal of a tribe to hire a Federal employee is not appealable to the Commission.

(b) *Delayed appeals.* The Commission may extend the 15 calendar day time limit on a showing that the employee was not notified of the time limit and was not otherwise aware of it or that circumstances beyond the individual's control prevented filing the appeal within the time limit.

(c) *Finality of the appeal decision.* The Commission shall make the final decision of the right to reemployment.

Effective date: July 6, 1976.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[FR Doc.76-19498 Filed 7-2-76;8:45 am]

## Title 7—Agriculture

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

[Valencia Orange Regulation 533, Amdt. 1]

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

#### Limitation of Handling

This regulation increases the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period June 25–July 1, 1976. The quantity that may be shipped is increased due to improved market conditions for California-Arizona Valencia oranges. The regulation and this amendment are issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908.

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

(2) The need for an increase in the quantity of oranges available for handling during the current week results from changes that have taken place in the marketing situation since the issuance of Valencia Orange Regulation 533 (41 FR 25994). The marketing picture now indicates that there is a greater demand for Valencia oranges than existed when the regulation was made effective. Therefore, in order to provide an opportunity for handlers to handle a sufficient volume of Valencia oranges to fill the current demand thereby making a greater quantity of Valencia oranges available to meet such increased demand, the regulation should be amended, 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 amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

(b) *Order, as amended.* The provisions in paragraph (b)(1)(i), and (ii) of § 908.833 (Valencia Orange Regulation 533 (41 FR 25994) are hereby amended to read as follows:

"(i) District 1: 264,000 cartons;

"(ii) District 2: 311,000 cartons."

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

Dated: June 30, 1976.

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

[FR Doc.76-19390 Filed 7-2-76;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

#### Use of Purified Water in Culture Media

• *Purpose.* To authorize the use of purified water to rehydrate dehydrated

medias, and to correct the references to the United States Pharmacopeia and the National Formulary. •

*Statement of Considerations.*—These amendments change the reference from the former edition of the United States Pharmacopeia (XVIII) to the current edition (XIX). Reference to the now nonexistent National Formulary is deleted.

These amendments also authorize the use of water which has been purified by methods other than distillation in the preparation of media for sterility testing.

Pursuant to the authority contained in the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151–158), Part 113, Subchapter E, Chapter 1 of Title 9 of the Code of Federal Regulations is amended by making the following changes:

Section 113.25(a) is revised to read as follows:

**§ 113.25 Culture media for detection of bacteria and fungi.**

(a) Ingredients for which standards are prescribed in the United States Pharmacopeia, or elsewhere in this Part, shall conform to such standards. In lieu of preparing the media from the individual ingredients, they may be made from dehydrated mixtures which, when rehydrated with purified water, have the same or equivalent composition as such media and have growth-promoting buffering, and oxygen tension-controlling properties equal to or better than such media. The formulas for the composition of the culture media prescribed in §§ 113.26 and 113.27 are set forth in the United States Pharmacopeia, 19th Edition.

* * * * *

(21 U.S.C. 151 and 154; 37 FR 28477; 38 FR 19141)

These amendments make administrative changes to authorize needed actions without making other substantive changes in the regulations. 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 July 6, 1976.

Done at Washington, DC, this 29th day of June, 1976.

G. V. PEACOCK,
*Acting Deputy Administrator, Veterinary Services.*

[FR Doc.76-19334 Filed 7-2-76;8:45 am]

## Title 14—Aeronautics and Space

## CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 75-CE-27-AD; Amdt. 39-2656]

## PART 39—AIRWORTHINESS DIRECTIVES

### Cessna 400 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an Airworthiness Directive (AD) applicable to Cessna 300 and 400 series airplanes was published in the FEDERAL REGISTER on November 14, 1975. The proposed AD, if adopted, would require the replacement of ½-inch diameter fork bolts at 2,000 hours' time in service and ⅝-inch diameter fork bolts at 5,000 hours' time in service.

Interested persons have been afforded the opportunity to participate in the making of the amendment. Three comments were received. The National Business Aircraft Association (NBAA) offered no objection to the proposal. The aircraft manufacturer questioned the need for an AD since it understood the type certificate data sheets applicable to Cessna 300 and 400 series aircraft were being amended to provide life limits for the fork bolts. In addition, the manufacturer had issued and distributed a service letter pertaining to this subject matter which it felt would adequately inform owners and operators of these aircraft about the replacement of the fork bolts. In answer, the FAA does not agree and past experience supports the fact that revisions of the type certificate data sheets and issuance of the service letter are not adequate notification to apprise aircraft owners and operators of such things as the life limited fork bolts. The third commentator submitted a lengthy objection to the proposal wherein he questioned the AD rule making process, the justification for the issuance of this AD, the parts' life limits noted in the AD, the adequacy, availability and cost of replacement parts and the technical content of the AD. In issuing this Notice of Proposed Rule Making the agency has strictly followed the legal requirements of the Administrative Procedures Act as it is bound to do. Part 39 of the Federal Aviation Regulations prescribes that ADs apply to aircraft, aircraft engines, propellers or appliances when an unsafe condition exists in a product and that condition is likely to exist or develop in other products of the same type design. In this instance there have been 15 fork bolt failures in the last three years, eight of which were confirmed as being fatigue failures. Fork bolt failures cause main landing gears to collapse during landing resulting in damage to aircraft structure and can result in injuries to persons and other property. The life limits of 2,000 and 5,000 hours for the fork bolts were based on analysis of service history reports received by the manufacturer and the agency. The proposal recommends repetitive replacement of fork bolts as indicated above because improved fork bolts having significantly improved service life are not available. In considering the cost of compliance with this AD, the FAA placed the highest possible safe life limits on the fork bolts. The manufacturer has advised that sufficient parts will be available to meet the demands of complying with the AD. As to the technical content of the proposal, the adopted rule will not include 300 series aircraft since additional investigations accomplished after issuance of the NPRM show that AD action against 300 series aircraft is not warranted at this time. The adopted rule itself will more clearly define those bolts in the landing gear system that are involved. In addition, the compliance time is being raised from 100 hours' to 200 hours' time in service to allow compliance with this AD at regularly scheduled inspections that require landing gear retraction checks as provided in the manufacturer's service manuals. The adopted rule also permits 25 hour adjustments of the safe life limits noted therein. Finally, the rule will allow aircraft to be ferried pursuant to FAR 21.197 to a base where replacement can be accomplished.

Although this amendment to some extent modifies the original proposal, it provides clarification, is relieving in nature and is in the interest of safety. Accordingly, no further notice and public procedure hereon are necessary, and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.89 (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD.

CESSNA. Applies to Models 401, 402, 411, 414 and 421 Series Airplanes.

Compliance: Required as indicated, unless already accomplished.

To prevent failure of the fork bolt located at the aft end of the main landing gear retraction system torque tube connecting the torque tube to the outboard push/pull tube, accomplish the following:

(A) Within 200 hours' time in service on those airplanes having 1,800 or more hours' time in service or prior to 2,000 hours' time in service on those airplanes having less than 1,800 hours' time in service, and at each subsequent 2,000 hours' time in service thereafter, replace right and left ½-inch diameter P/Ns 0843518-1, 0843518-2, 0843500-35, 0843500-54, 5243518-1 and 5243518-3 fork bolts with new P/Ns 5243518-3 or FAA-approved superseding part number fork bolts on the airplanes specified below except airplanes on which P/N 5141052-1 fork bolts have been installed as field replacements:

401—401–0001 through 401B0053.
402—402–0001 through 402B0035.
411—All Serials.
414—414–0001 through 414–0098.
421—421–0001 through 421A0158.

(B) Within 200 hours' time in service on those airplanes having 4,800 or more hours' time in service or prior to 5,000 hours' time in service on those airplanes having less than 4,800 hours' time in service, and at each subsequent 5,000 hours' time in service thereafter, replace right and left ⅝-inch diameter P/N 5141052–1 fork bolts with new P/N 5141052–1 or FAA-approved superseding part number fork bolts on the airplanes specified below or any lower airplane serial numbers on which these fork bolts have been installed as field replacements.

401—401B0054 and on.
402—402B0036 and on.
414—414–0099 and on.
421—421B0001 and on.

(C) Fork bolt life limits set by this AD may be extended 25 hours, up to 2,025 hours for ½-inch diameter fork bolts and 5,025 hours for ⅝-inch diameter fork bolts, to allow replacement at regular scheduled maintenance or inspections.

(D) Aircraft may be flown in accordance with FAR 21.197 to a base where this AD may be accomplished.

(E) Any equivalent method of compliance with this AD must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

Cessna Service Letter ME75–23 or later approved revisions refers to this subject.

This amendment becomes effective July 7, 1976.

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

Issued in Kansas City, Missouri, on June 22, 1976.

JOHN E. SHAW,
*Acting Director,*
*Central Region.*

[FR Doc.76–19148 Filed 7–2–76;8:45 am]

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[Docket No. 76–SO–58; Amdt. 39–2655]

## PART 39—AIRWORTHINESS DIRECTIVES

### Teledyne Continental Motors Model TSIO–520–L Engines

There have been cracks of the engine exhaust system on Teledyne Continental Motors TSIO–520–L engines that could result in hot exhaust gases entering the inside of the nacelle which could create a hazardous condition. Since this condition is likely to exist or develop in other engines of the same type design, an airworthiness directive is being issued to require immediate inspection and replacement, if needed, of exhaust system components on Teledyne Continental Motors TSIO–520–L engines.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

TELEDYNE CONTINENTAL MOTORS. Applies to all TSIO–520–L engines.

Compliance required within the next ten hours time in service after the effective date of this AD, unless already accomplished. Inspections covered in steps 1, 2, 3 and 4 below must be repeated each 25 hours time in service from the initial inspection until replaced by a new elbow TCM Part Number 642067 and new exhaust flange TCM Part Number 642066.

To detect cracks in the left hand rear exhaust elbow, P/N 640708, and the left and right hand flanges on the exhaust to turbo adapter, P/N 640712, and to provide sufficient end clearance between the connector tube assembly, P/N 640711, and the connector tube, P/N 640710, inspect, repair or replace, as required, in accordance with the following procedure:

1. Remove couplings, P/N 641284, from each side of the adapter.

2. Remove the left hand elbow, (2–4–6 side), P/N 640708, and carefully inspect in the area of the weld closest to the flange, and the flange fillet radius (see illustration for cracks).

3. Check elbow (2–4–6 side), P/N 640708, for distortion in the area shown below (see illustration).

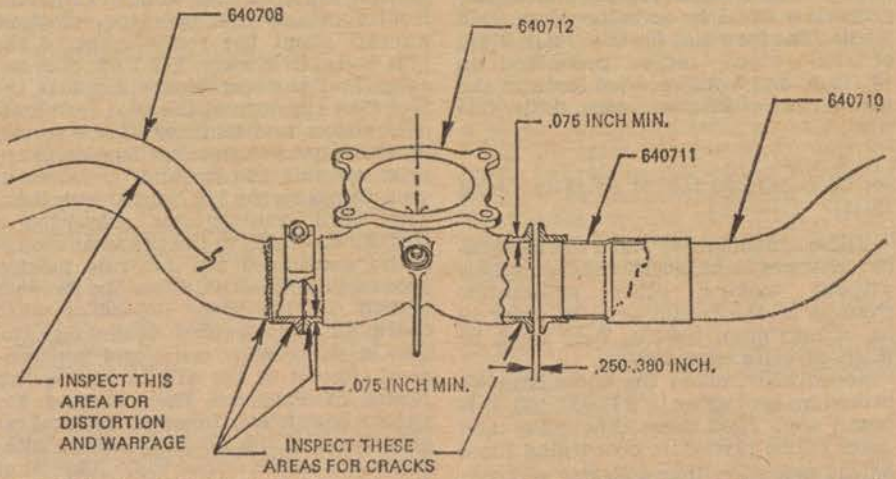
4. If any cracks are evident and/or distortion is readily discernible, replace the elbow (2–4–6 side), P/N 640708. (Replace with new elbow 642067 and flange 642066 when parts become available.)

5. Slip the connector, P/N 640711, to the right on the elbow (1–3–5 side), P/N 640710, until it bottoms out. With the flanges aligned, the gap between the flange on the turbo adapter (P/N 640712) and the flange on the connector (P/N 640711) must exceed .250 inches but not exceed .500 inches all the way around as shown in illustration. If this gap is less than .250 inches, remove sufficient material from the end of the elbow (1–3–5 side), P/N 640710, to provide .250 to .380 inch gap. If the gap exceeds .500 inches, replace the elbow (1–3–5 side), P/N 640710, with one meeting this inspection requirement.

6. Remove the turbo adapter, P/N 640712, from the engine. Carefully inspect the turbo adapter, P/N 640712, for cracks in the flange fillet radii (see illustration). If cracks are observed, replace.

7. Using suitable micrometers or dial indicator calipers, inspect the turbo adapter, P/N 640712, wall thickness in the machined area adjacent to the flange fillet radius on the entire circumference. The minimum allowable thickness is .075 inches (see illustration). If the wall thickness is less than .075 inches in any local area, replace the turbo adapter, P/N 640712, with one meeting this inspection requirement.

8. Reinstall couplings, P/N 641284. Insure flanges are symmetrically aligned. Tighten couplings to approximately 42 in. lbs. torque. Tap outer periphery of band to distribute tension, then tighten to 50 to 60 in. lbs. of torque.




TCM Service Bulletin M76–14 covers this subject.

This amendment becomes effective July 15, 1976.

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

Issued in East Point, Georgia, on June 23, 1976.

PHILLIP M. SWATEK,
*Director, Southern Region.*

[FR Doc.76–19212 Filed 7–2–76;8:45 am]

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[Docket No. 76–EA–3; Amdt. 39–2661]

## PART 39—AIRWORTHINESS DIRECTIVE

### DeHavilland Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive applicable to DeHavilland DHC–4 type airplanes.

A review of the January, 1975, Canadian MOT Index of Airworthiness Directives indicates that all such directives which this agency deems to affect air safety, had not been promulgated as FAA airworthiness directives. To correct that oversight an omnibus airworthiness directive is being published containing six (6) rules/items. These deficiencies can exist or develop in similar type aircraft effecting air safety. Therefore, notice and public procedure hereon are impractical and good cause exists for making the rule effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89

(31 FR 13697) § 39.13 of Part 39 of the Federal Aviation Regulations is amended by issuing a new airworthiness directive as follows:

1. *DeHavilland:* Applies to DeHavilland Model DHC-4 Series Airplanes, S/N 2 through 17, certificated in all categories, that have not been altered in accordance with DeHavilland Aircraft of Canada, Ltd. Engineering Bulletin Series DHC-4 No. 11.

Compliance required as indicated.

Within the next 50 hours' time in service after the effective date of this AD, inspect and alter the rivets attaching the hinge plates to the outboard hinge arms on the inboard trailing flap assemblies in accordance with DeHavilland Engineering Bulletin Series DHC-4 No. 11 or with an equivalent inspection and alteration.

2. *DeHavilland:* Applies to DeHavilland Model DHC-4 Series Airplanes, S/N 2 through 22, 24, and 25, certificated in all categories, that have not been altered in accordance with DeHavilland Aircraft of Canada, Ltd. Modification Bulletin No. 4/1101, Issue 4.

Compliance required as indicated.

(a) Within the next 100 hours' time in service after the effective date of this AD, inspect and alter the rudder ribs in accordance with DeHavilland Modification Bulletin No. 4/1101, Issue 4, or with an equivalent inspection and alteration.

(b) Repeat the inspection noted in paragraph (a) above at intervals not to exceed 100 hours' time in service until the alteration in DeHavilland Modification Bulletin No. 4/1101, Issue 4, or an approved equivalent, has been incorporated.

3. *DeHavilland:* Applies to DeHavilland Model DHC-4 Series Airplanes, S/N 2 through 39, except S/N 23 and 28, certificated in all categories that have not been altered in accordance with DeHavilland Aircraft of Canada, Ltd. Modification Bulletin No. 4/1099. June 3.

Compliance required as indicated.

(a) Within the next 250 hours' time in service after the effective date of this AD, inspect all electrofilm "unibal" spherical bearings in the flap hinge arms in accordance with DeHavilland Modification Bulletin No. 4/1099, Issue 3, or with an equivalent inspection.

(b) Repeat the inspection noted in paragraph (a) above at intervals not to exceed 250 hours' time in service until the replacement of all electrofilm bearings in the flap hinge arms has been accomplished with sintered bronze teflon lined unibal bearings in accordance with DeHavilland Modification Bulletin No. 4/1099, Issue 3, or with an equivalent alteration.

4. *DeHavilland:* Applies to DeHavilland Model DHC-4 Series Airplanes, S/N 1 through 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, and 59, certificated in all categories, that have not been altered in accordance with DeHavilland Aircraft of Canada, Ltd. Modification Bulletin No. 4/1150, Issue 3.

Compliance required as indicated.

(a) Within the next 50 hours' time in service after the effective date of this AD, inspect the left and right root fore flaps for external skin cracks if the flap has accumulated 300 hours' flying time.

(b) Repeat the inspection noted in paragraph (a) above at intervals not to exceed 50 hours' time in service.

(c) If the inspection indicates rib damage, or if the flap has accumulated 1000 hours' time in service, remove the flap and alter, before further flight, in accordance with DeHavilland Modification Bulletin No. 4/1150, Issue 3, or with an equivalent alteration.

5. *DeHavilland:* Applies to DeHavilland Model DHC-4 Series Airplanes, S/N 4 through 57, except S/N 6, 13, 17, 21, 23, 26, 34, 40, 55, and 56, certificated in all categories, that have not been altered in accordance with DeHavilland Aircraft of Canada Ltd. Engineering Bulletin, Series DHC-4, No. 18.

Compliance required as indicated.

To preclude the possible hazard of a fire created by loose terminal lug attachment to the end of aluminum electrical cable assemblies, accomplish the following:

(a) Within the next 200 hours' time in service after the effective date of this AD, inspect, test, and where necessary, replace aluminum electrical cable assembles in accordance with DeHavilland Engineering Bulletin, Series DHC-4, No. 18 or with an equivalent inspection and test.

6. *DeHavilland:* Applies to DeHavilland Model DHC-4 Series Airplanes, S/N 2 through 38, except S/N 23 and 34, certificated in all categories, that have not been altered in accordance with DeHavilland Aircraft of Canada, Ltd. Modification Bulletin No. 4/1182, Issue 2.

Compliance required as indicated.

To prevent possible failure of the main landing gear to fully extend and lock, accomplish the following:

(a) Within the next 100 hours' time in service after the effective date of this AD, install a spacer sleeve, P/N 5735-5, into the upper end fitting, P/N 5705-5, of the main landing gear shortening mechanism assembly, P/N 5700-7, in accordance with DeHavilland Modification Bulletin No. 4/1182, Issue 2, or with an equivalent alteration.

Equivalent parts, inspections, procedures, instructions, repairs and alterations must be approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

Upon submission of substantiating data by an owner or operator through an FAA Maintenance Inspector, the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, may adjust the inspection time in this Airworthiness Directive.

Compliance with the Airworthiness Directive must be noted in the log book of the aircraft by referencing the Airworthiness Directive number and the specific item complied with: i.e. AD 76—(4) if item 4 is being complied with.

This amendment is effective July 12, 1976.

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

Issued in Jamaica, N.Y., on June 25, 1976.

L. J. CARDINALI,
*Acting Director,*
*Eastern Region.*

[FR Doc.76-19379 Filed 7-2-76;8:45 am]

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[Docket No. 75-EA-93; Amdt. 39-2663]

## PART 39—AIRWORTHINESS DIRECTIVE

### DeHavilland Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive applicable to DeHavilland DHC-2 type aircraft.

A review of an amended Index of Airworthiness Directives published by the Canadian Ministry of Transport establishes that numerous such directives were not issued by this agency although affecting air safety. To correct that oversight an omnibus airworthiness directive is being published containing some eleven (11) rules/items. These deficiencies can exist or develop in similar type aircraft. Thus notice and procedure hereon are impractical and good cause exists for making the rule effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 FR 13697) § 39.13 of Part 39 of the Federal Aviation Regulations is amended by issuing a new airworthiness directive as follows:

*DeHavilland Aircraft of Canada, Ltd.*

1. Applies to DHC-2 (L-20A, YL-20, U-6A) Airplanes, Serial Numbers 1 thru 1335 except 1283, 1318 and 1324 certificated in all categories, but not altered in accordance with DeHavilland Modification 2/1420.

Compliance required within the next 50 hours in service after the effective date of this AD.

Inspect for cracks and, if necessary, replace the fin pick-up front casting, P/N C2TF57, in accordance with paragraph "PROCEDURE" in DeHavilland Aircraft, Ltd., Engineering Bulletin, Series "B", No. 22, or an approved equivalent alteration.

2. Applies to DHC-2 MK III Turbo-Beaver Airplanes, Serial Numbers 3 thru 5, 7 thru 29, 31 thru 35, 37 thru 39, 41, 43, 44, 46, 48, 50, 52 and 54, certificated in all categories.

Compliance required within the next 25 hours in service after the effective date of this AD, unless already accomplished.

Repair the rudder horn skin and horn rib flanges in accordance with paragraph "PROCEDURE" in DeHavilland Modification Bulletin No. T2/2061 or an approved equivalent repair.

3. Applies to all DHC-2 MK III float or amphibious float equipped Turbo-Beaver Airplanes, except Serial Numbers 1662-TB36, 1684-TB52, 1686-TB54 and subsequent, certificated in all categories.

Compliance required as indicated, unless already accomplished.

a. Prior to further flight the following placard will be placed in clear view of the pilot: "Gross weight at forward C.G. limits restricted to 4000 pounds."

b. Upon alteration of the top and bottom caps of the horizontal stabilizer rear spar, in accordance with paragraph "PROCEDURE" in DeHavilland Modification Bulletin No. T2/2059, the placard required in paragraph (a) may be removed.

4. Applies to DHC-2 (L-20A, YL-20, U-6A) Airplanes, Serial Numbers 1 thru 9, certificated in all categories, unless already accomplished.

Compliance required within the next 25 hours in service after the effective date of this AD.

Visually inspect and, if necessary, replace the three attachment bolts on the tailwheel assembly in accordance with the 2d and 3rd paragraphs in DeHavilland Aircraft, Ltd., Technical News Sheet, Series B, No. 1, or an approved equivalent alteration.

5. Applies to DHC-2 (L-20A, YL-20, U-6A) float equipped Airplanes, Serial Numbers 1 thru 14, certificated in all categories, unless already accomplished.

Compliance required within the next 25 hours in service after the effective date of this AD.

Reinforce the front float pick-up fitting on the fuselage at the firewall with DeHavilland P/N C2-FS-3381, in accordance with paragraphs 3 and 4 in DeHavilland Aircraft, Ltd. Technical News Sheet, Series B, No. 3, or an approved equivalent alteration.

6. Applies to DHC-2 (L-20A, YL-20, U-6A) Airplanes, Serial Numbers 1 thru 61 and 63, certificated in all categories, unless already accomplished.

(a) Prior to next flight, visually inspect the No. 10-32 mounting screws at each elevator mass balance weight for looseness and thereafter on a daily basis.

(b) Any loose No. 10-32 mounting screws must be replaced, in accordance with the applicable numbered paragraphs 1 thru 10 in DeHavilland Aircraft, Ltd., Technical News Sheet, Series B, No. 20 (Mod. 2/384) or an approved equivalent alteration.

(c) Upon replacement of all the No. 10-32 mounting screws, in accordance with procedure specified in (b), the daily inspections may be discontinued.

7. Applies to DHC-2 (L-20A, YL-20, U-6A) Airplanes, Serial Numbers 1 thru 66, certificated in all categories, unless already accomplished. Compliance required within the next 25 hours in service after the effective date of this AD.

a. Reinforce rudder with DeHavilland P/N C2-TR-123 in accordance with numbered paragraphs 1 thru 3 in DeHavilland Aircraft, Ltd., Technical News Sheet, Series B, No. 22 or an approved equivalent repair.

b. Visually inspect rudder nose skin former P/N C2-TR-47ND and if cracks are found, replace former with an unused part, using 1/8'' cherry revets—8 required, in accordance with DeHavilland Aircraft, Ltd., Technical News Sheet, Series B, No. 22 sketch or an approved equivalent repair.

8. Applies to DHC-2 (L-20A, YL-20, U-6A) Airplanes. Serial Numbers 1 thru 9, 11 thru 13, 15 thru 50, 52 thru 61, 63, 64 and 66, certificated in all categories, unless already accomplished.

Compliance required within the next 25 hours in service after the effective date of this AD.

Replace the original main undercarriage tie bolt locking pins, P/N C2-U-381, with unused 3/8'' diameter locking pins in accordance with the sixth paragraph and continuing through iii in DeHavilland Aircraft, Ltd., Technical News Sheet, Series B, No. 25 (Mod. 2/333) or an approved equivalent alteration.

9. Applies to all DHC-2 (L-20A, YL-20, U-6A) Airplanes equipped with Federal Aircraft Works AWB-4820 wheel-ski installation, certificated in all categories, unless already accomplished.

Compliance required before the next flight and every 50 hours in service thereafter, after the effective date of this AD.

Inspect the AN5-24 bolt which secures Federal ski axle, P/N 10B1868 and Beaver wheel axle, P/N C2-U-193, to the undercarriage leg structure, for distortion or wear. Distorted or worn bolts are to be replaced with new AN5-24 bolts or approved equivalent bolts prior to further flight.

10. Applies to all DHC-2 (L-20A, YL-20, U-6A) Airplanes equipped with early model Federal Aircraft Works AWB-4820 wheel-skis, certified in all categories, unless already accomplished. The early model wheel-skis can be identified by a "T" shape aft arm stop welded to the saddle. This AD does not apply to the later model wheel-skis which have an inverted "U" shape aft arm stop welded to the saddle.

Compliance required within the next 25 hours in service after the effective date of this AD.

Incorporate the modification covering the installation of an aft arm stop bracket, in accordance with Federal Aircraft Works Drawing No. 10D2506 or an approved equivalent alteration.

11. Applies to all DHC-2 (L-20A, YL-20, U-6A) Airplanes equipped with DeHavilland Aircraft, Ltd. combination wheel-skis, certificated in all categories, unless already accomplished.

Compliance required as indicated:

(a) Prior to the next ski installation or prior to next flight with combination wheel-skis, inspect left and right retractable ski axle pin bushings, P/N C3US149-3, for excessive play or seizure in accordance with paragraphs 1, 2, 3, 14.2 and 14.3, in DeHavilland Aircraft, Ltd., Engineering Bulletin, Series B, No. 24, Issue 2 or an approved equivalent inspection.

(b) Bushings that are not worn may be retained in service provided that the area is adequately lubricated and the inspection specified in (a) is repeated at intervals not to exceed 100 hours in service from the previous inspection.

(c) Upon replacement of the ski axle pins and bushings, in accordance with numbered paragraphs 1. thru 13. under "PROCEDURE" in DeHavilland Aircraft, Ltd., Engineering Bulletin, Series B, No. 24, Issue 2, including amendment No. 1 (Mod No. 2/1438), the 100 hour inspections may be discontinued.

Equivalent placards, signs, parts, inspections, procedures, instructions, repairs, alterations and modifications, as applicable, must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region.

Upon request, with substantiating data submitted through an FAA maintenance inspector, the compliance times of this AD may be increased by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region.

Compliance with the Airworthiness Directive must be noted in the log book of the aircraft by referencing the Airworthiness Directive number and the specific item complied with: i.e. AD 76——(4) if item 4 is being complied with.

This amendment is effective July 12, 1976.

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

Issued in Jamaica, N.Y., on June 28, 1976.

WILLIAM E. MORGAN,
*Director, Eastern Region.*

[FR Doc.76-19380 Filed 7-2-76;8:45 am]

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[Airspace Docket No. 76-NE-19]

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

### Transition Area; Alteration

The Federal Aviation Administration is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the description of the Burlington, Vermont, 700-foot Transition Area. This action is required to provide controlled airspace for aircraft executing revised Instrument Landing System (ILS) and Non-Directional Approach Procedures (NDP) to Runway 15 at the Burlington International Airport.

Since the revised procedures become effective on July 8, 1976, and since this alteration of the transition area is insignificant in scope, notice and public procedure hereon are impractical and contrary to the public interest and good cause exists for making the provisions of the amendment effective in less than thirty (30) days.

In view of the foregoing, the Federal Aviation Administration amends § 71.181 of Part 71 of the Federal Aviation Regulations so as to:

1. Delete the description of the Burlington, Vermont, 700-foot Transition Area in § 71.181 of the Federal Aviation Regulations and insert in lieu thereof the following description:

That airspace extending upward from 700 feet above the surface within a 10 mile radius of the Center, (latitude 44°28'17'' N., longitude 73°09'12'' W.), of Burlington International Airport, Burlington, Vermont; within 9.5 miles northeast and 4.5 miles southwest of the Burlington ILS northwest localizer course extending from the 10 mile radius area to 18.5 miles northwest of the Burlington LOM; excluding that airspace that coincides with Plattsburg, New York, and Highgate, Vermont, Transition Areas.

This amendment becomes effective July 8, 1976.

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

Issued in Burlington, Massachusetts, on June 25, 1976.

QUENTIN S. TAYLOR,
*Director, New England Region.*

[FR Doc.76-19147 Filed 7-2-76;8:45 am]

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[Airspace Docket No. 76-SW-30]

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

### Transition Area; Alteration

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the transition area at San Marcos, Tex.

On May 13, 1976, a notice of proposed rule making was published in the FEDERAL REGISTER (41 FR 19674) stating the Federal Aviation Administration proposed to alter the transition area at San Marcos, Tex.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT, September 9, 1976, as hereinafter set forth.

In § 71.181 (41 FR 440), the San Marcos, Tex., transition area is amended to read:

SAN MARCOS, TEX.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the San Marcos Municipal Airport (latitude 29°53'38'' N., longitude 97°51'45'' W.) and 2 miles either side of the 138° bearing

from the San Marcos, Tex., Gary NDB (latitude 29°54'00" N., longitude 97°52'14" W.), extending from the 6-mile radius to a point 8 miles from the NDB.

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

Issued in Fort Worth, Tex., on June 22, 1976.

HENRY L. NEWMAN,
*Director, Southwest Region.*

[FR Doc.76-19210 Filed 7-2-76;8:45 am]

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[Airspace Docket No. 76-WE-13]

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

### Transition Area; Alteration

On May 20, 1976 a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (41 FR 20704) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Red Bluff, California Transition Area.

Interested persons were given 30 days in which to submit written comments, suggestions or objections. No objections have been received and the proposed amendment is hereby adopted without change.

Effective date: This amendment shall be effective 0901 GMT, September 9, 1976.

(Sec. 307(a) of the Federal Aviation Act of 1958, as amended, (49 U.S.C. 1348(a)), and of Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Los Angeles, California, on June 23, 1976.

W. R. FREHSE,
*Acting Director,*
*Western Region.*

In consideration of the foregoing, the FAA adopts the following airspace action.

In § 71.181 (41 FR 440) the description of the Red Bluff, California Transition Area is amended by inserting after the words "56 miles N. of the VORTAC." the following: "* * * and that airspace NE AND E of Red Bluff within an arc of a 24-mile radius circle centered on the Red Bluff VORTAC, extending from the Red Bluff VORTAC 015° radial clockwise via the 24-mile arc to longitude 40°00'00" W."

[FR Doc.76-19211 Filed 7-2-76;8:45 am]

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[Airspace Docket No. 76-NE-3]

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

### Transition Area; Cancellation

On Page 8392 of the FEDERAL REGISTER dated February 26, 1976, (41 FR 8392), the Federal Aviation Administration published a Notice of Proposed Rule Making stating that the Federal Aviation Administration was considering amending § 71.181 of the Federal Aviation Regulations so as to delete the Waterville, Maine, 700-foot Transition Area.

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

In view of the foregoing, the proposed regulation is hereby adopted effective 0901 GMT, December 30, 1976.

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

Issued in Burlington, Massachusetts, on June 24, 1976.

QUENTIN S. TAYLOR,
*Director,*
*New England Region.*

§ 71.181 [Amended]

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Waterville, Maine, 700-foot transition area in its entirety concurrent with the effective date of the amended Augusta, Maine, 700-foot transition area.

[FR Doc.76-19145 Filed 7-2-76;8:45 am]

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[Airspace Docket 76-NW-18]

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

### Transition Area; Alteration

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the description of the Redmond, Oregon, Transition Area.

A VOR-DME-A Standard Instrument Approach Procedure is being established to serve Roberts Field Runway 22 at Redmond, Oregon. Accordingly, additional 700 foot and 1200 foot Transition Areas need to be designated to provide controlled airspace to contain arriving IFR operations. The availability of this Instrument Approach Procedure and its associated Transition Area will provide an additional degree of safety for operations into and out of Redmond, Oregon, Roberts Field Airport during weather conditions lower than VFR. Since the approach procedure has already been published and will be available for public use on July 15, 1976, it is imperative, in the interest of safety, that the additional airspace required to encompass the procedure, be designated by that date.

Since a situation exists whereby required safety will be provided by expedited adoption of this amendment, it is found that notice and public procedure thereon are impractical. As it is essential in the interest of safety that this Transition Area be designated, good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing and effective July 6, 1976, Federal Aviation Regulations Part 71, § 71.181 (41 FR 580), the description of the Redmond, Oregon, Transition Area is amended to read:

REDMOND, OREGON

That airspace extending upward from 700 feet above the surface within 4 miles each side of the Redmond VORTAC 087° radial extending from the arc of a 5-mile radius circle centered on Roberts Field Airport. (Latitude 44°15'10" N, Longitude 121°08'55" W), to 21 miles east of the VORTAC; within 2 miles each side of a 230° bearing from the center of the 5-mile radius circle centered on Roberts Field Airport extending from the radius of the 5-mile circle to 10 miles southwest of the airport; within 2 miles each side of Redmond VORTAC 162° radial extending from the VORTAC to 5 miles south of the VORTAC; within 2 miles each side of the Redmond VORTAC 281° radial extending from the VORTAC to 5 miles west of the VORTAC; within 2 miles each side of a 302° bearing from the Roberts RBN extending from the RBN to 6 miles northwest of the RBN; and within 4 miles each side of the Redmond VORTAC 014° radial, extending from 15 miles north of the VORTAC to 35 miles north; that airspace extending upward from 1,200 feet above the surface within a 37-mile radius of the VORTAC between the 006° and 048° radials; within a 31-mile radius of the VORTAC between the 048° radial and a line 6 miles west of and parallel to the 189° radial.

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

Issued in Seattle, Washington, on June 24, 1976.

C. B. WALK, Jr.,
*Director, Northwest Region.*

[FR Doc.76-19378 Filed 7-2-76;8:45 am]

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[Docket No. 15856; Amdt. No. 1027]

## PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

### Recent Changes and Additions

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

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

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Information Center, AIS-230, 800 Independence Avenue, S.W., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is pay-

able in advance and may be paid by check, draft, or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of $150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for $30.00 each.

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

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

**§ 97.23 [Amended]**

1. Section 97.23 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAPs, *effective August 12, 1976.*

Brewton, AL—Brewton Muni. Arpt., VOR Rwy 30, Amdt. 3
Firebaugh, CA—Firebaugh Arpt., VOR/DME-A, Amdt. 1
Rehoboth Beach, DE—Rehoboth Aircrafters Arpt., VOR-A, Amdt. 5
Lake City, FL—Lake City Muni. Arpt., VOR-A, Amdt. 1, cancelled
Lake City, FL—Lake City Muni. Arpt., VOR-DME-A, Original
Chicago (Wheeling), IL—Chicagoland Arpt., VOR-A, Amdt. 2
Chicago (West Chicago), IL—DuPage County Arpt., VOR Rwy 10, Amdt. 5
Crystal Lake, IL—Crystal Lake Arpt., VOR Rwy 26, Amdt. 3
Brazil, IN—Arthur Muni. Arpt., VOR Rwy 9, Amdt. 2
Kokomo, IN—Kokomo Muni. Arpt., VOR Rwy 22, Amdt. 10
Kokomo, IN—Kokomo Muni. Arpt., VOR Rwy 31, Amdt. 12
Terre Haute, IN—Hulman Field, VOR Rwy 23, Amdt. 11
Ann Arbor, MI—Ann Arbor Muni. Arpt., VOR Rwy 6, Amdt. 5
Detroit, MI—Detroit Metro. Wayne County Arpt., VOR Rwy 3R, Amdt. 4
Lambertville, MI—Wagon Wheel Arpt., VOR-A, Amdt. 3
Plymouth, MI—Mettetal Arpt., VOR-A, Amdt. 2
Tecumseh, MI—Tecumseh Arpt., VOR-A, Amdt. 2
Cross Keys, NJ—Cross Keys Arpt., VOR Rwy 9, Original
Jamestown, NY—Chautauqua County Arpt., VOR/DME Rwy 7, Original
Sidney, NY—Sidney Muni. Arpt., VOR/DME-B, Original
Piqua, OH—Piqua Arpt., VOR-A, Amdt. 7
Piqua, OH—Piqua Arpt., VOR/DME Rwy 26, Original
Houston, TX—Houston Intercontinental Arpt., VORTAC Rwy 14, Amdt. 5
Bryce Canyon, UT—Bryce Canyon Arpt., VOR-A, Amdt. 4
Blacksburg, VA—VPI Arpt., VOR/DME Rwy 8, Amdt. 3, cancelled

**§ 97.25 [Amended]**

2. Section 97.25 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, *effective August 12, 1976.*

Terre Haute, IN—Hulman Field, LOC(BC) Rwy 23, Amdt. 11
Flint, MI—Bishop Arpt., LOC(BC) Rwy 27, Amdt. 8
Charleston, SC—Charleston AFB/Muni., LOC(BC) Rwy 33, Amdt. 5, cancelled

**§ 97.27 [Amended]**

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, *effective August 12, 1976.*

Fairfield, IL—Fairfield Muni. Arpt., NDB Rwy 36, Amdt. 3
Monticello, IA—Monticello Muni. Arpt., NDB Rwy 31, Amdt. 2
Natchitoches, LA—Natchitoches Muni. Arpt., NDB Rwy 34, Amdt. 2
Hamilton, OH—Hamilton Arpt., NDB-A, Amdt. 7
Reading, PA—Reading Muni. General Carl A Cpaatz Field, NDB Rwy 36, Amdt. 15
Charleston, SC—Charelston AFB/Muni., NDB Rwy 15, Amdt. 14
Houston, TX—Houston Intercontinental Arpt., NDB Rwy 8, Amdt. 2
Burlington, VT—Burlington Int'l Arpt., NDB Rwy 15, Amdt. 14

**§ 97.29 [Amended]**

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, *effective August 12, 1976.*

Chicago, IL—Chicago O'Hare Int'l Arpt., ILS Rwy 32L, Amdt. 15
Indianapolis, IN—Indianapolis Muni./Weir-Cook Arpt., ILS Rwy 22R, Amdt. 1
Reading, PA—Reading Muni. General Carl A. Spaatz Field, ILS Rwy 36, Amdt. 20
Charleston, SC—Charleston AFB/Muni., ILS Rwy 15, Amdt. 15
Houston, TX—Houston Intercontinental Arpt., ILS Rwy 8, Amdt. 4
Houston, TX—Houston Intercontinental Arpt., ILS Rwy 14, Amdt. 3
Houston, TX—Houston Intercontinental Arpt., ILS Rwy 26, Amdt. 1
Burlington, VT—Burlington Int'l Arpt., ILS Rwy 15, Amdt. 15

* * * *effective July 15, 1976*

Chico, CA—Chico Muni. Arpt., ILS Rwy 13L, Original

* * * *effective July 8, 1976*

Detroit, MI—Detroit City Arpt., ILS Rwy 33, Amdt. 2

* * * *effective June 18, 1976*

Riverside, CA—Riverside Muni. Arpt., ILS Rwy 9, Original

**§ 97.31 [Amended]**

5. Section 97.31 is amended by originating, amending, or canceling the following RADAR SIAPs, *effective August 12, 1976.*

Houston, TX—Houston Intercontinental Arpt., RADAR-1, Amdt. 2

**§ 97.33 [Amended]**

6. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, *effective August 12, 1976.*

Washington, DC—Dulles Int'l Arpt., RNAV Rwy 1R, Amdt. 3
Alma, MI—Gratiot Community Arpt., RNAV Rwy 27, Original
Detroit, MI—Detroit Metro. Wayne County Arpt., RNAV Rwy 9, Amdt. 1
Hamilton, OH—Hamilton Arpt., RNAV Rwy 29, Amdt. 1
Piqua, OH—Piqua Arpt., RNAV Rwy 26, Amdt. 1
Charleston, WV—Kanawha Arpt., RNAV Rwy 14, Amdt. 3
Charleston, WV—Kanawha Arpt., RNAV Rwy 32, Amdt. 3

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

Issued in Washington, D.C., on June 24, 1976.

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

JAMES M. VINES,
*Chief,*
*Aircraft Programs Division.*

[FR Doc.76-19144 Filed 7-2-76;8:45 am]

## Title 16—Commercial Practices

## CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. C-2825]

## PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

### Rich's, Inc.

Subpart—Combining or conspiring: § 13.388 To control allocations and solicitation of customers; § 13.395 To control marketing practices and conditions; § 13.405 To discriminate unfairly or restrictively in general; § 13.450 To limit distribution or dealing to regular, established or acceptable channels or classes; § 13.470 To restrain or monopolize trade. Subpart—Controlling, unfairly, seller-suppliers: § 13.530 Controlling, unfairly, seller-suppliers. Subpart—Cutting off access to customers or market: § 13.560 Interfering with distributive outlets; § 13.565 Interfering with advertising media; § 13.580 Organizing and controlling seller-suppliers. Subpart—Cutting off supplies or service: § 13.610 Cutting off supplies or service.

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

*In the Matter of Rich's, Inc., a corporation.*

Consent order requiring an Atlanta, Ga., operator of retail department stores, among other things to cease entering into agreements applicable to shopping centers, which enables it to restrain entry of competing retailers; control competitors' advertising, pricing or merchandising policies; and types or brands of merchandise and services offered for sale. Further, the order prohibits respondent from conspiring with other tenants to exclude particular classes of tenants from shopping centers.

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

ORDER

I.

A. For purposes of this Order, the following definitions shall apply:

1. The term "respondent" refers to Rich's, Inc., its operating divisions, its

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

subsidiaries, and their respective officers, agents, representatives, employees, successors or assignees.

2. The term "shopping center" refers to a group of retail outlets in the United States of America planned, developed and managed as a unit and containing (1) a total floor area designed for retail occupancy of 200,000 square feet or more, of which at least 50,000 square feet is for occupancy by tenants other than respondent; (2) at least two tenants other than respondent; (3) at least one major tenant; and (4) on-site parking.

3. The term "tenant" refers to any occupant or potential occupant of retail space in a shopping center which occupancy is for sale of merchandise or services to the public, whether said occupant leases or owns said space, but the term does not refer to an occupant of space within the store occupied by respondent, which occupant operates a department of respondent pursuant to a license from respondent.

4. The term "major tenant" refers to a tenant providing substantial drawing power in a shopping center. A tenant which occupies at least 50,000 square feet of floor area will be deemed to provide substantial drawing power.

II.

A. *It is ordered*, That respondent, in its capacity as a tenant in a shopping center, cease and desist from obtaining, making, carrying out or enforcing, directly or indirectly, any agreement or provision of any agreement, whether applicable to the shopping center or to any expansion thereof, which:

1. Grants respondent the right to approve or disapprove the entry into a shopping center of any other tenant;

2. Prohibits the admission into a shopping center of any particular tenant or class of tenants, including, for purposes of illustration:

(a) Other department stores,

(b) Junior department stores,

(c) Discount stores, or

(d) Catalogue stores;

3. Specifies that any tenant in any shopping center shall not be a discounter or sell merchandise or services at discount prices;

4. Limits the types of merchandise or brands of merchandise or services which any other tenant in a shopping center may offer for sale;

5. Specifies that any other tenant in a shopping center shall or shall not sell its merchandise or services at any particular price or within any range of prices;

6. Grants respondent the right to approve or disapprove the location in a shopping center of any other tenant;

7. Specifies or prohibits any type of advertising by any other tenant or grants respondent the right to approve or disapprove any advertising by other tenant; and

8. Grants respondent the right to approve or disapprove the amount of floor space that any other tenant may occupy in a shopping center.

B. *It is further ordered*, That respondent, in its capacity as a tenant, shall not enter into or carry out any conspiracy, combination or arrangement with any other tenant to exclude any tenants from a shopping center or to grant respondent or another tenant any control over the admission of tenants to the shopping center.

III.

A. *It is further ordered*, That when respondent is the first major tenant to agree with a developer or landlord of a shopping center to become a tenant in such center, this Order shall not prohibit respondent from terminating its agreement to become a tenant in such center if such developer or landlord does not obtain the agreement of one other major tenant acceptable to respondent to operate a store in the center.

B. *It is further ordered*, That this Order shall not prohibit respondent from entering into a reciprocal easement agreement or lease with respect to a shopping center which agreement or lease contains a provision which identifies in designated buildings respondent and those other major tenants which contemporaneously enter into such reciprocal easement agreement or lease with respect to such shopping center. The provisions of this Secton III.B. shall not be interpreted as permitting respondent to approve or disapprove the entry into a shopping center of any other tenant (as prohibited by Section II.A.1. of this Order) or to approve or disapprove the location in a shopping center of any other tenant (as prohibited by Section II.A.6. of this Order).

C. *It is further ordered*, That this Order shall not prohibit respondent from negotiating to include, including, carrying out or enforcing an agreement or provision in any agreement which:

1. Requires that with respect to the selection of tenants in the shopping center by the developer the following objective shall be considered-maintaining a balanced and diversified grouping of retail stores, merchandise, and services;

2. Requires that with respect to the selection of tenants in the shopping center, the developer shall select businesses which are financially sound and of good reputation;

3. Prohibits occupancy of space in a shopping center immediately proximate to respondent by types of tenants that create undue noise, litter or odor;

4. Requires that reasonable standards of appearance, signs, maintenance, and housekeeping be maintained in a shopping center;

5. Establishes a layout of a shopping center for initial development or future expansion which layout may (a) designate respondent's store, (b) set forth the location, aggregate size and height of all buildings, but not the amount of floor space that any other tenant may occupy in the shopping center, and (c) locate parking areas, roadways, utilities, entrances, exists, walkways, malls, landscape areas and other common areas.

6. Requires that any expansion of the shopping center not provided for in the initial layout:

(a) Shall not interfere with efficient automobile and pedestrian traffic flow into and out of the shopping center and between respondent's store and perimeter and access roads, parking areas, malls and other common areas of the shopping center;

(b) Shall not interfere with the efficient operation of respondent's store including its utilities or its visibility from within the shopping center or from roads and highways adjacent thereto;

(c) Shall not result in a significant change of (i) the shopping center's parking ratio; (ii) the location of a number of parking spaces reasonably accessible to respondent's store determined by the application of such parking ratio to the number of square feet of floor area of respondent's store; (iii) the entrances and exits to and from respondent's store and any malls; and (iv) those parking area mall entrances and exits which substantially serve respondent's store;

(d) Shall not be undertaken unless any and all covenants, obligations and standards (for example, construction, architecture, operation, maintenance, repair, alteration, restoration, parking ratio, and easements) of the shopping center, not otherwise prohibited by this Order, (i) shall be made applicable to the expansion area and (ii) shall be made prior in right to any and all mortgages, deeds or trust, liens, encumbrances, and restrictions applicable to the expansion area, and (iii) shall be made prior in right to any and all other covenants, obligations and standards applicable to the expansion area.

IV.

A. *It is further ordered*, That respondent shall:

1. Within thirty (30) days after service of this Order upon respondent, distribute a copy of this Order to each of its operating divisions;

2. Within thirty (30) days after service of this Order upon respondent, notify each developer of shopping centers in which respondent is a tenant of this Order by providing each such developer with a copy thereof by certified mail;

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

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

The Decision and Order was issued by the Commission June 7, 1976.

CHARLES A. TOBIN,
*Secretary.*

[FR Doc.76-19317 Filed 7-2-76;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

### PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

#### Pyrantel Pamoate Suspension

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (91-739V) filed by Pfizer, Inc., 235 East 42d St., New York, NY 10017, proposing revised labeling for safe and effective use of the anthelmintic pyrantel pamoate in horses and ponies. The revised labeling provides adequate directions for use of the drug by the laity. The supplemental application is approved, effective July 6, 1976.

The Commissioner is amending § 520.2043 (21 CFR 520.2043) to reflect this approval.

In accordance with § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)) of the animal drug regulations a summary of the safety and effectiveness of data and information submitted to support the approval of this application is released publicly. The summary is available for public examination at the office of the Hearing Clerk, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, Monday through Friday from 9 a.m. to 4 p.m. except on Federal legal holidays.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)), Part 520 is amended in § 520.2043 by revising paragraph (c)(5) and adding a new paragraph (c)(6) to read as follows:

**§ 520.2043 Pyrantel pamoate suspension.**

* * * * *

(c) * * *

(5) When the drug is labeled for administration by stomach tube, it shall bear the following statement: "Federal law restricts this drug to use by or on the order of a licensed veterinarian."

(6) When the drug is not for administration by stomach tube, it shall bear the following statement: "Consult your veterinarian for assistance in the diagnosis, control, and treatment of parasitism."

Effective date: This amendment shall be effective July 6, 1976.

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

Dated: June 28, 1976.

FRED J. KINGMA,
*Acting Director, Bureau of Veterinary Medicine.*

[FR Doc.76-19325 Filed 7-2-76;8:45 am]

## Title 32A—National Defense, Appendix

### CHAPTER I—FEDERAL PREPAREDNESS AGENCY, GENERAL SERVICES ADMINISTRATION

#### Retitling of Chapter

A recent reorganization in GSA changed the title of the Office of Preparedness, GSA, to the Federal Preparedness Agency, GSA. The caption for Chapter I is therefore changed to Federal Preparedness Agency, General Services Administration.

(Sec. 5 of Executive Order 11725 of June 27, 1973.)

Effective date: This regulation is effective July 6, 1976.

Dated: June 29, 1976.

TERRY CHAMBERS,
*Acting Administrator of General Services.*

[FR Doc.76-19339 Filed 7-2-76;8:45 am]

## Title 35—Panama Canal

### CHAPTER I—CANAL ZONE REGULATIONS

### PART 253—REGULATIONS OF THE SECRETARY OF THE ARMY

#### Pay Rates and Allowances

As part of the established policy of periodic review by the Secretary of the Army of Canal Zone policy and regulations, and in light of prevailing circumstances, the purpose of this amendment is to provide that the rates of pay for Federal employees in the Canal Zone hired after July 3, 1976 in positions below a specified grade level shall be fixed with reference to rates outside the continental United States instead of with reference to Government employees' rates within the United States. This change applies to all employees regardless of nationality.

In 35 CFR Part 253, § 253.131 is revised to read as follows:

**§ 253.131 Derivation of base rates of pay.**

(a) Rates of pay for positions in each occupational grouping in the special category at or above the skill or grade level for which employees must be recruited from the United States, for positions in the Non-Manual category at or above the level of grade 6, and for positions in the Manual category at or above level 10 shall be established in relation to rates for the same or similar work performed in the continental United States by employees of the Government of the United States. The rates of pay so established shall be reduced by the amount of the tax allowance prescribed by § 253.134.

(b) Rates of pay for all other positions shall be established in relation to rates outside the continental United States.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, an employee occupying a position on July 3, 1976, the rate of pay for which was fixed in relation to rates for the same or similar work performed in the continental United States by employees of the Government of the United States, shall continue to be paid on such United States wage base for so long as the employee is continuously employed by a department in the Canal Zone.

(d) The Board will continue to review the employment needs of the departments in light of changing circumstances and the availability of qualified persons in the local labor market and make recommendations as to the skill or grade level in each occupational grouping which should be compensated on the United States or Canal Zone wage bases.

(e) Notwithstanding the provisions of paragraph (a) of this section, rates for pay for pilots employed in the navigation of vessels in Canal Zone waters shall be established in relation to grade levels 12 to 14, inclusive, of the Non-Manual Schedule, as the Panama Canal Company may determine.

(f) The rates established under this section constitute the base salary or wage rates for the positions in question.

Effective date: This amendment is effective July 4, 1976.

(2 C.Z.C. §§ 142(b), 144, 155, 76A Stat. 16, 17, 19; 35 CFR 251.2)

Dated: June 29, 1976.

MARTIN R. HOFFMANN,
*Secretary of the Army.*

[FR Doc.76-19386 Filed 7-2-76;8:45 am]

### PART 253—REGULATIONS OF THE SECRETARY OF THE ARMY

#### Tropical Differential

The purpose of this amendment is to provide that, in the case of Federal personnel in the Canal Zone hired after July 3, 1976, the overseas (tropical) differential will be paid to such employees only if they occupy a position compensated at United States rates and if they were recruited or transferred by the U.S. Government from the United States, or from any place under American jurisdiction other than the Canal Zone. Under certain conditions this amendment will also apply to persons separated from the United States military service or from employment with a United States firm, organization or interest.

In 35 CFR Part 253, paragraph (d) of § 253.135 is revoked and paragraphs (b) and (c) of that section are revised to read as follows:

**§ 253.135 Tropical Differential.**

* * * * *

(b) The tropical differential prescribed by paragraph (a) of this section shall be paid to each United States citizen employee who qualifies under the following rules:

(1) To be eligible, the employee must have continuously occupied a position,

other than one compensated pursuant to § 253.131(b), since (i) recruitment or transfer by a department from a place (other than the Canal Zone) under the jurisdiction of the United States, or (ii) separation from the Armed Forces of the United States or from employment with a United States firm, organization, or interest under conditions which provided by contract for return transportation to a place (other than the Canal Zone) under the jurisdiction of the United States.

(2) When the employee is married to another U.S. citizen employee, the differential may be paid to one spouse only.

(3) The employee whose spouse is a member of a U.S. military service stationed in the area may be paid the differential only to the extent the amount of the differential otherwise payable exceeds the amount of the total housing allowance (BAQ plus the housing portion of the station allowance) established for Panama, Republic of Panama, for a military member having the same rank and family size as the employee's military spouse. The employee whose spouse, by reason of U.S. Government employment in the Republic of Panama, is eligible under the Department of State Standardized Regulations (Government Civilian, Foreign Areas) (DSSR) for a living quarters allowance (LQA) may be paid the differential only to the extent the amount of the differential otherwise payable exceeds the amount of LQA established for Panama, Republic of Panama, by sections 920 and 932.22 of the DSSR for one in the same quarters group and with the same family size as the employee's spouse.

(4) An employee may be paid tropical differential only to the extent that such payment, when combined with his aggregate compensation established under §§ 253.131 and 253.134, does not exceed the current rate of step 5, GS–17, of the General Schedule set out in 5 U.S.C. 5332(a).

(c) The rule set forth in paragraph (b)(1) of this section shall not disqualify for the differential the employee who has been continuously employed since July 3, 1976 and who on that date was (i) receiving a differential, (ii) an employee, such as the participant in the apprentice program, who was serving under a formal agreement providing for an extended period of planned instruction leading to an identified target position and who was not receiving a differential solely because he or she was under 21, unmarried, and the child or stepchild of a resident of the Canal Zone or the Republic of Panama, or (iii) not receiving a differential solely because such payment, when combined with his or her aggregate compensation established under §§ 253.131 and 253.134 would have exceeded the current rate of step 5, GS–17, of the General Schedule set out in 5 U.S.C. 5332(a).

(d) [Revoked]

Effective date: This amendment is effective July 4, 1976.

(2 C.Z.C. §§ 142(b), 146(2), 155, 76A Stat. 16, 17, 19; 35 CFR 251.2)

Dated: June 29, 1976.

MARTIN R. HOFFMANN,
*Secretary of the Army.*

[FR Doc.76-19385 Filed 7-2-76;8:45 am]

## Title 36—Park, Forests and Public Property

## CHAPTER I—NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

## PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SERVICE

### Glen Canyon National Recreation Area, Ariz.; Designated Airstrips; Correction

The document revising Part 7 of Chapter I of Title 36 of the Code of Federal Regulations, published in the FEDERAL REGISTER on June 26, 1975 at 40 FR 27029, is corrected by changing the reference in § 7.70(a)(4) from "latitude 37°57'00" N." to "latitude 37°53'30" N."

TEMPLE A. REYNOLDS,
*Superintendent, Glen Canyon National Recreation Area.*

[FR Doc.76-19370 Filed 7-2-76;8:45 am]

## Title 41—Public Contracts and Property Management

## CHAPTER I—FEDERAL PROCUREMENT REGULATIONS

[FPR Amdt. 166]

## NEW EDITION OF STANDARD FORM

This amendment of the Federal Procurement Regulations prescribes the June 1976 edition of Standard Form 19–B, Representations and Certifications (Construction and Architect-Engineer Contract). The new edition includes new and revised certifications which involve the following: Small Business, Minority Business Enterprise, and Clean Air and Water. The amendment also provides for the use of the current Convict Labor clause with Standard Forms 23–A and 32, a clarification of the definition of a small business concern (special trade construction) issued by the Small Business Administration (41 FR 11477, March 19, 1976), and a clarification of the applicability of the Davis-Bacon and Miller Acts to small purchases involving construction.

### PART 1–1—GENERAL

#### Subpart 1–1.7—Small Business Concerns

Section 1–1.701–1 is amended to delete the "grandfather" provision from paragraph (b)(1).

**§ 1–1.701–1 Small business concern (for Government procurement).**

* * * * *

(b) * * *

(1) *General.* As small if its average annual receipts for its preceding 3 fiscal years do not exceed $12 million: *Provided, however,* That if 75 percent or more (by value) of the work called for by the contract is classified in one of the industries, subindustries, or class of products set forth in this paragraph, it is small if it does not exceed the size standard established therein for that industry. Where a concern which has 50 percent or more of its annual sales or receipts attributable to business activities within Alaska, then, whenever the term "annual sales or annual receipts" is used in any size definition contained in this section, the dollar limitation is increased by 25 percent of the amount set forth therein:

* * * * *

### PART 1–16—PROCUREMENT FORMS

#### Subpart 1–16.1—Forms for Advertised Supply Contracts

Section 1–16.101(c) is revised as follows:

**§ 1–16.101 Contract forms.**

* * * * *

(c) General Provisions (Supply Contract) (Standard Form 32, April 1975 edition). Pending the publication of a new edition of the form, the Convict Labor clause prescribed by § 1–12.204 shall be substituted for the Convict Labor clause in Article 15, and the Listing of Employment Opening clause set forth in § 1–12.1102–2, and the Clean Air and Water clause set forth in § 1–1.2302–2 shall be added as additional articles of the General Provisions.

* * * * *

#### Subpart 1–16.4—Forms for Advertised Construction Contracts

Section 1–16.401 (c) and (h) are revised, as follows:

**§ 1–16.401 Forms prescribed.**

* * * * *

(c) Representations and Certifications (Construction and Architect-Engineer Contract) (Standard Form 19–B, June 1976 edition).

* * * * *

(h) General Provisions (Construction Contract) (Standard Form 23–A, April 1975 edition). Pending the publication of a new edition of the form, the Payments to Contractor clause prescribed by § 1–7.602–7 shall be substituted for the Payments to Contractor clause in Article 7, the Convict Labor clause prescribed by § 1–12.204 shall be substituted for the Convict Labor clause in Article 28, and the Listing of Employment Openings clause set forth in § 1–12.1102–2, and the Clean Air and Water clause set forth in § 1–1.2302–2 shall be added as additional articles of the General Provisions.

#### Subpart 1–16.7—Forms for Negotiated Architect-Engineer Contracts

Section 1–16.701(c) is revised as follows:

**§ 1–16.701 Forms prescribed.**

* * * * *

(c) Representations and Certifications (Construction and Architect-Engineer Contract) (Standard Form 19–B, June 1976 edition).

#### Subpart 1–16.9—Illustrations of Forms

Section 1–16.901–19–B is revised to illustrate the June 1976 edition of Standard Form 19–B as follows:

§ 1-16.901-19-B Standard Form 19-B, Representations and Certifications (Construction and Architect-Engineer Contract).

(a) Page 1 of Standard Form 19-B

| REPRESENTATIONS AND CERTIFICATIONS (Construction and Architect-Engineer Contract) (For use with Standard Forms 19, 21 and 252) | REFERENCE (Enter same No.(s) as on SF 19, 21 and 252) |
|---|---|
| NAME AND ADDRESS OF BIDDER (No., Street, City, State, and ZIP Code) | DATE OF BID |

*In negotiated procurements, "bid" and "bidder" shall be construed to mean "offer" and "offeror."*

The bidder makes the following representations and certifications as a part of the bid identified above. *(Check appropriate boxes.)*

1. SMALL BUSINESS

He ☐ is, ☐ is not, a small business concern. (A small business concern for the purpose of Government procurement is a concern, including its affiliates, which is independently owned and operated, is not dominant in the field of operations in which it is bidding on Government contracts, and can further qualify under the criteria concerning number of employees, average annual receipts, or other criteria as prescribed by the Small Business Administration. For additional information see governing regulations of the Small Business Administration (13 CFR Part 121)).

2. MINORITY BUSINESS ENTERPRISE

He ☐ is, ☐ is not a minority business enterprise. A minority business enterprise is defined as a "business, at least 50 percent of which is owned by minority group members or, in case of publicly owned businesses, at least 51 percent of the stock of which is owned by minority group members." For the purpose of this definition, minority group members are Negroes, Spanish-speaking American persons, American-Orientals, American-Indians, American-Eskimos, and American-Aleuts."

3. CONTINGENT FEE

*(a)* He ☐ has, ☐ has not, employed or retained any company or person (other than a full-time bona fide employee working solely for the bidder) to solicit or secure this contract, and *(b)* he ☐ has, ☐ has not, paid or agreed to pay any company or person (other than a full-time bona fide employee working solely for the bidder) any fee, commission, percentage or brokerage fee, contingent upon or resulting from the award of this contract; and agrees to furnish information relating to *(a)* and *(b)* above as requested by the Contracting Officer. *(For interpretation of the representation, including the term "bona fide employee," see Code of Federal Regulations, Title 41, Subpart 1-1.5.)*

SPECIMEN

4. TYPE OF ORGANIZATION

He operates as an ☐ individual, ☐ partnership, ☐ joint venture, ☐ corporation, incorporated in State of .....

5. INDEPENDENT PRICE DETERMINATION

*(a)* By submission of this bid, each bidder certifies, and in the case of a joint bid each party thereto certifies as to his own organization, that in connection with this procurement:

(1) The prices in this bid have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

(2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, in the case of a bid, or prior to award, in the case of a proposal, directly or indirectly to any other bidder or to any competitor; and

(3) No attempt has been made or will be made by the bidder to induce any other person or firm to submit or not to submit a bid for the purpose of restricting competition.

*(b)* Each person signing this bid certifies that:

(1) He is the person in the bidder's organization responsible within that organization for the decision as to the prices being bid herein and that he has not participated, and will not participate, in any action contrary to *(a)*(1) through *(a)*(3) above; or

(2) (i) He is not the person in the bidder's organization responsible within that organization for the decision as to the prices being bid herein but that he has been authorized in writing to act as agent for the persons responsible for such decision in certifying that such persons have not participated, and will not participate, in any action contrary to *(a)*(1) through *(a)* (3) above, and as their agent does hereby so certify; and (ii) he has not participated, and will not participate, in any action contrary to *(a)*(1) through *(a)*(3) above.

*(c)* This certification is not applicable to a foreign bidder submitting a bid for a contract which requires performance or delivery outside the United States, its possessions, and Puerto Rico.

*(d)* A bid will not be considered for award where *(a)*(1), *(a)*(3), or *(b)* above, has been deleted or modified. Where *(a)*(2) above, has been deleted or modified, the bid will not be considered for award unless the bidder furnishes with the bid a signed statement which sets forth in detail the circumstances of the disclosure and the head of the agency, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

*NOTE.—Bids must set forth full, accurate, and complete information as required by this Invitation for bids (including attachments). The penalty for making false statements in bids is prescribed in 18 U.S.C. 1001.*

19-303

STANDARD FORM 19-B, JUNE 1976 EDITION
GENERAL SERVICES ADMINISTRATION
FED. PROC. REG. (41 CFR) 1-16.401 AND 1-16.701

(b) Page 2 of Standard Form 19-B

*THE FOLLOWING NEED BE CHECKED ONLY IF BID EXCEEDS $10,000 IN AMOUNT.*

6. EQUAL OPPORTUNITY

He ☒ has, ☐ has not, participated in a previous contract or subcontract subject to the Equal Opportunity Clause herein, the clause originally contained in Section 301 of Executive Order No. 10925, or the clause contained in Section 201 of Executive Order No. 11114; he ☐ has, ☐ has not, filed all required compliance reports; and representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained prior to subcontract awards.

(The above representations need not be submitted in connection with contracts or subcontracts which are exempt from the equal opportunity clause.)

7. PARENT COMPANY AND EMPLOYER IDENTIFICATION NUMBER

*Each bidder shall furnish the following information by filling in the appropriate blocks:*

*(a)* Is the bidder owned or controlled by a parent company as described below? ☐ Yes ☐ No. *(For the purpose of this bid, a parent company is defined as one which either owns or controls the activities and basic business policies of the bidder. To own another company means the parent company must own at least a majority (more than 50 percent) of the voting rights in that company. To control another company, such ownership is not required; if another company is able to formulate, determine, or veto basic business policy decisions of the bidder, such other company is considered the parent company of the bidder. This control may be exercised through the use of dominant minority voting rights, use of proxy voting, contractual arrangements, or otherwise.)*

*(b)* If the answer to *(a)* above is "Yes," bidder shall insert in the space below the name and main office address of the parent company.

| NAME OF PARENT COMPANY | MAIN OFFICE ADDRESS (No., Street, City, State, and ZIP Code) |
|---|---|
| | |

*(c)* Bidder shall insert in the applicable space below, if he has no parent company, his own Employer's Identification Number (E.I. No.) *(Federal Social Security Number used on Employer's Quarterly Federal Tax Return, U.S. Treasury Department Form 941)*, or, if he has a parent company, the E.I. No. of his parent company.

| EMPLOYER IDENTIFICATION NUMBER OF | PARENT COMPANY | BIDDER |
|---|---|---|
| ➔ | | |

SPECIMEN

8. CERTIFICATION OF NONSEGREGATED FACILITIES

(Applicable to (1) contracts, (2) subcontracts, and (3) agreements with applicants who are themselves performing federally assisted construction contracts, exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity clause.)

By the submission of this bid, the bidder, offeror, applicant, or subcontractor certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. He certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The bidder, offeror, applicant, or subcontractor agrees that a breach of this certification is a violation of the Equal Opportunity clause in this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise. He further agrees that (except where he has obtained identical certifications from proposed subcontractors for specific time periods) he will obtain identical certificatons from proposed subcontractors prior to the award of subcontractors exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity clause; that he will retain such certifications in his files; and that he will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods):

NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES

A Certification of Nonsegregated Facilities must be submitted prior to the award of a subcontract exceeding $10,000 which is not exempt from the provisions of the Equal Opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semiannually, or annually).

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

9. CLEAN AIR AND WATER

(Applicable if the bid or offer exceeds $100,000, or the contracting officer has determined that orders under an indefinite quantity contract in any year will exceed $100,000, or a facility to be used has been the subject of a conviction under the Clean Air Act (42 U.S.C. 1857c-8(c)(1)) or the Federal Water Pollution Control Act (33 U.S.C. 1319(c)) and is listed by EPA, or is not otherwise exempt.)

The bidder or offeror certifies as follows:

(a) Any facility to be utilized in the performance of this proposed contract has ☐, has not ☐, been listed on the Environmental Protection Agency List of Violating Facilities.

(b) He will promptly notify the contracting officer, prior to award, of the receipt of any communication from the Director, Office of Federal Activities, Environmental Protection Agency, indicating that any facility which he proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities.

(c) He will include substantially this certification, including this paragraph (c), in every nonexempt subcontract.

STANDARD FORM 19-B (Back) (REV. 8-76) ☆ U.S. GOVERNMENT PRINTING OFFICE : 1975—O-560-486 FS 19-1

## PART 1–18—PROCUREMENT OF CONSTRUCTION

### Subpart 1–18.3—Negotiations

Section 1–18.302 is revised as follows:

**§ 1–18.302 Contracts estimated not to exceed $10,000.**

Section 302(c) (3) of the Federal Property and Administrative Services Act of 1949, as amended, authorizes the use of negotiation for contracts (small purchases) which do not exceed $10,000. Policies and procedures for the implementation of that authority are prescribed in Subpart 1–3.6, Small Purchases. Construction contracts in excess of $2,000 are subject to certain statutory requirements such as the Miller Act (see Subpart 1–10.1) and the Davis-Bacon Act (see Subpart 1–18.7) which are applicable only to such contracts. Contract provisions which implement those statutes are set forth in the Standard Forms prescribed for use in § 1–16.402–2.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

*Availability of forms.* It is anticipated that copies of the form will be available for use by October 29, 1976 and may be obtained by submitting a requisition in FEDSTRIP/MISTRIP format to the GSA regional office providing support to the requesting activity.

Effective date: This regulation is effective October 29, 1976, but may be observed as soon as copies of the new edition of the Standard Form prescribed herein are available.

Dated: June 28, 1976.

JACK ECKERD,
*Administrator of General Services.*

[FR Doc.76-19341 Filed 7-2-76;8:45 am]

[FPR Amdt. 165]

## PART 1–2—PROCUREMENT BY FORMAL ADVERTISING

### Mistakes in Bids

This amendment of the Federal Procurement Regulations authorizes delegations of authority to approve withdrawals of bids to legal counsel of purchasing activities where mistakes are disclosed before award. The amendment also increases the authority of agencies to rescind contracts, delete items, and increase contract prices from $1,000 to $10,000 in the case of mistakes in bids disclosed after award. These changes were approved in General Accounting Office decisions B–140233, September 9, 1975, and B–130238, June 16, 1975, and are designed to facilitate the processing of mistakes in bids.

### Subpart 1–2.4—Opening of Bids and Award of Contracts

1. Section 1–2.406–3 is amended as follows:

**§ 1–2.406–3 Other mistakes disclosed before award.**

(a) * * *

(1) A determination may be made permitting the bidder to withdraw his bid where the bidder requests permission to do so and clear and convincing evidence establishes the existence of a mistake.

(2) However, if the evidence is clear and convincing both as to the existence of a mistake and as to the bid actually intended, and if the bid, both as uncorrected and corrected, is the lowest received, a determination may be made to correct the bid and not permit its withdrawal.

(3) A determination may be made permitting the bidder to correct his bid where the bidder requests permission to do so and clear and convincing evidence establishes both the existence of a mistake and the bid actually intended. However, if such correction would result in displacing one or more lower acceptable bids, the determination shall not be made unless the existence of the mistake and the bid actually intended are ascertainable substantially from the invitation and bid itself. If the evidence is clear and convincing only as to the mistake, but not as to the intended bid, a determination permitting the bidder to withdraw his bid may be made.

(4) If the evidence does not warrant a determination under paragraphs (a) (1), (2), or (3) of this section, a determination may be made that a bidder may neither withdraw nor correct his bid.

(b) Heads of executive agencies may delegate to a central authority in their agencies, without power of redelegation, authority to make the determinations under paragraphs (a) (2), (3), and (4)

this section. The authority to make determinations to permit withdrawal of bids as provided in paragraphs (a) (1) and (3) of this section may be delegated, without power of redelegation, to any purchasing activity having legal counsel available.

(c) Each proposed determination shall be approved by the agency's General Counsel, Associate General Counsel, an Assistant General Counsel, or other comparable legal officer. However, authority to approve determinations to allow withdrawal of bids pursuant to paragraphs (a)(1) and (3) of this section may be delegated to the legal counsel of purchasing activities.

* * * * *

2. Section 1–2.406–4 is amended to change paragraphs (b)(1) and (b)(2), as follows:

**§ 1–2.406–4 Disclosure of mistakes after award.**

* * * * *

(b) * * *

(1) A determination may be made to rescind a contract where the original contract price does not exceed $10,000.

(2) A determination may be made to reform a contract, irrespective of amount, (i) to delete the item or items involved in the mistake where such deletion does not reduce the contract price by more than $10,000, or (ii) to increase the price where such increase does not exceed $10,000 and if the contract price, as corrected, does not exceed that of the next lowest acceptable bid under the original invitation for bids.

* * * * *

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date: This amendment is effective August 16, 1976, but its provisions may be observed earlier.

Dated: June 24, 1976.

JACK ECKERD,
*Administrator of General Services.*

[FR Doc.76-19340 Filed 7-2-76;8:45 am]

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## Title 46—Shipping

## CHAPTER IV—FEDERAL MARITIME COMMISSION

### SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[Docket No. 73-4; Tariff Circular 3; General Order 13]

### PART 531—FILING OF FREIGHT AND PASSENGER RATES, FARES, AND CHARGES IN THE DOMESTIC OFFSHORE TRADE, PUBLICATION AND POSTING

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

### Grant of Special Permission and Waiver of Tariff Filing Requirements

This proceeding was originally instituted on February 6, 1973, to provide an exemption (pursuant to section 35 of the Shipping Act, 1916) from the Commission's tariff filing requirements to non-vessel operating common carriers by water (NVOCC's) engaged exclusively in providing transportation for used household goods and personal effects where there is also a domestic movement within the United States. In lieu of the tariff filing requirements of section 2 of the Intercoastal Shipping Act, 1933 (46 U.S.C. 844) and sections 18 (a) and (b) of the Shipping Act, 1916 (46 U.S.C. 817, 817(b)), the proposed rule would have required the submission of a semiannual report covering, inter alia, the number of household goods shipments, the number of complaints concerning rates or service received and settled during the period, and the names of ocean carriers utilized.

Respondents[1] who had originally sought the exemption subsequently moved for discontinuance of the proceeding on the grounds that the subject exemption was "unnecessary." After advising that the preponderance of the household goods shipments handled by them is Government Bill of Lading traffic for which they have thousands of worldwide single-factor rates on electronic key-punch cards, Respondents requested that they be allowed to work out with the Commission's staff:

> * * * a means of compliance which would not require a change from rate filings on electronic key-punch cards to manual filings, and which would also temper the burden upon the Commission, as well as Respondents, arising from the filing with the Commission of several hundreds of thousands of rates.

On July 7, 1975, the Commission issued its Order on Review of Discontinuance, wherein it determined that the proceeding "should remain open and be used as the vehicle whereby any alternative plan can be publicly presented to the Commission for approval."

After discussions between Respondents and members of the Commission's staff, the Household Goods Forwarders Association of America, Inc. (HGFAA) submitted a proposed tariff which does not fully comply with the tariff filing format of General Order 13 but which the Commission is asked to accept. The proposed tariff contains identical military basic tender rules, regulations, rates and charges, including the through government bill of lading computer printout rates, by carrier code, as are now filed with the Department of Defense (DOD) together with a specification of the port-to-port portion of the applicable through rates. In addition to requesting the Commission to waive the tariff format requirements of General Order 13, HGFAA also asks special permission, pursuant to section 18(b), to file supplements and/or revised pages on less than statutory notice, but not less than one day's notice.

On April 2, 1976, the Commission issued a Notice of Intent to approve the nonstandard tariff format of HGFAA and to grant a continuing authority under its special permission powers to relieve the HGFAA tariff from the statutory 30 days' notice requirement of section 18(b). However, before approving a waiver of the involved tariff filing requirements, the Commission solicited comments as to:

> Whether compliance with section 18(b)(2) is necessary in the above described circumstances to fulfill any valid regulatory purpose and whether waiver of the filing requirements will or will not substantially impair effective regulation by the Commission, be unjustly discriminatory, or be detrimental to commerce.

Only the Household Goods Carriers' Bureau (HHGCB) responded to the Commission's Notice. Essentially, HHGCB's position is that HGFAA's proposed method for complying with the Commission's tariff filing format is no more than a duplication of effort that will not justify the added financial burden incurred by the NVOCC's of household goods. In this regard, HHGCB points out that, except for that part of the proposed tariff which lists the port-to-port portion of the single factor rates between points in the U.S. and overseas countries, the remainder of the information therein is currently available to the public since it already is on file with the DOD.[2]

Moreover, HHGCB contends that HGFAA's proposed tariff is premature since there exists pending legislation (S. 2023) which, in effect, would exempt NVOCC's of military household goods from the tariff filing requirements of section 18(b) of the Act. HHGCB therefore urges that the Commission "delay its action" in this proceeding until a final determination is made on the pending legislation. Additionally, HHGCB suggests that, if the bill should fail, there be a reopening of discussions between the Commission's staff and Respondents for the purpose of establishing a less costly and less redundant filing procedure applicable to all NVOCC's of household goods.

HHGCB's comments are generally unresponsive to the Commission's April 2 notice, and, to the extent they suggest delaying the action proposed in that notice, are unacceptable.

HHGCB's arguments of redundancy and excessive cost are not persuasive when it is considered that all the remaining NVOCC's are in favor of the Commission's proposed action. In fact, it was the NVOCC's, in the first instance, who suggested what the Commission now proposes. More important, section 18(b) of the Shipping Act, 1916, requires that carriers/conferences in foreign commerce file with the Commission rates and charges "for transportation to and from the United States ports and foreign ports

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[1] Household Goods Carriers' Bureau, Household Goods Forwarders Association of America, Inc., Bekins Van Lines Co., Benkins moving and Storage Company of California, Bekins Moving and Storage Company of Hawaii, North American Van Lines, Inc., United Foreign Shipping Co., United Overseas, Inc., and United Van Lines, Inc.

[2] HHGCB is of the opinion that, in any event, the port-to-port rate is meaningless to the general shipping public since the rate applies to shipments solely for the use of DOD.

between all points on its route and on *any through route which has been established*". Thus, the requirement clearly applies not only to port-to-port traffic, but to through routes as well. Therefore, and until exempted, pursuant to section 35 of the Act, the law requires the filing of through rates with the Commission notwithstanding that such rates are also on file with another agency.

Further, HHGCB's suggestion that the Commission delay its action with respect to its waiver proposal until, at least, final action on the pending legislation must also be rejected. The Commission should not abrogate its responsibilities in anticipation of what Congress might do. If the legislation becomes law, it will be an easy matter to amend the Commission tariff filing regulations to conform to the Congressional action. In the interim, it is important that the Commission take some action in this area of cargo movement.

Finally, it is our opinion that the granting of our proposed waiver of the filing requirements will not substantially impair effective regulation by the Commission, be unjustly discriminatory or be detrimental to commerce.[3] In fact, we believe that a granting of a waiver under the circumstances presented here will reduce an unnecessary burden on both the Commission and NVOCC's. Not only is competition not a factor here since DOD is the only shipper of military household goods but also since DOD participates in the setting of the rates, it knows immediately when rates will become effective. The acceptance of a computer read-out should also enable the Commission to more effectively regulate the activities of these NVOCC's since it will now be given information that previously was considered too difficult to provide in the standard form required.

*Accordingly, it is ordered*, That pursuant to section 4, Administrative Procedure Act (5 U.S.C. 553), section 2 of the Intercoastal Shipping Act, 1933 (46 U.S.C. 844) and sections 18 (a) and (b), 22 and 43 of the Shipping Act, 1916 (46 U.S.C. 817, 817(b), 821, 841(a)), Parts 531 and 536 of Title 46 CFR are hereby amended as follows:

(1) A new § 531.27 is added to read as follows:

**§ 531.27 Transportation of military household goods and personal effects by nonvessel operating common carriers engaged in intermodal traffic movement.**

All nonvessel operating common carriers engaged in providing transportation for military household goods and personal effects when there is also a domestic movement in the United States are hereby granted (1) continuing special permission to file supplements and/or revised pages for such transportation on less than the statutory 30 days' notice requirement of sections 2 and 18 (a) of the 1933 and 1916 Acts, respectively, but not less than one day's notice and, (2) a waiver from the tariff format requirements of Tariff Circular No. 3.

(2) A new § 536.17 is added to read as follows:

**§ 536.17 Transportation of military household goods and personal effects by nonvessel operating common carriers engaged in intermodal traffic movement.**

All nonvessel operating common carriers engaged in providing transportation for military household goods and personal effects when there is also a domestic movement in the United States are hereby granted (1) continuing special permission to file supplements and/or revised pages for such transportation on less than the statutory 30 days' notice requirement of section 18(b), but not less than one day's notice and, (2) a waiver from the tariff format requirements of General Order 13.

Effective date: The special permission and waiver herein granted shall become effective on July 6, 1976.

By the Commission.

FRANCIS C. HURNEY,
*Secretary.*

[FR Doc.76-19394 Filed 7-2-76;8:45 am]

[3] We would emphasize, however, that our action applies only to DOD shipments. Thus, NVOCC's who move nonmilitary household goods must still comply with the Commission's notice and format requirements of sections 2 and 18 (a) and (b) of the 1933 and 1916 Acts respectively, and Tariff Circular No. 3 and General Order 13.

## Title 47—Telecommunication

## CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[FCC 76-585]

## PART 83—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

### Communications Between Ship Stations and National Park Service at Lake Mead, Nevada

1. The National Park Service has been authorized to use Channel 22 (157.1 MHz) at Lake Mead, Nevada for communication with the boating public. Ordinarily, this channel is restricted to communications between ships, aircraft and coast stations of the U.S. Coast Guard and the boating public. The authorization of the National Park Service at Lake Mead is in support of a special arrangement whereby the National Park Service has assumed certain marine search and rescue responsibilities on Lake Mead which are normally part of the Coast Guard mission and which require communication with the boating public.

2. The U.S. Coast Guard, in turn, has requested that the Commission amend Part 83 of the rules to permit the boating public on Lake Mead to communicate with the National Park Service. Presently the rules permit communication only with the U.S. Coast Guard.

3. Accordingly, we are amending §§ 83.351 and 83.359 of the Commission's rules to permit ship stations to communicate with the National Park Service at Lake Mead on Channel 22 only for boating safety, search and rescue operations and related maritime matters.

4. Since the amendments will have no adverse effect on non-Government stations, we expect to receive no adverse comments. Furthermore, these amendments enhance marine safety and should be implemented as soon as possible. Therefore, the prior public notice, procedure and effective date procedures contained in Administrative Procedures Act 5 U.S.C. 553, are unnecessary and contrary to public interest. Authority for these amendments appear in Sections 4(i) and 303 (c) and (r) of the Communications Act of 1934, as amended.

5. In view of the above, *it is ordered*, That the rule amendments set forth below are adopted effective July 9, 1976.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.)

Adopted: June 24, 1976.

Released: July 2, 1976.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
*Secretary.*

Part 83 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. Section 83.351, paragraph (b)(6) is amended to read as follows:

**§ 83.351 Frequencies available.**

* * * * *

(b) * * *

(6) Limited to communications with any ship station, aircraft station and coast station of the United States Coast Guard and, in addition, with those ship stations and coast stations of the National Park Service, U.S. Department of Interior located at Lake Mead, Nevada.

* * * * *

2. In § 83.359, channel 22 under "Points of Communication" is amended to read as follows:

**§ 83.359 Frequencies in the band 156–162 MHz available for assignment.**

* * * * *

| Channel designator | Frequency (megahertz) Ship | Frequency (megahertz) Coast | Points of communication |
|---|---|---|---|
| * | * | * | * * |
| | | | Liaison, U.S. Coast Guard |
| 22 | 157.100 | 157.100 | Ship, aircraft, and coast stations of the U.S. Coast Guard and, at Lake Mead, Nev., ship and coast stations of the National Park Service, U.S. Department of the Interior. |

[FR Doc.76-19375 Filed 7-2-76;8:45 am]

[FCC 76-545]

## CONTROL STATIONS

### Order; Frequency Tolerance

*Correction*

In FR Doc. 76-18388 appearing on page 26222, in the issue of Friday, June 25, 1976, the section heading under Part

91, should be corrected to read as follows:

**§ 91.102 Frequency stability.**

The previous *Correction* appearing on page 26912, in the issue of Wednesday, June 30, 1976 is incorrect.

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## Title 49—Transportation

### CHAPTER I—MATERIALS TRANSPORTATION BUREAU, DEPARTMENT OF TRANSPORTATION

[Docket No. HM-116; Amdt. Nos. 172-30, 173-95]

### PART 172—LIST OF HAZARDOUS MATERIALS

### PART 173—SHIPPERS

**Classification of New Explosives and Shipment of Samples of Explosives; Editorial Changes**

On April 9, 1976, the Materials Transportation Bureau published in the FEDERAL REGISTER (41 FR 15013) the above amendments under Docket No. HM-116. It has been noted that a few editorial changes are necessary in these amendments. Since these revisions concern only editorial changes and impose no burden on any person, notice and public procedure thereon are considered unnecessary and they can be made effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing and the reasons given in the April 9, 1976 amendments under Docket No. HM-116, Parts 172 and 173 of title 49, Code of Federal Regulations, are amended as follows:

§ 172.5 [Amended]

1. In the list of hazardous materials in § 172.5, the entry *"Explosive, new, approval and evaluation"* is amended by restating it in italics.

§ 173.86 [Amended]

2. In § 173.86, paragraph (b)(3) is amended by changing the reference to "NAVORDIMST" in the last sentence to read, "NAVORDINST"; paragraphs (e)(2) and (3) are amended by deleting the word "If" at the beginning of each paragraph and capitalizing the word "The"; and paragraph (e)(3) is amended by adding at the end of the last sentence the words "based on its tentative description and class."

(18 U.S.C. 834, 49 CFR 1.53(g).)

Effective date: July 6, 1976.

Issued in Washington, D.C., on June 21, 1976.

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

[FR Doc.76-19138 Filed 7-2-76;8:45 am]

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

[Docket No. 74-11, Notice 14; Docket No. 73-19, Notice 11]

### PART 581—BUMPER STANDARD

**Delayed Response to Petitions for Reconsideration**

This notice delays by approximately one month the date by which the National Highway Traffic Safety Administration will respond to petitions for reconsideration of the Part 581 Bumper Standard (49 CFR Part 581) published March 4, 1976 (41 FR 9346).

It is the policy of the National Highway Traffic Safety Administration to respond to petitions for reconsideration within 120 days of the publication of a final rule, unless it is found to be impracticable to take action within that time (49 CFR Part 553, Appendix). Since the Part 581 Bumper Standard was published on March 4, 1976, response to petitions should, under agency policy, be issued by July 2, 1976. The agency, however, finds it impracticable to respond to the petitions by that date.

The agency expects to take appropriate action on the petitions for reconsideration of Part 581 by August 1, 1976.

(Sec. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); sec. 102, Pub. L. 92-513, 86 Stat. 947 (15 U.S.C. 1912) delegation of authority at 49 CFR 1.51 and 501.8.)

Issued: June 30, 1976.

ROBERT L. CARTER,
*Associate Administrator,*
*Motor Vehicle Programs.*

[FR Doc.76-19443 Filed 7-1-76;9:16 am]

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### CHAPTER X—INTERSTATE COMMERCE COMMISSION

#### SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Amdt. No. 1 to S.O. No. 1226]

### PART 1033—CAR SERVICE

**Chicago, Milwaukee, St. Paul and Pacific Railroad Co. Authorized To Operate Over Tracks of Chicago and North Western Transportation Co.**

JUNE 30, 1976.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 29th day of June 1976.

Upon further consideration of Service Order No. 1226 (40 FR 59598) and good cause appearing therefor:

*It is ordered,* That:

Service Order No. 1226 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

**§ 1033.1226 Chicago, Milwaukee, St. Paul and Pacific Railroad Company authorized to operate over tracks of Chicago and North Western Transportation Company.**

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., January 15, 1977, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p.m., June 30, 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, members Lewis R. Teeple, Thomas J. Byrne, and William J. Love. Member Lewis R. Teeple not participating.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19422 Filed 7-2-76;8:45 am]

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[Amdt. No. 1 to S.O. No. 1227]

### PART 1033—CAR SERVICE

**Chicago and North Western Transportation Co. and Soo Line Railroad Co. Authorized To Operate Over Tracks of Chicago, Rock Island and Pacific Railroad Co.**

JUNE 30, 1976.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 29th day of June 1976.

Upon further consideration of Service Order No. 1227 (40 FR 59599), and good cause appearing therefor:

*It is ordered,* That:

Service Order No. 1227 be, and it is hereby, amended by substituting the following paragraph (f) for paragraph (f) thereof:

**§ 1033.1227 Chicago and North Western Transportation Company and Soo Line Railroad Company authorized to operate over tracks of Chicago, Rock Island and Pacific Railroad Company.**

(f) *Expiration date.* The provisions of this order shall expire at 11:59 p.m.,

January 15, 1977, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p.m., June 30, 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 notices 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, members Lewis R. Teeple, Thomas J. Byrne, and William J. Love. Member Lewis R. Teeple not participating.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19424 Filed 7-2-76;8:45 am]

[Amdt. No. 2 to S.O. No. 1231]

## PART 1033—CAR SERVICE

### Consolidated Rail Corporation Authorized To Operate Over Tracks of Louisville and Nashville Railroad Company

JUNE 30, 1976.

At a session of the Interstate Commerce Commission, Railroad Service Board held in Washington, D.C., on the 29th day of June, 1976.

Upon further consideration of Service Order No. 1231, (41 FR 8480 and 15414), and good cause appearing therefore.

*It is ordered*, That:

Service Order No. 1231 be, and it is hereby, amended by substituting the following paragraph (f) for paragraph (f) thereof:

**§ 1033.1231 Consolidated Rail Corporation authorized to operate over tracks of Louisville and Nashville Railroad Company.**

(f) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., January 15, 1977, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p.m., June 30, 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, members Lewis R. Teeple, Thomas J. Byrne, and William J. Love. Member Lewis R. Teeple not participating.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19423 Filed 7-2-76;8:45 am]

[Amdt. No. 1 to S.O. No. 1237]

## PART 1033—CAR SERVICE

### Return of Hopper Cars

JUNE 30, 1976.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 29th day of June, 1976.

Upon further consideration of Service Order No. 1237 (41 FR 14372), and good cause appearing therefor:

*It is ordered*, That:

Service Order No. 1237 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

**§ 1033.1237 Regulations for return of hopper cars.**

(g) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., January 15, 1977, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p.m., June 30, 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 order 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, members Lewis R. Teeple, Thomas J. Byrne and William J. Love. Member Lewis R. Teeple not participating.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19420 Filed 7-2-76;8:45 am]

[Revised S.O. No. 1244]

## PART 1033—CAR SERVICE

### Soo Line Railroad Co. Directed To Operate USRA Line No. 442 Between St. Ignace, Michigan, and Mackinaw City, Michigan

JUNE 30, 1976.

At a session of the Interstate Commerce Commission, Railroad Service Board, held at its office in Washington, D.C., on the 29th day of June 1976.

*It appearing*, That by telegram dated June 29, 1976, the Michigan Department of State Highways and Transportation (Michigan) has requested an additional 30 day extension of the Commission's order requiring the Soo Line Railroad Company (Soo Line), as designated operator of the State of Michigan, to continue operation of the Mackinac Ferry; that Michigan has offered to compensate Soo Line for such service in accordance with regulations promulgated by the Rail Services Planning Office in Ex Parte No. 293 (Sub-No. 2), Standards for Determining Rail Service Continuation Subsidies upon entry into an agreement by Soo Line to provide interim service in consideration of the payment of such compensation; and that Michigan alleges that the failure to extend the service order as requested would result in a disruption of the subject ferry service and might impair its ability to provide for the continuation of such service by an alternate operator and that Soo Line has existing management capability, operating experience, and supervisory personnel to continue the service;

*It further appearing*, That Soo Line by telegram of June 29, 1976, reiterates its opposition to the requested extension; and that Soo Line emphasizes in its opposition the inability of the parties to agree on responsibility for employee protection expenses;

*It further appearing*, That the continuation of such service is contemplated by Michigan's Rail Services Plan filed with the United States Department of Transportation (DOT) pursuant to regulations issued by DOT under Section 402 of the Regional Rail Reorganization Act of 1973, as amended (the Rail Act).

*It further appearing*, That a State offering to pay a rail service continuation payment in accordance with RSPO's Subsidy Regulation and having the unquestioned authority to do so, subject only to the requirement that the designated operator enter into an agreement to provide the service in question in consideration of the State's agreement to pay, cannot be found not to be "a responsible person;"

*It further appearing*, That a disruption of service over the rail route utilizing the Mackinac Ferry will occur unless the order is extended; and that no provision of the Rail Act empowers the Commission to determine that the public interest will permit the disruption of a service for which a rail service continuation subsidy has been offered by a responsible person or that an alternate route will provide a satisfactory substitute for the service for which a rail

service continuation subsidy has been offered; and

*It further appearing,* That no evidence has been submitted to demonstrate that entry into an agreement as required by Michigan to permit it to disburse funds to Soo Line pursuant to the RSPO Subsidy Regulations would substantially impair Soo Line's ability to serve adequately its own patrons or to meet its outstanding common carrier obligations, which affords the only statutory basis upon which the Commission would be empowered to relieve Soo Line of the obligation to enter into an agreement to provide the service in question.

*It is ordered,* That:

**§ 1033.1244 Soo Line Railroad Company directed to operate USRA Line No. 442 between St. Ignace, Michigan, and Mackinaw City, Michigan.**

(a) The Soo Line Railroad Company be, and it is hereby, directed to operate at the service level indicated in the operating agreement or rail service continuation payment proffered by the State of Michigan, the railroad car ferry formerly operated by the Mackinac Transportation Company (Mackinac), an affiliate of the Soo Line Railroad Company and of the Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees (Penndel Company and Michigan Central Railroad Company (Lessors)), (PC) and identified as USRA Line No. 442, between St. Ignace, Michigan, and Mackinaw City, Michigan.

(b) *It is further ordered,* That Mackinac and the Trustees of PC described in section 304(a) of the Regional Rail Reorganization Act of 1973, as amended, shall permit entry onto such properties to allow continuation of service, free of all interference by the Trustees.

(c) *Rates applicable,* Inasmuch as this operation by the designated operators on behalf of the financially responsible persons offering rail service continuation payments over tracks formerly operated by Mackinac and the Trustees is deemed to be due to carrier disability, the rates applicable to traffic routed to, from, or via these lines shall be the rates which were formerly in effect on such traffic when routed via the Trustees, until tariffs naming rates and routes specifically applicable to the lines of the designated operators become effective.

(d) *Divisions of rates,* In transporting traffic over these lines formerly operated by Mackinac and the Trustees, the designated operators and all other common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic. Divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between the financially responsible persons and said carriers; or upon failure of the parties to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(e) *It is further ordered,* That this order shall be effective upon the date of service and the operations which the designated operators are herein directed to perform shall commence at 12:01 a.m., June 30, 1976, and shall remain in effect until 12:01 a.m., July 30, 1976, *Provided, However,* That the State of Michigan shall file with the Commission on or before July 6, 1976, an agreement unconditionally offering to compensate Soo Line in accordance with RSPO Subsidy Regulations and that such agreement shall temporarily set aside and expressly preserve to Soo Line any and all contentions and claims with respect to liability for employee protection payments arising as a direct result of service provided by Soo Line under orders issued by this Commission directing it to provide such service; and *Provided Further,* That if Soo Line accepts the agreement hereinabove required and notifies the Commission and the State of Michigan of its acceptance on or before July 13, 1976, the State of Michigan shall make payment to Soo Line pursuant to all invoices payable tendered to the State as of June 30, 1976, no later than July 30, 1976, the date of termination of this order, and shall immediately confirm the fact of payment to the Commission in writing and that any such amounts paid by the State of Michigan shall be subject to subsequent evaluation under the RSPO Subsidy Regulations, which may result in setoffs against or increases of later payments due the Soo Line.

*It is further ordered,* That a copy of this order 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 order 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.

(Interprets and applies Sec. 304 of Regional Rail Reorganization Act of 1973, as amended (45 U.S.C. 744); Public Laws 93-236 and 94-210.)

By the Commission, Railroad Service Board, members Thomas J. Byrne and William J. Love. Member Lewis R. Teeple not participating.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19421 Filed 7-2-76;8:45 am]

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**Title 10—Energy**

**CHAPTER II—FEDERAL ENERGY ADMINISTRATION**

**PART 212—MANDATORY PETROLEUM PRICE REGULATIONS**

**Crude Oil Price Ceilings; Schedule No. 2 of Monthly Price Adjustments**

Pursuant to 10 CFR 212.77(b), the Federal Energy Administraton hereby issues Schedule No. 2 of Monthly Price Adjustments, effective July 1, 1976. This schedule, which supersedes Schedule No. 1 of Monthly Price Adjustments appended to 10 CFR Part 212, Subpart D (41 FR 15566, April 13, 1976), holds upper and lower tier crude oil price ceilings at the levels of June, 1976, for the months of July and August, 1976. Thus, lower tier prices are limited in those months to an average of approximately $5.20 per barrel (the highest posted price on May 15, 1973, plus $1.48 per barrel) and upper tier prices are limited to an average of approximately $11.63 per barrel (the highest posted price on September 30, 1975, less $1.05 per barrel).

This action is being taken in light of actual first sale price data for the months of February and March, 1976, in order to mitigate the extent to which actual composite prices are projected to exceed the composite price limitation of the Energy Policy and Conservation Act ("EPCA") in future months. This action will permit FEA to collect and evaluate actual first sale price data for months following March 1976 and to decide what further actions might be necessary to insure compliance with the EPCA crude oil pricing requirements. Also during this time, FEA anticipates that it will, as part of its third stage rulemaking on crude oil prices, adopt amendments providing for further crude oil price increases as production incentives, which will become effective if not disapproved by either house of the Congress within the 15 day review period. Subsequent price adjustment schedule(s) will be issued prior to September, 1976, effective on a prospective basis, to reflect the outcome of these activities.

On February 1, 1976, FEA adopted regulations (41 FR 4931, February 3, 1976) intended to result in a weighted average first sale price ("composite price") for domestic crude oil during February 1976, which would comply with the $7.66 per barrel limitation established for that month by section 401 of the EPCA. These regulations were necessarily based on certain estimates, which were as follows for the month of February 1976: (1) an average lower tier price of $5.25 per barrel, with lower-tier crude oil comprising 60 percent of total domestic production; and (2) an average upper tier price of $11.28 per barrel, with upper-tier crude oil comprising 40 percent of total domestic production. Thus, (.6) ($5.25) + (.4) ($11.28) = $7.66.

The EPCA permits upward adjustments in the composite price limitation to reflect the impact of inflation and as a production incentive. The adjustment for inflation is limited to not more than the rate of inflation shown by the first revision of the most recent GNP deflator; the adjustment as a production incentive may not exceed 3 percent annually; and both adjustments combined may not exceed 10 percent annually. Pursuant to this authority, FEA issued further regulations (41 FR 15566, April 13, 1976) which provide for monthly adjustments to upper and lower tier ceiling prices beginning March 1, 1976. These adjust-

ments were designed to result in actual composite prices that would comply with the statutory composite price limitation, as adjusted to reflect the impact of inflation and as a production incentive.

Schedule No. 1 of Monthly Price Adjustments, issued with the April 13 Notice, and effective March 1, 1976, provided upper and lower tier price ceilings for each of the 40 months of the crude oil price control program established by the EPCA, with upward adjustments in each month beginning with March, 1976. The projected monthly price adjustments in this schedule were based on the following estimates among others: (1) a 60 percent—40 percent mix of lower tier and upper tier crude oil for the month of February, 1976; (2) a monthly shift in this mix toward ever-greater proportions of upper tier oil, based on an estimated average annual decline rate of 8 percent for lower tier crude oil; (3) actual average first-sale prices of $5.25 per barrel for lower tier crude oil and $11.28 per barrel for upper tier crude oil for the month of February, 1976; and (4) an annual inflation rate of 6.8 percent for the entire 40-month period, based on then-current data for the fourth quarter of 1975.

It was expressly provided in Schedule No. 1 of Monthly Price Adjustments, and in the implementing regulation (§ 212.77), that the price adjustment schedule would be subject to periodic revision as necessary to reflect changes in the statutory composite price limitation resulting from changes in the rate of inflation, to make compensating changes when the actual composite price was found to have fallen short of or exceeded the adjusted statutory composite price, and otherwise to achieve compliance with the EPCA. It should be noted that the EPCA, in specifically providing for compensating adjustments to correct for actual composite price excesses or deficiencies, recognized that FEA's initial estimates concerning the relative volumetric proportions and actual average first sale prices for lower and upper tier crude oil for February, 1976, might not prove accurate.

(The conference report accompanying the EPCA noted that the estimate of a weighted average price of $5.25 per barrel for lower tier crude oil may "prove to be an inaccurate measure of actual prices." Conf. Rpt. No. 94–516, p. 190, n.)

Subject to final verification now under way, FEA has completed review of the actual crude oil first sale price data for the months of February and March, 1976. The actual composite price for February, 1976 was $7.82 per barrel, or $.16 above the EPCA limit of $7.66 per barrel for that month; the actual composite price for March, 1976 was $7.80 per barrel, $.08 above the adjusted EPCA limit of $7.72 per barrel for that month.

Using March data as a basis for projecting future actual composite prices and still assuming an 8 percent decline rate for lower tier crude oil, FEA estimates actual composite prices for the months of April, May, and June will be approximately $7.86, $7.93, and $7.99 per barrel. The EPCA composite price limitations for those months are $7.78, $7.84, and (with a 3.5 percent annual rate of inflation effective as to the June increase in the composite price) $7.88 per barrel.

Since the first revision of the GNP deflator is not issued until the second month following the close of each calendar quarter, the 6.8 percent rate of inflation as measured by the GNP deflator for the fourth quarter of 1975 governed the upward adjustments in the composite price for March through May; the 3.5 percent rate for the first quarter of 1976 governs the adjustments for June through August. This reduced rate of inflation operates to reduce the permissible monthly increase in the composite price from approximately $.06 per barrel to approximately $.04 per barrel, for the months of July through August, 1976. It should be noted, however, that current estimates as to the rate of inflation for the second and third quarters of 1976 are that they will be 5.5 and 5.7 percent annually. The second and third quarter rates will govern price adjustments for September, 1976 through February, 1977.

Based upon actual production volumes for the months of February and March, FEA estimates that revenues have been received by crude oil producers which are approximately $60 million in excess of those which would have been received if actual composite prices for that period had coincided exactly with the EPCA composite price in each of those months.

FEA has therefore determined to issue a second crude oil pricing schedule to hold prices at June levels on the basis of the data available at this time, in order to minimize the extent to which further excess revenues will result and thereby to minimize the possibility that a price rollback might be required in order to comply with section 8(c) of the Emergency Petroleum Allocation Act of 1973 ("EPAA"), as amended by the EPCA. That section requires that not less than every six months, actual first sale prices be compared with the EPCA composite price limitation. To the extent that actual prices result in revenues that exceed those that would have been realized under the EPCA composite price limitation, compensating adjustments in crude oil prices must be made to result, in a corresponding period, in a reduction in revenues to offset such excess.

The problem of the pricing excesses indicated by the actual data for February and March, 1976 is compounded by the fact that, as noted above, the annual rate of inflation for the first quarter of 1976, using the statutorily-prescribed index, dropped to 3.5 percent, compared with the 6.8 percent rate used for purposes of Price Schedule No. 1. These two factors, in combination, suggest the need for early corrective action to mitigate pricing overages which could otherwise accumulate to a greater extent and possibly require that more drastic action (such as price reductions) be taken at a later date.

Although there are several variables which will influence the extent of any future pricing excesses, FEA has concluded, based on the information now available, that it is preferable to begin taking corrective steps immediately, in the form of discontinuing crude oil price increases for two months, rather than delay corrective action and risk the possibility of eventual price decreases and the disruptive effects on production and planning which such measures would bring.

As noted above, FEA now has actual data for February and March, 1976. FEA anticipates that final figures with respect to actual composite prices will be collected and verified under its new data collection system not later than 90 days after the close of each calendar month. Accordingly, the two month limit on crude oil prices being adopted today will provide an opportunity for FEA to receive and evaluate two more months of actual composite price data and to submit amendments to the Congress providing for further crude oil price increases under its third stage rulemaking on crude oil prices before deciding what further actions might be called for with respect to crude oil prices. Based on all such further data and information available at that time, FEA will issue another price adjustment schedule which either provides for a resumption of crude oil price adjustments or continues on a temporary basis crude oil prices at June levels, whichever action may be appropriate.

The actual data for February and March, although still subject to final verification, are as shown below:

| | Actual | Projected |
|---|---|---|
| FEBRUARY | | |
| Lower tier price | $5.07/bbl | $5.25/bbl. |
| Upper tier price | $11.44/bbl | $11.28/bbl. |
| Percent lower tier | 56.8 | 60.0. |
| Composite price | $7.82 | $7.66. |
| MARCH | | |
| Lower tier price | $5.10/bbl | $5.28/bbl. |
| Upper tier price | $11.43/bbl | $11.35/bbl. |
| Percent lower tier | 57.3 | 59.8. |
| Composite price | $7.80 | $7.72. |

There are certain ambiguities with respect to these data which will not be clarified until more data have been acquired and more experience gained with the new data collection system that had to be developed in order to monitor compliance with the EPCA composite pricing limitations. Thus, for example, the actual upper tier prices for February and March, which were derived by subtracting $1.32 and $1.25 per barrel from September 30, 1975 posted prices, imply an average September 30 posting of $12.76 per barrel if the February upper tier price is referred to (i.e., $12.76—$1.32=$11.44) but imply an average September 30 posting of $12.68 per barrel if the March price is referred to (i.e., $12.68—$1.25=$11.43). There is thus a variance of $.08 per barrel ($12.76—$12.68=$.08) in the implied average of September 30 postings, depending on whether February or March data are used as a reference.

Although variations in the "mix" of various grades of upper tier crude oil have an effect on the weighted average upper tier price, such variations should not have as great an effect as $.08 per barrel. FEA has concluded that the average upper tier posting of $12.68, which is implied by the March data is more likely to be accurate inasmuch as it was derived from the second month of reporting under the new data collection system and should therefore be less affected by any start-up problems which may have affected the February data. Further data, however, should clarify this ambiguity.

One reason for the excess in actual first sale prices above the EPCA composite price limitation appears to have been FEA's inability accurately to estimate the weighted average of the highest posted prices which were actually in effect on September 30, 1975 for crude oil which was then not subject to ceiling prices. Posted prices rather than prices charged in actual transactions were used as a reference for establishing upper tier ceiling prices in order to avoid pricing disparities for crude oil of a particular grade being produced and sold from a particular field and to facilitate compliance and audit by establishing a single ceiling price rather than multiple prices for each grade of crude oil produced and sold from each field. Since no data on posted prices were available, FEA estimated that the average of September 30, 1975 postings would be approximately the average of the prices charged in actual transactions in September and October, 1975, as reflected in the data FEA then had available with respect to such transactions. This estimate was based on the theory that since prices of crude oil not subject to ceiling prices were moving upward, the average of the highest posted prices in effect on September 30 would be higher than the average prices charged in actual transactions during that month. This appears to have been correct, except that the September 30 postings appear to have exceeded September transaction prices by somewhat more than was anticipated. As noted above, however, the February and March data leave the exact figure for September 30 postings somewhat in doubt.

It should also be noted that the data now available are also insufficient for purposes of evaluating the validity of FEA's estimate of an annual rate of decline in lower tier crude oil production of 8 percent.

Finally, FEA wishes to emphasize that its initial estimates of 60 percent lower tier crude oil and an average price of $5.25 per barrel were arrived at in a reasonable manner and provided a generally realistic basis for purposes of planning for the implementation of the composite price provisions of the EPCA. The close interrelationship of these lower tier price and percentage estimates is evident. Thus, for example, assuming constant upper tier prices, a reduction of one percentage point in the lower tier crude oil ratio would require about a $.10 per barrel reduction in the lower tier price. To illustrate, a lower tier crude oil ratio of 60 percent at a price of $5.25 per barrel is equivalent to a lower tier ratio of 57 percent at an average price of $4.93 per barrel. FEA's slightly high estimate of the percentage of lower tier crude oil appears, therefore, to have been approximately offset by its slightly high estimate of average lower tier crude oil prices.

Accordingly, for the reasons stated above and pursuant to § 212.77, FEA hereby issues Schedule No. 2 of Monthly Price Adjustments, effective July 1, 1976, as an Appendix to 10 CFR Part 212, Subpart D. Today's action, effective July 1, 1976, supersedes Price Schedule No. 1 and holds lower and upper tier price levels for the months of July and August, 1976, at the price ceiling levels for June, 1976. Crude oil price levels for months subsequent to August will be set forth in Price Schedule No. 3 to be issued in late August.

Issued in Washington, D.C., June 30, 1976.

MICHAEL F. BUTLER,
*General Counsel,*
*Federal Energy Administration.*

APPENDIX.—*Schedule No. 2 of monthly price adjustments, effective July 1, 1976*

| Month | Lower tier, May 15, 1973, posted price [1] | Upper tier, Sept. 30, 1975, posted price [2] |
|---|---|---|
| *1976* | | |
| February | +1.35 | −1.32 |
| March | +1.38 | −1.25 |
| April | +1.41 | −1.18 |
| May | +1.45 | −1.11 |
| June | +1.48 | −1.05 |
| July | +1.48 | −1.05 |
| August | +1.48 | −1.05 |

[1] The price referred to in 10 CFR 212.73(b)(1).
[2] The price referred to in 10 CFR 212.74(b)(1).

This schedule of monthly price adjustments was issued by the Federal Energy Administration on June 30, 1976, pursuant to 10 CFR 212.77. It restates without change the lower and upper tier price ceilings applicable to crude oil produced and sold in the months of February through June, 1976, as determined under 10 CFR 212.73, 212.74, and 212.77, and holds the lower and upper tier price ceilings applicable to crude oil to be produced and sold in the months of July and August, 1976, at the respective ceiling prices for the month of June, 1976.

Effective July 1, 1976, this price adjustment schedule supersedes Schedule No. 1 of Monthly Price Adjustments, as provided in 10 CFR 212.77(b). This Schedule No. 2 of Monthly Price Adjustments will remain effective only for two months, when it will be superseded by Schedule No. 3.

[FR Doc.76-19418 Filed 6-30-76;4:34 pm]

## Title 40—Protection of Environment

### CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

### SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

[FRL 572-1]

### PART 430—PULP, PAPER AND PAPERBOARD POINT SOURCE CATEGORY

### Notice of Interim Final Rule Making; Corrections

Notice is hereby given that the Environmenal Protection Agency (EPA) is correcting 40 CFR 430, Pulp, Paper and Paperboard Point Source Category as set forth below. On February 19, 1976, the Agency published a notice of interim final rulemaking (41 FR 7662) establishing effluent limitations and guidelines for existing sources for the pulp, paper, and paperboard point source category.

The purpose of this notice is to correct errors in Subparts G, L, M, N, O, and V. The corrections encompass typographical errors and do not involve any substantive or policy issues.

Because the comment period has closed, the Agency will accept amendments to comments already filed where, and to the extent, such comments specifically relied upon numbers or words contained in the February 19 notice and corrected today. Amended comments must be received within 30 days of the date of this notice.

In F.R. Doc. 76-4370 appearing on pages 7662 through 7684 in the issue of February 19, 1976, make the following changes:

1. In the preamble, page 7664, column one, third paragraph, lines 5–6, the word "bsisulfites" is corrected to read "bisulfites".

2. In the preamble, page 7666, column one, third pargraph, line 2, the word "date" is corrected to read "data".

3. In the preamble, page 7666, column two, seventh paragraph, line 8, the word "that"" is corrected to read "than".

4. In the preamble, page 7670, column one, fourth paragraph, line 15, the word "Kraft" is corrected to read "kraft".

5. In the preamble, page 7670, column two, second paragraph, lines 6–7, the word "inappriate" is corrected to read "inappropriate".

6. In the preamble, page 7670, column two, fifth paragraph, line 5, the word "was" is corrected to read "were".

7. In the preamble, page 7670, column three, last paragraph, line 21, the word "deferance" is corrected to read "deference".

8. In the preamble, page 7671, column two, third paragraph, line 8, the word "reuced" is corrected to read "reduced".

9. In the preamble, page 7671, column two, fourth paragraph, line 2, the word "recieved" is corrected to read "received".

10. In the preamble, page 7671, column three, third paragraph, line 3, the word "suggestiones" is corrected to read "suggestions".

11. On page 7675 the table in Subpart G, § 430.72(a), is corrected to read as follows:

**§ 430.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.**

* * * * *

(a) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| BOD5 | 15.2 | 7.9 |
| TSS | 29.4 | 15.85 |
| pH | Within the range 5.0 to 9.0. | ---------- |
| English units (pounds per ton of product) | | |
| BOD5 | 30.4 | 15.8 |
| TSS | 58.8 | 31.7 |
| pH | Within the range 5.0 to 9.0. | ---------- |

12. In Subpart L the tables in § 430.122 (a) and (c) are corrected to read as follows:

**§ 430.122 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.**

* * * * *

(a) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| BOD5 | 13.5 | 7.05 |
| TSS | 19.45 | 10.45 |
| pH | Within the range 5.0 to 9.0. | ---------- |
| English units (pounds per ton of product) | | |
| BOD5 | 27.0 | 14.1 |
| TSS | 38.9 | 20.9 |
| pH | Within the range 5.0 to 9.0. | ---------- |

* * * * *

(c) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.12 | 0.06 |
| English units (pounds per ton of product) | | |
| Zinc | 0.24 | 0.12 |

13. The table in Subpart M, § 430.132 (c), is corrected to read as follows:

**§ 430.132 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.**

* * * * *

(c) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.105 | 0.05 |
| English units (pounds per ton of product) | | |
| Zinc | 0.21 | 0.10 |

14. The table in Subpart N, § 430.142 (c) is corrected to read as follows:

**§ 430.142 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.**

* * * * *

(c) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.105 | 0.05 |
| English units (pounds per ton of product) | | |
| Zinc | 0.21 | 0.10 |

15. The table in Subpart O § 430.152 (c) is corrected to read as follows:

**§ 430.152 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology available.**

* * * * *

(c) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.095 | 0.048 |
| English units (pounds per ton of product) | | |
| Zinc | 0.19 | 0.096 |

16. In Subpart V the tables in § 430.222 (a) and (b), are corrected to read as follows:

**§ 430.222 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.**

* * * * *

(a) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| BOD5 | 40.0 | 20.85 |
| TSS | 49.5 | 26.65 |
| pH | Within the range 5.0 to 9.0. | ---------- |
| English units (pounds per ton of product) | | |
| BOD5 | 80.0 | 41.7 |
| TSS | 99.0 | 53.3 |
| pH | Within the range 5.0 to 9.0. | ---------- |

(b) * * *

| Effluent characteristic | Effluent limitations | |
|---|---|---|
| | Maximum for any 1 day | Average of daily values for 30 consecutive days shall not exceed— |
| Metric units (kilograms per 1,000 kg of product) | | |
| BOD5 | 1.1 | 0.55 |
| TSS | 1.55 | 0.85 |
| English units (pounds per ton of product) | | |
| BOD5 | 2.2 | 1.1 |
| TSS | 3.1 | 1.7 |

Dated: June 21, 1976.

JOHN T. RHETT, Jr.,
*Acting Assistant Administrator for Water and Hazardous Materials.*

[FR Doc.76-19132 Filed 7-2-76;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 AGRICULTURE

### Agricultural Marketing Service

### [ 7 CFR Part 917 ]

### FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

### Amendment of Proposed Approval of Plum Commodity Committee Expenses and Fixing of Rate of Assessment for the 1976–77 Fiscal Period

Notice was published in the June 22, 1976, issue of the FEDERAL REGISTER (41 FR 25017) of a proposal regarding expenses of the Plum Commodity Committee for the 1976–77 fiscal period and the rate of assessment for that period payable by each handler of plums. Expenses proposed for approval were $848,650, and the rate of assessment proposed was seven and five-tenths cents ($0.075) per No. 22D standard lug box of plums, or its equivalent in other containers or in bulk. The proposal invited all persons who desired to submit written data, views, or arguments in connection with the proposal to file such comments not later than July 16, 1976.

The committee has now concluded that the quantity of assessable plums expected to be handled will be less than that it had estimated, thus the proposed assessment rate should be increased. Additionally, the committee reviewed expenses and recommended that the proposed expenses be reduced by $35,000.

Therefore, the expenses and rate of assessment contained in the notice of proposed rulemaking are amended to read as follows:

(a) That expenses that are reasonable and likely to be incurred during the fiscal period from March 1, 1976, through February 28, 1977, will amount to $813,650.

(b) That the rate of assessment for such fiscal period payable by each handler in accordance with § 917.37 be fixed at eight cents ($0.08) per No. 22D standard lug box of plums, or its equivalent in other containers or in bulk.

All persons who desire to submit written data, views, or arguments in connection with this amended proposal should file same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than July 23, 1976. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: June 29, 1976.

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

[FR Doc.76–19333 Filed 7–2–76;8:45 am]

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

### [ 50 CFR Part 17 ]

### ENDANGERED AND THREATENED WILDLIFE AND PLANTS

### Proposed Threatened Status and Critical Habitat for the Leopard Darter

The Director, U.S. Fish and Wildlife Service (hereinafter, the Director and the Service, respectively), hereby issues a proposed rulemaking, pursuant to Sections 4 and 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543, 87 Stat. 884: hereinafter the Act), which would determine the Leopard Darter (*Percina pantherina*) to be a Threatened Species and which would determine Critical Habitat for that species. This species occurs in southeast Oklahoma and in western Arkansas.

#### BACKGROUND

On March 18, 1975, the Fish and Wildlife Service published a Notice in the FEDERAL REGISTER (Vol. 40, No. 53, p. 12297–12298) to the effect that a review of the status of 29 fishes was being conducted. The Leopard Darter was one of the 29 species included in this review. As a result of this notice of review, responses were received from the Governors of Arkansas and Oklahoma, the only States in which this species is known to occur. One comment was received from a biologist. These comments and supportive documents have been reviewed and a summary is presented below. This information has been considered and is incorporated into the administrative record of this proposal. The information presently available indicates the Leopard Darter is a Threatened species as provided for by the Act.

#### SUMMARY OF COMMENTS

Comments received from the Governor of Arkansas indicated that he had consulted with ichthyologists in the State and found that the Leopard Darter in Arkansas was Endangered. The response from the Governor of Oklahoma indicated that he had forwarded our request to the Oklahoma Wildlife Conservation Department for their consideration. To date we have not received any response from the Oklahoma Wildlife Conservation Department. The one response received from a professional biologist from Arkansas indicated the overall status should be considered as Endangered.

Recent evidence (1974 and 1975) available to us, however, indicates that at least the population of the Leopard Darter occurring in Glover Creek, Oklahoma, is relatively stable and secure; this creek has good water quality and offers good habitat for the species. Given this situation, it is felt that a Threatened status more accurately reflects the condition of the species than does Endangered status.

#### SUMMARY OF FACTORS AFFECTING THE SPECIES

Section 4(a) of this Act states:

General.—(1) The Secretary shall by regulation determine whether any species is an endangered species or a threatened species because of any of the following factors:

(1) The present or threatened destruction, modification, or curtailment of its habitat or range;

(2) Overutilization for commercial, sporting, scientific, or educational purposes;

(3) Disease or predation;

(4) The inadequacy of existing regulatory mechanisms; or

(5) Other natural or manmade factors affecting its continued existence.

This authority has been delegated to the Director. These factors, as they relate to the Leopard Darter, are as follows:

1. *The present or threatened destruction, modification, or curtailment of its habitat or range.* Historically, the Leopard Darter, *Percina pantherina*, was found throughout most of the upland large stream habitats of the Little River Drainage of Arkansas and Oklahoma. The habitat is typically clear, swift shoal areas in moderate to large streams. In these streams it is most frequently found in gravel areas with some sand intermixed. It also occurs along the borders of stream channels.

In the past, several of man's activities have resulted in the destruction or modification of habitat of the Leopard Darter. The single most important factor which has resulted in most habitat destruction has been the impoundments constructed in the Little River Drainage. Other factors responsible for hibitat alteration to a lesser extent include siltation from agricultural operations, commercial gravel operations, industrial and municipal effluents and road construction. Both impoundment and pollution presently represent serious threats to the Leopard Darter.

From its once widespread range in the Little River Drainage of Oklahoma and Arkansas, the alteration of its habitat through impoundment and pollution has

greatly reduced its distribution and numbers. The present known distribution is Little River above Pine Creek Reservoir, Glover Creek, and Mountain Fork above Broken Bow Reservoir. Additionally, in a recent survey of the Cassatot River fishes, the Leopard Darter was found at two localities. These localities are below the recently completed Gillham Dam on the Cassatot River and should not be considered as supporting viable populations because upstream impoundments invariably result in the loss of populations occurring downstream.

The data presently available indicate that the Leopard Darter population in Glover Creek is a relatively strong, viable population and thus is being proposed as Threatened rather than Endangered. Glover Creek in its present state has good water quality and offers good habitat for the Leopard Darter and numerous other stream-dwelling organisms. The proposed Lukfata Reservoir impoundment and subsequent alterations of Glover Creek, however, would drastically change the situation and virtually eliminate the Leopard Darter in this Creek.

2. *Overutilization for commercial, sporting, scientific, or educational purposes.* Not applicable.

3. *Disease or predation.* Not applicable.

4. *The inadequacy of existing regulatory mechanisms.* Not applicable.

5. *Other natural or man-made factors affecting its continued survival.* Not applicable.

CRITICAL HABITAT

Section 7 of the Act, entitled "Interagency Cooperation" states

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

An interpretation of the term Critical Habitat was published by the Fish and Wildlife Service and the National Marine Fisheries Service in the FEDERAL REGISTER of April 22, 1975 (40 FR 17764–17765).

The areas delineated below do not necessarily include the entire Critical Habitat of the Leopard Darter. It also is recognized that some of the stream areas are large and may contain portions that are not of primary use to the Leopard Darter. It should be stressed, however, that this is only a Proposed Rulemaking that is setting forth the outer parameters of the Critical Habitat areas in question, and that based upon data received and additional studies conducted by the Fish and Wildlife Service, the Final Rulemaking may exclude areas found to be devoid of Critical Habitat significance.

All Federal departments and agencies should, in accordance with Section 7 of the Act, consult with the Secretary of the Interior with respect to any actions which might reasonably be expected to affect Critical Habitat or jeopardize the continued existence of the Leopard Darcontinued existence of the Leopard Darter within the delineated areas.

CRITICAL HABITAT DETERMINATION

Based on information received from experts on this species in Arkansas and Louisiana, plus data presented in a recent publication by Eley *et al.* entitled "Current Status of the Leopard Darter, *Percina pantherina*" (Southwestern Naturalist, Oct., 1975, Vol. 20, No. 3, pages 343–354) the following areas are proposed as Critical Habitat for the Leopard Darter, *Percina pantherina*.

(i) Little River and Black Fork Creek: Oklahoma, Pushmataha Co. Main channel of Little River from mouth of Cloudy Creek (T3S; R20E; Section 3) upstream to the Pushmataha-LeFlore Co. line.

Main channel of Black Fork Creek from its junction with Little River (T1S; R20E; Section 22) upstream to Oklahoma Highway 144 (T1S; R19E; Section 12).

(ii) Glover Creek, East Fork Glover Creek and West Fork Glover Creek: Oklahoma, McCurtain Co. Main Channel of Glover Creek from its junction with the Little River (T6S; R23E; Section 19) upstream to the junction of the East Fork and West Fork of Glover Creek (T3S; R23E; Section 7). Main channel of the East Fork of Glover Creek from its junction with the West Fork Glover Creek (T3S; R23E; Section 7) upstream to 4 air miles NNW of the community of Bethel (T2S; R24E; Section 5). The main channel of the West Fork Glover Creek from its junction with the East Fork Glover Creek (T3S; R23E; Section 7) upstream to the Community of Battiest (T2S; R23E; Section 7).

(iii) Mountain Fork Creek: Oklahoma, McCurtain Co. Main channel of Mountain Fork Creek from 6 air miles SSW of Smithville at the mouth of Boktukola Creek (T2S; R25E; Section 9) upstream to the Oklahoma-Arkansas state line.

(iv) Mountain Fork Creek: Arkansas, Polk Co. Main channel of Mountain Fork Creek from the Oklahoma-Arkansas state line upstream to the community of Mountain Fork (T1S; R32W; Section 29).

The areas delineated above do not include all known localities for the Leopard Darter. The four localities, and possibly others, in smaller tributaries to Little River, Glover Creek, and Mountain Fork Creek are not included at this time. Based on an examination of the distributional data presently available, the Leopard Darter appears to be an inhabitant of the main channels of the largest streams with individuals occasionally entering the lower portions of tributaries. The potrion of the Cassotot River inhabited by the Leopard Darter is not included since the alterations brought about by Gillham Dam will, in all probability, result in the elimination of the species in that system.

EFFECT OF THE RULEMAKING

The effects of this determination and Proposed Rulemaking include, but are not necessarily limited to, those discussed below.

Endangered Species regulations already published in Title 50 of the Code of Federal Regulations set forth a series of general prohibitions and exceptions which apply to all Endangered Species. All of those prohibitions and exceptions also apply to any Threatened Species *unless* a Special Rule pertaining to that Threatened Species has been published and indicates otherwise. The regulations referred to above which pertain to Endangered Species, are found at § 17.21 of Title 50 and; for the convenience of the reader, are reprinted below:

SUBPART C—ENDANGERED WILDLIFE

§ 17.21 *Prohibitions.* (a) Except as provided in Subpart A of this part, or under permits issued pursuant to § 17.22 or § 17.23, it is unlawful for any person subject to the jurisdiction of the United States to commit, to attempt to commit, to solicit another to commit or to cause to be committed, any of the acts described in paragraphs (b) through (f) of this section in regard to any endangered wildlife.

(b) *Import or export.* It is unlawful to import or to export any endangered wildlife. Any shipment in transit through the United States is an importation and an exportation, whether or not it has entered the country for customs purposes.

(c) *Take.* (1) It is unlawful to take endangered wildlife within the United States, within the territorial sea of the United States, or upon the high seas. The high seas shall be all waters seaward of the territorial sea of the United States, except waters officially recognized by the United States as the territorial sea of another country, under international law.

(2) Notwithstanding paragraph (c)(1) of this section, any person may take endangered wildlife in defense of his own life or the lives of others.

(3) Notwithstanding paragraph (c)(1) of this section, any employee or agent of the Service, any other Federal land management agency, the National Marine Fisheries Service, or a State conservation agency, who is designated by his agency for such purposes, may, when acting in the course of his official duties, take endangered wildlife without a permit if such action is necessary to:

(i) Aid a sick, injured or orphaned specimen; or

(ii) Dispose of a dead specimen; or

(iii) Salvage a dead specimen which may be useful for scientific study; or

(iv) Remove specimens which constitute a demonstrable but nonimmediate threat to human safety, provided that the taking is done in a humane manner; the taking may involve killing or injurying only if it has not been reasonably possible to eliminate such threat by live-capturing and releasing the specimen unharmed, in a remote area.

(4) Any taking pursuant to paragraphs (c)(2) and (3) of this section must be reported in writing to the United States Fish and Wildlife Service, Division of Law Enforcement, P.O. Box 19183, Washington, D.C. 20036, within 5 days. The specimen may only be retained, disposed of, or salvaged in accordance with directions from the Service.

(d) *Possession and other acts with unlawfully taken wildlife.* (1) It is unlawful to

possess, sell, deliver, carry, transport, or ship, by any means whatsoever, any endangered wildlife which was taken in violation of paragraph (c) of this section.

*Example.* A person captures a whooping crane in Texas and gives it to a second person, who puts it in a closed van and drives thirty miles, to another location in Texas. The second person then gives the whooping crane to a third person, who is apprehended with the bird in his possession. All three have violated the law—the first by illegally taking the whooping crane; the second by transporting an illegally taken whooping crane; and the third by possessing an illegally taken whooping crane.

(2) Notwithstanding paragraph (d)(1) of this section, Federal and State law enforcement officers may possess, deliver, carry, transport or ship any endangered wildlife taken in violation of the Act as necessary in performing their official duties.

(e) *Interstate or foreign commerce.* It is unlawful to deliver, receive, carry, transport, or ship in interstate or foreign commerce, by any means whatsoever, and in the course of a commercial activity, any endangered wildlife.

(f) *Sale or offer for sale.* (1) It is unlawful to sell or to offer for sale in interstate or foreign commerce any endangered wildlife.

(2) An advertisement for the sale of endangered wildlife which carries a warning to the effect that no sale may be consummated until a permit has been obtained from the U.S. Fish and Wildlife Service shall not be considered an offer for the sale within the meaning of this subsection.

The general prohibitions and exceptions for Threatened Species are found at § 17.31 of Title 50 of the Code of Federal Regulations and, for the convenience of the reader, are reprinted below:

§ 17.31 *Prohibitions.* (a) Except as provided in Subpart A of this Part, or in a permit issued under this Subpart, all of the provisions in § 17.21 shall apply to threatened wildlife.

(b) In addition to any other provisions of this Part 17, any employee or agent of the Service, of the National Marine Fisheries Service, or of a State conservation agency which is operating under a Cooperative Agreement with the Service or with the National Marine Fisheries Service, in accordance with section 6(c) of the Act, who is designated by his agency for such purposes, may, when acting in the course of his official duties, take any threatened wildlife to carry out scientific research or conservation programs.

(c) Whenever a special rule is §§ 17.40 to 17.48 applies to a threatened species, none of the provisions of paragraphs (a) and (b) of this section will apply. The special rule will contain all the applicable prohibitions and exceptions.

Thus, Rules which pertain to a Threatened Species are established thru Section 17.31 which incorporates the provisions of § 17.21 unless modified by special rules containing specific provisions tailored to the conservation needs of the particular species in question. When such special rules are published for a given Threatened Species, those special rules take precedence over both §§ 17.31 and 17.21.

A Special Rule (§ 17.44 (c)) is proposed to apply to the Leopard Darter (*Percina pantherina*). The Special Rule is set forth below.

The determination set forth in these Proposed Rules and the proposal of Critical Habitat also would make the Leopard Darter eligible for the consideration provided by Section 7 of the Act.

The Director has prepared, in consultation with affected agencies, guidelines for Federal agencies for the application of Section 7 of the Act. In the future, regulations will be published regarding Section 7.

Pursuant to Section 4(b) of the Act, the Director will notify the Governors of Arkansas and Oklahoma with respect to this proposal and request their comments and recommendations before making final determinations.

### Public Comments Solicited

The Director intends that the rules finally adopted will be as accurate and effective in the conservation of any Endangered or Threatened species as possible. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, private interests, or any other interested party concerning any aspect of these Proposed Rules are hereby solicited. Comments particularly are sought concerning:

(1) Biological or other relevant data concerning any threat (or the lack thereof) to the Leopard Darter;

(2) The location of and reasons why any habitat of the Leopard Darter should or should not be determined to be Critical Habitat as provided for by Section 7 of the Act;

(3) Additional information concerning the range and distribution of the Leopard Darter.

Final promulgation of the regulations on the Leopard Darter will take into consideration the comments and any additional information received by the Director, and such communication may lead the Director to adopt final regulations that differ from this proposal.

An Environmental assessment has been prepared in conjunction with this proposal. It is on file in the Service's Office of Endangered Species, 1612 K Street, NW., Washington, D.C. 20240, and may be examined during regular business hours. A determination will be made before the time of Final Rulemaking as to whether this is a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102 (2)(C) of the National Environmental Policy Act of 1969, thus requiring an Environmental Impact Statement.

### Submittal of Written Comments

Interested persons may participate in this rulemaking by submitting written comments and other documents, preferably in triplicate, to Director (FWS.-LE), U.S. Fish and Wildlife Service, P.O. Box 19183, Washington, D.C. 20036. All relevant comments and materials received no later than September 1, 1976, will be considered. Comments and materials received will be available for public inspection during normal business hours at the Service's Office in Suite 600, 1612 K Street, NW., Washington, D.C.

This Proposed Rulemaking is issued under the authority contained in the Endangered Species Act of 1973 (16 U.S.C. 1531–1543; 87 Stat. 884).

Dated: June 23, 1976.

Lynn A. Greenwalt,
*Director,*
*Fish and Wildlife Service.*

Accordingly it is hereby proposed to amend Part 17, Subchapter B of Chapter 1, Title 50 of the Code of Federal Regulations, as set forth below:

It is proposed to amend § 17.11 by adding in alphabetical order the following to the list of animals:

**§ 17.11 Endangered and threatened wildlife.**

| Species | | | Range | | | | |
|---|---|---|---|---|---|---|---|
| Common name | Scientific name | Population | Known distribution | Portion of range where threatened or endangered | Status | When listed | Special rules |
| Fishes: | | | | | | | |
| Darter, Leopard | *Percina pantherina* | NA | U.S.A. (Arkansas and Oklahoma) | Entire | T | | 17.44(c) |

It is also proposed to add § 17.44(c) as follows:

**§ 17.44 Special rules—fishes.**

* * * * *

(c) Leopard darter (*Percina pantherina*)

(1) All provisions of § 17.31 apply to this species, except that they may be taken in accordance with applicable State laws;

(2) Any violations of State law will also be a violation of the 1973 Endangered Species Act.

It is further proposed to add a new § 17.88 to Subpart F—Critical Habitat to read as follows:

**§ 17.88 Leopard Darter.**

(a) The following area is Critical Habitat for the Leopard Darter:

(1) Little River and Black Fork Creek: Oklahoma, Pushmataha Co. Main channel of Little River from mouth of Cloudy Creek (T3S; R20E; Section 3) upstream to the Pushmataha-LeFlore Co. line.

Main channel of Black Fork Creek from its junction with Little River (T1S; R20E; Section 22) upstream to Oklahoma Highway 144 (T1S; R19E; Section 12).

(2) Glover Creek, East Fork Glover Creek and West Fork Glover Creek: Oklahoma, McCurtain Co. Main channel of Glover Creek from its junction with the Little River (T6S; R23E; Section 19) upstream to the junction of the East Fork and West Fork of Glover Creek (T3S; R23E; Section 7). Main channel of the East Fork of Glover Creek from its junction with the West Fork Glover Creek (T3S; R23E; Section 7) upstream to 4 air miles NNW of the community of Bethel (T2S; R24E; Section 5). The main channel of the West Fork Glover Creek from its junction with the East Fork Glover Creek (T3S; R23E; Section 7) upstream to the Community of Battiest (T2S; R23E; Section 7).

(3) Mountain Fork Creek: Oklahoma, McCurtain Co. Main channel of Mountain Fork Creek from 6 air miles SSW of Smithville at the mouth of Boktukola Creek (T2S; R25E; Section 9) upstream to the Oklahoma-Arkansas state line.

(4) Mountain Fork Creek: Arkansas, Polk Co. Main channel of Mountain Fork Creek from the Oklahoma-Arkansas state line upstream to the community of Mountain Fork (T1S; R32W; Section 29).

(b) Pursuant to Section 7 of the Act, all Federal agencies must insure that actions authorized, funded or carried out by them do not result in the destruction or adverse modification of these Critical Habitat areas.

[FR Doc.76-19247 Filed 7-2-76;8:45 am]

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### [ 14 CFR Parts 1 and 191 ]

[Docket No. 15855; Notice No. 76-14]

### RELEASE OF SECURITY INFORMATION

### Proposed Rule Making

*Correction*

In FR Doc. 76-18594 appearing at page 26579 in the issue of Monday, June 28, 1976, in the first line of § 1.1 the word reading "Interstate" should read "Intrastate."

### [ 14 CFR Part 39 ]

[Docket No. 14231]

### BRITISH AIRCRAFT CORPORATION VISCOUNT MODEL 744, 745D, AND 810 SERIES AIRPLANES

### Proposed Airworthiness Directives

Amendment 39-129 (30 FR 11169), AD 65-20-4, as amended by Amendment 39-2283 (40 FR 31595), requires inspection of various areas of the fuselage for cracks and repair, as necessary, on British Aircraft Corporation Viscount Model 744, 745D, and 810 series airplanes. After issuing Amendment 39-2283, due to service experience, the FAA has determined that inspections are necessary for an additional area of the fuselage. Therefore, the FAA is considering amending amendment 39-129, as amended, to require repetitive inspections of the fuselage skin and doubler at the wing drag angle for cracks and repair, as necessary, on Viscount Model 744, 745D, and 810 series airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. All communications received on or before July 30, 1976, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

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

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-129 (30 FR 11169) AD 65-20-4, as amended by Amendment 39-2283 (40 FR 31595), by redesignating paragraph (i) as paragraph (j) and adding a new paragraph (i) as follows:

BRITISH AIRCRAFT CORPORATION. Applies to Viscount Models 744, 745D, and 810 series airplanes.

* * * * *

(i) Fuselage skin—Section 9—skin and doubler at wing drag angle—STN. 357 to 414 (Models 744 and 745D) and STN 403 to 460 (Model 810). Compliance is required as indicated in BAC PTL 221, issue 7, or BAC PTL 94, issue 7, as applicable, or an FAA approved equivalent, within the next 1000 landings after the effective date of this Amendment or prior to the accumulation of 25,000 total landings, whichever occurs later, and thereafter at intervals not to exceed 4000 landings since last compliance.

* * * * *

Issued in Washington, D.C. on June 24, 1976.

R. P. SKULLY,
*Director, Flight Standards Service.*

[FR Doc.76-19214 Filed 7-2-76;8:45 am]

### [ 14 CFR Part 39 ]

[Docket No. 15858]

### HAWKER SIDDELEY AVIATION, LTD. MODEL DH/BH-125 AIRPLANES

### Proposed Airworthiness Directives

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an Airworthiness Directive applicable to Hawker Siddeley Aviation, Ltd. Model DH/BH-125 airplanes. Based on the results of the manufacturer's continuing fatigue test program, the FAA has determined that the front pressure bulkhead and lower canopy post of the Model DH/BH-125 airplanes are susceptible to fatigue failure that could result in in-flight decompression. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require modifications to provide for the continued structural integrity of Hawker Siddeley Aviation, Ltd. Model DH/BH-125 airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W. Washington, D.C. 20591. All communications received on or before July 30, 1976, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

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

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

HAWKER SIDDELEY AVIATION, LTD. Applies to Model DH/BH-125 airplanes, all series, certificated in all categories.

Compliance is required as indicated, unless already accomplished.

To provide for the continued structural integrity of the front pressure bulkhead and lower canopy post, accomplish the following:

(a) For the following listed airplanes, prior to the accumulation of 6600 total landings or within the next 25 landings after the effective date of this AD, whichever occurs later, incorporate Hawker Siddeley Modification 252402 in accordance with Section 2, titled "Accomplishment Instructions," of Hawker Siddeley Aviation, Ltd., Service Bulletin 53-46 (2402), dated June 30, 1975, or an FAA-approved equivalent:

| *Series* | *Manufacturer's S/N* |
|---|---|
| BH-125-400A, BH-125-600A. | NA773 through NA 780, 25/6013, 6014, 6016, 6018, 6020, 6022, through 6026, 6032, 6034, 6038, 6040, 6044, 6046, 6047. |

(b) For the following listed airplanes, prior to the accumulation of 6600 total landings or within the next 25 landings after the effective date of this AD, whichever occurs later, comply with paragraph (c) or (d) of this AD, as applicable:

CATEGORY A

| Series | Manufacturer's S/N |
|---|---|
| DH-125-1A | 25/013, 016, 018, 022, 026, 027, 031, 034, 036, 037, 038, 039, 042, 051, 053. |
| DH-125-1A/522 | 25/017, 020, 021, 023, 029, 030, 032, 033, 035, 043, 046, 047, 052, 057. |

CATEGORY B

| Series | Manufacturer's S/N |
|---|---|
| DH-125-1A, DH-125-1A/522. | 25/058, 060, 064, 065, 066, 068, 070, 074, 075, 078, 079, 082, 083, 084, 088, 091, 093, 095, 098, 100, 102, 103, 104, 107, 109, 110. |
| DH-125-1A/S-522, DH-125-3A. | 25/087, 097, 101, 108, 111, 112, 114, 115, 118, 119, 121, 122, 123, 124, 126. |
| DH-125-3A/R | 25/148, 149. |
| DH-125-3A/RA | 25/151, 152, 153, 155, 156, 158, 159 and NA 700 through NA 710. |
| DH-125-400A | NA 711 through NA 752. |
| BH-125-400A | NA 753 through NA 772. |
| BH-125-600A | 25/6001, 6002, 6003, 6004, 6007, 6009, 6010, 6011. |

(c) For those airplanes listed under Category A of paragraph (b) of this AD, incorporate Hawker Siddeley Modifications 252402 and 252207A in accordance with Section 2, titled "Accomplishment Instructions," of Hawker Siddeley Aviation, Ltd. Service Bulletin 53-46 A to Q (2402), dated June 30, 1975, or an FAA-approved equivalent.

(d) For those airplanes listed under Category B of paragraph (b) of this AD, incorporate Hawker Siddeley Modifications 252402 and 252207C in accordance with Section 2, titled "Accomplishment Instructions," of Hawker Siddeley Aviation, Ltd. Service Bulletin 53-46 R(2402), dated June 30, 1975, or an FAA-approved equivalent.

(e) For purposes of complying with this AD, subject to acceptance by the local FAA inspector, for airplanes for which the number of landings have not been recorded, the number of landings may be determined by dividing the total airplane time in service by the average time from take-off to landing for the particular airplane.

Issued in Washington, D.C. on June 24, 1976.

R. P. SKULLY,
*Director, Flight Standards Service.*

[FR Doc. 76-19213 Filed 7-2-76;8:45 am]

## [ 14 CFR Part 71 ]

[Airspace Docket No. 76-NW-14]

## ADDITIONAL CONTROL AREA

### Designation

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate an additional control area in the vicinity of Boardman, Oreg.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Northwest Regon, Attention: Chief, Air Traffic Division, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Wash. 98108. All communications received on or before August 5, 1976 will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

Request for copies of this Notice of Proposed Rule Making should be addressed to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-230, 800 Independence Avenue, S.W., Washington, D.C. 20591.

The proposed amendment would designate the following airspace in the vicinity of Boardman, Oreg., as an Additional Control Area: That airspace extending upward from 1200 AGL bounded on the northeast by the southwest edge of V-4, on the southeast and the southwest by the north edge of V-112, and on the northwest by the southeast edge of V-520; excluding the portion within Restricted Area R-5704 during it's published hours of designation. This proposed action would improve traffic flow to/from the Pendelton, Oreg., Terminal Area and increase radar vectoring airspace of en route IFR traffic.

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

Issued in Washington, D.C., on June 25, 1976.

EDWARD J. MALO,
*Chief, Airspace and Air Traffic Rules Division.*

[FR Doc.76-19149 Filed 7-2-76;8:45 am]

## [ 23 CFR Part 750 ]

[Docket No. 75-9]

## NATIONAL STANDARDS FOR DIRECTIONAL AND OFFICIAL SIGNS

### Termination of Proposed Rulemaking

The purpose of this notice is to announce that the Federal Highway Administration (FHWA) is closing Docket No. 75-9 on the subject of the National Standards for Directional and Official Signs without further action.

On December 16, 1975, at 40 FR 58312, the Federal Highway Administrator issued an advance notice of proposed rulemaking inviting interested persons to comment on a study concerning the aforementioned subject to evaluate the effectiveness of signs erected in accordance with the National Standards for Directional and Official Signs, set forth at Part 750, Subpart B, Title 23, Code of Federal Regulations, as amended on May 20, 1975, at 40 FR 21934. The study was made by FHWA in cooperation with the National Bureau of Standards at the request of the National Caves Association. In addition, a public hearing was held on January 26, 1976.

Upon review of the comments and testimony received, as well as the Federal Highway Administration analysis of the study and its conclusion, it is determined that no modification to the existing standards is required.

Written comments were received from State agencies, individuals and private organizations.

Representatives of the National Caves Association presented testimony at the public hearing held on January 26, 1976, and also submitted written comments. Their testimony stated that the signs which are now allowed for their attractions are inadequate. The Association disagrees with the present standards for maximum size and maximum number and recommends that the standards be revised to adopt a size maximum of 400 square feet and increase the maximum number to four directional signs along every single approach route to the activity. Informal surveys made by the National Caves Association members show that there are numerous examples of State and Federal agencies using as high as five such directional signs, and that most of the signs that are used by highway departments on the right-of-way at the edge of the pavement are much larger than 150 square feet.

Most of the comments from other sources indicated that the existing standards are adequate. The Nebraska Department of Roads commented that the major portion of the Interstate and Federal-aid Primary Systems does not have right-of-way wide enough to require signs to be more than 200 feet from the edge of the paving. The Wisconsin Department of Transportation stated that most of the signs in question are positioned just outside of the right-of-way and therefore, according to the calculations of the Department, the signs would be located only 31 feet from the traveled way of a highway with a 66-foot right-of-way width and only 96 feet from the traveled way of a normal freeway having a right-of-way width of 300 feet. The Texas Department of Highways recommended that the existing size limitation be retained for signs located within 100 feet of the highway right-of-way, and a maximum limitation of 250 square feet be placed on signs between 100 and 660 feet from the highway right-of-way.

The Michigan Department of State Highways and Transportation stated that the present size requirements have proved adequate and numerous locations are available for the erection of signs. It also concluded that the allowable number of signs should not be increased from the current maximum of three.

The South Dakota Department of Transportation, Division of Highways, commented that the national standards as written provide adequate ability to place signs so that the traveling public may find the advertised activity.

The Center for Law and Social Policy commented that the study clearly does not support any significant changes in the regulations. The study gives as much

support to decreasing the maximum size of signs near the pavement edge as they do to increasing the maximum size. Merely permitting the maximum size standard to fluctuate upward would be using the results of the studies in a selective and arbitrary fashion.

Other views from the Center for Law and Social Policy, the Wisconsin Department of Transportation and the Nebraska Department of Roads indicated that a change in the existing standards would show favoritism to a small segment of the tourist industry, would provide limited benefits to an already privileged few and would even further discriminate against activities which are not eligible.

In addition, the Wisconsin Department of Transportaton, Texas Department of Highways, Indiana State Highway Commission, and the South Dakota Department of Transportation, Division of Highways, agreed a change based on visual angle would cause administrative impracticalities in inspecting and enforcing the standards.

Several stated that the study and recommendations were too narrow to warrant change. The New Jersey Department of Transportation commented that the report did not emphasize the inseparable relationship of all the major variables such as terminal divergence angle and speed in its recommendation of emphasizing the visual angle. The Virginia Department of Highways and Transportation indicated that the study skips over the many ramifications involved in a change in the standards for directional signs. It suggested that prior to revising standards for this category of signs, a comprehensive study be made. The North Dakota Highway Department commented that the recommendation in the study is only a short term response to a much broader problem; that is, a comprehensive approach to the process of communication with the motorist. Until a comprehensive approach is utilized, any changes in the standards are only an expedient solution to a more important issue.

In conjunction with overall motorist communication, a private individual stated he is against the recommendations of the study because it is billboard advertising regardless of the size of the sign. He suggested that all businesses in an area get together and open an information center.

In addition to the National Caves Association, other comments favored a change in the present standards. The Missouri State Highway Commission commented that an increase in the size of directional signs is justified but should be limited to a reasonable figure and that 400 square feet is reasonable. The District of Columbia Department of Transportation stated that although the study refers to large advertising signs erected along Federal-aid highways, the research and findings can be of use in designs and location of motorist destination guide signs along Interstate and U.S. Routes. The Department agreed that the size of signs along the rights-of-way of highways should not be fixed, but should be based on the drivers' visual angle and the legibility distance.

In summarizing the comments and testimony of interested parties, three favor change and ten oppose change in the present standards. Notable points are that the vast majority of signs are located within 200 feet of the pavement and that standards based on visual angle would be difficult to inspect and enforce.

In view of the foregoing and because the study indicates that the signs are adequate when located within 100 feet of the pavement, that under optimal conditions they are adequate within 200 feet of the pavement, and there is no evidence to support any change to the present standards governing number and spacing of the signs, the FHWA has determined that a change in the present standards for directional and official signs is inappropriate. Therefore, the present proceeding, Docket No. 75-9, is closed.

This Notice of Termination of Rulemaking is effective July 6, 1976.

Issued on July 1, 1976.

NORBERT T. TIEMANN,
*Federal Highway Administrator.*

[FR Doc.76-19551 Filed 7-2-76;8:45 am]

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## National Highway Traffic Safety Administration

## [ 49 CFR Part 571 ]

[Docket No. 75-5; Notice 06]

## AIR BRAKE SYSTEMS

### Agricultural Commodity Trailers

This notice proposes the amendment of Standard No. 121, *Air Brake Systems*, to extend until June 30, 1977, the period in which bulk agricultural commodity trailers designed with a high ground clearance and other special features for use with farm tractors during harvest can meet emergency and parking brake requirements other than those specified in S5.6 and S5.8 of the standard.

Standard No. 121 (49 CFR 571.121) permitted this specialized agricultural trailer category the option, until June 30, 1976, of meeting the parking brake requirements of the standard (actuation by an energy source unaffected by air loss in the service brake system) or the air-actuated "breakaway" system that complies with Bureau of Motor Carrier Safety requirements (49 CFR 393.43). The National Highway Traffic Safety Administration established the June 30, 1976, date (41 FR 8347, February 26, 1976) to permit completion of the bulk agricultural commodity trailers necessary for the 1976 harvest season, in response to a petition of the Utility Trailer Manufacturing Company.

Titan Trailer Corporation has petitioned for a year's extension of the option because the reasons cited by the agency for the option still exist, and the company plans to manufacture the specialized vehicles throughout the year.

The agency established the June 30, 1976, termination for the option on the basis of the Utility petition and does not wish to prevent the manufacture of these trailers with either available system. In fact, the agency has an outstanding proposal to broaden the available means to meet the parking and emergency brake requirements for all trailers in a closely similar fashion to the bulk agricultural trailer option (40 FR 56920, December 5, 1975). Because of the comprehensive nature of that proposed revision, it will not be acted on in the immediate future.

Therefore the NHTSA concludes that the option should be extended for a period to permit the continued manufacture of these trailers as they have been manufactured.

In accordance with recently enunciated Department of Transportation policy encouraging adequate analysis of the consequences of regulatory action (41 FR 16200, April 16, 1976), the agency herewith summarizes its evaluation of the economic and other consequences of the proposal on the public and private sectors, including possible loss of safety benefits. Because the option would simply permit continued manufacture of these trailers in the same fashion as they have been manufactured to date, and because the possibility for misuse of the mechanical parking brakes appears to be great in this case, the agency concludes that there would be no new economic or environmental costs imposed by the proposed action, and that there would be no significant loss of safety benefit in this case.

§ 571.121 [Amended]

In consideration of the foregoing, it is proposed that the last sentence of paragraphs S5.6 and S5.8 of Standard No. 121 (49 CFR 571.121) be amended by changing the date "June 30, 1976" to June 30, 1977".

Interested persons are invited to submit comments on the proposal. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street, SW., Washington, D.C. 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The NHTSA will continue to file relevant material as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Comment closing date: August 20, 1976.

Proposed effective date: Date of publication of final rule in the FEDERAL REGISTER.

(Sec. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8.)

Issued on June 30, 1976.

ROBERT L. CARTER,
*Associate Administrator,*
*Motor Vehicle Programs.*

[FR Doc.76-19444 Filed 7-1-76;9:16 am]

## ENVIRONMENTAL PROTECTION AGENCY

### [ 40 CFR Part 180 ]

[PP6E 1796/P30; FRL-573-7]

### TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

#### Proposed Tolerance for the Pesticide Chemical Carbaryl

Dr. C. C. Compton, Coordinator, Interregional Research Project No. 4, State Agricultural Experiment Station, Rutgers University, New Brunswick NJ 08903, has submitted a pesticide petition (PP 6E1796) to the Environmental Protection Agency (EPA) on behalf of the IR-4 Technical Committee and the State Agricultural Experiment Station of Vermont. This petition requests that the Administrator, pursuant to section 408 (e) of the Federal Food, Drug, and Cosmetic Act; propose that 40 CFR 180.169 be amended by the establishment of a tolerance for residues of the insecticide carbaryl (1-naphthyl N-methylcarbamate) including its hydrolysis product, 1-naphthol, calculated as 1-naphthyl N-methylcarbamate, in or on the raw agricultural commodity maple sap at 0.5 part per million (ppm).

The data submitted in the petition and other relevant material have been evaluated, and it is concluded that the tolerance of 0.5 ppm established by amending 40 CFR 180.169 will protect the public health. The 0.5 ppm tolerance level primarily reflects the sensitivity of the analytical method. There is no reasonable expectation of residues in eggs, milk, or the meat, fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep as delineated in 40 CFR 180.6(a)(3). It is proposed, therefore, that the tolerance be established as set forth below.

Any person who has registered or submitted an application for the registration of a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act which contains any of the ingredients listed herein may request on or before August 5, 1976, that this proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room 401, East Tower, 401 M St., Washington, DC 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 August 5, 1976 and should bear a notation indicating the subject (PP6E1796/P30). All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

Dated: June 29, 1976.

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

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

It is proposed that Part 180, Subpart C, § 180.169 be amended by adding a new paragraph containing a tolerance for residues of the insecticide carbaryl including its hydrolysis product 1-naphthol, in the raw agricultural commodity maple sap at 0.5 ppm, to read as follows:

**§ 180.169 Carbaryl; tolerances for residues.**

* * * * *

0.5 part per million in maple sap.

* * * * *

[FR Doc.76-19414 Filed 7-2-76;8:45 am]

### [ 40 CFR Part 430 ]

[FRL 572-2]

### PULP, PAPER, AND PAPERBOARD POINT SOURCE CATEGORY

#### Proposed Effluent Guidelines and Standards for Existing Sources, Standards of Performance for New Sources, and Pretreatment Standards for Existing and for New Sources; Corrections

Notice is hereby given that the Environmental Protection Agency (EPA) is correcting 40 CFR 430, Pulp, Paper, and Paperboard Point Source Category as set forth below. On February 19, 1976, the Agency published a notice of proposed rulemaking (41 FR 7685) establishing effluent limitations and guidelines for existing sources, standards of performance for new sources and pretreatment standards for new and existing sources for the pulp, paper, and paperboard point source category.

The purpose of this notice is to correct errors in Subparts G, H, I, J, K, L, M, N, O, S, and V. The corrections encompass primarily typographical errors with some calculation errors and do not involve any substantive or policy issues.

Because the comment period has closed, the Agency will accept amendments to comments already filed where, and to the extent, such comments specifically relied upon numbers or words contained in the February 19 notice corrected today. Amended comments must be received within 30 days of the date of this notice.

In FR Doc. 76-4371 appearing on pages 7685 through 7700 in the issue of February 19, 1976, make the following changes:

1. In the preamble, page 7685, column one, first paragraph, line 6, the letters "pro-" are deleted.

2. In the preamble, page 7685, column one, first paragraph, line 27, the phrase "(Subpart H" is corrected to read "(Subpart H)".

3. On page 7689, the table in Subpart G, § 430.75 is corrected to read as follows:

**§ 430.75 Standards of performance for new sources.**

* * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| **Metric units (kilograms per 1,000 kg of product)** | | |
| $BOD_5$ | 5.15 | 2.65 |
| TSS | 5.35 | 2.9 |
| pH | Within the range 5.0 to 9.0. | |
| **English units (pounds per ton of product)** | | |
| $BOD_5$ | 10.3 | 5.3 |
| TSS | 10.7 | 5.8 |
| pH | Within the range 5.0 to 9.0. | |

4. The table in Subpart H, § 430.83 is corrected to read as follows:

**§ 430.83 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

* * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| **Metric units (kilograms per 1,000 kg of product)** | | |
| $BOD_5$ | 5.8 | 3.0 |
| TSS | 3.8 | 2.05 |
| Color | 130 | 65 |
| pH | Within the range 5.0 to 9.0. | |
| **English units (pounds per ton of product)** | | |
| $BOD_5$ | 11.6 | 6.0 |
| TSS | 7.6 | 4.1 |
| Color | 260 | 130 |
| pH | Within the range 5.0 to 9.0. | |

5. On page 7690, the table in Subpart I, § 430.95 is corrected to read as follows:

**§ 430.95 Standards of performance for new sources.**

* * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| BOD5 | 4.95 | 2.55 |
| TSS | 7.0 | 3.75 |
| pH | Within the range 5.0 to 9.0. | |
| English units (pounds per ton of product) | | |
| BOD5 | 9.9 | 5.1 |
| TSS | 14.0 | 7.5 |
| pH | Within the range 5.0 to 9.0. | |

6. On page 7691, the table in Subpart J, § 430.105 is corrected to read as follows:

**§ 430.105 Standards of performance for new sources.**

* * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| BOD5 | 8.95 | 4.65 |
| TSS | 5.35 | 2.9 |
| pH | Within the range 5.0 to 9.0. | |
| English units (pounds per ton of product) | | |
| BOD5 | 17.9 | 9.3 |
| TSS | 10.7 | 5.8 |
| pH | Within the range 5.0 to 9.0. | |

7. The table in Subpart K § 430.115 is corrected to read as follows:

**§ 430.115 Standards of performance for new sources.**

* * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| BOD5 | 21.45 | 11.15 |
| TSS | 18.6 | 10.0 |
| pH | Within the range 5.0 to 9.0. | |
| English units (pounds per ton of product) | | |
| BOD5 | 42.9 | 22.3 |
| TSS | 37.2 | 20.0 |
| pH | Within the range 5.0 to 9.0. | |

8. In Subpart L, the tables in § 430.123 (a) and (b) are corrected to read as follows:

**§ 430.123 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

(a) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| BOD5 | 7.5 | 3.9 |
| TSS | 3.1 | 1.65 |
| pH | Within the range 5.0 to 9.0. | |
| English units (pounds per ton of product) | | |
| BOD5 | 15.0 | 7.8 |
| TSS | 6.2 | 3.3 |
| pH | Within the range 5.0 to 9.0. | |

(b) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.095 | 0.048 |
| English units (pounds per ton of product) | | |
| Zinc | 0.19 | 0.096 |

9. The table in Subpart L, § 430.124(b), is corrected to read as follows:

**§ 430.124 Pretreatment standard for existing sources.**

* * * * *

(b) * * *

| Pollutant or pollutant property | Pretreatment standards: Maximum for any 1 day | Pretreatment standards: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.12 | 0.06 |
| English units (pounds per ton of product) | | |
| Zinc | 0.24 | 0.12 |

10. In Subpart L, the tables in § 430.125 (a) and (b), are corrected to read as follows:

**§ 430.125 Standards of performance for new sources.**

(a) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| BOD5 | 7.5 | 3.9 |
| TSS | 6.15 | 3.3 |
| pH | Within the range 5.0 to 9.0. | |
| English units (pounds per ton of product) | | |
| BOD5 | 15.0 | 7.8 |
| TSS | 12.3 | 6.6 |
| pH | Within the range 5.0 to 9.0. | |

(b) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.095 | 0.048 |
| English units (pounds per ton of product) | | |
| Zinc | 0.19 | 0.096 |

11. On page 7692, the table in Subpart L, § 430.126(b), is corrected to read as follows:

**§ 430.126 Pretreatment standards for new sources.**

* * * * *

(b) * * *

| Pollutant or pollutant property | Pretreatment standards: Maximum for any 1 day | Pretreatment standards: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.095 | 0.048 |
| English units (pounds per ton of product) | | |
| Zinc | 0.19 | 0.096 |

12. On page 7693 the table in Subpart M, § 430.133(b), is corrected to read as follows:

**§ 430.133 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

* * * * *

(b) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.085 | 0.0415 |
| English units (pounds per ton of product) | | |
| Zinc | 0.17 | 0.083 |

13. The table in Subpart M § 430.134 (b), is corrected to read as follows:

**§ 430.134 Pretreatment standard for existing sources.**

* * * * *

(b) * * *

| Pollutant or pollutant property | Pretreatment standard: Maximum for any 1 day | Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.105 | 0.05 |
| English units (pounds per ton of product) | | |
| Zinc | 0.21 | 0.10 |

14. The table in Subpart M, § 430.135 (b), is corrected to read as follows:

**§ 430.135 Standards of performance for new sources.**

* * * * *

(b) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.09 | 0.0455 |
| English units pounds per ton of product) | | |
| Zinc | 0.18 | 0.091 |

15. The table in Subpart M § 430.136 (b), is corrected to read as follows:

**§ 430.136 Pretreatment standards for new sources.**

* * * * *

(b) * * *

| Pollutant or pollutant property | Pretreatment standards: Maximum for any 1 day | Pretreatment standards: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.09 | 0.0455 |
| English units (pounds per ton of product) | | |
| Zinc | 0.18 | 0.091 |

16. On page 7694, the table in Subpart N, § 430.143(b), is corrected to read as follows:

**§ 430.143 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

* * * * *

(b) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.085 | 0.0415 |
| English units (pounds per ton of product) | | |
| Zinc | 0.17 | 0.083 |

17. The table in Subpart N, § 430.144 (b), is corrected to read as follows:

**§ 430.144 Pretreatment standard for existing sources.**

* * * * *

(b) * * *

| Pollutant or pollutant property | Pretreatment standard: Maximum for any 1 day | Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.105 | 0.05 |
| English units (pounds per ton of product) | | |
| Zinc | 0.21 | 0.10 |

18. The table in Subpart N, § 430.145 (b), is corrected to read as follows:

**§ 430.145 Standards of performance for new sources.**

* * * * *

(b) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.09 | 0.0455 |
| English units (pounds per ton of product) | | |
| Zinc | 0.18 | 0.091 |

19. The table in Subpart N, § 430.146 (b), is corrected to read as follows:

**§ 430.146 Pretreatment standards for new sources.**

* * * * *

(b) * * *

| Pollutant or pollutant property | Pretreatment standard: Maximum for any 1 day | Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.09 | 0.0455 |
| English units (pounds per ton of product) | | |
| Zinc | 0.18 | 0.091 |

20. On page 7695 the table in Subpart O, § 430.153(b), is corrected to read as follows:

**§ 430.153 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

* * * * *

(b) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.075 | 0.395 |
| English units (pounds per ton of product) | | |
| Zinc | 0.15 | 0.079 |

21. On page 7695 the table in Subpart O, § 430.154(b), is corrected to read as follows:

**§ 430.154 Pretreatment standard for existing sources.**

* * * * *

(b) * * *

| Pollutant or pollutant property | Pretreatment standard: Maximum for any 1 day | Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.095 | 0.048 |
| English units (pounds per ton of product) | | |
| Zinc | 0.19 | 0.096 |

22. The table in Subpart O, § 430.155 (b), is corrected to read as follows:

**§ 430.155 Standards of performance for new sources.**

* * * * *

(b) * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.09 | 0.044 |
| English units (pounds per ton of product) | | |
| Zinc | 0.18 | 0.088 |

23. The table in Subpart O, § 430.156 (b), is corrected to read as follows:

**§ 430.156 Pretreatment standards for new sources.**

* * * * *

(b) * * *

| Pollutant or pollutant property | Pretreatment standard: Maximum for any 1 day | Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| Zinc | 0.09 | 0.044 |
| English units (pounds per ton of product) | | |
| Zinc | 0.18 | 0.088 |

24. On page 7697, the table in Subpart S, § 430.193 is corrected to read as follows:

**§ 430.193 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.**

* * * * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| BOD5 | 4.15 | 2.15 |
| TSS | 2.05 | 1.1 |
| pH | Within the range 5.0 to 9.0. | |
| English units (pounds per ton of product) | | |
| BOD5 | 8.3 | 4.3 |
| TSS | 4.1 | 2.2 |
| pH | Within the range 5.0 to 9.0. | |

25. On page 7699, the table in Subpart V, § 430.225 is corrected to read as follows:

**§ 430.225 Standards of performance for new sources.**

* * *

| Effluent characteristic | Effluent limitations: Maximum for any 1 day | Effluent limitations: Average of daily values for 30 consecutive days shall not exceed— |
|---|---|---|
| Metric units (kilograms per 1,000 kg of product) | | |
| BOD5 | 8.95 | 4.65 |
| TSS | 5.35 | 2.9 |
| pH | Within the range 5.0 to 9.0. | |
| English units (pounds per ton of product) | | |
| BOD5 | 17.9 | 9.3 |
| TSS | 10.7 | 5.8 |
| pH | Within the range 5.0 to 9.0. | |

Dated: June 21, 1976.

JOHN T. RHETT, Jr.,
*Acting Assistant Administrator for Water and Hazardous Materials.*

[FR Doc.76-19133 Filed 7-2-76;8:45 am]

## FEDERAL TRADE COMMISSION

### [ 16 CFR Part 3 ]

### RULES GOVERNING DISCOVERY AND COMPULSORY PROCESS IN ADJUDICATIVE PROCEEDINGS

#### Extension of Time for Comments and Amendment to Prior Notice

Notice is hereby given (1) that upon request of the Section of Administrative Law, American Bar Association, the Commission has extended until July 30, 1976, the time in which interested persons may file written comments on the proposed revisions of the Federal Trade Commission's rules of practice and procedure which were published in 41 FEDERAL REGISTER 21793-21796 (May 28, 1976); and (2) ,the prior notice of May 28, 1976, is hereby amended by adding a provision modelled on Rule 86 of the Federal Rules of Civil Procedure, governing the application of the rules amendments:

2. The new section designated § 3.32 and the revisions to §§ 3.33, 3.34, 3.35, 3.36(b), 3.37(b) and 3.38(b) shall be applicable in Commission adjudicative proceedings initiated after they take effect and also all proceedings then pending except to the extent that in the opinion of the Administrative Law Judge or the Commission their application in a particular proceeding would not be feasible or would work injustice, in which event the former rules shall apply.

Issued by direction of the Commission.

Dated: June 30, 1976.

CHARLES A. TOBIN,
*Secretary.*

[FR Doc.76-19388 Filed 7-2-76;8:45 am]

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

### [ 29 CFR Part 1910 ]

[Docket No. OSH-38]

### EMPLOYMENT RELATED HOUSING (TEMPORARY LABOR CAMPS)

#### Fact-Finding Hearings; Expiration of Pre-Proposal Comment Period

1. *Notice of fact-finding hearings.* On June 8, 1976, the Occupational Safety and Health Administration (OSHA) gave notice in the FEDERAL REGISTER (41 FR 22953) that several preliminary fact-finding hearings would be held to aid in the development of a proposal to amend the current standard for Temporary Labor Camps, § 1910.142 of Title 29 of the Code of Federal Regulations (CFR).

OSHA hereby gives notice that the schedule for these hearings, each of which will begin at 9:30 a.m., is as follows:

July 22—Michigan Department of Public Health, Baker Olin West Building, Rooms 1B and 1C, 3500 North Logan, Lansing, Michigan.

August 3—Forum Room, Eugene Hotel, 222 East Broadway, Eugene, Oregon.

August 12—Departmental Auditorium, Conference Room B, Constitution Avenue, between 12th and 14th Streets, NW., Washington, D.C.

OSHA invites all testimony relevant to the development of an occupational

safety and health standard for employment-related housing. Participants are particularly encouraged to comment on the following issues:

(1) Whether it is appropriate for the scope of an OSHA standard specifically to include employment-related housing in industries other than agriculture, such as construction, oil, logging, restaurants, resorts and recreation, marine platforms, on-location motion picture filming, racetracks, circuses, etc.;

(2) Whether regulation of employment-related housing should include permanently-occupied housing, temporarily-occupied housing and housing occupied year-round by a succession of different persons in a transient status;

(3) Whether employment-related housing should be defined to include mobile and non-fixed housing facilities, such as vehicles, tents, etc.;

(4) The safety and health hazards in employment-related housing and suggested provisions to protect against such hazards;

(5) Effects on employee safety and health caused by the living conditions of family members living with the employee and the status of unpaid members of an employee's family performing labor for the employer that augments the employee's income;

(6) The correlation between specific adverse housing conditions, including the physical arrangement and construction of facilities, and resulting hazards to employees' safety and health;

(7) The relative effectiveness of standards with specific numerical specifications versus those with performance requirements;

(8) The adequacy and effectiveness of State and local codes, regulations, and laws, such as public health, housing and plumbing ordinances with respect to employment-related housing generally, and temporary labor camps in particular;

(9) The adequacy and effectiveness of the present OSHA regulation on Temporary Labor Camps (29 CFR 1910.142) and that of the Employment and Training Administration (20 CFR Part 620); and

(10) The economic feasibility and potential inflationary impact of any new regulations in the area of employment-related housing.

All interested persons desiring to appear and give testimony at any one of the scheduled hearings must submit a notice of intention to appear to Ms. Jeanne C. Werner, OSHA Committee Management Office, Docket No. OSH–38, Room N–3633, U.S. Department of Labor, 3rd and Constitution Avenue, NW., Washington, D.C. 20210 (Telephone 202–523–8024). Such notice must be received at the Department of Labor on or before the third business day preceding the hearing in order to assure that time will be reserved for an appearance. However, if additional time is available at any of the hearings, persons wishing to testify who have not filed a timely notice of intention to appear may be permitted to testify. The notices of intention to appear, which will be available for inspection and copying at the above address, must contain the following:

(1) The name and address of the person(s) to appear;

(2) The capacity in which the person(s) will appear;

(3) The approximate amount of time required for the presentation;

(4) The specific issues that will be addressed;

(5) A detailed statement of the position that will be taken with respect to each issue and supporting evidence for such position; and

(6) A copy of prepared statements and documents intended to be submitted for the record at the hearing.

All notices of intent to appear will be made part of the record of this proceeding.

The hearings will be conducted by the Department of Labor in an informal manner. However, the presiding officer will be empowered to regulate the course of the proceeding, dispose of procedural matters, and question any witness. The hearings will commence at 9:30 a.m. with the establishment of the order for the presentation of statements and the resolution of any other procedural matters relating to the proceeding. The oral proceedings will be reported verbatim and a transcript will be made available for inspection and copying to interested persons.

2. *Comment period.* Notice is given that the pre-proposal comment period will expire on August 31, 1976. This deadline applies to written comments solicited in the Advance Notice of Proposed Rulemaking (41 FR 18430, May 4, 1976) and to comments clarifying, documenting, or responding to testimony at any of the fact-finding hearings.

(Secs. 6, 8, 84 Stat. 1593, 1599 (29 U.S.C. 655, 657); Secretary of Labor's Order No. 8–76.)

Signed at Washington, D.C., this 1st day of July 1976.

MORTON CORN,
*Assistant Secretary of Labor.*

[FR Doc.76–19542 Filed 7–2–76;8:45 am]

# notices

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

## DEPARTMENT OF THE TREASURY

### Customs Service

[T.D. 76-183]

### FOREIGN CURRENCIES—CERTIFICATION OF RATES

**Rates of Exchange Certified to the Secretary of the Treasury by the Federal Reserve Bank of New York**

JUNE 4, 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 76-121 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:

| | |
|---|---|
| Ireland pound: | |
| June 1, 1976 | $1.7540 |
| June 2, 1976 | 1.7205 |
| June 3, 1976 | 1.7089 |
| June 4, 1976 | 1.7165 |
| New Zealand dollar: June 4, 1976 | .9649 |
| Portugal escudo: | |
| June 2, 1976 | .0324 |
| June 3, 1976 | .0324 |
| June 4, 1976 | .0324 |
| Sri Lanka rupee: | |
| June 1, 1976 | .1150 |
| June 2, 1976 | .1150 |
| June 3, 1976 | .1150 |
| June 4, 1976 | .1165 |
| Switzerland franc: | |
| June 2, 1976 | .4177 |
| June 3, 1976 | .4157 |
| United Kingdom pound: | |
| June 1, 1976 | 1.7540 |
| June 2, 1976 | 1.7205 |
| June 3, 1976 | 1.7089 |
| June 4, 1976 | 1.7165 |

(LIQ-3)

WILLIAM G. POWELL,
*Acting Director,*
*Duty Assessment Division.*

[FR Doc.76-19436 Filed 7-2-76;8:45 am]

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[T.D. 76-185]

### FOREIGN CURRENCIES—CERTIFICATION OF RATES

**Rates of Exchange Certified to the Secretary of the Treasury by the Federal Reserve Bank of New York**

JUNE 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 76-121 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:

| | |
|---|---|
| Ireland pound: | |
| June 7, 1976 | $1.7560 |
| June 8, 1976 | 1.7696 |
| June 9, 1976 | 1.7690 |
| June 10, 1976 | 1.7705 |
| June 11, 1976 | 1.7703 |
| New Zealand dollar: June 7, 1976 | .9649 |
| Portugal escudo: June 7 to 11, 1976 | .0323 |
| Sri Lanka rupee: | |
| June 7, 1976 | .1165 |
| June 8, 1976 | .1165 |
| June 9, 1976 | .1165 |
| June 10, 1976 | .1165 |
| June 11, 1976 | .1150 |
| United Kingdom pound: | |
| June 7, 1976 | 1.7560 |
| June 8, 1976 | 1.7696 |
| June 9, 1976 | 1.7690 |
| June 10, 1976 | 1.7705 |
| June 11, 1976 | 1.7703 |

(LIQ-3)

WILLIAM G. POWELL,
*Acting Director,*
*Duty Assessment Division.*

[FR Doc.76-19438 Filed 7-2-76;8:45 am]

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[T.D. 76-187]

### FOREIGN CURRENCIES—CERTIFICATION OF RATES

**Rates of Exchange Certified to the Secretary of the Treasury by the Federal Reserve Bank of New York**

JUNE 18, 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 76-121 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:

| | |
|---|---|
| Ireland pound: | |
| June 14, 1976 | $1.7700 |
| June 15, 1976 | 1.7765 |
| June 16, 1976 | 1.7755 |
| June 17, 1976 | 1.7755 |
| June 18, 1976 | 1.7740 |
| Portugal escudo: | |
| June 14, 1976 | .0323 |
| June 15, 1976 | .0323 |
| June 16, 1976 | .0323 |
| June 17, 1976 | .0323 |
| June 18, 1976 | .0321 |
| Sri Lanka rupee: June 14 to 18, 1976 | .1150 |
| United Kingdom pound: | |
| June 14, 1976 | 1.7700 |
| June 15, 1976 | 1.7765 |
| June 16, 1976 | 1.7755 |
| June 17, 1976 | 1.7755 |
| June 18, 1976 | 1.7740 |

(LIQ-3)

WILLIAM G. POWELL,
*Acting Director,*
*Duty Assessment Division.*

[FR Doc.76-19439 Filed 7-2-76;8:45 am]

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## DEPARTMENT OF DEFENSE

### PRIVACY ACT OF 1974

**Notice of Systems of Records**

In FR Doc. 75-21075 appearing at page 35151 in the FEDERAL REGISTER of August 18, 1975 (40 FR 35151) as amended by FR Doc. 75-22756 appearing at page 40087 in the FEDERAL REGISTER of August 29, 1975 (40 FR 40087) and FR Doc. 75-27219 appearing at page 47148 in the FEDERAL REGISTER of October 9, 1975 (40 FR 47748) concerning general routine use notices by the Department of Defense, the following new general routine use notice is proposed to be added to those Department of Defense Generic Systems set forth in the FEDERAL REGISTER of October 9, 1975 (40 FR 47748) and applicable to any record from a system of records maintained by a Component of the Department of Defense:

ROUTINE USE—DISCLOSURES REQUIRED BY INTERNATIONAL AGREEMENTS

A record from a system of records maintained by any Component may be disclosed to foreign law enforcement, security, investigatory, or administrative authorities in order to comply with requirements imposed by, or to claim rights conferred in international agreements and arrangements including those regulating the stationing and status in foreign countries of Department of Defense military and civilian personnel.

The Defense Privacy Board invites public comment to be considered on this general generic routine use provision. Interested persons are invited to submit written data, views, and arguments to the Executive Secretary, Defense Privacy Board, Room 7A-057, Forrestal Building, 1000 Independence Avenue, SW., Washington, D.C. 20314. All material received on or before August 5, 1976 will be considered.

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

JUNE 30, 1976.

[FR Doc.76-19335 Filed 7-2-76;8:45 am]

### Office of the Secretary

## DEPARTMENT OF DEFENSE WAGE COMMITTEE

### Closed Meetings

Pursuant to the provisions of section 10 of Pub. L. 92-463, the Federal Advisory Committee Act, effective January 5, 1973, notice is hereby given that a meeting of the Department of Defense Wage Committee will be held on Tuesday, August 3, 1976; Tuesday, August 10, 1976; Tuesday, August 17, 1976; Tuesday, August 24, 1976; and Tuesday, August 31, 1976 at 9:45 a.m. in Room 1E801, The Pentagon, Washington, D.C.

The Committee's primary responsibility is to consider and submit recommendations to the Assistant Secretary of Defense (Manpower and Reserve Affairs) concerning all matters involved in the development and authorization of wage schedules for Federal prevailing rate employees pursuant to Public Law 92-392. At this meeting, the Committee will consider wage survey specifications, wage survey data, local wage survey committee reports and recommendations, and wage schedules derived therefrom.

Under the provisions of section 10(d) of Pub. L. 92-463, the Federal Advisory Committee Act, meetings may be closed to the public when they are concerned with matters listed in section 552(b) of Title 5, United States Code. Two of the matters so listed are those related solely to the internal personnel rules and practices of an agency, (5 U.S.C. 552(b)(2)), and those involving trade secrets and commercial or financial information obtained from a person and privileged or confidential (5 U.S.C. 552(b)(4)).

Accordingly, the Deputy Assistant Secretary of Defense (Civilian Personnel Policy) hereby determines that this meeting will be closed to the public because the matters considered are related to the internal rules and practices of the Department of Defense (5 USC 552(b)(2)), and the detailed wage data considered by the Committee during its meetings have been obtained from officials of private establishments with a guarantee that the data will be held in confidence (5 USC 552(b)(4)).

However, members of the public who may wish to do so are invited to submit material in writing to the Chairman concerning matters believed to be deserving of the Committee's attention. Additional information concerning this meeting may be obtained by contacting the Chairman, Department of Defense Wage Committee, Room 3D281, The Pentagon, Washington, D.C.

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

JUNE 8, 1976.

[FR Doc.76-19331 Filed 7-2-76;8:45 am]

# DEPARTMENT OF THE INTERIOR

### National Park Service

## NATIONAL REGISTER OF HISTORIC PLACES

### Additions, Deletions, and Corrections

By notice in the FEDERAL REGISTER of February 10, 1976, Part II, there was published a list of the properties included in the National Register of Historic Places. Further notice is hereby given that certain amendments or revisions in the nature of additions, deletions, or corrections to the previously published list are adopted as set out below.

It is the responsibility of all Federal agencies to take cognizance of the properties included in the National Register as herein amended and revised in accordance with section 106 of the National Historic Preservation Act of 1966, 80 Stat. 16 U.S.C. 470 et seq. (1970 ed.), and the procedures of the Advisory Council on Historic Preservation, 36 CFR Part 800.

WILLIAM J. MURTAGH,
*Acting Director, Office of Archeology and Historic Preservation.*

**The following properties have been added to the National Register since June 1, 1976. National Historic Landmarks are designated by NHL; properties recorded by the Historic American Buildings Survey are designated by HABS; and properties recorded by the Historic American Engineering Record are designated by HAER.**

### ALABAMA

*Baldwin County*

Montrose, *Montrose Historic District*, Main and 2nd Sts. (AL 42) (6-3-76).

*Cullman County*

Cullman, *Louisville and Nashville Railroad Depot*, 309 1st Ave., NE (6-17-76).

*Dallas County*

Selma vicinity, *Valley Creek Presbyterian Church*, N of Selma on Valley Creek Rd. (5-28-76).

*Etowah County*

Gadsden, *U.S. Post Office*, 600 Broad St. (6-3-76).

*Greene County*

Eutaw, *Kirkwood*, 111 Kirkwood Dr. (5-17-76) HABS.

*Jefferson County*

Birmingham, *Powell School*, 2331 6th Ave. North (6-17-76).

Birmingham, *U.S. Post Office*, 1800 5th Ave., N. (6-3-76).

*Lauderdale County*

Florence, *Patton, Gov. Robert, House*, Sweetwater and Florence Blvd. (6-17-76) HABS.

*Lee County*

Auburn, *Auburn University Historic District*, Auburn University campus (6-3-76).

*Madison County*

Huntsville vicinity, *Redstone Test Stand*, SW of Huntsville on Dodd Rd. at Redstone Arsenal (5-13-76).

### ARIZONA

*Pima County*

Tucson, *Warner, Solomon, House and Mill*, 350 S. Grande Ave. (6-3-76).

### ARKANSAS

*Pulaski County*

Little Rock, *George, Alexander, House*, 1007 E. 2nd St. (5-28-76).

### CALIFORNIA

*Alameda County*

Oakland, *Pardee House*, 672 11th St. (5-24-76) HABS.

*Del Norte County*

Crescent City vicinity, *Point St. George Site*, NW of Crescent City (5-17-76).

*Los Angeles County*

Compton, *Dominguez Ranch Adobe*, 18127 S. Alameda St. (5-28-76).

Los Angeles, *Mooers, Frederick Mitchell, House*, 818 S. Bonnie Brae St. (6-3-76).

*Mendocino County*

Covelo vicinity, *Town Creek Archeological Site*, W of Covelo (5-17-76).

*Modoc County*

Canby vicinity, *Anklin Village Archeological Site*, W of Canby (6-3-76).

Canby vicinity, *Mildred Ann Archeological Site*, W of Canby (6-3-76).

*Orange County*

El Toro, *Serrano, Jose, Adobe*, 21802 Serrano Rd. (5-24-76).

*San Bernardino County*

San Bernardino vicinity, *Crowder Canyon Archeological District*, N of San Bernardino on CA 138 (6-16-76).

*San Diego County*

San Diego, *Long-Waterman House*, 2408 1st Ave. (6-14-76) HABS.

*San Francisco County*

San Francisco, *Myrtle Street Flats*, 234-248 Myrtle St. (6-14-76).

*Santa Cruz County*

Santa Cruz, *Mission Hill Area Historic District*, Mission St. (5-17-76).

Watsonville vicinity, *Watsonville-Lee Road Site (Ca-SCr-107)*, 125 Lee Rd. (5-28-76).

*Ventura County*

Oxnard vicinity, *Calleguas Creek Site (CA-Ven-110)*, SE of Oxnard (5-19-76).

### COLORADO

*Denver County*

Denver, *St. Elizabeth's Retreat Chapel*, 2825 W. 32nd Ave. (5-24-76).

*Pueblo County*

Penrose vicinity, *Indian Petroglyphs and Pictographs*, E of Penrose (5-3-76).

## CONNECTICUT

*Hartford County*

Hartford, *Colt Industrial District*, roughly bounded by Wawarme, Wethersfield, Hendricxsen, Van Dyke Aves., Stonington, Masseek, and Sequassen Sts. (6-8-76).

## DELAWARE

*New Castle County*

Newark, *Academy of Newark*, Main and Academy Sts. (5-24-76).

## FLORIDA

*Duval County*

Mayport, *St. Johns Lighthouse*, U.S. Naval Station (6-3-76).

*Seminole County*

Sanford, *Sanford Commercial District*, parts of 1st, 2nd, and Commercial Sts., between Palmetto and Oak Sts. (both sides) (6-15-76).

## GEORGIA

*Camden County*

St. Marys, *St. Marys Historic District*, roughly bounded by Waterfront Rd., Norris, Alexander, and Oak Grove Cemetery (5-13-76).

*Early County*

Hilton vicinity, *Coheelee Creek Covered Bridge*, 2 mi. N of Hilton on Old River Rd. (5-13-76.)

*Fulton County*

Atlanta, *Baltimore Block*, 5, 7, 9, 11, 13, 15, 17, 19 Baltimore Pl. (6-3-76).
Atlanta, *Church of the Sacred Heart of Jesus*, 335 Ive St., NE (5-13-76).
Atlanta, *Piedmont Park*, bounded by 10th St., Southern Railway, and Piedmont Rd. (5-13-76).

*Thomas County*

Thomasville, *Greenwood Plantation*, GA 84 (5-13-76).

*Troup County*

West Point vicinity, *Long Cane Historic District*, N of West Point on U.S. 29 (5-24-76).

## HAWAII

*Honolulu County*

Honolulu, *Aloha Tower*, Pier 9, Honolulu Harbor (5-13-76).

*Maui County*

Lahainaluna, *Hale Pa'i*, Lahainaluna High School (5-13-76) HABS.

## IDAHO

*Ada County*

Boise, *Immanuel Evangelical Lutheran Church*, 707 W. Fort (6-17-76).

*Bonneville County*

Idaho Falls vicinity, *Wasden Site (Owl Cave)*, W of Idaho Falls off U.S. 20 (5-24-76).

*Idaho County*

Kamiah vicinity, *McBeth, Sue, Cabin*, SE of Kamiah on U.S. 12 (6-3-76).

## ILLINOIS

*Cook County*

Chicago, *Douglas Tomb State Memorial*, 636 E. State St. (5-28-76).
Chicago, *McCarthy Building, Washington* and Dearborn Sts. (6-16-76) HABS.
Chicago, *Ridge Historic District*, irregular pattern, bounded roughly by 87th, RR tracks, Prospects, Homewood, 115th, Lothair, Hamilton, and Western (5-28-76).

*Kane County*

St. Charles vicinity, *Durant House*, NW of St. Charles off Dean St. (6-18-76).

*Lake County*

Lake Forest, *Ragdale*, 1230 N. Green Bay Rd. (6-3-76).
Zion, *Zion Hospice*, 2561 Sheridan Rd. (6-18-76).

*Menard County*

Petersburg, *Petersburg Historic District*, IL 97/123 (6-17-76).

*Peoria County*

Peoria, *Pettingill-Morron House*, 1212 W. Moss Ave. (4-2-76).

*Rock Island County*

Hampton, *Black's Store*, 1st Ave. (5-28-76).

## INDIANA

*Allen County*

Fort Wayne, *Allen County Courthouse*, 715 S. Calhoun St. (5-28-76).

*Delaware County*

Muncie, *Muncie Public Library*, 301 E. Jackson St. (6-17-76).

*LaPorte County*

LaPorte vicinity, *Pinehurst Hall*, 3042 N. U.S. 35 (6-3-76).

*Marion County*

Indianapolis, *U.S. Arsenal (Arsenal Technical High School)*, 1500 E. Michigan St. (5-19-76) HABS.

*Wayne County*

Cambridge City, *Lackey-Overbeck House*, 520 E. Church St. (5-28-76).

## IOWA

*Clinton County*

Clinton, *Young, W. J., Company Machine Works*, N of jct of 10th Ave. S and 1st St. (6-17-76).

*Des Moines County*

Burlington, *Crapo Park and Arboretum Historic District*, bounded by Parkway Dr., Koestner, Madison Rd., and the Mississippi River (6-3-76).

*Winneshiek County*

Decorah, *Miller, Norris, House*, 118 N. Mill St. (6-8-76).

## KANSAS

*Jewell County*

Mankato, *First National Bank*, Commercial and Jefferson Sts. (6-16-76).

*Marion County*

Marion, *Hill Grade School*, 601 E. Main (5-28-76).
Marion, *Marion County Courthouse*, 3rd and Williams Sts. (5-28-76).

*Morris County*

Council Grove, *Council Grove National Bank*, 130 W. Main (6-3-76).

## KENTUCKY

*Calloway County*

Murray, *Diuguid, Edwin S., House*, 601 W. Main St. (5-17-76).

*Carlisle County*

Arlington, *Neville-Patterson-Lamkin House*, KY 80 (6-16-76).

*Carroll County*

Carrollton, *Butler, Gen. William O., House*,

*Fayette County*

Lexington Trotter's Warehouse, 122-124 S. Mill St. (6-18-76).
Lexington, *Western Suburb Historic District*, irregular pattern along W. Short St. from Saunter to KY 922 (6-18-76).

*Franklin County*

Frankfort vicinity, *Steward Home School (Kentucky Military Institute)*, 5.5 mi. S of Frankford on U.S. 127 (6-3-76).

*Grayson County*

Leitchfield vicinity, *The Cedars (Benjamin Lone Rogers House)*, E of Leitchfield on KY 1214 (5-17-76).

*Logan County*

Adairville vicinity, *Red River Presbyterian Meetinghouse Site and Cemetery*, NE of Adairville off KY 663 (6-18-76).

*Nelson County*

Bardstown, *St. Joseph Cathedral and College Complex*, W. Stephen Foster Ave. (6-3-76).

*Oldham County*

LaGrange, *Griffith, D.W., House*, 206 N. 4th St. (6-3-76).

*Woodford County*

Versailles vicinity, *Edgewood (DuPuy-Jones House)*, 1 mi. E of Versailles on U.S. 60 (5-28-76).

## LOUISIANA

*Bossier Parish*

Benton vicinity, *Huges House*, 13 mi. NE of Benton on LA 160 (5-24-76).

*Morehouse Parish*

Oak Ridge vicinity, *Cedars Plantation*, 3 mi. W of Oak Ridge on SR 5503 (5-19-76).

## MAINE

*Aroostook County*

Van Buren, *Violette House*, 464 Main St. (5-17-76).

*Kennebec County*

Farmingdale, *Grant, Peter, House*, 10 Grant St. (5-17-76).
Manchester vicinity, *Cobbosseecontee Dam Site*, S of Manchester off Pond Rd. (6-3-76).

*Knox County*

Rockport, *Rockport Historic District*, irregular pattern along Pascal Ave. from Russell, Union, and Winter Sts. on N to School St. on S (5-28-76).

*Lincoln County*

Waldoboro, *Waldoborough Town Pound*, Washington Rd. (5-28-76).

*Oxford County*

Andover vicinity, *Merrill-Poor House*, NE of Andover on ME 120 (5-17-76).

*Sagadahoc County*

Bath, *King, Gov. William, House*, Whiskeag Rd. (5-24-76).

*Somerset County*

Bingham, *Bingham Free Meetinghouse*, S. Main St. (U.S. 201) (6-3-76).

## MARYLAND

*Baltimore (independent city)*

*Weiskittel-Roehle Burial Vault*, Section P, Loudon Park Cemetery (5-19-76).

*Baltimore County*

Catonsville vicinity, *Patterson Viaduct Ruins*, S of Catonsville at Patapsco River (also in Howard County) (6-3-76).

*Cecil County*

Elkton, *Mitchell House*, 131 E. Main St. (5-13-76).

*Frederick County*

Thurmont vicinity, *Graceham Moravian Church and Parsonage*, 2 mi. E of Thurmont on MD 77 (5-13-76).

*Garrett County*

Deer Park, *Pennington Cottage*, Deer Park Hotel Rd. (5-17-76).

*Harford County*

Aberdeen, *Poplar Hill*, 115 Poplar Hill Rd. (5-28-76).
Havre de Grace, *Southern Terminal, Susquehanna and Tidewater Canal*, N of Erie St. between Conesteo St. and the Susquehanna (5-28-76).
Taylor vicinity, *Ladew Topiary Gardens and House*, 0.5 mi. NE of Taylor on MD 146 (5-13-76).

*Howard County*

*Patterson Viaduct Ruins*. Reference—see Baltimore County.

*Kent County*

Kennedyville vicinity, *Knocks Folly*, N of Kennedyville on MD 448 (6-17-76).
Still Pond vicinity, *Shepherd's Delight*, S of Still Pond on MD 292 (6-17-76).

*Queen Annes County*

Ruthsburg vicinity, *Thomas House*, 1.8 mi. NE of Ruthsburg on MD 304 (5-13-76).

*St. Marys County*

Piney Point vicinity, *Piney Point Coast Guard Light Station*, W of Piney Point on MD 498 (6-16-76).

*Somerset County*

Pocomoke City vicinity, *Hayward's Lott*, 1.75 mi. NW of Pocomoke City on Hayward Rd. (5-13-76).

*Washington County*

Hagerstown, *Price-Miller House*, 131-135 W. Washington St. (5-24-76).

## MASSACHUSETTS

*Barnstable County*

East Sandwich, *Wing Fort House*, Spring Hill Road (6-3-76).
Eastham vicinity, *Penniman, Edward, House and Barn*, S of Eastham at Fort Hill and Governor Prence Rds. (5-28-76) HABS.

*Essex County*

Gloucester, *Puritan House*, 3 Washington St. and 2 Main St. (5-28-76).
Newbury, *Newbury Historic District*, Irregular pattern along High Rd., Green and Hanover Sts. (5-24-76) HABS.
Rockport, *Rockport Downtown Main Street Historic District*, portions of Main, Cleaves, Jewett, and School Sts. (5-28-76).
Salem, *Essex County Court Buildings*, 32 Federal St. (5-17-76).
Topsfield, *Topsfield Town Common District*, High and Main Sts. (6-7-76). HABS

*Middlesex County*

Newton, *Woodland, Newton Highlands, and Newton Centre Railroad Stations, Baggage and Express Building*, 1897 Washington Sts., 18 Station Ave., 80 and 50 Union St. (6-3-76).
Shirley vicinity, *Shirley Shaker Village*, S of Shirley on Harvard Rd. (5-24-76) (also in Worcester County).

*Norfolk County*

Quincy, *Quincy, Josiah, House*, 20 Muirhead St. (5-28-76) HABS.

*Worcester County*

*Shirley Shaker Village*. Reference—see Middlesex County.
Charlton vicinity, *Rider Tavern*, NE of Charlton on Stafford St., off U.S. 90 (5-19-76).

## MICHIGAN

*Charlevoix County*

Charlevoix vicinity, *Wood Site*, Northern Charlevoix County.

*Delta County*

Garden vicinity, *Winter Site*, Southeastern Delta County (5-19-76).

*Oakland County*

Farmington, *Farmington Historic District*, Grand River Ave. and Shiawassee Ave. from Warner St. to jct. (6-18-76).

*Wayne County*

Detroit, *Ste. Anne Roman Catholic Church Complex*, Howard and Ste. Anne Sts. (6-3-76).
Detroit, *Thompson Home*, 4756 Cass Ave. (6-3-76).
Detroit, *Trowbridge, Charles, House*, 1380 E. Jefferson Ave. (5-28-76).

## MINNESOTA

*Beltrami County*

Blackduck vicinity, *Rabideau CCC Camp*, 6 mi. S of Blackduck on Chippewa National Forest (6-16-76).

*Blue Earth County*

Mankato, *Hubbard, R. D., House*, 606 S. Broad St. (6-7-76).

*Dodge County*

Kasson, *Kasson Water Tower*, 4th Ave. NW. (6-3-76).

*Goodhue County*

Red Wiing, *Sheldon, T. B., Memorial Auditorium*, 443 W. 3rd St. (6-3-76).
Red Wing, *Sheldon, Theodore B., House*, 805 W. 4th St. (6-7-76).

*Hennepin County*

Minneapolis, *Jones, Harry W., House (Elmwood)*, 5101 Nicollet Ave. (6-7-76).
Minneapolis, *Legg, Harry F., House*, 1601 Park Ave. S. (6-3-76).

*Rice County*

Dundas, *Archibald, E. T., House*, off MN 218 (6-17-76).
Northfield, *Old Main, St. Olaf College*, St. Olaf College campus (6-3-76).

*St. Louis County*

Duluth, *Bergetta Moe Bakery*, 716 E. Superior St. (6-3-76).

*Stearns County*

St. Cloud, *St. Cloud Post Office/City Hall*, 314 St. Germain St. (6-7-76).

*Steele County*

Owatonna, *Owatonna Free Public Library*, 105 N. Elm St. (6-7-76).
Owatonna, *Steele County Courthouse*, 111 E. Main St. (6-3-76).

*Washington County*

Cottage Grove vicinity, *Severence, Cordenio, House*, NE of Cottage Grove (6-3-76)
Scandia vicinity, *Erickson, Johannes, Log House*, S of Scandia on SR 3 (6-17-76)

*Winona County*

Winona, *Choate Building*, 51 E. 3rd St. (6-3-76)

## MISSISSIPPI

*Adams County*

Natchez, *Johnson, William, House*, 210 State St. (6-16-76)

## MISSOURI

*Cole County*

Jefferson City, *Missouri State Capitol Historic District*, bounded roughly by Adams, McCarty, Mulberry Sts., and the Missouri River (6-18-76)

*St. Louis County*

Florissant, *Archambault House*, 603 rue St. Denis (5-13-76)

## MONTANA

*Dawson County*

Glendive, *Krug, Charles, House*, 103 N. Douglas St. (6-3-76).

*Ravalli County*

Stevensville vicinity, *Big Creek Lake Site*, W of Stevensville (5-17-76).

## NEBRASKA

*Douglas County*

Omaha, *Mercer, Dr. Samuel D., House*, 3920 Cuming St. (6-17-76).

*Otoe County*

Nebraska City, *Morton-James Public Library*, 11th St. and 1st Corso (5-28-76).
Nebraska City vicinity, *Boscobel*, N of Nebraska City on Steamwagon Rd. (6-17-76).

## NEVADA

*Humboldt County*

Paradise Valley vicinity, *Silver State Flour Mill*, 7 mi. E of Paradise Valley off NV 8B (5-13-76).

## NEW HAMPSHIRE

*Cheshire County*

Nelson, *Nelson Schoolhouse*, Old Sullivan Rd. (6-7-76).

*Rockingham County*

Portsmouth, *Rogers, George, House*, 76 Northwest St. (6-7-76).
Portsmouth, *Rundlet-May House*, 364 Middle St. (6-7-76).

*Sullivan County*

Claremont vicinity, *Hunter Archeological Site*, NW of Claremont (6-7-76).

## NEW JERSEY

*Burlington County*

Medford vicinity, *Haines, Jonathan, House*, NE of Medford on Fostertown Rd. (6-16-76).

*Essex County*

South Orange, *South Orange Village Hall*, S. Orange Ave. and Scotland Rd. (5-28-76).

*Mercer County*

Trenton, *Abbott, John H, House*, 2200 Kuser Rd. (6-18-76).

*Middlesex County*

New Brunswick, *Guest, Henry, House*, 58 Livingston Ave. (5-24-76) HABS.
Perth Amboy, *Kearny, Lawrence, House*, 63 Catalpa St. (5-28-76) HABS.

*Monmouth County*

Red Bank, *Red Bank Passenger Station*, Ridge and Monmouth Sts. (5-28-76).

*Morris County*

Oak Ridge vicinity, *Ringling, Alfred T., Manor*, S of Oak Ridge on Berkshire Valley Rd. (6-3-76).

*Ocean County*

Barnegat Light, *Barnegat Light Public School*, 501 Central Ave. (6-7-76).

*Passaic County*

Paterson, *Belle Vista (Lambert Castle)*, Valley Rd. In Garret Mountain Reservation (6-3-76).

*Salem County*

Elmer, *Smith, David V., House*, 104 S. Main St. (5-17-76).
Woodstown vicinity, *Seven Stars Tavern*, N of Woodstown at jct. of Sharptown-Swedesboro and Woodstown-Auburn Rds. (5-17-76) HABS.

*Somerset County*

Martinsville vicinity, *Mount Bethel Baptist Meetinghouse*, about 2 mi. N of Martinsville off U.S. 78 (6-3-76).

## NEW YORK

*Albany County*

Albany, *Cathedral of the Immaculate Conception*, 125 Eagle St. (6-8-76).
Albany, *United Traction Company Building*, 598 Broadway (5-24-76).

*Erie County*

Buffalo, *County and City Hall*, 95 Franklin St. (5-24-76).

*Fulton County*

Gloversville, *Gloversville Free Library*, 58 E. Fulton St. (5-24-76).

*Jefferson County*

Watertown, *Paddock Arcade*, Washington St., between Arsenal and Stone Sts. (6-15-76).

*Kings County*

Brooklyn, *Cobble Hill Historic District*, roughly bounded by Atlantic Ave., Court, Degraw, and Hicks Sts. (6-11-76).

*Nassau County*

Oyster Bay, *Swan, Edward H., House*, Cove Neck Rd. (5-24-76).

*Oneida County*

New York Mills, *Middle Mill Historic District*, NY 5A (5-28-76).

*Onondaga County*

Camillus vicinity, *Nine Mile Creek Aqueduct*, NE of Camillus on Thompson Rd. (5-17-76).

*Oswego County*

Oswego, *Walton and Willet Stone Store*, 1 Seneca St. (5-24-76).

*Rensselaer County*

Troy, *River Street Historic District*, both sides of River St. from Congress St. to jct. with 1st St. (6-3-76).

*Suffolk County*

Miller Place, *Miller Place Historic District*, N. Country Rd. (6-17-76).
Orient, *Orient Historic District*, NY 25 (5-21-76).

*Westchester County*

Ossining, *Jug Tavern*, Revolutionary Rd. and Rockledge Ave. (6-7-76).

## NORTH CAROLINA

*Buncombe County*

Asheville, *Arcade Building (Grove Arcade)*, Battery Park, Battle Sq. (5-19-76).

*Guilford County*

Greensboro, *Jefferson Standard Building*, Elm and Market Sts. (5-28-76).

*Wake County*

Raleigh, *Agriculture Building*, E. Edenton St. (6-16-76).

## NORTH DAKOTA

*Burleigh County*

Bismarck, *Bismarck Civic Auditorium*, 201 N. 6th St. (6-7-76)

*Grand Forks County*

Grand Forks, *U.S. Post Office and Courthouse*, 102 N. 4th St. (6-3-76)

## OHIO

*Adams County*

West Union vicinity, *Treber Inn*, 5 mi. NE of West Union on OH 41 (5-17-76).

*Ashland County*

Ashland, *Center Street Historic District*, Center St. from Vernon to 414 Center St. (6-18-76).

*Belmont County*

St. Clairsville vicinity, *Brokaw Site*, W of St. Clairsville off U.S. 40 (6-17-76).

*Cuyahoga County*

Cleveland, *Hay-McKinney and Bingham-Hanna Houses*, 10825 E. Boulevard (6-18-76).
Cleveland, *Holy Rosary Church*, 12021 Mayfield Rd. (6-16-76).
Cleveland, *St. Joseph's Church and Friary*, 2543 E. 23rd St. (6-17-76).

*Defiance County*

Hicksville, *St. Paul's Episcopal Church*, High St. (6-7-76).

*Erie County*

Sandusky, *White, Samuel M., House*, 304 E. Adams St. (6-16-76).

*Geauga County*

Auburn Corners, *Free Will Baptist Church of Auburn*, 11742 E. Washington St. (5-28-76).

*Greene County*

Xenia, *Patterson, Samuel N., House*, 364 N. King St. (6-3-76).

*Hamilton County*

Cincinnati, *First Congregational-Unitarian Church*, 2901 Reading Rd. (5-28-76).
Cincinnati, *Old College Hill Post Office*, 1624 Pasadena Ave. (6-16-76).
Harrison vicinity, *Roudebush Farm*, 8643 Kilby Rd. (6-17-76).

*Lorain County*

Lorain, *Seher, William, House*, 329 W. 9th St. (6-17-76).

*Marion County*

Marion, *Harding Tomb*, Marion Cemetery (6-16-76).

*Montgomery County*

Centerville vicinity, *Kellog, Ethol, House*, W of Centerville off SR 755 on Yankee St. (6-18-76).

*Ottawa County*

Genoa, *Genoa Town Hall*, Main and 6th Sts. (6-7-76).

*Wayne County*

Wooster, *Beall, Gen. Reasin, House*, 46 E. Bowman St. (6-7-76).

## OKLAHOMA

*LeFlore County*

Cameron vicinity, *Jenson Tunnel*, NE of Cameron off OK 112 (5-13-76).

## PENNSYLVANIA

*Berks County*

Reading, *Trinity Lutheran Church*, 6th and Washington Sts. (6-7-76).

*Blair County*

Hollidaysburg, *Blair County Courthouse*, 423 Allegheny St. (6-17-76).

*Bucks County*

Cornwells Heights, *Trevose Manor (Joseph Growden House)*, 5408 Old Trevose Rd. (5-24-76).

*Carbon County*

Jim Thorpe, Summit Hill, and vicinity, *Mauch Chunk and Summit Hill Switchback Railroad*, between Ludlow St. in Summit Hill and F.A.P. 209 in Jim Thorpe (6-3-76).

*Chester County*

Coatesville, *Lukens Main Office Building*, 50 S 1st Ave. (5-24-76).

*Dauphin County*

Harrisburg, *McAllister, Archibald, House (Fort Hunter Mansion)*, 5300 N. Front St. (6-7-76) HABS.

*Lackawanna County*

Scranton, *Finch Building*, 424 Wyoming Ave. (6-14-76).

*McKean County*

Bradford, *Bradford Old City Hall*, Kennedy and Boylston Sts. (5-17-76).

*Mifflin County*

Lewistown, *Mifflin County Courthouse*, 1 W. Market St. (5-28-76).

*Monroe County*

Swiftwater, *Swiftwater Inn*, PA 611 (6-4-76).

*Philadelphia County*

Philadelphia, *Commandant's Quarters*, U.S. Naval Base (6-3-76).
Philadelphia, *St. Augustine's Catholic Church*, 4th and New Sts. (6-15-76).

## SOUTH CAROLINA

*Allendale County*

Allendale vicinity, *Erwin House*, SW of Allendale off U.S. 301 (5-24-76).
Allendale vicinity, *Gravel Hill Plantation*, SW of Allendale off U.S. 301 (5-28-76).
Allendale vicinity, *Roselawn*, 3 m. SW of Allendale on SC 47 (5-28-76).
Allendale vicinity, *Smyrna Baptist Church*, S of Allendale on SC 22 (5-28-76).

*Beaufort County*

Yemassee vicinity, *Old Brass (Auldbrass)*, E of Yemassee on River Rd. (6-3-76).

*Calhoun County*

Fort Motte vicinity, *Midway Plantation*, S of Fort Motte off U.S. 601 (5-28-76).

*Dorchester County*

Summerville, *Summerville Historic District*, roughly bounded by S. Railroad Ave., Magnolia, Main Sts., and town boundary (5-19-76).

*Greenville County*

Greenville, *Cherrydale*, 1500 Poinsett Highway (6–17–76).
Greer vicinity, *Gilreath's Mill*, 4 mi. NW of Greer on SC 101 (5–28–76).

*Laurens County*

Laurens vicinity, *Nickels-Milam House*, S of Laurens off U.S. 221 (5–28–76).

*Newberry County*

Newberry, *Newberry College Historic District*, 2100 College St. (6–23–76).

## SOUTH DAKOTA

*Brown County*

Aberdeen, *Brown County Courthouse*, 1st Ave. (6–3–76).
Aberdeen, *First United Methodist Church*, S. Lincoln St. and SE 5th Ave. (5–28–76).

*Clay County*

Vermillion, *Inman House*, 415 E. Main St. (5–24–76).

*Deuel County*

Clear Lake, *Deuel County Courthouse and Jail*, SD 22 (6–16–76).
Gary, *Old Fellow's Building*, Main St. (6–3–76).

*Gregory County*

Dallas, *Dallas Carnegie Library* (5–28–76).

*Lake County*

Madison, *Mackay, William A., House*, 304 N.E. 4th St. (6–3–76).

*Lawrence County*

Spearfish, *Lown, William Ernest, House*, 745 5th St. (5–28–76).

*Meade County*

Sturgis, *Tallent, Annie, House*, 1603 Main St. (5–28–76).
Sturgis, *Wenke, John G., House*, 1340 Junction Ave. (5–28–76).

*Minnehaha County*

Sioux Falls, *Bowen, Marion E., House*, 840 W. 9th St. (5–28–76).
Sioux Falls, *Coughran, Edward, House*, 1203 S. 1st Ave. (5–28–76).
Sioux Falls, *Grand Lodge and Library of the Ancient Free and Accepted Masons*, 415 S. Main Ave. (5–28–76).

*Pennington County*

Rapid City, *Pennington County Courthouse*, 301 St. Joseph St. (5–28–76).

*Yankton County*

Yankton, *Ohlman-Shannon House*, 205 Green St. (5–28–76).

## TENNESSEE

*Maury County*

Spring Hill, *Ewell Farm*, Depot Lane (5–24–76).
Spring Hill, *Grace Episcopal Church*, U.S. 31 (5–17–76).

## TEXAS

*El Paso County*

El Paso vicinity, *Fusselman Canyon Rock Art District*, W of El Paso on RM 375 (6–3–76).

*Karnes County*

Panna Maria and vicinity, *Panna Maria Historic District*, TX 123 (5–13–76).

*Limestone County*

Mexia vicinity, *Washington, Booker T., Emancipation Proclamation Park*, 9 mi. W of Mexia (5–24–76).

*Presidio County*

Presidio vicinity, *Shafter Historic Mining District*, 20 mi. N of Presidio on U.S. 67 (5–17–76).

*Red River County*

Clarksville, *Smathers-DeMorse House*, E. Comanche St. (5–17–76).

*Rusk County*

Tatum vicinity, *Harmony Hill Site*, SW of Tatum off TX 43 (5–13–76).

*Uvalde County*

Uvalde vicinity, *Uvalde Flint Quarry*, 4 mi. NW of Uvalde off TX 55 (6–3–76).

## UTAH

*Beaver County*

Milford vicinity, *Wildhorse Canyon Obsidian Quarry*, 10 mi. E of Milford (5–13–76).

*Salt Lake County*

Salt Lake City, *Amussen's Jewelry*, 60–62 S. Main St. (6–3–76).
Salt Lake City, *Daft Block*, 128 S. Main St. (5–28–76).
Salt Lake City, *First National Bank*, 163 S. Main St. (5–24–76).
Salt Lake City, *Karrick Block*, 236 S. Main St. (6–16–76).
Salt Lake City, *19th Ward Meetinghouse and Relief Society Hall*, 168 W. 500 N. (5–28–76).

## VERMONT

*Rutland County*

Clarendon Springs, *Clarendon House*, off VT 133 (5–17–76).

## VIRGINIA

*Dinwiddie County*

Petersburg vicinity, *Mansfield*, W of Petersburg on VA 601 (5–28–76).

*Fluvanna County*

Bremo Bluff vicinity, *Glen Arvon*, E of Bremo Bluff near jct. of VA 655 and VA 656 (5–28–76).

*Loudoun County*

Leesburg vicinity, *Rokeby*, 2.4 mi. SW of Leesburg off VA 650 (5–30–76).

## WASHINGTON

*Jefferson County*

Port Townsend, *Port Townsend Historic District*, roughly bounded by Scott, Walker, Taft, and Blaine Sts., and water front (5–17–76).

*King County*

Seattle, *Ballinger, Richard A., House*, 1733 39th Ave. (5–28–76).
Seattle, *Holyoke Building*, 1018–1022 1st Ave. (6–3–76).

*Snohomish County*

Everett, *Monte Cristo Hotel*, 1507 Wall St. (6–3–76).
Everett, *Swalwell Block and Adjoining Commercial Buildings*, 2901–2909 and 2915 Hewitt Ave. (5–17–76).
Marysville vicinity, *St. Anne's Roman Catholic Church*, W of Marysville on Mission Beach Rd. (6–18–76).

*Spokane County*

Medical Lake, *Hallett House*, E. 623 Lake St. (6–17–76).
Spokane, *Monroe Street Bridge*, Monroe St. between Ide Ave. and Riverfalls Blvd. (5–13–76).
Spokane vicinity, *Fort George Wright Historic District*, W. 4000 Randolph Rd. (5–17–76).

*Stevens County*

Ford vicinity, *Indian Painted Rocks*, 5.5 mi. SE of Ford (5–24–76).

## WEST VIRGINIA

*Morgan County*

Berkeley Springs, *Berkeley Springs State Park*, S. Washington and Fairfax Sts. (5–24–76).

## WISCONSIN

*Bayfield County*

Bayfield vicinity, *Hokenson Fishing Dock*, N. of Bayfield at Little Sand Bay (6–18–76).
Bayfield vicinity, *Shaw Farm*, Sand Island (6–18–76).

*Fond du Lac County*

Fond du Lac, *Galloway, Edwin H., House*, 336 E. Pioneer Rd. (5–28–76).

*Grant County*

Bloomington, *Ballantine, James, House*, 4th St. (6–7–76).

*Kenosha County*

Kenosha, *Kemper Hall*, 6501 3rd Ave. (6–7–76).

*Monroe County*

Tomah, *Tomah Public Library*, 716 Superior Ave. (5–28–76).

*Rock County*

Fulton, *Fulton Congregational Church*, Fulton St. (6–7–76).

*Sauk County*

Baraboo, *Ringling, Al, Theatre*, 136 4th Ave. (5–17–76).
Baraboo, *Ringling, Albrecht C., House*, 623 Broadway (5–17–76).

**The following is a list of corrections to properties previously listed in the FEDERAL REGISTER:**

## ALABAMA

*Marengo County*

Demopolis, *Gaineswood*, 805 S. Cedar St. (1–5–72) NHL; HABS; G.

*Mobile County*

Bay Minette vicinity, *Fort Louis de la Louisiane*, NW of Bay Minette on Mobile River (5–6–76).

## ARKANSAS

*Howard County*

Center Point vicinity, *Boyd, Adam, House*, E of Center Point on AR 26 (5–13–76).

## FLORIDA

*Duval County*

Jacksonville, *Brewster Hospital (1901–1910)*, 915 W. Monroe St. (5–13–76) HABS.

*Franklin County*

Sumatra vicinity, *Fort Gadsen Historic Memorial (Negro Fort; British Fort)*, 6 mi. SW of Sumatra (2–23–72) NHL.

*Hillsborough County*

Tampa, *Circulo Cubano de Tampa (Cuban Club)*, 10th Ave. and 14th St. (11–15–72).

*Indian River County*

Sebastian vicinity, *Spanish Fleet Survivors and Salvors Comp Site*, between Sebastian and Sebastian Inlet (8–12–70) (county boundary change, remove from Bevard County).

*Liberty County*

Bristol vicinity, *Torreya State Park*, 13 mi. NE of Bristol (8–14–72).

*Leon County*

Tallahassee, *Columns, The (William Williams House)*, 100 N. Duval St. (5–21–75) HABS.

Tallahassee, *Union Bank*, Apalachee Pkwy and Calhoun St. (11–13–74) HABS; G.

## GEORGIA

*Baldwin County*

Milledgeville, *Former Governor's Mansion*, 120 S. Clark St. (5–13–70) NHL; HABS.

*Bibb County*

Macon, *Johnston-Hay House*, 934 Georgia Ave. (5–27–71) NHL.

Macon, *Raines-Carmichael House*, 1183 Georgia Ave. (6–21–71) NHL; HABS.

*Chatham County*

Savannah, *Scarbrough, William, House*, 41 W. Broad St. (6–22–70) NHL; HABS; G.

*Fulton County*

Atlanta, *Georgia State Capitol*, Capitol Sq. (5–13–70) NHL.

*Muscogee County*

Columbus, *Octagon House*, 527 1st Ave. (7–29–69) NHL.

*Richmond County*

Augusta, *Augusta Canal Industrial District* (5–27–71) (formerly Augusta Canal).

*Troup County*

La Grange, *Bellevue (Benjamin Harvey Hill House)*, 204 Ben Hill St. (11–7–72) NHL.

*Wilkes County*

Washington, *Tupper-Barnett House*, 101 W. Robert Toombs Ave. (4–11–72) NHL; HABS.

## KANSAS

*Greenwood County*

Madison vicinity, *Lone Cone Site*, W of Madison (5–17–76).

## KENTUCKY

*Mason County*

Washington, *Washington Historic District*, U.S. 62/68 (1–21–70) HABS.

## LOUISIANA

*Natchitoches Parish*

Melrose, *Melrose Plantation (Yucca)*, LA 119, 0.1 mi. E of jct with LA 493 (6–13–72) NHL; NABS; G.

*Orleans Parish*

New Orleans, *Gallier House*, 1132 Royal St. (2–15–74) NHL.

## MARYLAND

*Harford County*

Perryman, *St. George's Parish Vestry House*, 1522 Perryman Rd. (3–26–76).

## MISSISSIPPI

*Adams County*

Natchez, *Arlington*, Main St. (12–12–73) NHL; HABS.

*Clay County*

West Point vicinity, *Waverley*, 10 Mi. E of West Point (9–20–73) NHL; HABS.

*Harrison County*

Biloxi, *Beauvoir*, 200 W. Beach Blvd. (9–3–71) NHL; HABS.

## NEBRASKA

*Hall County*

Grand Island, *Stolley, William, Homestead and Site of Ft. Independence*, Stolley Park (3–16–72) (formerly listed as Stolley State Park Historic District).

## NEVADA

*Clark County*

Las Vegas vicinity, *Hidden Forest Cabin*, about 20 mi. N of Las Vegas on Hidden Forest Rd. (4–16–75) (county spelling corrected).

*Douglas County*

Minden vicinity, *Genoa*, 7 mi. NW of Minden on NV 57 (4–16–75) (formerly listed as Mormon Station).

## NORTH CAROLINA

*Cumberland County*

Fayetteville, *Market House*, Market Sq. (9–15–70) NHL; HABS.

*Orange County*

Chapel Hill, *Playmakers Theatre (Smith Hall)*, Cameron Ave., University of North Carolina campus (6–24–71) NHL.

*Wake County*

Raleigh, *North Carolina State Capitol*, Capitol Sq. (2–26–70) NHL; HABS.

## TENNESSEE

*Lauderdale County*

Ft. Pillow, Fort Pillow, TN 87 (4–11–73) NHL.

## VERMONT

*Chittenden County*

Jericho, *Old Red Mill and Mill House*, VT 15 (7–31–72).

**The following properties have been either demolished or removed from the National Register of Historic Places.**

## FLORIDA

*Hillsborough County*

Tampa, *Levick House*, 2202 N. Highland St.

*Liberty County*

Sumatra, *British Fort*.

*Orange County*

Orlando, *Newell, George R., House*, 624 S. Lake Ave.

## MASSACHUSETTS

*Worcester County*

North Uxbridge, *Crown and Eagle Mills*, 123 Hartford Ave.

The following properties have been determined to be eligible for inclusion in the National Register. All determinations of eligibility are made at the request of the concerned Federal Agency under the authorities in section 2(b) and 1(3) of Executive Order 11593 as implemented by the Advisory Council on Historic Preservation, 36 CFR Part 800. This listing is not complete. Pursuant to the authorities discussed herein, an Agency Official shall refer any questionable actions to the Director, Office of Archeology and Historic Preservation, National Park Service, Department of the Interior, for an opinion respecting a property's eligibility for inclusion in the National Register.

Historical properties which are determined to be eligible for inclusion in the National Register of Historic Places are entitled to protection pursuant to the procedures of the Advisory Council on Historic Preservation, 36 CFR Part 800. Agencies are advised that in accord with the procedures of the Advisory Council on Historic Preservation, before an agency of the Federal Government may undertake any project which may have an effect on such a property, the Advisory Council on Historic Preservation shall be given an opportunity to comment on the proposal.

## ALABAMA

*Green County*

Gainesville vicinity, *Archeological Sites in Gainesville Project*, Tombigbee Waterway (also in Pickens and Sumter counties).

*Jefferson County*

*Site 1Je36*, Project I–459–4(4).

*Madison County*

Huntsville, *Lee House*, Red Stone Arsenal.

*Maricopa County*

*Site U:1:30 (ASU).*
*Site U:1:31 (ASU).*

## ALASKA

*Northwestern District*

Little Diomede Island, *Iyapana, John, House*.

## ARIZONA

*Apache County*

*Flattop Site*, Petrified Forest National Park,
*Newspaper Rock Petroglyphs Archeological District*, Petrified Forest National Park.
*Puerco Ruin and Petroglyph*, Petrified Forest National Park.
*Twin Buttes Archeological District*, Petrified Forest National Park.
Grand Canyon National Park, *Old Post Office*.

*Coconino County*

*House Rock Springs*, Upper Houserock Valley
*Paria Plateau Archeological District*

*Graham County*

*Foote Wash—No Name Wash Archeological District.*

*Mohave County*

Colorado City vicinity, *Short Creek Reservoir Sites NA 13,257*, and *NA 13,258*.

*Maricopa County*

*Cave Creek Archeological District.*
*New River Dams Archeological District.*
*Site T:4:6.*
*Site U:1:30(A.S.U.)*
*Site U:1:31(A.S.U.)*
*Skunk Creek Archeological District.*

*Navajo County*

*Painted Desert Petroglyphs and Ruins Archeological District*, Petrified Forest National Park.
Polacca vicinity, *Walpi Hopi Village*, adjacent to Polacca.

*Pima County*

Tucson, *Armory Park Historic District.*
Tucson, *Convento Site.*
Tucson vicinity, *Old Santan*, NW of Tucson.

*Yavapai County*

*Copper Basin Archeological District*, Prescott National Forest.

*Yuma County*

*Eagle Tail Mountains Archeological Site.*
Yuma, *Southern Pacific Depot.*

## ARKANSAS

*Archeological Sites*, Black River Watershed.

*Clay County*

*Site CY34*, Little Black River Watershed.

*Faulkner County*

*Site 3WH145*, E fork of Cadron Creek Watershed (also in White county).
Sites *3VB49–3VB51*, N fork Cadron Creek Watershed.

*Hempstead County*

*Archeological Sites in Ozan Creeks Watershed*

*Ouachita County*

Camden, *Old Post Office*, Washington St.

## CALIFORNIA

*Point Lobos Archeological Sites*, Golden Gate National Recreation Area.

*Benito County*

*Chalone Creek Archeological Sites*, Pinnacles National Monument.

*Calaveras County*

*New Melones Historical District*, New Melones Lake Project area, Stanislaus River (also in Tuolumne County).

*Colusa County*

Stoney ford vicinity, *Upper and Lower Letts Valley Historical District*, 12 mi. SW of Stoneyford.

*Del Norte County*

*Chimney Rock*, Six Rivers National Forest.
*Doctor Rock*, Six Rivers National Forest.
*Peak No. 8*, Six Rivers National Forest.

*El Dorado County*

*Site Eld–58.*
*Giebenhahn House and Mountain Brewery Complex.*

*Fresno County*

*Gamlin Cabin*, King's Canyon National Park.
*Helms Pumped Storage Archeological Sites*, Sierra National Forest.
*Muir Hut*, Kings Canyon National Park.

*Glenn County*

Willows vicinity, *White Hawk Top Site*, Twin Rocks Ridge Road Reconstruction project.

*Imperial County*

Glamis vicinity, *Chocolate Mountain Archeological District.*
Lake Cahuilla, *Lot 1.*
Lake Cahuilla, *Lot 5.*

*Inyo County*

*Scotty's Castle*, Death Valley National Monument.
*Scotty's Ranch*, Death Valley National Monument.

*Lassen County*

*Archeologocial Site HJ–1.*

*Los Angeles County*

*Big Tujunga Prehistoric Archeological Site*, I 210 Project.
Los Angeles, *Fire Station No. 26*, 2475 W. Washington Blvd.
*Van Norman Reservoir, Site CA–LAN 646, CA–LAN 643, Site CA–LAN 490, and a cluster made up of Sites CA–LAN, 475, 491, 492, and 493.*

*Madera County*

*CA–MAD 176–185, Lower China Crossing, and New Site*, in Hidden Dam-Hensley Lake Project Area, Fresno River.

*Marin County*

Point Reyes, *Olena Lime Kilns*, Point Reyes National Sea Shore.
Point Reyes, *Point Reyes Light Station.*

*Modoc County*

Alturas vicinity, *Rail Spring*, about 30 mi. N of Alturas in Modoc National Forest.
Tulelake vicinity, *Lava Bed National Monument Archeological District*, S of Tulelake (also in Siskiyou County).

*Monterey County*

Big Sur, *Point Sur Light Station.*
Pacific Grove, *Point Pinos Light Station.*

*Napa County*

*Archeological Sites 4–Nap–14, 4–Nap–261*, Napa River Flood Control Project.

*Riverside County*

Twentynine Palms, *Cottonwood Oasis (Cottonwood Springs)*, Joshua Tree National Monument.
Twentynine Palms, *Lost Horse Mine*, Joshua Tree National Monument.

*Sacramento County*

*Sacramento River Bank Protection Project, Site 1*, Sacramento River.
Sacramento, *Tower Bridge*, M St. over Sacramento River (also in Yolo County).

*San Bernardino County*

Twentynine Palms, *Keys, Bill, Ranch*, Joshua Tree National Monument.
Twentynine Palms, *Twentynine Palms Oasis*, Joshua Tree National Monument.

*San Diego County*

North Island, *Camp Howard, U.S. Marine Corps*, Naval Air Station.
North Island, *Rockwell Field*, Naval Air Station.
San Diego, *Marine Corps Recruit Depot*, Barnett Ave.

*San Francisco County*

San Francisco, *Alcatraz.*

*San Luis Obispo County*

New Cuyana vicinity, *Caliente Mountain Aircraft Lookout Tower*, 13 mi. NW of New Cuyana off Rte. 166.
San Luis Obispo, *San Luis Obispo Light Station.*

*San Mateo County*

Ano Nuevo vicinity, *Pigeon Point Light Station.*
Hillsborough, *Point Montara Light Station.*

*Santa Barbara County*

Santa Barbara, *Site SBa–1330*, Santa Monica Creek.

*Santa Clara County*

Sunnyvale, *Theuerkauf House*, Naval Air Station, Moffett Field.

*Shasta County*

Redding vicinity, *Squaw Creek Archeological Site*, NE of Redding.
Whiskeytown, *Irrigation System (165 and 166)*, Whiskeytown National Recreation Area.

*Sierra County*

*Archeological Site HJ–5* (Border Site 26WA–1676).
*Properties in Bass Lake Sewer Project.*

*Siskiyou County*

*Thomas-Wright Battle Site*, Lava Beds National Monument.

*Sonoma County*

*Dry Creek-Warm Springs Valley Archeological District.*
Petaluma, *Farrell Home*, 500 E. Washington St.
Santa Rosa, *Santa Rosa Post Office.*

*Tehama County*

Los Molinos vicinity, *Ishi Site (Yahi Camp)*, E of Los Molinos in Deer Creek Canyon.

*Tulare County*

*Atwell's Mill*, Sequoia National Park.
*Cattle Cabin*, Sequoia National Park.
*Quinn River Station Tharp's Log Smithsonian Institution Shelters Squatter's Cabin.*

## COLORADO

*Denver County*

Denver, *Eisenhower Memorial Chapel*, Building No. 27, Reeves St., on Lowry AFB.

*Douglas County*

*Keystone Railroad Bridge*, Pike National Forest.

*El Paso County*

Colorado Springs, *Alamo Hotel*, corner of Tejon and Cucharras Sts.
Colorado Springs, *Old El Paso County Jail*, corner of Vermijo and Cascade Ave.

*Larimer County*

*Sites 5–LR–257 and 5–LR–263*, Boxelder Watershed Project.

## CONNECTICUT

*Fairfield County*

Norwalk, *Washington Street—S. Main Street Area.*

*Hartford County*

Hartford, *Flat-Iron Building (Motto Building)*, Congress St. and Maple Ave.
Hartford, *Houses on Charter Oak Place.*
Hartford, *Houses on Wethersfield Avenue*, between Morris and Wyllys Sts., particularly Nos. 97–81, 65.
Southington, *Lewis, Sally, House*, 500 N. Main St.

*Middlesex County*

Middleton, *Mather - Douglas - Santangelo House*, 11 S. Main St.

*New London County*

New London, *Williams Memorial Institute Building*, 110 Broad St.

## DELAWARE

*Sussex County*

Lewes, *Delaware Breakwater.*
Lewes, *Harbor of Refuge Breakwater.*

## DISTRICT OF COLUMBIA

*Auditors' Building*, 201 14th St. SW.
*Brick Sentry Tower and Wall*, along M St. SW, between 4th and 6th Sts. SW.
*Central Heating Plant*, 13th and C Sts. SW.
*1700 Block Q Street NW*, 1700–1744, 1746, 1748 Que St. NW.; 1536, 1538, 1540, 1602, 1604, 1606, 1608, 17th St. NW.

## FLORIDA

*Broward County*

Hillsboro Inlet, *Coast Guard Light Station.*

*Collier County*

Marco Island, *Archeological Sites on Marco Island.*

*Monroe County*

*Knights Key Moser Channel—Packet Channel Bridge (Seven Mile Bridge)*
*Long Key Bridge*
*Old Bahia Honda Bridge*

*Pinellas County*

Bay Pines, *VA Center*, Sections 2, 3, and 11 TWP 31–S, R–15E.

## GEORGIA

*Bibb County*

Macon, *Vineville Avenue Area*, both sides of Vineville Ave. from Forsyth and Hardman Sts. to Pio Nono Ave.

*Chatham County*

*Archeological Site*, end of Skidway Island.
Savannah, *516 Ott Street*.
Savannah, *908 Wheaton Street*.
Savannah, *914 Wheaton Street*.
Savannah, *920 Wheaton Street*.
Savannah, *828 Wheaton Street*.
Savannah, *930 Wheaton Street*.

*Chatooga County*

*Archeological Sites in area of Structure 1–M, and Trion Dikes 1 and 2*, headwaters of Chatooga Watershed (also in Walker County).

*Clay County*

*Archeological Site WGC–73*, downstream from Walter F. George Dam.

*De Kalb County*

Atlanta, *Atkins Park Subdivision*, St. Augustine, St. Charles, and St. Louis places.
Decatur, *Sycamore Street Area*.

*Gordon County*

*Haynes, Cleo, House and Frame Structure*, University of Georgia.
*Moss—Kelly House*, Sallacoa Creek area.

*Gwinnett County*

Duluth, *Hudgins, Scott, Home (Charles W. Summerour House)*, McClure Rd.

*Heard County*

*Philpott Homesite and Cemetery*, on bluff above Chattahoochee River where Grayson Trail leads into river.

*Richmond County*

Augusta, *Blanche Mill*.
Augusta, *Enterprise Mill*.
Augusta, *Green Street*.

*Stewart County*

*Rood Mounds*.

*Sumter County*

Americus, *Aboriginal Chet Quarry*, Souther Field.

## HAWAII

*Hawaii County*

Hawaii Volcanoes National Park, *Mauna Loa Trail*.

*Maui County*

Hana vicinity, *Kipahulu Historic District*, SW of Hana on Rts. 31.

*Oahu County*

*Moanalua Valley*.

## IDAHO

*Ada County*

Boise, *Alexanders*, 826 Main St.
Boise, *Falks Department Store*, 100 N. 8th St.
Boise, *Idaho Building*, 216 N. 8th St.
Boise, *Simplot Building (Boise City National Bank)*, 805 Idaho St.
Boise, *Union Building*, 712½ Idaho St.

*Clearwater County*

Orofino vicinity, *Canoe Camp—Suite 18*, W. of Orofino on U.S. 12 in Nez Perce National Historical Park.

*Gem County*

*Marsh and Ireton Ranch*, Montour Flood project.
*Town of Montour*, Montour Flood project.

*Idaho County*

Kamiah vicinity, *East Kamiah—Suite 15*, SE of Kamiah on U.S. 12 in Nez Perce National Historical Park.

*Lemhi County*

Tendoy, *Lewis and Clark Trail, Pattee Creek Camp*.

*Lewis County*

Jacques Spur vicinity, *St. Joseph's Mission (Slickpoo)*, S of Jacques Spur on Mission Creek off U.S. 95.

*Nez Perce County*

Lapwai, *Fort Lapwai Officer's Quarters*, Phinney Dr. and C St. in Nez Perce National Park.
Lapwai, *Spalding*.
Lewiston, *Fix Building*, 211–213 Main St.
Lewiston, *Lower Snake River Archeological District*
Lewiston, *Moxley Building*, 215 Main St.
Lewiston, *Scully Building*, 209 Main St.

*Power County*

Snake River, *Old Island Power Plant*, American Falls Dam project.

## ILLINOIS

*Carroll County*

Savanna vicinity, *Spring Lake Cross Dike Island Archeological Site*, 2 mi. SE of Savanna.

*Cook County*

Chicago, *Ogden Building*, 180 W. Lake St.
Chicago, *Oliver Building*, 159 N. Dearborn St.
Chicago, *Springer Block (Bay, State, and Kranz Buildings)*, 126–146 N. State St.
Chicago, *Unity Building*, 127 N. Dearborn St.

*De Kalb County*

De Kalb, *Haish Barbed Wire Factory*, corner of 6th and Lincoln Sts.

*Lake County*

Fort Sheridan, *Museum Bldg. 33*, Lyster Rd.
Fort Sheridan, *Water Tower*, Bldg. 49, Leonard Wood Ave.

*Williamson County*

*Wolf Creek Aboriginal Mound*, Crab Orchard National Wildlife Refuge.

## INDIANA

*Marion County*

Indianapolis, *Lockfield Gardens Public Housing Project*, 900 Indiana Ave.

*Monroe County*

Bloomington, *Carnegie Library*.

*Orange County*

*Cox Site*, Lost River Watershed.
*Half Moon Spring*, Lost River Watershed.

*St. Joseph County*

Mishawaka, *100 NW Block*, properties fronting N. Main St. and W. Lincoln Way.

*Vermillion County*

*Houses in SR 63/32* Project, jct. of SR 32 and SR 63 and 1st rd. S. of Jct.

## IOWA

*Boone County*

*Saylorville Archeological District* (also in Polk and Dallas counties).

*Johnson County*

*Indian Lookout*.

*Muscatine County*

Muscatine, *Clark, Alexander, Property*, 125–123 W. 3rd and 307, 309 Chestnut.

## KANSAS

*Douglas County*

Lawrence, *Curtis Hall (Kiva Hall)*, Haskell Institute.

*Pottawatomie County*

*Coffey Archeological Site, 14 PO 1*.

## KENTUCKY

*Louisa County*

*Fort Ancient Archeological Site*.

*Trigg County*

Golden Pond, *Center Furnace*, N of Golden Pond on Bugg Spring Rd.

## LOUISIANA

*East Baton Rouge Parish*

Baton Rouge, *Spanish Town*, Baton Rouge.

## MAINE

*Washington County*

Machiasport, *Libby Island Light Station*.

## MARYLAND

*Allegany County*

Flintstone vicinity, *Martin-Gordon Farm*, Breakneck Rd. (Rte. 1).
Flintstone vicinity, *Martins Mountain Farm*, Breakneck Rd. (Rte. 1).

*Anne Arundel County*

Claiborne, *Bloody Point Bar Light*, on Chesapeake Bay.
Skidmore, *Sandy Point Shoal Light*, on Chesapeake Bay.

*Baltimore County*

Fort Howard, *Craghill Channel Upper Range Front Light*, on Chesapeake Bay.
*New Owings Mills Railroad Station*, W of Reisterstown Rd.
*Old Owings Mills Railroad Station*, Reisterstown Rd.
Sparrows Point, *Craighill Channel Range Front Light*, on Chesapeake Bay.

*Carroll County*

*Bridge No. 1–141 on Hughes Road*.

*Cecil County*

Sassafras Elk Neck, *Turkey Point Light*, at Elk River and Chesapeake Bay.

*Dorchester County*

Hoppersville, *Hooper Island Light*, Chesapeake Bay-Middle Hooper Island.

*St. Marys County*

Piney Point, *Piney Point Light Station*.
St. Inigoes, *St. Inigoes Manor House*, Naval Electronic System Test and Evaluation Detachment.
St. Marys City, *Point No Point Light*, on Chesapeake Bay.

*Talbot County*

Tilghman Island, *Sharps Island Light*, on Chesapeake Bay.

## MASSACHUSETTS

*Barnstable County*

North Eastham, *French Cable Hut*, jct. of Cable Rd. and Ocean View Dr.
*Rider, Samuel House*, Gull Pond Rd. off Mid-Cape Hwy. 6.
Truro, *Highland Gold Course*, Cape Cod Light area.

Truro, *Highland House*, Cape Code Light (Highland Light) area.
Wellfleet vicinity, *Atwood—Higgins House*, Boundbrook Island.

*Berkshire County*

Adams, *Quaker Meetinghouse*, Maple Street Cemetery.

*Bristol County*

New Bedford, *Fire Station No. 4*, 79 S. 6th St.

*Hampden County*

Holyoke, *Caledonia Building (Crafts Building)*, 185–193 High St.
Holyoke, *Cleary Building (Stiles Building)*, 190–196 High St.

*Middlesex County*

Wayland, *Old Town Bridge (Four Arch Bridge)*, Rte. 27, 1.5 mi. NW of Rte. 126 Jct.

*Worcester County*

North Brookfield, *Meadow Site No. 11*, Upper Quaboag River Watershed.
Worcester, *Oxford-Crown Streets District*, Chatham, Congress, Crown, Pleasant, Oxford Sts., and Oxford Pl.

## MICHIGAN

*Little Forks Archeological District.*

## MINNESOTA

*St. Louis County*

Duluth, *Morgan Park Historic District.*

*Winona County*

Winona, *Second Street Commercial Block.*

## MISSISSIPPI

*Tishomingo County*

*Tennessee—Tombigbee Waterway*

## MISSOURI

*Buchanan County*

St. Joseph, *Hall Street Historic District*, bounded by 4th St. on W. Robidoux on S. 10th on E., and Michel, Corby, and Ridenbaugh on N.

*Dent County*

Lake Spring, *Hyer, John, House.*

*Franklin County*

Leslie, *Noser's Mill and adjacent Miller's House*, Rural Rte. 1.

*Henry County*

La Due, *Batschelett House*, near Harry S. Truman Dam and Reservoir.

## MONTANA

*Big Horn County*

Fort Smith, *Big Horn Canal Headgate.*

*Carbon County*

Hardin, *Pretty Creek Site (Hough Creek Site)*, Big Horn Canyon National Recreation Area.

*Fergus County*

*Lewis & Clark, Campsite, May 23, 1805.*
*Lewis & Clark, Campsite, May 24, 1805.*

*Lewis and Clark County*

Marysville, *Marysville Historic District.*

## NEBRASKA

*Cherry County*

Valentine vicinity, *Fort Niobrara National Wildlife Refuge.*
Valentine vicinity, *Newman Brothers House.*

## NEVADA

*Clark County*

Indian Springs vicinity, *Tim Springs Petroglyphs*, N of Indian Springs.
Las Vegas vicinity, *Blacksmith Shop*, Desert National Wildlife Range.
Las Vegas vicinity, *Mesquite House*, Desert National Wildlife Range.
Las Vegas vicinity, *Mormon Well Corral*, NE of Las Vegas.

*Elko County*

Carlin vicinity, *Archeological Sites 26EK1669—26EK1672.*

*Nye County*

Las Vegas vicinity, *Emigrant's Trail*, about 75 mi. NW of Las Vegas on U.S. 95.

*Pershing County*

Lovelock vicinity, *Adobe in Ruddell Ranch Complex.*
Lovelock vicinity, *Lovelock Chinese Settlement Site.*

*Storey County*

Sparks vicinity, *Derby Diversion Dam*, on the Truckee River 19 mi. E of Sparks, along I 80 (also in Washoe County).

## NEW HAMPSHIRE

*Rockingham County*

Portsmouth, *Pulpit Rock Observation Station*, Portsmouth Harbor.

## NEW JERSEY

*Mercer County*

Hamilton and West Windsor Townships, *Assunpink Historic District.*

*Middlesex County*

New Brunswick, *Delaware and Raritan Canal*, between Albany St. Bridge and Landing Lane Bridge.

*Monmouth County*

Long Branch, *The Reservation*, 1–9 New Ocean Ave.

*Sussex County*

*Old Mine Road Historic District* (also in Warren County).

## NEW MEXICO

*Chaves County*

*Cites LA11809—LA11822*, Cottonwood-Walnut Creek Watershed (also in Eddy County).

*Dona Ana County*

Placitas Arroyo, *Sites SCSPA 1—8.*

*Lea County*

*Laguna Plata Archeological District.*

*McKinley County*

Zuni Pueblo Watershed, *Oak Wash Sites N.M.G.:13:19—N.M.G.:13:37.*

*Otero County*

*Three Rivers Petroglyphs.*

## NEW YORK

*Albany County*

Guilderland, *Nott Prehistoric Site.*

*Bronx County*

New York, *North Brothers Island Light Station*, in center of East River.

*Broome County*

Vestal, *Vestal Nursery Site*, Vestal Project (also in Union County).

*Chautauqua County*

Dunkirk, *Properties in the city of Dunkirk.*
*Loomis Archeological Site*, South and Central Chautauqua Lake

*Greene County*

New York, *Hudson City Light Station*, in center of Hudson River.

*Nassau County*

Greenvale, *Toll Gate House*, Northern Blvd.

*New York County*

New York, *Harlem Courthouse*, 170 E. 121st St.

*Orange County*

Port Jervis, *Church Street School*, 55 Church St.
Port Jervis, *Farnum, Samuel, House*, 21 Ulster Pl.

*Richmond County*

New York, *Romer Shoal Light Station*, located in lower bay area of New York Harbor.

*Saratoga County*

Schuylerville, *Archeological Site*, Schuylerville Water Pollution Control Facility.

*Schoharie County*

Breakabeen, *Breakabeen Historic District*, between village of North Blenheim and Breakabeen.

*Staten Island*

Tottenville, *Ward's Point*, Oakwood Beach Project

*Suffolk County*

Janesport vicinity, *East End Site.*
Janesport vicinity, *Hallock's Pond Site.*
New York, *Fire Island Light Station*, U.S. Coast Guard Station.
New York, *Little Gull Island Light Station*, off North Point of Orient Point, Long Island.
New York, *Plum Island Light Station*, off Orient Point, Long Island.
New York, *Race Rock Light Station*, S. of Fishers Island, 10 mi. N. of Orient Point.
*Northville Historic District*, houses along Sound Ave.

*Ulster County*

Kingston vicinity, *Esopus Meadows Light Station*, middle of Hudson River.
New York, *Rondout North Dike Light*, center of Hudson River at Jct. of Rondout Creek and Hudson River.
New York, *Saugerties Light Station*, Hudson River.

*Washington County*

Greenwich, *Palmer Mill (Old Mill)*, Mill St.

*Westchester County*

Port Washington vicinity, *Execution Rocks Light Station*, lower SW portion of Long Island Sound.
Yorktown, *Yorktown Railroad Station.*

## NORTH CAROLINA

*Alamance County*

Burlington, *Southern Railway Passenger Depot*, NE corner Main and Webb Sts.

*Brunswick County*

Southport, *Fort Johnston*, Moore St.

*Caswell County*

*Archeological Sites CS–12*, County Line Creek Watershed Project (also in Rockingham County).

*Womack's Mill*, in County Creek Watershed Project (also in Rockingham County).

*Cleveland County*

*Archeological Resources in Second Brood River Watershed Project* (also in Rutherford County).

*Cumberland County*

Fayetteville, *Veterans Administration Hosital Confederate Breastworks*, 23 Ramsey St.

*Dare County*

Buxton, *Cape Hatteras Light*, Cape Hatteras National Seashore.

*Durham County*

Durham, *St. Joseph's A.M.F. Church*, Fayetteville St. at the Durham Expwy.

*Hyde County*

Ocracoke, *Ocracoke Lighthouse*.

## NORTH DAKOTA

*Burleigh County*

Bismarck, *Fort Lincoln Site*.

## OHIO

*Clermont County*

Neville vicinity, *Maynard House*, 2 mi. E of Neville off U.S. 52.

*Pickaway County*

Williamsport vicinity, *The Shack (Daugherty, Harry, House)*, 5.5 mi. NW of Williamsport.

*Seneca County*

Tiffin, *Old U.S. Post Office*, 215 S. Washington St.

*Warren County*

Corwin, *Shafer Mound*, S of New Burlington Rd.
Harveysburg, *E. L. Anderlee Mound*, S of New Burlington Rd. in Caesar Creek Lake Project.

## OKLAHOMA

*Atoka County*

*Estep Shelter*, Lower Clear Boggy Watershed.
*Graham Site*, Lower Clear Boggy Watershed.

*Comanche County*

Fort Sill, *Blockhouse on Signal Mountain* off Mackenzie Hill Rd.
*Fort Sill, Camp Comanche Site*, E range on Cache Creek.
Fort Sill, *Chiefs Knoll, Post Cemetery*, N of

*Haskell County*

Keota vicinity, *Otter Creek Archeological Site*, SW of Keota.

*Kay County*

Newkirk vicinity, *Bryson Archeological Site*, NE of Newkirk.

## OREGON

*Baker County*

Baker vicinity, *Virtue Flat Mining District*, 10 mi. E of Baker off Hwy. 86.

*Columbia County*

Scappose vicinity, *Portland and Southwestern Railroad Tunnel*, 13 mi. NW of Scappose.

*Coos County*

Charleston, *Cape Arago Light Station*.

*Curry County*

Port Orford, *Cape Blanco Light Station*.

*Douglas County*

Winchester Bay, *Umpqua River Lighthouse*.

*Gilliam County*

Arlington vicinity, *Four Mile Canyon Area (Oregon Trail)*, 10 mi. SE of Arlington.
*Crum Gristmill*, Ghost Camp Reservoir area.
*Old Wagon Road*, Ghost Camp Reservoir area.
*Olex School*, Ghost Camp Reservoir Area.
*Steel Truss Bridge*, Ghost Camp Reservoir area.

*Klamath County*

Crater Lake National Park, *Crater Lake Lodge*.

*Lane County*

Roosevelt Beach, *Heceta Head Lighthouse*.
Roosevelt Beach, *Heceta Head Light Station*.

*Lincoln County*

Agate Beach, *Yakuina Head Lighthouse*.

*Tillamook County*

Tillamook, *Cape Meares Lighthouse*.

*Wasco County*

*Memaloose Island*, River Mile 177.5 in Columbia River.

*Wheeler County*

Antone, *Antone Mining Town*, Barite 1901–1906.

## PENNSYLVANIA

*Adams County*

Gettysburg, *Barlow's Knoll*, adjacent to Gettsysburg National Military Park.

*Allegheny County*

Bruceton, *Experimental Mine*, U.S. Bureau of Mines, off Cochran Mill Rd.

*Berks County*

Mt. Pleasant, *Berger-Stout Log House*, near jct. of Church Rd. and Tulephocken Creek.
Mt. Pleasant, *Conrad's Warehouse*, near jct. of Rte. 183 and Powder Mill Rd.
Mt. Pleasant, *Heck-Stamm-Unger Farmstead*, Gruber Rd.
Mt. Pleasant, *Miller's House*, jct. of Rte. 183 and Powder Mill Rd.
Mt. Pleasant, *O'Bolds-Billman Hotel and* Store, Gruber Rd. and Rte. 183.
Mt. Pleasant, *Pleasant Valley Roller*, Gruber Rd.
Mt. Pleasant, *Reber's Residence and Barn*, on Tulephocken Creek.
Mt. Pleasant, *Union Canal*, Blue Marsh Lake Project area.

*Chester County*

Nature *Center of Charleston*, State Rd. Charleston township.

*Clinton County*

Lockhaven, *Apsley House*, 302 E. Church St.
Lockhaven, *Harvey Judge, House*, 29 N. Jay St.
Lockhaven, *McCormick, Robert, House*, 234 E. Church St.
Lockhaven, *Mussina, Lyons, House*, 23 N. Jay St.

*Dauphin County*

Middletown, *Swatara Ferry House (Old Fort)*, 400 Swatara, St.

*Delaware County*

*I 476 Historic Sites (20 Historic Sites)* Mid-County Expwy. (also in Montgomery County.)

*Huntingdon County*

*Brumbaugh Homestead*, Raystown Lake Project.

*Lackawanna County*

Carbondale, *Miners and Mechanics Bank* Bldg 13N., Main St.

*Lehigh County*

Colesville vicinity, *Site 1: Farmhouse, barn, and outbuildings*, I–78.
Dorneyville, *King George Inn and two other stone houses*, Hamilton and Cedar Crest Blvds.

*Lycoming County*

Williamsport, *Faxon Co., Inc.*, Williamsport Beltway.

*Northampton County*

*Lehigh Canal.*
*Site 3: Farmhouse, barn, and outbuildings*, I–78.
*Site 4: Farmhouse, barn, and outbuildings*, I–78.

*Philadelphia County*

Philadelphia, *Bridge on "I" Street*, over Tacony Creek.
Philadelphia, *Tremont Mills*, Wingonocking St. and Adams Ave.
U.S. Naval Base, *Quarters "A" Commandant's Quarters*.

*Washington County*

Charleroi, *Ninth Street School*.
*Cross Creek Village*, Cross Creek watershed.
Somerset Township, *Wright No. 22 Covered Bridge*.

## SOUTH CAROLINA

*Beaufort County*

Parris Island, *Marine Corps Recruit Depot*.

*Charleston County*

Charleston, *139 Ashley St.*
Charleston, *69 Barre St.*
Charleston, *69r Barre St.*
Charleston, *316 Calhoun St.*
Charleston, *316r Calhoun St.*
Charleston, *268 Calhoun St.*
Charleston, *274 Calhoun St.*
Charleston, *Old Rice Mill*, off Lockwood Dr.

## SOUTH DAKOTA

*Pennington County*

Rapid City, *Rapid City Historic Commercial District*, portions of 612–632 Main St.

## TENNESSEE

*Trousdale County*

Dixon Springs, *McGee House*.

## TEXAS

*Bexar County*

Fort Sam Houston, *Eisenhower House*, Artillery Post Rd.

*Concho County*

Middle Colorado River Watershed, *Prehistoric Archeology in the Southwest Laterals Subwatershed* (also in McCulloch County).

*Denton County*

*Hammons, George, House*, between Sangers and Pilot Point.

*El Paso County*

*Castner Range Archeological Sites*.

*Galveston County*

Galveston, *U.S. Customhouse*, bounded by Avenue B, 17th, Water, and 18th Sts.

*Hardeman County*

Quanah, *Quanah Railroad Station*, Lots 2, 3, and 4 in Block 2.

*Uvalde County*

*Leona River Watershed Archeological Sites*.

*Webb County*

Laredo, *Bertani, Paul Prevost House*, 604 Iturbide St.
Laredo, *De Leal, Viscaya, House*, 620 Zaragoza St.
Laredo, *Garza, Zoila De La, House*, 500 Iturbide St.
Laredo, *Leyendecker/Salinas House*, 702 Iturbide St.
Laredo, *Montemayor, Jose A., House (Carols Vela House)*, 601 Zaragosa St.

## UTAH

*Emery County*

*Site ML-2145*, Manti-LaSal National Forest.

*Salt Lake County*

Salt Lake City, *Lollin Block*, 238-240 S. Main St.

## VERMONT

*Windsor County*

Windsor, *Post Office Building.*

## WASHINGTON

*Benton County*

Richland vicinity, *Hanford Island Archeological Site*, 18 mi. N of Richland.
Richland vicinity, *Hanford North Archeological District*, 22 mi. N of Richland.
Richland vicinity, *Paris Archeological Site*, Hanford Works Reservation.
Richland vicinity, *Snively Canyon Archeological District*, 25 mi. NW of Richland.
Richland vicinity, *Wooded Island Archeological District*, N of Richland.

*Clallam County*

Cape Alava vicinity, *White Rock Village Archeological Site*, S of Cape Alava.
*Olympic National Park Archeological District*, Olympic National Park (also in Jefferson County).
Seglum, *New Dungeness Light Station.*

*Franklin County*

Richland vicinity, *Savage Island Archeological District*, 15 mi. N of Richland.

*Grays Harbor County*

West Port, *Grays Harbor Light Station.*

*King County*

Burton, *Point Robinson Light Station.*
Seattle, *Alki Point Light Station.*
Seattle, *West Point Light Station.*

*Kitsap County*

Hansville, *Point No Point Light Station.*

*Pacific County*

Ilwaco, *North Head Light Station.*

*Pierce County*

Fort Lewis Military Reservation, *Captain Wilkes, July 4, 1841, Celebration Site.*
Longmire, *Longmire Cabin*, Mount Rainier National Park.

*San Juan County*

San Juan Islands, *Patos Island Light Station.*

*Skamania County*

North Bonneville, *Site 45SA11*, Bonneville Dam Second Powerhouse Project.

*Snohomish County*

Mukilteo, *Mukilteo Light Station.*

## WEST VIRGINIA

*Barbour County*

*Covered Bridge across Rooting Creek*, Elk Creek Watershed (also in Harrison County).

*Cabell County*

Huntington, *Old Bank Building*, 1208 3rd Ave.

*Kanawha County*

Charleston, *Kanawha County Courthouse.*
St. Albans, *Chilton House*, 439 B St.

*Ohio County*

Wheeling, *B & O Railroad Freight Station and Train Shed.*

*Wood County*

Parkersburg, *Wood County Courthouse.*
Parkersburg, *Wood County Jail.*

## WISCONSIN

*Ashland County*

Ashland vicinity, *Madeline Island Site 7302.*

*Fond du Lac County*

Fond du Lac, *Aetna Station No. 5*, 193 N. Main St.

*LaCrosse County*

LaCrosse, *LaCrosse Post Office.*

## WYOMING

*Fremont County*

*Pilot Butte Powerplant*, Wind River Basin.

*Natrona County*

Casper, *Cantonment Reno.*
Casper, *Castle Rock Archeological Site.*
Casper, *Dull Knife Battlefield.*
Casper, *Middle Fork Pictograph-Petroglyph Panels.*
Casper, *Portuguese Houses.*

*Park County*

Mammouth, *Chapel at Fort Yellowstone*, Yellowstone National Park.

## PUERTO RICO

Mona Island, *Sardinero Site and Ball Courts.*

[FR Doc.76-19202 Filed 7-2-76;8:45 am]

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## NATIONAL REGISTER OF HISTORIC PLACES

### Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before June 25, 1976. Pursuant to § 60.13(a) of 36 CFR Part 60, published in final form on January 9, 1976 (41 FR 1590), written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the Keeper of the National Register, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240. Written comments or a request for additional time to prepare comments should be submitted on or before July 16, 1976.

WILLIAM J. MURTAGH,
*Acting Director, Office of Archeology and Historic Preservation.*

## CALIFORNIA

*Yolo County*

Davis, *Southern Pacific Railroad Station*, H and 2nd Sts.

## KENTUCKY

*Bath County*

Owingsville, *Bath Seminary and Normal College*, Main and Slate Sts.

*Bourbon County*

Paris vicinity, *Airy Castle (G. W. Bowen House)*, 8 mi. NE of Paris on LaRue Rd.

*Boyle County*

Danville vicinity, *Harlan's Station (James Harlan Stone House)*, 5 mi. W of Danville on Salt River Rd.

*Breckinridge County*

Holt vicinity, *Holt Bottoms Archeological District*, S of Holt.

*Caldwell County*

Princeton, *Flournoy-Henry House*, 221 E. Main St.

*Carlisle County*

Bardwell, *Illinois Central Railroad Station and Freight Depot*, Front St.

*Clark County*

Winchester vicinity, *Mound Hill Archeological Site*, NE of Winchester.

*McCracken County*

Paducah, *The Angles (Quigley-Barkley House)*, Alben W. Barkley Dr.

*Mercer County*

Harrodsburg vicinity, *Shawnee Springs (George C. Thompson House)*, 4 mi. NE of Harrodsburg on Curry Rd.

*Morgan County*

West Liberty, *Morgan County Courthouse*, Main St.

*Oldham County*

Crestwood vicinity, *Harrods Creek Baptist Church and Rev. Kellar House*, NW of Crestwood on Old Brownsboro Rd.

*Pendleton County*

Butler vicinity, *Fryer House*, NE of Butler on U.S. 27.

## MARYLAND

*Baltimore (independent city)*

*Baltimore Hebrew Congregation Synagogue* 1901 Madison Ave.
*St. Peter The Apostle Church and Buildings*, 11 and 13 S. Poppleton St. and 848 Hollins St.

*Cecil County*

Elkton, *Holly Hall*, 259 S. Bridge St.
Port Deposit, *Paw Paw Building*, 68 N. Main St.

## MASSACHUSETTS

*Essex County*

Marblehead, *Old Town House*, Town House Square.

*Worcester County*

Charlton, *Northside Village Historic District*, Stafford St., Northside Rd. and Cemetery Rd.

## MICHIGAN

*Kent County*

Grand Rapids, *Sixth Street Bridge*, spans Grand River between Newberry St. and 6th St.

*Livingston County*

Howell, *Livingston County Courthouse*, Grand River Ave.

*Wayne County*

Wyandotte, *Marx House*, 2630 Biddle Ave.

## NEW YORK

*Essex County*

Tahawus vicinity, *Adirondack Iron and Steel Company Works*, N of Tahawus at Henderson Lake.

*Livingston County*

Lima, *Genesee Wesleyan Seminary and Genesee College Hall*, College St.

*Nassau County*

Locust Valley, *Matinecock Friends Meetinghouse*, Piping Rock Rd. and Duck Pond Rd.

*Rensselaer County*

Troy, *Lansingburgh Academy*, 114th and 4th Sts.

Troy vicinity, *DeFreest Homesteads*, S of Troy at U.S. 4 and Jordan Rd.

*Suffolk County*

Mattituck, *Gildersleeve, Andrew, Octagon Building*, Main Rd. and Love Lane.

**OHIO**

*Ashland County*

Ashland, *First National Bank and Firestone Building*, 2 W. Main and 10 W. Main St.

*Cuyahoga County*

Cleveland, *Lorain-Carnegie Bridge*, spans Cuyahoga River between Lorain and Carnegie Aves.

Cleveland Heights, *Brown, John Hartness, House*, 2380 Overlook Rd.

*Geauga County*

Mayfield Heights vicinity, *White, Walter C., Estate*, F of Mayfield Heights at U.S. 322 and County Line Rd.

*Hamilton County*

Cincinnati, *Old Gothic Barns*, 6058 Colerain Ave.

*Lawrence County*

Burlington, *Johnston, William C., House and General Store*, Washington and Davidson Sts.

*Washington County*

Bartlett vicinity, *Shinn Covered Bridge*, NE of Bartlett off OH 555.

Marietta vicinity, *Rinard Covered Bridge*, NE of Marietta on CR 406, E of OH 26.

Watertown vicinity, *Harra Covered Bridge*, 2 mi. NW of Watertown, 0.5 mi. W of OH 76.

*Wyandot County*

Wyandot vicinity, *Swartz, Covered Bridge*, N of Wyandot on SR 130A.

**TENNESSEE**

*Knox County*

Knoxville, *U.T. Ag Farm Mound*, Neyland Dr.

**UTAH**

*Salt Lake County*

Salt Lake City, *Trinity African Methodist Episcopal Church*, 239 E. 600 South.

**WASHINGTON**

*Pierce County*

Tacoma, *Stadium-Seminary Historic District*, roughly bounded by 1st, I, 10th and the shoreline.

[FR Doc.76-19201 Filed 7-2-76;8:45 am]

## HALEAKALA NATIONAL PARK, HAWAII

### Development Concept Plan and Environmental Assessment 'Ohe'o, Kipahula District

NOTICE OF INTENT

Notice is hereby given that the National Park Service will hold two public meetings in late July in Maui, Hawaii, to provide for public participation in formulating the Development Concept plan for 'Ohe's, Kipahulu District, (Seven Pools), Haleakala National Park.

The meetings will be held Friday, July 30, 1976, from 7:30 to 10 p.m., in Helene Hall, Hana, Maui, and Saturday, July 31, 1976, from 7:30 to 10 p.m., in the Kalului Public Library, Kahului, Maui, Hawaii.

Concurrent with the public meetings the National Park Service will hold consultations with various Federal, State and local government agencies, individuals with organizations on the Development Concept Plan and its Environmental Assessment.

The purpose of these public meetings and consultations is to provide for wide public involvement, including ideas, suggestions and comments from individuals and organizations prior to completing the plan.

Anyone wanting copies of the Development Concept Plan and Environmental Assessment, additional information on the public meetings, or the National Park Service planning process, or those wishing to submit written comments on the plan may write to the Superintendent, Haleakala National Park, P.O. Box 537, Makawao, Maui, Hawaii 96768.

JOHN H. DAVIS,
*Acting Regional Director, Western Region, National Park Service.*

JUNE 16, 1976.

[FR Doc.76-19381 Filed 7-2-76;8:45 am]

## Office of the Secretary

### COORDINATION OF FEDERAL AND FEDERALLY ASSISTED PROGRAMS AND PROJECTS

#### Directives

This notice is published in accordance with the provisions of Section 7 of Office of Management and Budget Circular No. A-95, revised January 2, 1976, as published in the FEDERAL REGISTER on January 13, 1976 (41 FR 2052). On March 1, 1976, the Department of the Interior published in the FEDERAL REGISTER (41 FR 8808) interim directives regarding cooperation with State and local governments in the evaluation, review, and coordination of Federal assistance programs and projects. Comments on the interim directives were solicited from all interested parties. As a result of pertinent comments received, the interim Departmental directives have been revised and are republished in their entirety below. The numbering system referenced is that of the Department of the Interior Manual.

Significant changes made as a result of comments received are:

1. In Part 511, Chapter 1, paragraph .3C(3), a requirement has been added that Department bureaus notify pertinent State and area clearinghouses of the designation of Regional A-95 Coordinators.

2. An item #31 referencing the Youth Conservation Corps Act of 1970 has been added to Appendix 2 to Part 511, Chapter 1.

3. Part 511, Chapter 2, paragraph .5B has been amended to emphasize the requirement to assure that applications have been reviewed by the appropriate State and areawide clearinghouses.

4. A new subparagraph C has been added to Part 511, Chapter 2, paragraph .5 requiring special handling of clearinghouse comments pertaining to discrimination complaints. The previous subparagraph C has been redesignated as subparagraph D.

5. Form DI-711, Intergovernmental Notice of Proposed Action, published as Illustration 1 to Part 511, Chapter 3, is revised to include items regarding site location maps and information on benefits/impacts of proposed Federal actions.

6. Numerous other minor editorial changes have been made throughout the directives.

The directives published below will become effective August 5, 1976. Further information regarding this notice can be obtained from Mr. Warren L. Dahlstrom, Office of Management Consulting, Office of the Secretary, U.S. Department of the Interior, Washington, D.C. 20240, telephone 202/343-7606.

Dated: June 23, 1976.

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

DEPARTMENTAL MANUAL
INTERGOVERNMENTAL RELATIONS

Part 511 Coordination with State and Local Government.

CHAPTER 1 GENERAL—511.1.1

.1 *Purpose.* The Intergovernmental Cooperation Act of 1968 is designed, in part, to achieve the fullest cooperation and coordination of activities among all levels of government in order to improve the administration of Federal grants-in-aid to the States and localities, and to establish coordinated intergovernmental policy and administration of Federal development and assistance programs. This instruction establishes procedures for all bureaus and offices of the Department of the Interior to implement Office of Management and Budget Circular A-95, Evaluation, Review and Coordination of Federal and Federally Assisted Programs and Projects, revised January 2, 1976. This Part will be published in the FEDERAL REGISTER and cleared with the Advisory Commission for Intergovernmental Relations as required by OMB Circular A-85. Additionally, upon publication this Part will be distributed to all State clearinghouses by the Office of Management Consulting.

2. *Policy.* Policy, procedures, and all guidelines established in this directive will be followed by all bureaus and offices. Special attention to those bureau and office programs listed in Appendix 1 to this chapter is required as they relate to specific chapters in this Part. The Interior Department carries out Federal policies which are aimed at providing State, local government, and special purpose local units of government an opportunity to impact government decisions and actions. Legislation especially pertinent to this policy is referenced in Appendix 2. The broad and continuing Congressional interest in affecting coordination with State and local governments is repeatedly expressed in Federal law.

.3 *Responsibility.* Because of the growing scope and complexity of Interior's intergovernmental coordination obligations, it is appropriate and necessary to arrange for staff responsibility throughout the Department. This is especially important in view of the policy of the Office of Management and Budget to decentralize operational coordination to the Federal Regional Councils.

A. The Office of Management Consulting is responsible in behalf of the Assistant Secretary—Management for Departmental coordination as related to the Intergovernmental Coordination Act of 1968 and to the Office of Management and Budget Circular A–95.

B. The Secretary's Field Special Assistants and Staff Assistants (110 DM 3) are responsible for:

(1) Regional coordination of all matters pertinent to effective implementation of this Part,

(2) Cooperation with and assistance to the Federal Regional Councils in behalf of the Secretary.

(3) Keeping informed of State laws or orders which impact on the A–95 process as discussed in 511 DM 2.6B, where States require clearinghouse review on assistance programs not listed in Appendix 1, and,

(4) Informing the concerned bureau A–95 Coordination Officers and the Office of Management Consulting, of such State requirements.

C. Bureaus and offices impacted by OMB Circular A–95 policies and procedures are responsible for carrying out these instructions and should designate:

(1) A bureau or office A–95 Coordinator whose responsibility will be to provide for liaison and communication on all matters pertaining to this Part (511 DM) with the Department. Additionally, it is the obligation of this coordinator to identify and keep informed on bureau procedural practices related to this Part, and to know who to contact in cognizant bureau field or regional offices.

(2) Regional (or equivalent area or State offices reporting to headquarters) A–95 Coordinators whose responsibility it will be to provide liaison and communication on all matters pertaining to this Part (511 DM) with the Secretary's Field Special Assistants or Staff Assistants, and the bureau of office A–95 Coordinators as appropriate. This arrangement will facilitate the Department's ability to respond to requests for cooperation arising from the operation of Federal Regional Councils, from States and areawide clearinghouses, and from the bureau or office A–95 Coordinator.

(3) Information concerning these designations and addresses and phone numbers of all A–95 Coordinators should be compiled and supplied to the Office of Management Consulting. Bureaus should inform State and area clearinghouses of the A–95 Coordinator designated to assist them.

.4 *Procedures.* Any bureau or office procedures developed as a supplement to this instruction will be cleared through the Office of Management Consulting prior to issuance.

.5 *Clearinghouse Directory.* The Office of Management and Budget prepares and circulates a Directory of Clearinghouses for use by Federal offices. Requests for this Directory should be forwarded through bureau or office A–95 Coordinators to the Office of Management Consulting.

.6 *Related Instructions.* The following Department directives relate to the policies and procedures published in this Part, and provide detailed guidance and instructions in each subject area:

O. 505 DM—Grants Administration.

B. 506 DM—Equal Opportunity in Federal Assistance Programs.

C. 507 DM 1—Catalog of Federal Domestic Assistance.

D. 702 DM 1—Coastal Zone Management.

E. 101 DM 1—Organization Management, Policy and Responsibilities.

.7 *Clearinghouse Functions.* Clearinghouse functions are described in paragraph 3, Part I of Attachment A to OMB Circular A–95, and apply to all chapters of 511 DM 1–6. They are reproduced here to aid in understanding 511 DM.

"3. *Clearinghouse functions.* Clearinghouse functions include:

a. Evaluating the significance of proposed Federal or federally assisted projects to State, areawide, or local plans and programs.

b. Receiving and disseminating project notifications to appropriate State 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 Part 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. Providing, pursuant to Part II of these regulations, liaison between Federal agencies contemplating direct Federal development projects and the State or areawide agencies or local governments having plans or programs that might be affected by the proposed project.

g. 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.

h. Where areawide clearinghouse jurisdictions are contiguous, 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 jointly 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."[1]

*Programs subject to departmental manual requirements published in 511 DM*

| Catalog No.[1] | Program name | Administering bureau |
|---|---|---|
| Ch. 2 (511 DM 2) project notification and review system: | | |
| (a) 15.350 | Coal mine health and safety grants | Mining Enforcement and Safety Administration. |
| (b) 15.501 | Irrigation and drainage system loans | Bureau of Reclamation. |
| (c) 15.503 | Small reclamation projects | Do. |
| (d) 15.400 | Outdoor recreation—acquisition development and planning. | Bureau of Outdoor Recreation. |
| (e) 15.904 | Historic preservation | National Park Service. |
| (f) 15.600 | Anadromous fish conservation | Fish and Wildlife Service. |
| (g) 15.605 | Fish restoration | Do. |
| (h) 15.611 | Wildlife restoration | Do. |
| (i) 15.612 | Endangered species | Do. |
| Ch. 3 (511 DM 3) direct Federal development projects. | | All bureaus and offices. |
| Ch. 4 (511 DM 4) environmental impact statements. | | Do. |
| Ch. 5 (511 DM 5), State plans required by Federal programs: | | |
| (a) 15.130 | Indian education—assistance to non-Federal schools. | Bureau of Indian Affairs. |
| (b) 15.400 | Outdoor recreation—acquisition development and planning. | Bureau of Outdoor Recreation. |
| (c) 15.605 | Fish restoration | Fish and Wildlife Service |
| (d) 15.611 | Wildlife restoration | Do. |
| (e) 15.904 | Historic preservation | National Park Service. |
| Ch. 6 (511 DM 6), coordination of planning multijurisdictional areas: | | |
| (a) 15.400 | Outdoor recreation planning—acquisition development and planning. | Bureau of Outdoor Recreation. |
| (b) 15.904 | Historical preservation | National Park Service. |

[1] Program numbers listed correspond to those used in the "Catalog of Federal Domestic Assistance."

LEGISLATION PERTINENT TO INTERGOVERNMENTAL COOPERATION

A list of general and program legislation which requires the Department to work cooperatively with State and local governments.

1. Intergovernment Cooperation Act of 1968: 82 Stat. 1098; 40 U.S.C. 531; 42 U.S.C. 4201

2. Disaster Relief Act of 1970: 84 Stat. 1744; 42 U.S.C. 4401, as amended by the Disaster Relief Act of 1974, 88 Stat. 143; 42 U.S.C. 5121

3. Intergovernmental Personnel Act: 84 Stat. 1909; 5 U.S.C. 3371; 42 U.S.C. 4071

4. Timber Protection Act: 42 Stat. 857; 16 U.S.C. 594

5. Fish and Wildlife Coordination Act: 72 Stat. 563; 16 U.S.C. 661

6. Soil Conservation and Domestic Allotment Act, as amended: 49 Stat. 163; 16 U.S.C. 590

7. Historic Sites Act: 49 Stat. 666; 16 U.S.C. 461

8. Halogeton Glomeratus Control Act: 66 Stat. 597; 7 U.S.C. 1651

9. Watershed Protection and Flood Control Act, as amended: 68 Stat. 666; 16 U.S.C. 1001

10. Federal Water Projects Recreation Act, as amended: 79 Stat. 213; 16 U.S.C. 460(1)

11. Water Resources Planning Act, as amended: 79 Stat. 244; 42 U.S.C. 1962 [pages 163–167 of the Principles and Standards for Planning Water and Related Land Resources published in the Federal Register on September 10, 1973 (38 FR 24778)].

12. Water Resources Research Act, as amended: 78 Stat. 329

13. Wild and Scenic Rivers Act: 82 Stat. 906; 16 U.S.C. 1271

14. National Trails Systems Act: 82 Stat. 919; 16 U.S.C. 1241

15. Noxious Weed Control Act: 82 Stat. 1146; 43 U.S.C. 1241

16. National Environmental Policy Act: 83 Stat. 852; 42 U.S.C. 4321

17. Wild Horse Act: 85 Stat. 651; 16 U.S.C. 1331–40

18. Federal Water Pollution Control Act: 86 Stat. 816; 33 U.S.C. 1151

19. Outer Continental Shelf Act: 67 Stat. 462; 43 U.S.C. 1331–43

20. Rare and Endangered Species Act: 83 Stat. 282; 16 U.S.C. 6686a

21. Taylor Act, as amended: 84 Stat. 1269; 43 U.S.C. 315

22. Coastal Zone Management Act: 86 Stat. 1280; 16 U.S.C. 1451

23. Land and Water Conservation Fund Act, as amended: 78 Stat. 900

24. National Historic Preservation Act of 1966: P.L. 89–665; 16 U.S.C. 470

25. Anadromous Fish Act of 1965: P.L. 89–304 and 91–249

26. Federal Aid to Wildlife Restoration Act of 1937: 50 Stat. 917, as amended: 16 U.S.C. 669–669b, 669c–6691

27. Federal Aid to Sport Fish Restoration Act of 1950: 64 Stat. 430; amended 16 U.S.C. 777–777k

28. Federal Coal Mine and Health and Safety Act of 1969: 30 U.S.C. 953

29. Federal Metal and Nonmetallic Mine Safety Act: P.L. 89–577

30. Regional Development Act of 1975: P.L. 94–188

31. Youth Conservation Corps Act of 1970: P.L. 91–378, 92–597, and 93–406

CHAPTER 2 PROJECT NOTIFICATION AND REVIEW SYSTEM—511.2.1

.1 *Purpose.* This chapter applies only to those Interior Department grant-in-aid programs which have been identified as of interest to State and areawide clearinghouses. The programs are listed in Appendix 1 of 511 DM 1. The purposes of the Project Notification and Review System as published in paragraph 1, Part I of Attachment A to OMB Circular A–95 are:

"1. *Purpose.* The purpose of this Part is to:

a. Further the policies and directives of Title IV of the Intergovernmental Cooperation Act of 1968 by encouraging the establishment of a network of State and areawide planning and development clearinghouses which will aid in the coordination of Federal or federally assisted projects and programs with State, areawide, and local planning for orderly growth and development.

b. Implement the requirements of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 for metropolitan areas within that network.

c. Implement, in part, requirements of section 102(2)(C) of the National Environmental Policy Act of 1969, which require that State, areawide, and local agencies which are authorized to develop and enforce environmental standards be given an opportunity to comment on the environmental impact of Federal or federally assisted projects.

d. Provide public agencies charged with enforcing or furthering the objectives of State and local civil rights laws with opportunity to participate in the review process established under this Part.

e. Encourage, by means of early contact between applicants for Federal assistance and State and local governments and agencies, an expeditious process of intergovernmental coordination and review of proposed projects."

.2 *Notification of Intent To Apply for Federal Assistance.* To assist State and areawide coordination of grant preapplications it is desirable to provide early information to clearinghouses about plans to seek grants from Federal agencies. The notification of intent to apply for Federal assistance was designed to achieve early coordination. It is not always used. Most Interior grant programs instruct grantees to prepare the applications and route it to the clearinghouse which results in bypassing the notification step. The following excerpt from Part I of Attachment A to OMB Circular A–95 properly describes the notification step:

"2. *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 Part will be required to notify both the State and areawide planning and development clearinghouse 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.

In the case of applications for projects involving land or water use and development or construction in the National Capital Region (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.

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 affect nor have specific applicability to areawide or local planning and programs, the notification need be sent only to the State clearinghouse. Involvement of areawide clearinghouses in the review in such cases will be at the initiative of the State clearinghouse."

"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 assisted. A map should be provided, if appropriate.

(3) A brief description of the proposed project to be assisted. A map should be 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 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. Many clearinghouses have developed notification forms and instructions. Applicants are urged to contact their clearinghouses for such information in order to expedite clearinghouse review.

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

c. Applications from federally recognized Indian tribes are not subject to the requirements of this Part. However, Indian tribes may voluntarily participate in the Project Notification and Review System and are encouraged to do so. Federal agencies 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, Federal agencies 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 Part from such Tribal departments, divisions, enterprises, and entities be subject to review by such Tribal coordinating mechanism as though it were a State or areawide clearinghouse."

To facilitate this instruction Appendix 1 to this chapter summarizes the information which should be used. It should be provided to potential grant applicants by each grant administering bureau.

.3 *Consultation and Review.* The heart of the coordination process is the timing. Clearinghouses are allotted a maximum of sixty (60) days for each project, 30 days for "Notice of Intent" plus 30 days for the application. However, when the "Notice of Intent" is not used the application is allotted 60 days. It should also be remembered that these same basic ground rules are to be used when clearinghouses are reviewing Federal development or land use projects discussed in 511 DM 3. Reproduced below are the OMB instructions in this regard (Paragraph 4, Part I, Attachment A to OMB Circular A–95):

"4. *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 (including agencies referred to in subparagraphs c, d, and e, above) 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 appli-

cation. 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. Under some programs, applicants—primarily nongovernmental—are required to submit confidential information to the funding agency. Such information may relate to the applicant's financial status or structure (e.g., overall investment program or holdings); to personnel (e.g., personal histories of project officers) or may involve proprietary information (e.g., industrial processes, research ideas). Such confidential information need not be included with applications submitted to clearinghouses for review.

f. Applicants will include with the completed application as submitted to the Federal agency (or to the State agency in the case of projects for which the State, under crtain programs, has final project approval):

(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 on by the funding agency within one year after completion of clearinghouse review will be subject to re-review upon request of the clearinghouse."

.4 *Subject Matter of Comments and Recommendations.* The elimination of duplicate or conflicting projects are significant objectives of the A–95 procedures. However, from an Interior point of view, it is the potential for coordinated planning, enhancement of conservation, and improved environmental protecction by a larger number of State and local government officials which make this process most worthwhile. Following is the OMB A–95, (paragraph 5, Part I, Attachment A) description of subject matter of comments and recommendations which can be provided by State and local government officials to Federal program managers.

"5. *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. They are also intended to assist the Federal agency (or State agency, in the case of projects for which the State under certain Federal grants has final project approval) administering such a program in determining whether the project is in accord with applicable Federal law, particularly those requiring consistency with State, areawide, or local plans. Comments or recommendations may include, but need not be limited to, information about:

a. The extent to which the project is consistent with or contributes to the fulfillment of comprehensive planning for the State, area, or locality.

b. The extent to which the proposed project:

(1) Duplicates, runs counter to, or needs to be coordinated with other projects or activities being carried out in or affecting the area; or

(2) Might be revised to increase its effectiveness or efficiency in relationship to other State, area, or local programs and projects.

c. The extent to which the project contributes to the achievement of State, areawide, and local objectives and priorities relating to natural and human resources and economic and community development as specified in section 401 of the Intergovernmental Cooperation Act of 1968, including:

(1) Appropriate land uses for housing, commercial, industrial, governmental, institutional, and other purposes;

(2) Wise development and conservation of natural resources, including land, water, mineral, wildlife, and others;

(3) Balanced transportation systems, including highway, air, water, pedestrian, mass transit, and other modes for the movement of people and goods;

(4) Adequate outdoor recreation and open space;

(5) Protection of areas of unique natural beauty, historical and scientific interest;

(6) Properly planned community facilities, including utilities for the supply of power, water, and communications, for the safe disposal of wastes, and for other purposes; and

(7) Concern for high standards of design.

d. As provided under section 102(2)(C) of the National Environmental Policy Act of 1969, the extent to which the project significantly affects the environment including consideration of:

(1) The environmental impact of the proposed project;

(2) Any adverse environmental effects which cannot be avoided should the proposed project be implemented;

(3) Alternatives to the proposed project;

(4) The relationship between local short term uses of man's environment and the maintenance and enhancement of long term productivity; and

(5) Any irreversible and irretrievable commitments of resources which would be involved in the proposed project or action, should it be implemented.

e. Effects on energy resource supply and demand.

f. The extent to which people or businesses will be displaced and the availability of relocation resources.

g. As provided under section 307(d) of the Coastal Zone Management Act of 1972, in the case of a project located in the coastal zone, the relationship of the project to the approved State program for the management of the coastal zone and its consistency therewith.

h. The extent to which the project contributes to more balanced patterns of settlement and delivery of services to all sectors of the area population, including minority groups.

i. In the case of a project for which assistance is being sought by a special purpose unit of local government, whether the unit of general local government having jurisdiction over the area in which the project is to be located has applied, or plans to apply, for assistance for the same or a similar type project. This information is necessary to enable the Federal (or State) agency to make the judgments required under section 402 of the Intergovernmental Cooperation Act of 1968.

.5 *Bureau Procedures.* Bureaus having programs covered under this Chapter (see 511 DM 1, Appendix 1) will:

A. Inform potential applicants for assistance by providing them information about clearinghouse review procedures as illustrated in Appendix I to this chapter, and:

(1) Provide program information materials.

(2) Respond to inquiries respecting application procedures or,

(3) Arrange for preapplication conferences as appropriate.

B. Assure that applications have been reviewed by the appropriate State and areawide clearinghouse, and that certification on the application cover sheet (Item 23, Std. Form 424) is properly completed. When there is no evidence that applications have been reviewed by clearinghouses, they shall be returned for proper processing. Also, State Application Identifier (SAI) numbers should be on each properly processed application.

C. Refer comments from clearinghouses pertaining to discrimination because of race, color, religion, sex, national origin or age in Federally assisted programs to the Department's Office for Equal Opportunity. That Office in conjunction with the Bureau will respond to the complaint.

D. Carry out the following important additional steps as excerpted from paragraph 6, Part I of Attachment A to OMB Circular A–95:

"c. Notifying 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, promulgated by Federal Management Circular 74–7, will be used for this purpose, unless a waiver has been granted by OMB. (See Attachment E.)

d. Where a clearinghouse has recommended against approval of an application or approval only with specific and major substantive changes, and the funding agency approves the application substantially as submitted, the funding agency will provide the clearinghouse, along with the action notice, an explanation therefor.

e. Where a clearinghouse has recommended against approval of a project because it conflicts with or duplicates another Federal or federally assisted project, the funding agency will consult with the agency assisting the referenced projects prior to acting, if it plans to approve the application.

f. Assuring, in the case of an application submitted by a special purpose unit of local government, where accompanying comments indicate that the unit of general local government having jurisdiction over the area in which the project is to be located has submitted or plans to submit an application for assistance for the same or a similar type project, that appropriate considerations and preferences as specified in section 402 of the Intergovernmental Cooperation Act of 1968, are accorded the unit of general local government. Where such preference cannot be so accorded, the agency shall supply, in writing, to the unit of general local government and the Office of Management and Budget its reasons therefor."

6. *Coverage, Exceptions, and Variations.* OMB Circular A–95 provides information concerning the rules governing the inclusion of programs under this chapter. There are two specific matters which need emphasis here:

A. Individual clearinghouses may exempt certain types of projects from review. Such exemptions should be reflected in writing, and copies of such communications should be maintained by bureau regional A–95 Coordinators. They may be included in the agreements referred to under 511 DM 3.

B. Applicants should be made aware that, in various States, State law requires reviews of applications for Federal assistance under various programs not covered by this chapter. Implementation of such laws is enforced through State rules and regulations, and applicants should be urged to ascertain the existence of such laws and to acquaint themselves with applicable State procedures. Bureau offices having knowledge of such State law should provide this information to the applicant and to the pertinent Secretary's Field Special Assistant or Staff Assistant as appropriate.

SAMPLE OF INFORMATION TO BE SUPPLIED GRANTEES

IMPORTANT NOTICE, CLEARINGHOUSE REQUIREMENTS FOR (INSERT NAME OF PROGRAM)

In accordance with the Intergovernmental Coordination Act of 1968 (P.L. 90–577), October 16, 1968), the Office of Management and Budget in Circular No. A–95, Evaluation, Review and Coordination of Federal and Federally assisted Programs and Projects, has specified clearinghouse procedures to be followed by applicants seeking Federal assistance.

In applying for Federal assistance from the (name of bureau) you are first required to submit a "Notice of Intent to File" to an established State or areawide Clearinghouse as early as possible. Clearinghouses have 30 days after receipt of your notice to inform appropriate agencies of your proposed project. In addition, State and areawide clearinghouses have the 30-day period prior to the date on which the application is expected to be filed to submit any comments of the State or areawide agencies to accompany the application, where the clearinghouses have notified you of their intent to do so.

In the case of applications for an activity that is State-wide 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 need be sent only to the State clearinghouses.

Your "Notice of Intent to File" must contain at a minimum a summary description of the project for which you are seeking assistance and will include:

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

2. The geographic location of the project to be assisted.

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 governments having plans, programs, or projects that might be affected by the proposed projects.

4. A statement concerning whether or not the unit applying for the grant has been advised by the funding agency from which assistance is being sought that it 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 (see the latest Catalog of Federal Domestic Assistance). The Catalog is issued annually in the spring and is updated periodically during the year.

6. The estimated date by which you expect to formally file an application.

If you are a private applicant (non-governmental), you are not required to include confidential information concerning your financial status or structure or the personnel of the organization to the clearinghouse. Such information (is) or (is not) a required part of applications for this program.

It is most important that you submit your notification to the clearinghouses at the earliest feasible time, in order to assure maximum time for effective coordination and to avoid the delay of the timely submission of your application. Also, you should contact your state or area clearinghouse to learn the number of copies required. This will speed up the review process.

You must include with your application, any comments made by or through the clearinghouses along with a statement that such comments have been considered prior to submission of your application or a statement that the clearinghouse procedure was followed and that no comments were received. Applications which lack evidence of clearinghouse review will be returned.

A standardized governmentwide form (Standard Form 424) has been developed for your use in furnishing notification of intent to apply for Federal assistance. Standard Form 424 is also prescribed for use as Part I of the Federal application form. Copies of Standard Form 424 are either enclosed with this notice, or can be obtained from (insert name and address where forms can be obtained).

CHAPTER 3 DIRECT FEDERAL DEVELOPMENT, LEASES, LICENSES AND PERMITS—511.3.1

.1 *Purpose.* The purpose of this chapter is to:

A. Provide State and local governments with information on projected Federal development to facilitate coordination with State, areawide, and local plans and programs. Such information includes leases, licenses, permits for the use of lands administered by the Department, and the acquisition, use, and disposal of land.

B. Provide bureaus with information on the relationship of proposed direct Federal development projects, leases, licenses, permits, and related activities to State, areawide, and local plans and programs; and to assure maximum feasible consistency of Federal developments with State, areawide, and local plans and programs.

C. Provide bureaus with information on the possible impact on the environment of proposed Federal land use actions.

.2 *Coordination.* It is Interior's policy to provide State and area clearinghouse with information about our plans or proposed actions early enough so that their views might be considered in making our decisions. To meet this objective, a coordination procedure has been established relative to all direct Federal development, leases, licenses, and permits. This procedure aims at fostering decentralized decisions while providing State and area clearinghouses with important information on Interior's land use plans and proposals.

A. Bureaus should consider entering into agreements with State and area clearinghouses when such agreements will clarify and aid the processes of review. Such agreements may assist all parties by limiting the volume of transactions subject to review to those most useful to State and local plan-

ning. Elements of agreements which are of special concern include the timing of the reviews and the Federal response to clearinghouse comments (see 511 DM 2.3 for guidance). Criteria useful in selecting transactions for clearinghouse review are:

(1) The probable effect on the need for State or local government to plan public services in or near the site of the Interior action;

(2) Consistency of the Interior action with State or local laws or ordinances, plans, programs, or projects;

(3) Geographic areas of particular importance for State or area clearinghouses; and,

(4) Actions which once undertaken cannot be readily halted or reversed.

Copies of these agreements will be filed in the regional or equivalent field office, sent to the Secretary's Field Special Assistant's and be readily available to the public.

B. Bureaus opting to enter into agreements with State and area clearinghouses will publish statements describing the various transactions executed by the bureau which affect development, leases, licenses, and permits.

This information is published as appendixes to this chapter for use by clearinghouses in requesting review of and coments on proposed actions (see 511 DM 3.3).

C. Each bureau or office which has actions covered by this chapter and which chooses to enter into agreements with State and area clearinghouses will develop a model memorandum of agreement for use by its field offices (regional, area, etc.). These model agreements should include proposed clearance arrangements for such actions, and be made available to each Federal Regional Council and to the Office of Management Consulting. The Office of Management Consulting will arrange for review and comments from the Office of Management and Budget.

D. Bureaus which choose not to enter into agreements with State and area clearinghouses must as a matter of routine practice, inform all cognizant area and State clearinghouses of all proposed or planned actions covered by this chapter (see 511 DM 3.4 guidelines below).

E. Procedures to be adopted by bureaus under this chapter, whether or not they are made a part of a State or area clearinghouse agreement, will observe the timing constraints for review and notification found in 511 DM 2.3. This includes matters such as:

(1) The point in the proposed action or project planning at which the clearinghouse will be contacted;

(2) The minimum time clearinghouses will be afforded to review the proposed action (60 days);

(3) The minimum information to be provided to the clearinghouse;

(4) Procedures for notifying clearinghouses on actions to be taken where the bureau or office is deciding contrary to the advice or recommendations of the clearinghouse.

F. As a minimum, bureaus should use Department of the Interior Form DI–711 to inform clearinghouses (See Illustration 1 to this chapter).

.3 *Bureau Statements.* Each bureau listed below will publish as an Appendix to this chapter a statement of the types of development projects or proposed actions covered by this chapter, and as prescribed in 511 DM 3.2B. The Appendix numbers assigned to each bureau are as follows:

A. *Bureau of Reclamation* (Appendix 1)
B. *Bureau of Land Management* (Appendix 2)
C. *National Park Service* (Appendix 3)
D. *Fish and Wildlife Service* (Appendix 4)
E. *Bonneville Power Administration* (Appendix 5)

*A Guidelines.* There are no minimum levels in terms of size or dollar amounts concerning what projects, leases, licenses, or permits will be coordinated. The procedure relates to the construction of roads; lodge facilities; laboratories; recreation facilities; leases for mineral development; grazing and timber cutting; rights of way; permits; the acquisition of land through gift; purchase; or other means; and the sale or exchange of Federally owned land. These are the types of actions which might be covered. A decision on whether a specific action is subject to this requirement is a matter of judgment or the clearinghouse agreement entered into by the bureau. A failure to use this procedure may lead to delay or conflicts which may result in court intervention. Doubts concerning the use of these clearinghouse review procedures should be resolved in favor of the interests of State and local government. Federal-wide procedures call for:

A. Consulting at the earliest practicable stage in project or development planning on the relationship of the proposed action to the development plans and programs of the State, area, or locality in which it is to be located. In the case of the National Capital Region, such consultation should be undertaken in cooperation with the National Capital Planning Commission.

B. Assuring that the proposed action is consistent or compatible with State, areawide, and local development plans and programs identified in the course of such consultations. Exceptions will be made only where there is clear justification. Explanation of any necessary inconsistency or incompatibility will be provided in writing, to the appropriate clearinghouses.

C. Providing State, areawide, and local agencies, which are authorized to develop and enforce environmental standards, with adequate opportunity to review such Federal plans and proposed actions pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969. Any comments of such agencies will accompany the environmental impact statement submitted by the Federal agency. (See 511 DM 4 Environmental Impact).

D. Providing the State agency responsible for administration of the approved program for the management of the coastal zone an opportunity to review prior to the proposed action. This provision applies to those projects on land use actions which are located in the coastal zone as defined by a States Coastal Zone Management Plan. (See Departmental Manual, Coastal Zone Management, 702 DM 1).

E. Providing information on proposed bureau field organization arrangements that create administrative jurisdictions within or among States so as to affect State planning districts (See Organization Management, 101 DM 1.3 and OMB Circular A–105).

511 DM 3
Illustration 1

UNITED STATES
DEPARTMENT OF THE INTERIOR

## INTERGOVERNMENTAL NOTICE OF PROPOSED ACTION

*(Use of this form is prescribed in 511 DM 3)*

| 1. TO: *(Insert multiple addresses if applicable)* | 2. FROM: *(Organization, address, city, state, ZIP code)* |
|---|---|
| 1. STATE PLANNING COORDINATOR<br>State Capitol Building<br>Carson City, Nevada 89701<br>and<br>2. Carson River Basin Council<br>of Governments<br>Carson City, Nevada 89701 | Bureau of Land Management<br>300 Booth Street<br>Reno, Nevada 89502 |

The Department of the Interior organization listed in Item 2 above is planning to undertake the action identified in Items 3 through 7 below.

In accordance with section 401 of the Intergovernmental Cooperation Act of 1968 and section 102(2)(c) of the National Environmental Policy Act of 1969, we wish to assure that this Department of the Interior action is consistent or compatible with State, regional and local development plans and programs, and to permit State and local assessment of the project's environmental impact. This assessment is requested as prescribed in Office of Management and Budget Circular A-95, Revised which provides for the evaluation, review, and coordination of Federal and federally assisted programs and projects.

If you wish to initiate any discussion regarding this action, please contact us at the address shown in Item 2 above within thirty days of receipt of this notice.

3. TYPE OF PROPOSED ACTION

☐ DIRECT FEDERAL DEVELOPMENT PROJECT ☒ LEASE ☐ PERMIT ☐ LICENSE ☐ ACQUISITION, USE OR DISPOSAL OF FEDERAL PROPERTY

| 4. APPROXIMATE DATE ACTION WILL BE TAKEN OR INITIATED | 5. SITE LOCATION MAP ATTACHED |
|---|---|
| August 31, 1976 | ☒ YES ☐ NO |

6. DESCRIPTION OF ACTION

Review of Draft Regional Environmental Analysis Record for Geothermal Leasing in the Fort Churchill-Clan Alpine Area in Churchill, Lyon, Storey, and Mineral Counties. This would be the first geothermal leasing in this area. The following State agencies participated in the preparation of this analysis and are otherwise knowledgeable about the prospective program: Environmental Protection Services, Division of State Lands, Division of Conservation Districts, Department of Fish and Game, Department of Economic Development, and Nevada State Museum. We pla. to make the record final and available for public viewing as soon after August 31, 1976 as it can be prepared.

7. BENEFITS/IMPACTS

Properly developed geothermal energy will assist in relieving the nation's energy shortage and add to the supply of locally produced electricity. Environmental impacts are minimal and not adverse; economic impacts include an estimated 100 new jobs in the private sector.

| 8. TITLE AND SIGNATURE | 9. TELEPHONE NO. | 10. DATE |
|---|---|---|
| Ed Rowland, State Director | 702-598-5451 | June 20, 1976 |

Form DI-711 (Rev. 5-76) *(Previous editions of this form are obsolete and should not be used.)*

### Bureau of Reclamation

#### DIRECT FEDERAL DEVELOPMENT—PLANNING

The Bureau of Reclamation Federal construction program is basically limited to the 17 westernmost contiguous States under the provisions of the Reclamation Act of 1902 and its subsequent amendments. Planning for such projects includes: distribution of a "Notice of Initiation of Investigation," distribution of the appraisal study (level B), congressional authorization for a feasibility study (level C), distribution of the feasibility report, and congressional hearings and authorization for each specific project.

Environmental statements accompany feasibility reports.

Congressional appropriations are obtained annually for each specific project.

Distribution and review of project proposals at all levels in the above process are required under various documents: the Flood Control Act of 1944 (Public Law 78-534); the "Principles, Standards, and Procedures for Water and Related Land Resource Planning" approved by the President in 1973; and other statutes and executive branch criteria. The State clearinghouses would be included throughout the above review process.

#### DIRECT FEDERAL DEVELOPMENT—CONSTRUCTION

Each Federal project is specifically authorized by the Congress for construction following public hearings. The act includes authority to accomplish project purposes, and further notification to clearinghouses should not be necessary. Title to all constructed works and rights-of-way is vested in the United States. Such constructed works include, among others, dams, power plants, pumping plants, canals, laterals, pipelines, and transmission lines.

#### DIRECT FEDERAL DEVELOPMENT—WATER AND LAND OPERATIONS

Following construction, the operation and maintenance of the project facilities may be accomplished by the Bureau of Reclamation. However, under contract provisions, such operation and maintenance usually are turned over to the repaying (contracting) entity. Activities necessary to operation and maintenance include: minor construction; repair of project facilities; acquisition of land or interests in land required for project purposes; disposal of excess land; and issuance of permits, licenses, or leases for a variety of purposes on retained land.

For transactions involving land acquisition, disposal, permits, licenses, and leases, which occur during the operation and maintenance of the project, the responsible Regional Directors will cooperate with State clearinghouses by notification of such transactions, allowing the prescribed time for review before final action.

### Bureau of Land Management

The Bureau of Land Management administers 450 million acres of the public lands, located primarily but by no means exclusively in the Far West and Alaska,[1] and 2.5 million acres of the Oregon and California Revested Lands in western Oregon. It also administers mineral leasing on the Outer Continental Shelf and on lands where the mineral interest has been reserved or acquired by the United States.

In the discharge of its responsibilities for providing multiple use, sustained yield and environmental quality the Bureau of Land Management:

(1) constructs such facilities as office buildings, warehouses, telecommunication relay stations, supply yards, roads and trails, recreation facilities, fences, water control and water retention facilities, and stock water facilities;

(2) sells tracts of public lands (324 tracts in fiscal 1974);

(3) grants lands (185 tracts in fiscal 1974);

(4) issues mineral leases on public or acquired lands (11,609 issued in fiscal 1974);

(5) holds sales and issues mineral leases on the Outer Continental Shelf (3 sales held and 280 leases issued in fiscal 1974);

(6) makes land exchanges (108 in fiscal 1974);

(7) leases land (128 tracts fiscal 1974);

(8) holds timber sales (2,733 in fiscal 1974);

(9) grants free use permits for timber cutting (10,016 issued in fiscal 1974);

(10) issues leases or permits for grazing domestic livestock (23,622 in force fiscal 1974);

(11) holds mineral materials sales (331 sales held in fiscal 1974);

(12) grants free-use permits for minerals material (308 issued in fiscal 1974);

(13) adjudicates rights-of-way applications (6,976 cases closed in fiscal 1974);

(14) classifies lands for applicability for transfer under numerous public land laws (16,689 made in fiscal 1974);

(15) processes applications for the withdrawal or reservation of public lands for such Federal purposes as defense, reclamation, public works, natural areas;

(16) surveys and resurveys the public lands (2 million acres in FY 1974);

(17) creates or establishes and graphically portrays the official Federal boundaries on the Outer Continental Shelf to facilitate oil, gas, and mineral leasing;

(18) provides, and receives, wildlife protection in cooperation with State and local governments;

(19) coordinates and receives assistance in law enforcement matters including trespass;

(20) acquires lands (in fee) or interests in land (easements) for various purposes including acquisitions under special acts, i.e., The Kings Range National Conservation Area Act;

(21) conducts in connection with range management and watershed conservation brush control and grass seeding and reseeding projects;

(22) protects and manages wild free roaming horses and burros;

(23) prepares environmental analyses (9,500 in fiscal 1975) and environmental impact statements with respect to public land policies and programs and reviews such analyses and statements which other Federal agencies prepare;

(24) conducts habitat management projects and programs for aquatic and terrestrial wildlife including game, non-game, and threatened and endangered species and devises programs of wildlife habitat protection and mitigation.

(25) develops overall land use plans (now in a second generation in some areas).

### National Park Service

#### BUREAU STATEMENT

The fundamental mission of the National Park Service, as expressed in the language of the National Park Service Act, is "to promote and regulate the use of the Federal areas known as national parks, monuments, and reservations, hereinafter specified, by such means and measures as conform to the fundamental purpose of said parks, monuments and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." The National Park System presently consists of 286 natural, historical, cultural and recreational areas.

The National Park Service also exercises within delegated limits the authority of the Secretary of the Interior in matters related to the preservation of historic and cultural resources of the Nation. This responsibility includes the administration of a grants-in-aid program for the acquisition and rehabilitation of historic properties, consultation and advice to Federal, State and local agencies and groups, maintenance of the National Register of Historic Places, issuance of Antiquity Act Permits on Federal lands, and the administration of a program of coordination and assistance in Federal responsibilities and activities in the preservation and salvage of historic resources.

Additionally, it administers the Historic American Buildings Survey and the Historic American Engineering Record programs, maintains registers of natural and environmental education landmarks, and supports studies to identify significant historic and natural areas.

In exercising these responsibilities, the National Park Service:

Acquires lands and interests in lands for authorized and established areas of the National Park System by purchase, exchange, donation, condemnation, and by transfer from other Federal agencies;

Constructs such park and recreation facilities as visitor information centers, parking and concessioner facilities, sanitation system, roads and trails, and maintenance facilities;

Prepares Environmental Impact Statements and environmental assessments where applicable, and reviews the environmental statements and assessments prepared by other agencies for the impacts on the National Park System and for compliance with Federal historic preservation law and policy;

Undertakes mission-oriented research related to natural, historical and cultural resources;

Negotiates contracts for the salvage of historical and cultural resources impacted by Federal programs and activities;

Negotiates concession contracts and establishes new concession facilities, including the modification of existing facilities, in designated park areas;

Issues the following types of permits: right-of-way permits, scientific-collecting permits, special-use permits for the use of real property (land, including assets and resources or utilities); and Antiquity Act Permits.

With respect to these actions and activities that frequently affect the interests of other organizations, the National Park Service exchanges information and technical assistance with other levels of government and with other nations. These efforts provide mutual benefits and contribute significantly to the accomplishment of the National Park Service mission.

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[1] The Bureau of Land Management maintains State offices in the following States: Alaska, Arizona, California, Colorado, Idaho, Montana (includes North Dakota and South Dakota), Nevada, New Mexico (includes Oklahoma), Oregon (includes Washington), Utah, and Wyoming (includes Nebraska and Kansas).

For States bordering the Mississippi on the west and for States east of the Mississippi the Bureau of Land Management maintains an Eastern States Office in Silver Spring, Maryland.

For Outer Continental Shelf business it has OCS offices in New York, New Orleans, Los Angeles, and Anchorage.

U.S. FISH AND WILDLIFE SERVICE

The U.S. Fish and Wildlife Service administers 378 units in the national wildlife refuge system, plus waterfowl production areas located in 127 counties, totaling 34,136,463 acres in the system. Refuges are located in all States except West Virginia. The Service manages 91 fish production facilities and 22 fish and wildlife research units.

In the discharge of its responsibilities, the U.S. Fish and Wildlife Service:

(1) Constructs or modifies hatcheries, research facilities, and refuge facilities, including office buildings, residences, laboratories, recreation facilities, water-control structures, and special purpose structures.

(2) Acquires by purchase, easement, or exchange, wetlands and other suitable habitat for migratory birds, endangered species, and other wildlife. In fiscal year 1975, 57,000 acres were acquired.

(3) Grants permits and enters cooperative agreements for use of lands under Service control. Included are grazing, timber harvest, farming, and concession contracts, as well as agreements with States for operation of Service management units.

(4) Issues permits and easements for rights-of-way.

(5) Constructs visitor information and environmental education centers.

(6) Constructs roadways, dikes, and small dams.

(7) Constructs sewerage facilities for domestic and hatchery effluent needs.

BONNEVILLE POWER ADMINISTRATION

Bonneville Power Administration markets electric power and energy generated at Federal hydroelectric projects in the Pacific Northwest. To carry out its power marketing programs BPA constructs, operates, and maintains a transmission system to integrate power projects, transmit the output of projects to load centers throughout the marketing area, and interconnect with non-Federal utility systems throughout the Pacific Northwest region. The Federal transmission system is also utilized under appropriate contracts for the wheeling of power from non-Federal generating plants to load centers.

In carrying out its programs BPA acquires real property in fee or by easement for direct-development projects such as transmission lines and other facilities. Such acquisitions are covered by the environmental impact statement (EIS) process.

From time to time BPA disposes of real property holdings. Disposals are made through GSA.

BPA allows use of its rights-of-way, substation sites, and other facilities including structures where use by others does not endanger the safety and reliability of the power system or interfere with the landowners' rights or create a hazard or nuisance to the public. The types of uses for which leases or permits may be issued include agricultural and silvicultural permits, such as grazing, crop cultivation, and tree growing; other special-use permits, such as use of access roads and placement of underground utility lines.

CHAPTER 4 ENVIRONMENTAL IMPACT—511.4.1

.1 *Environmental Impact.* Section 102(2)(c) of the National Environmental Policy Act of 1969 requires Federal agencies to prepare an "environmental impact statement" for any proposed major action significantly affecting the quality of the human environment.

A. *Procedure.* (1) Clearinghouses have the responsibility of assuring that appropriate State, metropolitan, regional and local agencies authorized to develop and enforce environmental standards are informed of such projects and serve as the focal point for obtaining information and comments on Federal and Federally assisted projects.

(2) In the case of Federal assistance projects listed in Appendix 1 to 511 DM 1, applicants must submit to the clearinghouse a statement on the anticipated environmental impact of the proposed project. Applicants are made aware of this requirement by bureau distributed application materials, in pre-application conferences or in response to inquiries regarding application procedures. It is a bureau or office responsibility to prepare or, under certain circumstances, to supervise the preparation of an environmental impact statement when required, and the bureau or office may require additional information from the applicant.

(3) In the case of direct Federal development projects and leases, licenses or permits related to Federal land use, bureaus or offices are required to seek the views of State and local agencies on the environmental significance of the proposed Federal project. This will be accomplished by furnishing the appropriate clearinghouses with copies of Form DI-711, Intergovernmental Notice of Proposed Action, in accordance with 511 DM 3. If the bureau or office has prepared a draft environmental statement, this may be submited with the Form DI-711 for clearinghouse processing.

(4) Further bureau or office actions on environmental statements will be conducted in accordance with regulations of the Council on Environmental Quality and 516 DM 1-3.

CHAPTER 5 STATE PLANS REQUIRED BY FEDERAL PROGRAMS—511.5.1

.1 *State Plans Required by Federal Programs.* The purpose of this requirement is to provide Federal agencies with information about the relationship of State plans required under various Federal programs to State or areawide comprehensive planning. It permits the Governor of a State to relate development strategies among the various Federally supported State programs to each other and to any overall strategies developed through the State comprehensive planning process.

A. *Procedures.* (1) Any bureau or office administering a program requiring a State plan as a condition of assistance under the program will require that the Governor be given up to 45 days to comment on the relationship of such State plan to comprehensive and other State plans and programs. Programs subject to this chapter requirement are shown in Appendix 1 to 511 DM 1.

(2) Any State plan which is submitted to any bureau and office of the Department of the Interior as a condition of assistance under a program will normally bear the signature of the Governor(s) of the State(s) and identify the plan as the official State(s) plan for that particular function.

(3) Where program procedures permit and the plan is signed by a person other than the Governor, that person must have been officially designated by the Governor prior to the submission of the plan and a notice of his designation must be on file with the bureau or office concerned. Where the plan is signed by a designated representative of the Governor, the plan must be accompanied by a statement that the Governor was given the opportuntiy to review and comment on the plan.

(4) Each bureau and office is responsible for notifying the state agency developing the plan of this requirement.

.2 *Definition.* The term "State Plan" as used in this chapter is defined to include any required supporting planning reports or documentation that indicate the programs, projects, and activities for which Federal funds will be utilized, and any amendments thereto.

CHAPTER 6 PLANNING IN MULTIJURISDICTIONAL AREAS—511.6.1

.1 *Coordination of Planning in Multijurisdictional Areas.* The purpose of this chapter is to encourage and facilitate State and local initiative and responsibility for coordinating comprehensive and functional planning activities; to eliminate overlap, duplication and competition; to encourage the most effective use of State and local resources to minimize inconsistency in Federal administrative and approval requirements; and to encourage States in the establishment of planning and development districts on a consistent geographic basis. Programs subject to this chapter are listed in Appendix 1 to 511 DM 1.

A. *Procedure.* (1) Any bureau or office administering a program requiring the designation of planning and development districts or regions will provide a period of 30 days for the Governor(s) of the State(s) in which the district or region will be located to review the proposed boundaries and comment upon their relationship to other State established districts or regions.

(2) Boundaries of designated areas will conform to established State planning and development districts unless there is clear justification for not doing so. Such justification will become a matter of record and copies will be made available to the Governor(s) and local elected officials of those areas affected by such designations.

(3) If no State established planning and development districts exist, the bureau or office is responsible for coordinating the proposed designated boundaries with major units of local governments and the appropriate Federal Regional Council. The Office of Management and Budget, through the appropriate Federal Regional Council, will be notified of such proposed designation and when the planning districts are finally designated.

(4) Federal assistance programs offering planning grants to multijurisdictional planning agencies in States will require the grantee to enter into a memorandum of agreement with the appropriate local areawide clearinghouse to avoid overlap or duplication of planning grants. As a minimum, these agreements will contain the following:

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

(b) The organizational and procedural arrangements for coordinating such activities, such as: overlapping board membership, procedures for joint review of projected 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.

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 Federal Regional Council and the State clearinghouse, will undertake, within a 30-day period after receipt of the application, resolution of the issues before approving the application, if it is otherwise in good order.

(5) Each bureau or office is responsible for determining if the interests of the applicant for planning assistance can best be served through joint or cooperative funding by more than one Federal agency. The project shall be reviewed from this standpoint at the

earliest feasible time in the application process through preliminary contact with the applicant or through preapplication conferences. Interior program personnel are responsible for contacting other Federal agencies to coordinate such efforts, if they are deemed feasible, and assist the applicant in developing a project proposal utilizing joint or cooperative funding through other related Federal programs.

.2 *Additional Considerations.* As applicable, the provisions of regulations pertaining to the Joint Funding Simplification Act of 1974 (Public Law 93-510) should also be taken into consideration regarding comprehensive and functional planning activities. Such regulations are scheduled for publication in Part 259 of Title 34 of the Code of Federal Regulations.

[FR Doc.76-19164 Filed 7-2-76;8:45 am]

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[INT FES 76-33]

## MASTER PLAN FOR GLACIER NATIONAL PARK, MONTANA

### Availability of Final Environmental Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act, the Department of the Interior has prepared a final environmental statement for the Glacier National Park master plan.

The environmental statement considers the social, economic, and ecological effects of the master plan recommendations for future management activity and visitor use of Glacier National Park, Montana.

Copies of the final environmental statement are available from as for inspection at the following locations:

Rocky Mountain Regional Office, National Park Service, 655 Parfet Street, P.O. Box 25287, Denver, Colorado 80225.

Superintendent, Glacier National Park, West Glacier, Montana 59936.

Montana State Clearinghouse, Department of Budget and Program Planning, Room 221, State Capitol Building, Helena, Montana 59601.

Dated: June 24, 1976.

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

[FR Doc.76-19384 Filed 7-2-76;8:45 am]

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# DEPARTMENT OF AGRICULTURE

### Soil Conservation Service

## BAILEY-COX-NEWTSON WATERSHED PROJECT, INDIANA

### Availability of Final Environmental Impact Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental impact statement for the Bailey-Cox-Newtson Watershed project, Starke County, Indiana, USDA-SCS-EIS-WS-(ADM)-76-4(F)-IN.

The environmental impact statement concerns a plan for watershed protection and flood prevention. The planned works of improvement, as described in the environmental impact statement, include conservation land treatment, supplemented by 19.0 miles of channel excavation, 7.2 miles of selective clearing, 6,900 lineal feet of dike, 14.0 structures for water control, a pump station, and 4,000 lineal feet of spawning ditches.

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

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

Soil Conservation Service, 5610 Crawfordsville Road, Indianapolis, Indiana 46224.

Dated: June 28, 1976.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program—Pub. L. 83-566.)

SHELDON G. BOONE,
*Acting Deputy Administrator for Water Resources Soil Conservation Service.*

[FR Doc.76-19364 Filed 7-2-76;8:45 am]

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## LONG BRANCH WATERSHED PROJECT, NEBRASKA

### Availability of Final Environmental Impact Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental impact sttaement (EIS) for the Long Branch Watershed project, Richardson, Nemaha, Pawnee, and and Johnson Counties, Nebraska, USDA-SCS-EIS,WS-(ADM)-75-2(F)-NE.

The EIS concerns a plan for watershed protection, flood prevention, including grade stabilization, and recreation. The planned works of improvement include conservation land treatment, twelve grade stabilization structures, and one recreational development. The recreational development will provide 25,200 visitor-days of recreation annually.

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

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

Soil Conservation Service, USDA, Federal Building, U.S. Courthouse, Room 345, Lincoln, Nebraska 68508.

Dated: June 28, 1976.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program—Pub. L. 83-566.)

SHELDON G. BOONE,
*Acting, Deputy Administrator for Water Resources, Soil Conservation Service.*

[FR Doc.76-19363 Filed 7-2-76;8:45 am]

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# DEPARTMENT OF COMMERCE

### Economic Development Administration

## P. MASTRIPPOLITO & SONS, INC.

### Petition for Determination of Eligibility

A petition by P. Mastrippolito & Sons, Inc., Embreeville, R.D. 4, Box 445, Coatesville, Pennsylvania 19320, a producer and processor of mushrooms, was accepted for filing on June 28, 1976, under Section 251 of the Trade Act of 1974 (Pub. L. 93-618). Consequently, the United States Department of Commerce has initiated an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of July 16, 1976.

JACK W. OSBURN, JR.,
*Chief, Trade Act Certification Division, Office of Planning and Program Support.*

[FR Doc.76-19318 Filed 7-2-76;8:45 am]

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### Maritime Administration

[Docket No. S-514]

## WATERMAN STEAMSHIP CORP.

### Notice of Application

Notice is hereby given that Waterman Steamship Corporation (Waterman) has applied for amendment of its Operating-Differential Subsidy Agreement, Contract No. MA/MSB-115, which covers service between United States Gulf and Atlantic ports and ports in Southwest Asia from Suez to Burma, and in Africa on the Red Sea and Gulf of Aden area.

Waterman has applied for the privilege of serving (a) and (b) below in connection with its subsidized service on Trade Route No. 18:

(a) *Trade Area No. 2—Great Lakes/West, South and East Africa.* Between U.S. ports on the Great Lakes and St. Lawrence River, intermediate Canadian Great Lakes ports and other Canadian ports along the general track and ports in Africa from the southern border of Morocco to Cape Guardafui in the Somali Republic, including Madeira, Canary, Cape Verde and other islands adjacent to the West African Coast, the Islands of Ascension and St. Helena in the South Atlantic, the Malagasy Republic, and adjacent islands in the Indian Ocean not east of 60° East Longitude.

(b) *Trade Area No. 4—Great Lakes/Red Sea, Persian Gulf and India.* Between U.S. ports on the Great Lakes and St. Lawrence River, intermediate Cana-

dian Great Lakes ports and other Canadian ports along the general track and ports in Southwest Asia from Suez to Burma, inclusive, and Africa on the Red Sea and Gulf of Aden.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1175), should by close of business on July 29, 1976, notify the Secretary, Maritime Subsidy Board in writing, in triplicate, and file petition for leave to intervene in accordance with the Rules of Practice and Procedure of the Maritime Subsidy Board.

In the event a section 605(c) hearing is ordered to be held, the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel to be operated in an essential service, served by citizens of the United States, which would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of United States registry in such essential service is inadequate, and (2) whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential Subsidies (ODS))

By Order of the Maritime Administration.

Dated: June 29, 1976.

ROBERT J. PATTON, Jr.,
*Assistant Secretary.*

[FR Doc.76-19435 Filed 7-2-76;8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

[Docket No. 76N-0235; DESI 12301]

### CHLORDIAZEPOXIDE AND CHLORDIAZEPOXIDE HYDROCHLORIDE PREPARATIONS

### Drugs for Human Use; Drug Efficacy Study Implementation; Followup Notice and Opportunity for Hearing

In a notice (DESI 12301; Docket No. FDC-D-262 (now Docket No. 76N-0235)) published in the FEDERAL REGISTER of July 11, 1972 (37 FR 13562) and amended by a notice published in the FEDERAL REGISTER of September 12, 1972 (37 FR 18482), the Food and Drug Administration announced its conclusions that the drug products described below are (1) effective for the relief of anxiety and tension, withdrawal symptoms of acute alcoholism, preoperative apprehension and anxiety, and as an adjunct in the treatment of various disease states in which anxiety and tension are manifested; (2) possibly effective for use in acute agitation, alone or associated with organic disorders or psychoneurotic reactions; and as adjunctive therapy is some psychoses in which tension and anxiety are present; and (3) lacking substantial evidence of effectiveness in the treatment of chronic alcoholism other than for the relief of concomitant anxiety. The July 11, 1972 notice also offered an opportunity for a hearing concerning the indication concluded at that time to lack substantial evidence of effectiveness. The manufacturer of the drugs deleted from the labeling of the drugs both the possibly effective indications and the indication lacking substantial evidence of effectiveness. No person has submitted any data in support of the possibly effective indications and those indications are now reclassified as lacking substantial evidence of effectiveness. This notice offers an opportunity for a hearing concerning those indications and sets forth the conditions for marketing the drugs for the indications for which they continue to be regarded as effective. Persons who wish to request a hearing may do so on or before August 5, 1976.

The notice that follows does not pertain to the indication stated in the July 11, 1972 notice to lack substantial evidence of effectiveness. No person requested a hearing concerning it and it is no longer allowable in labeling. Any such product labeled for that indication is subject to regulatory action.

NDA 12-249; Librium Capsules; and
NDA 12-301; Librium Injectable Sterile Powder, both containing chlordiazepoxide hydrochloride; and
NDA 13-071; Libritabs Tablets containing chlordiazepoxide; all marketed by Roche Laboratories, Division of Hoffmann-La Roche, Inc., 340 Kingsland Ave., Nutley, NJ 07110.

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). Supplemental new drug applications are required to revise the labeling in and to update previously approved applications providing for such drugs. An approved new drug application is a requirement for marketing such drug products.

In addition to the holder of the new drug applications specifically named above, this notice applies to all persons who manufacture or distribute a drug product, not the subject of an approved new drug application, that is identical, related, or similar to a drug product named above, as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice 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 a 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.

A. *Effectiveness classification.* The Food and Drug Administration has reviewed all available evidence and concludes that the drugs are effective for the indications listed in the labeling conditions below. The drugs now lack substantial evidence of effectiveness for the indications evaluated as possibly effective in the July 11, 1972 notice.

B. *Conditions for approval and marketing.* The Food and Drug Administration is prepared to approve abbreviated new drug applications and abbreviated supplements to previously approved new drug applications under conditions described herein.

1. *Form of drug.* Chlordiazepoxide preparations are in tablet form suitable for oral administration. Chlordiazepoxide hydrochloride preparations are in capsule form suitable for oral administration or in sterile powder form suitable for parenteral administration after reconstitution.

2. *Labeling conditions.* a. The label bears the statement,

"Caution: Federal law prohibits dispensing without prescription."

b. The drugs are labeled to comply with all requirements of the act and regulations, and the labeling bears adequate information for safe and effective use of the drugs. The Indications are as follows:

For the relief of anxiety and tension, withdrawal symptoms of acute alcoholism, preoperative apprehension and anxiety, and as an adjunct in the treatment of various disease states in which anxiety and tension are manifested.

3. *Marketing status.* a. Marketing of such drug products that are now the subject of an approved or effective new drug application may be continued provided that, on or before September 7, 1976, the holder of the application submits, if he has not previously done so, (i) a supplement for revised labeling as needed to be in accord with the labeling conditions described in this notice, and complete container labeling if current container labeling has not been submitted, and (ii) a supplement to provide updating information with respect to items 6 (components), 7 (composition), and 8 (methods, facilities, and controls) of new drug application form FD-356H (21 CFR 314.1(c)) to the extent required in abbreviated applications (21 CFR 314.1(f)).

b. Approval of an abbreviated new drug application (21 CFR 314.1(f) must be obtained prior to marketing such products. Marketing prior to approval of a new drug application will subject such products, and those persons who caused the products to be marketed, to regulatory action.

C. *Notice of opportunity for hearing.* On the basis of all the data and information available to him, the Director of the Bureau of Drugs is unaware of any adequate and well-controlled clinical investigation, conducted by experts qualified by scientific training and experience, meeting the requirements of section 505 of the Federal Food, Drug,

and Cosmetic Act (21 U.S.C. 355) and 21 CFR 314.111(a)(5), demonstrating the effectiveness of the drug(s) for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice.

Notice is given to the holder(s) of the new drug application(s), 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 the new drug application(s) and all amendments and supplements thereto providing for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice on the ground that new information before him with respect to the drug product(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug product(s) will have all the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling. An order withdrawing approval will not issue with respect to any application(s) supplemented, in accord with this notice to delete the claim(s) lacking substantial evidence of effectiveness.

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(s) and all other persons who manufacture or distribute a drug product which is identical, related, or similar to a drug product named above (21 CFR 310.6), are hereby given an opportunity for a hearing to show why approval of the new drug application(s) providing for the claim(s) involved 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 all identical, related, or similar drug products.

If an applicant or any 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 August 5, 1976, a written notice of appearance and request for hearing, and (2) on or before September 7, 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 proposal to withdraw approval. 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.

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 such drug product. Any such drug product labeled for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice 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 a 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 of opportunity for hearing shall be filed in quintuplicate. Such submissions, 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 (address given below) during working hours, Monday through Friday.

Communications forwarded in reponse to this notice should be identified with the reference number DESI 12301, directed to the attention of the appropriate office named below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Supplements (identify with NDA number): Division of Neuropharmacological Drug Products (HFD-120), Rm. 10B-34, Bureau of Drugs.

Original abbreviated new drug applications (identify as such): Division of Generic Drug Monographs (HFD-530), Bureau of Drugs.

Request for Hearing (identify with Docket number appearing in the heading of this notice): Hearing Clerk, Food and Drug Administration (HFC-20), Rm. 4-65.

Request for the report of the National Academy of Sciences-National Research Council: Data Preparation (HFD-614), Division of Drug Information Resources, Bureau of Drugs.

Other communications regarding this notice: Drug Efficacy Study Implementation Project Manager (HFD-101), Bureau of Drugs.

(Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-1053, as amended (21 U.S.C. 352, 355)) and under the authority delegated to the Director of the Bureau of Drugs (21 CFR 5.31).)

Dated: June 29, 1976.

J. RICHARD CROUT,
*Director, Bureau of Drugs.*

[FR Doc.76-19324 Filed 7-2-76;8:45 am]

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[Docket No. 76N-0202; DESI 8614]

## COMBINATION DRUG PRODUCTS CONTAINING ASPIRIN, ACETAMINOPHEN, PHENOBARBITAL, AND BELLADONNA ALKALOIDS, WITH AND WITHOUT CODEINE

### Opportunity for Hearing on Proposal To Withdraw Approval of New Drug Application

In a notice published in the FEDERAL REGISTER of July 9, 1966 (31 FR 9426), each holder of a new drug application which became effective prior to October 10, 1962, was requested to submit to the Food and Drug Administration reports containing the best data available in support of the effectiveness of his products for the claimed indications. That information was needed to facilitate a determination by the Food and Drug Administration, with the assistance of the National Academy of Sciences-National Research Council (NAS-NRC), whether each claim in the labeling is supported by substantial evidence of effectiveness, as required by the Drug Amendments of 1962. The holder of the new drug application described below did not submit the information requested by the notice of July 9, 1966, and therefore the drugs were not reviewed by NAS-NRC. The drugs have been used as analgesics.

The Food and Drug Administration has reviewed available information and concludes that substantial evidence of effectiveness of the drugs is lacking. This notice proposes to withdraw their approval. Persons wishing to request a hearing may do so on or before August 5, 1976.

Anadol Tablets containing aspirin 3½ gr, acetaminophen 2½ gr, phenobarbital ¼ gr, hyoscyamine sulfate 0.0004 gr, scopolamine hydrobromide 0.00008 gr, and atropine sulfate 0.00002 gr; and Anadol with Codeine Tablets containing aspirin 3½ gr, acetaminophen 2½ gr, phenobarbital ¼ gr, hyoscyamine sulfate 0.0004 gr, scopolamine hydrobromide 0.00008 gr, atropine sulfate 0.00002 gr, and codein phosphate ¼ gr, or ½ gr; Bard-Petersburg, Inc., Division of The Purdue Frederick Co., 50 Washington St., Norwalk, CT 06856 (NDA 8-614). The previous holder of the NDA was Physi-

cians Products Co., Inc., 2022 South Sycamore St., Petersburg, VA 23803.

The new drug application has been reviewed and found not to contain any data concerning effectiveness of the products.

On the basis of all of the data and information available to him, the Director of the Bureau of Drugs is unaware of any adequate and well-controlled clinical investigation, conducted by experts qualified by scientific training and experience, meeting the requirements of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), 21 CFR 314.-111(a)(5), and 21 CFR 300.50, demonstrating the effectiveness of the drugs.

Therefore, notice is given to the holder(s) of the new drug application(s) 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 the new drug application(s) (or if indicated above, those parts of the application(s) providing for the drug product(s) listed above) and all amendments and supplements thereto on the ground that new information before him with respect to the drug product(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug product(s) will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling.

In addition to the holder(s) of the new drug application(s) specifically named above, this notice of opportunity for hearing applies to all persons who manufacture or distribute a drug product which is identical, related, or similar to a drug product named above, 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 a 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(s) 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(s) 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(s) 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 August 5, 1976, a written notice of appearance and request for hearing, and (2) on or before September 7, 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.

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.

(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 5.31)).

Dated: June 28, 1976.

J. RICHARD CROUT,
*Director, Bureau of Drugs.*

[FR Doc.78-19327 Filed 7-2-76;8:45 am]

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[Docket No. 76N-0234; DESI 5929]

## DIHYDROERGOTAMINE MESYLATE INJECTION

### Drugs for Human Use; Drug Efficacy Study Implementation Followup Notice and Opportunity for Hearing

In a notice (DESI 5929) published in the FEDERAL REGISTER of July 27, 1972 (37 FR 15032), the Food and Drug Administration announced its conclusions that the drug product described below is effective as therapy to abort or prevent vascular headache and possibly effective for the treatment of herpes zoster (for the relief of neuritic pain). The manufacturer of the drug deleted the possibly effective indication from the labeling of the drug. No person has submitted any data in support of that indication and it is now reclassified as lacking substantial evidence of effectiveness. This notice offers opportunity for hearing concerning that indication and sets forth the conditions for marketing such drug for the indications for which it continues to be regarded as effective. Persons who wish to request a hearing may do so on or before August 5, 1976.

NDA 5-929; D.H.E. 45 Ampules containing dihydroergotamine mesylate; Sandoz Pharmaceuticals, Rt. 10, E. Hanover, NJ 07936.

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). Supplemental new drug applications are required to revise the labeling in and to update previously approved applications providing for such drugs. An approved new drug application is a requirement for marketing such drug product.

In addition to the holder of the new drug application specifically named above, this notice applies to all persons who manufacture or distribute a drug product, not the subject of an approved new drug application, that is identical, related, or similar to a drug product named above, as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice 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 iden-

tical, related, or similar to a 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.

A. *Effectiveness classification.* The Food and Drug Administration has reviewed all available evidence and concludes that the drug is effective for the indication listed in the labeling conditions below. The drug now lacks substantial evidence of effectiveness for the indication evaluated as possibly effective in the notice of July 27, 1972.

B. *Conditions for approval and marketing.* The Food and Drug Administration is prepared to approve abbreviated new drug applications and abbreviated supplements to previously approved new drug applications under conditions described herein.

1. *Form of drug.* The drug is in sterile aqueous solution form suitable for parenteral administration.

2. *Labeling conditions.* a. The label bears the statement,

"Caution: Federal law prohibits dispensing without prescription."

b. The drug is labeled to comply with all requirements of the act and regulations, and the labeling bears adequate information for safe and effective use of the drug. The Indication is as follows:

For use as therapy to abort or prevent vascular headache, e.g., migraine variants, or so-called "histaminic cephalalgia" when rapid control is desired or when other routes of administration are not feasible.

3. *Marketing status.* a Marketing of such drug product that is now the subject of an approved or effective new drug application may be continued provided that, on or before September 7, 1976, the holder of the application submits, if he has not previously done so, (i) a supplement for revised labeling as needed to be in accord with the labeling conditions described in this notice, and complete container labeling if current container labeling has not been submitted, and (ii) a supplement to provide updating information with respect to items 6 (components), 7 (composition), and 8 (methods, facilities, and controls) of new drug applications form FD-356H (21 CFR 314.1(c)) to the extent required in abbreviated applications (21 CFR 314.1(f)).

b. Approval of an abbreviated new drug application (21 CFR 314.1(f)) must be obtained prior to marketing such product. Marketing prior to approval of a new drug application will subject such products, and those persons who caused the products to be marketed, to regulatory action.

C. *Notice of opportunity for hearing.* On the basis of all the data and information available to him, the Director of the Bureau of Drugs is unaware of any adequate and well-controlled clinical investigation, conducted by experts qualified by scientific training and experience, meeting the requirements of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and 21 CFR 314.111(a)(5), demonstrating the effectiveness of the drug(s) for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice.

Notice is given to the holder(s) of the new drug application(s), 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 the new drug application(s) and all amendments and supplements thereto providing for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice on the ground that new information before him with respect to the drug product(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug product(s) will have all the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling. An order withdrawing approval will not issue with respect to any application(s) supplemented, in accord with this notice, to delete the claim(s) lacking substantial evidence of effectiveness.

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(s) and all other persons who manufacture or distribute a drug product which is identical, related, or similar to a drug product named above (21 CFR 310.6), are hereby given an opportunity for a hearing to show why approval of the new druge application(s) providing for the claim(s) involved 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 all identical, related, or similar drug products.

If an applicant or any 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 August 5, 1976, a written notice of appearance and request for hearing, and (2) on or before September 7, 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 proposal to withdraw approval. 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.

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 such drug product. Any such drug product labeled for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice 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 of opportunity for hearing shall be filed in quintuplicate. Such submissions, 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 (address given below) during working hours, Monday through Friday.

Communications forwarded in response to this notice should be identified with the reference number: DESI 5929, directed to the attention of the appropriate office named below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Supplements (identify with NDA number): Division of Neuropharmacological Drug Products (HFD-120), Rm. 10B-34, Bureau of Drugs.

Original abbreviated new drug applications (identify as such): Division of Generic Drug Monographs (HFD-530), Bureau of Drugs.

Requests for Hearing (identify with Docket number appearing in the heading of this notice): Hearing Clerk, Food and Drug Administration (HFC-20), Rm. 4-65.

Requests for the report of the National Academy of Sciences—National Research Council: Data Preparation Branch (HFD–614), Division of Drug Information Resources, Bureau of Drugs.

Other communications regarding this notice: Drug Efficacy Study Implementation Project Manager (HFD–101), Bureau of Drugs

(Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050–1053, as amended (21 U.S.C. 352, 355)) and under the authority delegated to the Director of the Bureau of Drugs (21 CFR 5.31) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)).)

Dated: June 28, 1976.

J. RICHARD CROUT,
*Director, Bureau of Drugs.*

[FR Doc.76–19328 Filed 7–2–76;8:45 am]

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[Docket No. 76N–0241; DESI 8135]

## TRYPSIN STERILE POWDER

### Drugs for Human Use; Drug Efficacy Study Implementation; Followup Notice and Opportunity for Hearing

In a notice (DESI 8135) published in the FEDERAL REGISTER of June 23, 1970 (35 FR 10240), the Food and Drug Administration announced its conclusion that the drug product described below is effective when administered as an aerosol for use in liquefaction of viscid sputum. The drug product was also classified as possibly effective when administered intrapleurally or topically for certain indications. Subsequent to that notice, the possibly effective indications were deleted from the labeling of the drug product. No person has submitted any data in support of the possibly effective indications, and such indications are now reclassified as lacking substantial evidence of effectiveness. This notice offers an opportunity for a hearing concerning the possibly effective indications, which now lack substantial evidence of effectiveness, and states the conditions for marketing such drug for the indication classified as effective. Persons who wish to request a hearing may do so on or before August 5, 1976.

NDA 8–135; Tryptar Sterile Powder containing crystalline trypsin; Armour Pharmaceutical Co., Division Armour and Co., Greyhound Tower, Phoenix, AZ 85077.

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). Supplemental new drug applications are required to revise the labeling in and to update previously approved applications providing for such drugs. An approved new drug application is a requirement for marketing such drug products.

In addition to the holder of the new drug application specifically named above, this notice applies to all persons who manufacture or distribute a drug product, not the subject of an approved new drug application, that is identical, related, or similar to a drug product named above, as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice 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 a 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.

A. *Effectiveness classification.* The Food and Drug Administration has reviewed all available evidence and concludes that the drug is effective for the indication listed in the labeling conditions below and lacks substantial evidence of effectiveness for all its other labeled indications.

B. *Conditions for approval and marketing.* The Food and Drug Administration is prepared to approve abbreviated new durg applications and abbreviated supplements to previously approved new drug applications under conditions described herein.

1. *Form of drug.* The drug is in powder form suitable for aerosol administration.

2. *Labeling conditions.* a. The label bears the statement,

"Caution: Federal law prohibits dispensing without prescription."

b. The drug is labeled to comply with all requirements of the act and regulations, and the labeling bears adequate information for safe and effective use of the drug. The Indication is as follows:

For liquefaction of viscid sputum.

3. *Marketing status.* a. Marketing of such drug product which is now the subject of an approved or effective new drug application may be continued provided that, on or before September 7, 1976, the holder of the application submits, if he has not previously done so, (i) a supplement for revised labeling as needed to be in accord with the labeling conditions described in this notice, and complete container labeling if current container labeling has not been submitted, and (ii) a supplement to provide updating information with respect to items 6 (components), 7 (composition), and 8 (methods, facilities, and controls) of new drug application form FD–356H (21 CFR 314.1 (c)) to the extent required in abbreviated applications (21 CFR 314.1(f)).

b. Approval of an abbreviated new drug application (21 CFR 314.1(f)) must be obtained prior to marketing such product. Marketing prior to approval of a new drug application will subject such products, and those persons who caused the products to be marketed, to regulatory action.

C. *Notice of opportunity for hearing.* On the basis of all the data and information available to him, the Director of the Bureau of Drugs is unaware of any adequate and well-controlled clinical investigation, conducted by experts qualified by scientific training and experience, meeting the requirements of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and 21 CFR 314.111 (a)(5), demonstrating the effectiveness of the rug(s) for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice.

Notice is given to the holder(s) of the new drug application(s), 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 the new drug application(s) and all amendments and supplements thereto providing for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice on the ground that new information before him with respect to the drug product(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug product(s) will have all the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling. An order withdrawing approval will not issue with respect to any application(s) supplemented, in accord with this notice, to delete the claim(s) lacking substantial evidence of effectiveness.

In addition to the ground for the proposed withdrawal of approval stated above, this notice of opportunity for hearing encompassess 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(s) and all other persons who manufacture or distribute a drug product which is identical, related, or similar to a drug product named above (21 CFR 310.6), are hereby given an opportunity for a hearing to show why approval of the new drug application(s) providing for the claim(s) involved 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 all identical, related, or similar drug products.

If an applicant or any 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 August 5, 1976, a written notice of appearance and request for hearing, and (2) on or before September 7, 1976, the data, information, an 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 proposal to withdraw approval. 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.

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 such drug product. Any such drug product labeled for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice 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 of opportunity for hearing shall be filed in quintuplicate. Such submissions, 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 (address given below) during working hours, Monday through Friday.

Communications forwarded in reponse to this notice should be identified with the reference number DESI 8135, directed to the attention of the appropriate office named below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Supplements (identify with NDA number): Division of Surgical-Dental Drug Products (HFD-160), Rm. 18B-08, Bureau of Drugs.

Original abbreviated new drug applications (identify as such): Division of Generic Drug Monographs (HFD-530), Bureau of Drugs.

Requests for Hearing (identify with Docket number appearing in the heading of this notice): Hearing Clerk, Food and Drug Administration (HFC-20), Rm. 4-65.

Other communications regarding this notice: Drug Efficacy Study Implementation Project Manager (HFD-101), Bureau of Drugs.

(Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-1053, as amended (21 U.S.C. 352, 355)) and under the authority delegated to the Director of the Bureau of Drugs (21 CFR 5.31) (remodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)).)

Dated: June 28, 1976.

J. RICHARD CROUT,
*Director, Bureau of Drugs.*

[FR Doc.76-19326 Filed 7-2-76;8:45 am]

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### National Institute of Education

## NATIONAL COUNCIL ON EDUCATIONAL RESEARCH

### Future Meetings Schedule

The National Council on Educational Research hereby gives notice that it has tentatively scheduled meetings to be held in Washington, D.C., on the following dates:

September 17
November 5
January 6 and 7 (Two-Day Meeting)

Agendas for these meetings and any changes in meeting dates or locations will be published in the FEDERAL REGISTER as promptly as possible.

The Council was established under section 405(b) of the General Education Provisions Act (20 U.S.C. 1221e(b)). Its statutory duties include:

(a) Establishing general policies for, and reviewing the conduct of the Institute;

(b) Advising the Assistant Secretary for Education and the Director of the Institute on development of programs to be carried out by the Institute;

(c) Recommending to the Assistant Secretary and the Director ways to strengthen educational research, to improve the collection and dissemination of research findings, and to insure the implementation of educational renewal and reform based upon the findings of educational research.

It is the Council policy that all sessions are open unless they concern confidential budgetary or personnel information or concern other matters requiring confidentiality. Members of the public are invited to attend the open sessions. Written statements relevant to an agenda item (or to any other item considered of interest to the Institute) may be submitted to the Council at any time and should be sent to the Chairman of the Council at the address shown below. *Requests to make a presentation at a Council meeting should be submitted in writing to the Chairman at least 10 days in advance of the meeting. The Chairman will determine whether a presentation should be scheduled.*

In accordance with Council policy (NCER Resolution No. 013074-8) copies of Council resolutions and minutes of Council meetings can be obtained by contacting the staff office of the Council. Resolutions are available shortly after the particular meeting at which adopted. Because minutes require approval by the Council at a subsequent meeting, they are usually available approximately four to six weeks after the date of the meeting to which they refer.

In order to assure adequate seating arrangements, persons interested in attending Council meetings are requested to contact the staff office of the National Council on Educational Research. The address and telephone number are listed below:

National Council on Educational Research, National Institute of Education, Washington, D.C. 20208, Telephone: 202-254-7900.

Dated: June 28, 1976.

HAROLD L. HODGKINSON,
*Director,*
*National Institute of Education.*

[FR Doc.76-19330 Filed 7-2-76;8:45 am]

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### Office of the Secretary

## REVIEW PANEL ON NEW DRUG REGULATION

### Meeting Change

Notice is hereby given, pursuant to Pub. L. 92-463 that the Review Panel on New Drug Regulation, established pursuant to 42 U.S.C. 217a. by the Secretary of Health, Education, and Welfare, on February 21, 1975, will meet on Sunday, July 18, 1976, at 7:00 p.m. and on Monday, July 19, 1976, at 8:30 a.m. in Room 5051 of the Department of Health, Education, and Welfare's North Building, 330 Independence Avenue SW., Washington, D.C. This notice announces a session (on Sunday, July 18) to supplement the session previously announced for Monday, July 19 in the FEDERAL REGISTER, Vol. 41, No. 116, Tuesday, June 15, 1976.

The Review Panel will consider matters pertaining to its study of existing polices and procedures for the regulation of new drugs by the Food and Drug Administration. The meeting is open to the public.

Further information on the Review Panel may be obtained from Vida H. Beaven, Ph.D., Executive Secretary, Review Panel on New Drug Regulation, Room 31510, HEW North Building, 330 Independence Avenue SW., Washington, D.C. 20201, telephone (202) 472-3000.

1976.

VIDA H. BEAVEN, Ph.D.,
*Executive Secretary, Review Panel on New Drug Regulation.*

JUNE 30, 1976.

[FR Doc.76-19382 Filed 7-2-76;8:45 am]

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# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### Federal Disaster Assistance Administration

[Docket No. NFD-344; FDAA-3013-EM]

## MINNESOTA

### Emergency Declaration

Notice of Emergency for the State of Minnesota, dated June 17, 1976, is hereby amended to include the following counties among those counties determined to

have been adversely affected by the catastrophe declared an emergency by the President in his declaration of June 17, 1976:

The Counties of:

| | |
|---|---|
| Aitkin | Martin |
| Blue Earth | Meeker |
| Brown | Mille Lacs |
| Carlton | Nicollet |
| Cook | Nobles |
| Cottonwood | Pine |
| Itasca | Rock |
| Jackson | St. Louis |
| Lake | Sibley |
| Le Sueur | Watonwan |

Dated: June 28, 1976.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

THOMAS P. DUNNE,
*Administrator, Federal Disaster Assistance Administration.*

[FR Doc.76-19343 Filed 7-2-76;8:45 am]

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[Docket No. NFD-313; FDAA-511-DR]

### SOUTH DAKOTA

#### Major Disaster and Related Determinations

Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11795 of July 11, 1974, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285; and by virtue of the Act of May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that on June 25, 1976, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of South Dakota resulting from flash flooding and mudslides beginning about June 14, 1976, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288. I therefore declare that such a major disaster exists in the State of South Dakota.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11795, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285, I hereby appoint Mr. Donald G. Eddy, HUD Region VIII, to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following areas in the State of South Dakota to have been adversely affected by this declared major disaster:

The Counties of:

| | |
|---|---|
| Butte | Lawrence |
| Harding | Meade |

Dated: June 25, 1976.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

WILLIAM E. CROCKETT,
*Acting Administrator, Federal Disaster Assistance Administration.*

[FR Doc.76-19344 Filed 7-2-76;8:45 am]

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[Docket No. D-76-440]

### Office of Assistant Secretary for Housing

### PROPERTY DISPOSITION COMMITTEES

#### Redelegation of Authority

*Correction*

In FR Doc.76-18994, appearing in the FEDERAL REGISTER of Wednesday, June 30, 1976 on page 26946, the fourth paragraph beginning "Sec. B." should be corrected to read as follows:

"SEC. B. *Redelegation of authority to the Central Office Committee.*

The Property Disposition Committee is redelegated the following authority:

1. To pass upon and determine the action to be taken with respect to the program for disposition of any property acquired by the Secretary in connection with multifamily housing under any title of the National Housing Act (12 U.S.C. 1701, et seq.), college housing under title IV of the Housing Act of 1950 (12 U.S.C. 1749-1749c), housing for the elderly or handicapped under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), and non-residential property under section 312 of the Housing Act of 1964 (42 U.S.C. 1452b); and the amounts, interest rates, and amortization plans of mortgages taken as security in connection with the sale of such properties. The minutes of the Committee reflecting its determination shall constitute the basis of acceptance or rejection of such offers and the execution of all documents and instruments relating and incident thereto by the Director, Office of Property Disposition, or his Deputy."

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### FLIGHT STANDARDS DISTRICT OFFICE 65, CLEVELAND, OHIO

#### Function Transfer

Notice is hereby given that on or about July 1, 1976, the air carrier functions at the Cleveland, Ohio, Flight Standards District Office (FSDO) will be transferred to the Ypsilanti, Michigan, Flight Standards District Office. The Cleveland FSDO will be redesignated as a General Aviation District Office (GADO 6). This information will be reflected in the next issuance of the FAA Organization Statement.

(Sec. 313(a), 72 Stat. 752; 49 USC 1354)

Issued in Des Plaines, Illinois on June 25, 1976.

JOHN M. CYROCKI,
*Director, Great Lakes Region.*

[FR Doc.76-19377 Filed 7-2-76;8:45 am]

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## CIVIL SERVICE COMMISSION

### DEPARTMENT OF LABOR

#### Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Labor to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Secretary, Office of Executive Secretariat, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[FR Doc.76-19321 Filed 7-2-76;8:45 am]

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### SMALL BUSINESS ADMINISTRATION

#### Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Small Business Administration to fill by noncareer executive assignment in the excepted service the position of Assistant Administrator for Congressional and Legislative Affairs.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[FR Doc.76-19320 Filed 7-2-76;8:45 am]

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## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### CERTAIN COTTON AND MAN-MADE FIBER TEXTILE PRODUCTS FROM THE REPUBLIC OF CHINA

#### Amending Visa Requirement

On October 3, 1972, there was published in the FEDERAL REGISTER (37 FR 20745) a letter dated September 27, 1972 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs prohibiting entry into the United States for consumption and withdrawal from warehouse for consumption of cotton, wool and man-made fiber textiles, produced or manufactured in the Republic of China, for which the Republic of China had not issued an export visa. One of the requirements is that each visa include the correct category of the merchandise. The purpose of this notice is to announce that, effective on July 7, 1976, and until further notice, export visas covering textile products in Categories 5/6, 9/10, 15/16, 18/19, 22/23, 24/25, 26/27, 28/29, 34/35, 41/42, 43/62 (pt.), 45/46/47, 50/51, and 234/235 which are combined under the terms of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of May 21, 1975, as amended, between the Governments of the United States and the Republic of China, may show either the combination of categories or a constituent category (or categories) in the combination.

There is published below a letter of June 30, 1976 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs directing that merchandise in Categories 5/6, 9/10, 15/16, 18/19, 22/23, 24/25, 26/27, 28/29, 34/35, 41/42, 43/62 (pt.), 45/46/47, 50/51, and 234/235 should not be denied entry if the accompanying

visa includes the combination of categories or one (or more) of the constituent categories in the combination, provided it is otherwise visaed in compliance with the previously established procedures.

ALAN POLANSKY,
*Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance, U.S. Department of Commerce.*

JUNE 30, 1976.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS
*Department of the Treasury,*
*Washington, D.C. 20229*

DEAR MR. COMMISSIONER: This directive further amends, but does not cancel, the directive of September 27, 1972 from the Chairman, Committee for the Implementation of Textile Agreements, that directed you to prohibit entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1–64; wool textile products in Categories 101–132; and man-made fiber textile products in Categories 200–243, produced or manufactured in the Republic of China, for which the Government of the Republic of China had not issued a visa. One of the requirements is that the visa include the correct category of the merchandise.

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of May 21, 1975, as amended, between the Governments of the United States and the Republic of China, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, the directive of September 27, 1972, as amended, is further amended, effective on July 7, 1976, and until further notice, to permit entry of merchandise in Categories 9/10, 18/19, 22/23, 43/62 (pt.), 45/46/47, 50/51, and 234/235 if the accompanying visa includes the combination of categories, or one (or more) of the constituent categories in the combination, provided it is otherwise visaed in compliance with previously established procedures. This directive will also apply to Categories 5/6, 15/16, 24/25, 26/27, 28/29, 34/35, and 41/42 which are not currently subject to specific ceilings under the bilateral agreement.

The actions taken with respect to the Government of the Republic of China and with respect to imports of cotton, wool and man-made fiber textile products from the Republic of China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

ALAN POLANSKY,
*Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance, U.S. Department of Commerce.*

[FR Doc.76–19367 Filed 7–2–76;8:45 am]

## CERTAIN COTTON AND WOOL TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE REPUBLIC OF KOREA

### Amending Visa Requirement

On May 25, 1972, there was published in the FEDERAL REGISTER (37 FR 10605) a letter dated May 19, 1972 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs prohibiting entry into the United States for consumption and withdrawal from warehouse for consumption of cotton, wool and man-made fiber textiles, produced or manufactured in the Republic of Korea, for which the Republic of Korea had not issued an export visa. One of the requirements is that each visa include the category or categories of the merchandise. The purpose of this notice is to announce that, effective on July 7, 1976, and until further notice, export visas covering textile products in Categories 9/10, 18/19/26 (printcloth), 22/23, 26/27, 34/35, 45/46/47, 50/51, and 116/117 which are combined under the terms of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of June 26, 1975, as amended, between the Governments of the United States and the Republic of Korea may show either the combination of categories or a constituent category (or categories) in the combination.

There is published below a letter of June 30, 1976 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs directing that textile products in Categories 9/10, 18/19/26 (printcloth), 22/23, 26/27, 34/35, 45/46/47, 50/51 and 116/117 should not be denied entry if the accompanying visa includes the combination of categories or one or more of the constituent categories in the combination, provided it is otherwise visaed in compliance with previously established procedures.

ALAN POLANSKY,
*Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance, U.S. Department of Commerce.*

JUNE 30, 1976.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,
*Department of the Treasury,*
*Washington, D.C. 20229*

DEAR MR. COMMISSIONER: This directive further amends, but does not cancel, the directive of May 19, 1972, from the Chairman, Committee for the Implementation of Textile Agreements, that directed you to prohibit entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1–64; wool textile products in Categories 101–132; and man-made fiber textile products in Categories 200–243; produced or manufactured in the Republic of Korea, for which the Republic of Korea had not issued a visa. One of the requirements is that the visa include the category or categories of the merchandise.

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of June 26, 1975, as amended, between the Governments of the United States and the Republic of Korea, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, the directive of May 19, 1972, as amended, is further amended, effective on July 7, 1976 and until further notice, to permit entry of textile products in Categories 9/10, 18/19/26 (printcloth) [1], 22/23, 45/46/47, 50/51, and 116/117, if the accompanying visa includes the combination of categories, or one (or more) of the constituent categories in the combination, provided they are otherwise visaed in accordance with previously established procedures. This directive will also apply to Categories 26/27 and 34/35 which are not currently subject to specific ceilings under the bilateral agreement.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of cotton and wool textile products from the Republic of Korea have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception of the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

ALAN POLANSKY,
*Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance U.S. Department of Commerce.*

[FR Doc.76–19368 Filed 7–2–76;8:45 am]

## ENVIRONMENTAL PROTECTION AGENCY

[PP5G1622/T68; FRL 573–5]

### ACEPHATE

### Notice of Extension of a Temporary Tolerance

On July 16, 1975, the Environmental Protection Agency (EPA) announced (40 FR 29920) that in response to a pesticide petition (PP 5G1622) submitted by Chevron Chemical Co., 940 Hensley St., Richmond CA 94804, a temporary tolerance was established for residues of the insecticide acephate (*O,S*-dimethyl acetylphosphoramidothioate) and its cholinesterase-inhibiting metabolite *O,S*-dimethyl phosphoramidothioate in or on the raw agricultural commodity almonds at 1 part per million (ppm). This temporary tolerance is scheduled to expire July 10, 1976.

Chevron Chemical Co. has requested that this temporary tolerance be extended until July 31, 1977 both to permit continued testing to obtain additional data and to permit the marketing of the above raw agricultural commodity when

[1] In Category 26 the T.S.U.S.A. Numbers for printcloth are:

| | |
|---|---|
| 320...34 | 326...34 |
| 321...34 | 327...34 |
| 322...34 | 328...34 |

treated in accordance with an experimental use permit that is being extended concurrently under the Federal Insecticide, Fungicide, and Rodenticide Act.

An evaluation of the scientific data reported and other relevant material has shown that an extension of the temporary tolerance will protect the public health, and it is concluded, therefore, that the temporary tolerance be extended on condition that the pesticide be used in accordance with the experimental use permit with the following provisions:

1. The total amount of the pesticide to be used must not exceed the quantity authorized by the experimental use permit.

2. Chevron Chemical Co. 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 July 31, 1977. Residues not in excess of 1 ppm remaining in or on almonds after this expiration date will not be considered to be actionable if the pesticide is 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 pesticide indicate such revocation is necessary to protect the public health.

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

Dated: June 28, 1976.

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

[FR Doc.76-19415 Filed 7-2-76;8:45 am]

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[FRL 573-8; PF40]

## CHEVRON CHEMICAL CO., ET AL.

### Pesticide and Food Additive Petitions; Notice of Filing

Pursuant to the provisions of sections 408(d)(1) and 409(b)(5) of the Federal Food, Drug, and Cosmetic Act, the Environmental Protection Agency gives notice that the following petitions have been submitted to the Agency for consideration.

PP 6F1795. Chevron Chemical Co., 940 Hensley St., Richmond CA 94804. Proposes that 40 CFR 180.267 be amended by the establishment of a tolerance for residues of the fungicide captafol (*cis*-N-(1,1,2,2-tetrachloroethyl)thio]-4-cyclohexene-1,2-dicarboximide) in or on the raw agricultural commodity pecan nutmeats (shells removed) at 0.1 part per million (ppm). Proposed analytical method for determining residues is by gas chromatography with electron capture detection. PM21 (202/426-2454)

PP 6F1804. Chevron Chemical Co. Proposes that 40 CFR 180.108 be amended by the establishment of a tolerance for combined residues of the insecticide acephate (*O,S*-dimethyl acetylphosphoramidothioate) and its cholinesterase-inhibiting metabolite *O,S*-dimethyl phosphoramidothioate in or on the raw agricultural commodity fresh corn (including sweet, kernels plus cob with husk removed) at 4 ppm (of which not more than 0.5 ppm is *O,S*-dimethyl phosphoramidothioate). Proposed analytical method for determining residues is by gas chromatography using a thermionic detector. PM16 (202/426-9425)

PP 6F1782. Ciba-Geigy Corp., PO Box 11422, Greensboro NC 27409. Proposes that 40 CFR 180.298 be amended by the establishment of tolerances for residues of the insecticide methidathion (O,O-dimethyl phosphorodithioate, S-ester with 4-(mercaptomethyl) - 2 - methoxy - $\Delta^2$ - 1,3,4 - thiadiazolin-5-one) in or on the raw agricultural commodity almond hulls at 6.0 ppm and in or on the raw agricultural commodity group nuts at 0.05 ppm. Proposed analytical method for determining residues is by gas chromatography employing flame photometric detection. PM12 (202/755-9315)

PP 6F1799. Diamond Shamrock Corp., Agricultural Chemicals Div., 1100 Superior Ave., Cleveland OH 44114. Proposes amending 40 CFR 180.275 by establishing a tolerance for combined residues of the fungicide chlorothalonil (tetrachloroisophthalonitrile) and its metabolite 4-hydroxy-2,5,6-trichloroisophthalonitrile in or on the raw agricultural commodity soybeans at 0.2 ppm. Proposed analytical method for determining residues is a gas chromatography procedure coupled with electron capture detection. PM21 (202/426-2454)

PP 6F1783. Mobay Chemical Corp., Chemagro Agricultural Div., PO Box 4913, Hawthorne Rd., Kansas City MO 64120. Proposes that 40 CFR 180.332 be amended by the establishment of a tolerance for combined residues of the herbicide 4-amino-6-(1,1-dimethylethyl) - 3 - (methylthio-1,2,4-triazin-5(4*H*)-one and its triazinone metabolites in or on the raw agricultural commodity tomatoes (whole, fresh) at 0.1 ppm. Proposed analytical method for determining residues is a gas chromatographic procedure using an electron capture detector. PM25 (202/755-7012)

FAP 6H5133. Mobay Chemical Corp., Chemagro Agricultural Div. Proposes that 21 CFR 561.41 be amended by the establishment of a regulation permitting the use of the herbicide 4-amino-6-(1,1-dimethylethyl) - 3 - (methylthio) - 1,2,4 - triazin - 5(4*H*)-one on growing tomatoes with a tolerance limitation in dried tomato pulp of 0.2 ppm. PM25 (202/755-7012)

PP 6F1798. Monsanto Co., 800 N. Lindbergh Blvd., St. Louis MO 63166. Proposes that 40 CFR 180.364 be amended by the establishment of a tolerance for combined residues of the herbicide glyphosate (N-(phosphonomethyl)glycine) and its metabolite aminomethylphosphonic acid in or on the raw agricultural commodities cottonseed, and cottonseed forage and hay at 0.2 ppm. Proposed analytical method for determining residues is a procedure in which the residues are derivatized to form the corresponding N-trifluoroacetyl methyl esters. The derivative is then determined by a gas chromatographic procedure with a flame photometric detector for phosphorus. PM25 (202/755-7012)

PP 6F1784. Uniroyal Chemical Div., Uniroyal Inc., 74 Amity Rd., Bethany CT 06525. Proposes that 40 CFR 180.259 be amended by the establishment of tolerances for residues of the insecticide propargite (2-(p-tert-butylphenoxy)cyclohexyl 2-propynyl sulfite) in or on the raw agricultural commodities alfalfa (fresh hay) at 50.0 ppm and alfalfa (dry hay) at 75.0 ppm. Proposed analytical method for determining residues is a gas chromatographic procedure utilizing a specific sulfur detector. PM13 (202/755-9315)

PP 6F1801. Zoecon Corp., 915 California Ave., Palo Alto CA 94304. Proposes that 40 CFR 180.359 be amended by increasing the tolerance for residues of the insecticide methoprene, isopropyl (E,E)-11-methoxy-3,7,11-trimethyl-2,4-dodecadienoate, in the fat of cattle from 0.1 to 0.3 ppm, and in milk from 0.01 to 0.05 ppm. Proposed analytical method for determining residues is a gas liquid chromatographic procedure using a flame ionization detector. PM17 (202/426-9425)

Interested persons are invited to submit written comments on any petitions referred to in this notice to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Room 401, East Tower, 401 M St. SW, Washington DC 20460. Three copies of the comments should be submitted to facilitate the work of the Agency and of others interested in inspecting them. Inquiries concerning specific petitions referred to in this notice may be directed to the designated Product Manager (PM), Registration Division (WH-567), Office of Pesticide Programs, at the above address, or by telephone at the numbers cited. Written comments should bear a notation indicating the number of the petition to which the comments pertain. Comments may be made at any time while a petition is pending before the Agency. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section 8:30 a.m. to 4:00 p.m. Monday through Friday.

Dated: June 29, 1976.

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

[FR Doc.76-19412 Filed 7-2-76;8:45 am]

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[FRL 573-6 (PF39A)]

## DOW CHEMICAL CO. ET AL.

### Notice of Filing; Correction Pesticide and Food Additive Petitions;

In FR Doc. 76-17264, published on June 14, 1976 (41 FR 23998) the following correction should be made: in line 11 of the pesticide petition headed "PP6F1787", a comma should be inserted after the word "benzofuranol" and the chemical name "2,3-dihydro-2,2-dimethyl-3-oxo-7-benzofuranol" should be added immediately before the words "and 2,3-dihydro-2,2-dimethyl - 7 - benzofurandiol".

Dated: June 29, 1976.

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

[FR Doc.76-19413 Filed 7-2-76;8:45 am]

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[(FRL 573-4); OPP-33000/428]

## NOTICE OF RECEIPT OF APPLICATION FOR PESTICIDE REGISTRATION

### Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) pub-

lished in the FEDERAL REGISTER (39 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended ["Interim Policy Statement"]. On January 22, 1976, EPA published in the FEDERAL REGISTER a document entitled "Registration of a Pesticide Product—Consideration of Data by the Administrator in Support of an Application" (41 FR 3339). This document described the changes in the Agency's procedures for implementing section 3(c)(1)(D) of FIFRA, as set out in the Interim Policy Statement, which were effectuated by the enactment of the recent amendments to FIFRA on November 28, 1975 [P.L. 94-140], and the new regulations governing the registration and reregistration of pesticides which became effective on August 4, 1975 [40 CFR Part 162].

Pursuant to the procedures set forth in these FEDERAL REGISTER documents, EPA hereby gives notices of the applications for pesticide registration listed below. In some cases these applications have recently been received; in other cases, applications have been amended by the submission of additional supporting data, the election of a new method of support, or the submission of new "offer to pay" statements.

In the case of all applications, the labeling furnished by the applicant for the product will be available for inspection at the Environmental Protection Agency, Room 209, East Tower, 401 M Street, S.W., Washington, DC 20460. In the case of applications subject to the new Section 3 regulations, and applications not subject to the new Section 3 regulations which utilize either the 2(a) or 2(b) method of support specified in the Interim Policy Statement, all data citations submitted or referenced by the applicant in support of the application will be made available for inspection at the above address. This information (proposed labeling and, where applicable, data citations) will also be supplied by mail, upon request. However, such a request should be made only when circumstances make it inconvenient for the inspection to be made at the Agency offices.

Any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after January 1, 1970, is being used to support an application described in this notice, (c) desires to assert a claim under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data or the status of such data under Section 10 must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Product Control Branch, Registration Division (WH-567), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW, Washington, DC 20460. Every such claimant must include, at a minimum, the information listed in the Interim Policy Statement of November 19, 1973.

The Interim Policy Statement requires that claims for compensation be filed within 60 days of publication of this notice. With the exception of 2(c) applications not subject to the new Section 3 regulations, and for which a sixty-day hold period for claims is provided, EPA will not delay any registration pending the assertion of claims for compensation or the determination of reasonable compensation. Inquiries and assertions that data relied upon are subject to protection under section 10 of FIFRA, as amended, should be made on or before August 5, 1976.

Dated: June 29, 1976.

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

APPLICATIONS RECEIVED (OPP-33000/428)

EPA Reg. No. 279-2336. Agricultural Chemicals Div., 100 Niagara St., Middleport NY 14105. BOTRAN 6 DUST FUNGICIDE. Active Ingredients: 2,6-Dichloro-4-nitroaniline 6.00%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM21

EPA Reg. No. 279-2424. Agricultural Chemicals Div. BOTRAN 6 KOLODUST 75 DUST FUNGICIDE. Active Ingredients: 2,6-Dichloro-4-nitroaniline 6.00%; Sulfur 63.00%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM21

EPA Reg. No. 279-2498. Agricultural Chemicals Div. BOTRAN 6 KOLODUST 25 DUST FUNGICIDE. Active Ingredients: 2,6-Dichloro-4-nitroaniline 6.00%; Sulphur 21.00%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM21

EPA File Symbol 39055-E. Arizona Chemical Co., Wayne NJ 07470. ARIZOLE PINE OIL 80. Active Ingredients: Pine Oil 100%. Method of Support: Application proceeds under 2(b) of interim policy. PM32

EPA File Symbol 39055-G. Arizona Chemical Co. ARIZOLE PINE OIL 60. Active Ingredients: Pine Oil 100%. Method of Support: Application proceeds under 2(b) of interim policy. PM32

EPA Reg. No. 4502-4. Bel Chemical & Supply Co., Inc., PO Drawer "D", Schriever LA 70395. BEL 2,4-D AMINE. Active Ingredients: Dimethylamine Salt of 2,4-Dichlorophenoxyacetic Acid 49.6%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 8123-54. Frank Miller & Sons, Inc., 13831 S. Emerald Ave., Chicago IL 60627. 2,4-D SELECTIVE WEED CONTROL. Active Ingredients: Isooctyl Ester of 2,4-Dichlorophenoxyacetic acid 19.8%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 8123-55. Frank Miller & Sons, Inc. 2,4-D SELECTIVE WEED KILLER. Active Ingredients: Isooctyl Ester of 2,4-Dichlorophenoxyacetic acid 39.6%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. 8123-57. Frank Miller & Sons, Inc. AMINE SELECTIVE WEED KILLER. Active Ingredients: Dimethylamine salt of 2,4-Dichlorophenoxyacetic acid 26.4%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 8123-79. Frank Miller & Sons, Inc. BROADLEAF WEED KILLER WIDE-SPECTRUM FORMULATION. Active Ingredients: Dimethylamine Salt of 2,4-Dichlorophenoxyacetic acid 3.5%; Diethanolamine Salt of 2(2Methyl4Chlorophenoxy) and propionic acid 4.39%. Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 2342-481. Kerr-McGee Chemical Corp., Kerr-McGee Center, Oklahoma City OK 73125. THIODAN 50-WP INSECTICIDE. Active Ingredients: Endosulfan (Hexachlorohexahydromethano - 2,4,3-Benzodioxathiepin Oxide) 50%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM15

EPA Reg. No. 2342-848. Kerr-McGee Chemical Corp. THIODAN 50 WETTABLE POWDER INSECTICIDE. Active Ingredients: Endosulfan (Hexachlorohexahydromethano-2,4,3-Benzodioxathiepin Oxide) 50%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM15

EPA Reg. No. 2342-922. Kerr-McGee Chemical Corp. 3% THIODAN DUST. Active Ingredients: Endosulfan (Hexachlorohexahydromethano - 2,4,3 - benzodioxathiepin oxide) 3%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM15

EPA Reg. No. 228-19. Riverdale Chemical Co., 220 E. 17th St., Chicago Heights IL 60411. RIVERDALE WEEDESTROY 44 ISOPROPYL ESTER. Active Ingredients: Isopropyl Ester of 2,4-Dichlorophenoxyacetic Acid 44%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 228-61. Riverdale Chemical Co. RIVERDALE 2,4-D GRANULES. Active Ingredients: Isooctyl Ester of 2,4-Dichlorphenoxyacetic Acid 30.22%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 228-71. Riverdale Chemical Co. RIVERDALE WEEDESTROY 40 LOW VOLATILE. Active Ingredients: Isooctyl Ester of 2,4-Dichlorophenoxyacetic acid 39.6%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 228-138. Riverdale Chemical Co. RIVERDALE WEEDESTROY 4 ESTER. Active Ingredients: Butyl ester of 2,4-Dichlorophenoxyacetic acid 55.80%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 228-148. Riverdale Chemical Co. RIVERDALE TURF WEEDESTROY-D. Active Ingredients: Dimethylamine salt of 2,4-Dichlorophenoxyacetic acid 26.4%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 9313-13. Rose Chemical Products, Inc., 545 Stimmel Rd., Columbus OH 43223. ROUT SELECTIVE WEED KILLER. Active Ingredients: Dimethylamine salt of 2-(2-methyl-4-chlorophenoxy) propionic acid 7.02%; Dimethylamine salt of 2,4-dichlorophenoxyacetic acid 6.99%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 3468-40. Schall Chemical, Inc., PO Box 862, Monte Vista CO 81144. 2,4-D BUTYL ESTER 6E. Active Ingredients: Butyl Ester of 2,4-dichlorophenoxyacetic acid 79.6%. Method of Support: Application proceeds under 2(b) of interim policy. Application of reregistration. PM23

EPA File Symbol 7138-I. Southern States Cooperative, Inc., Feed Div., PO. Box 1656, Richmond VA 23213. SOUTHERN STATES FLY BAN 50% BEEP SUPPLEMENT. Active Ingredients: 2 - chloro-1-(2,4,5-trichlorophenyl) vinyl dimethyl phosphate 0.18%. Method of Support: Application proceeds under 2(b) of interim policy. PM15

EPA Reg. No. 148-698. Thompson-Hayward Chemical Co., PO Box 2383, Kansas City Kansas 66110. THIO 3% DUST. Active Ingredients: Endosulfan (Hexachlorohexahydromethano - 2,4,3 - Benzodioxathiepin Oxide) 3.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM15.

EPA Reg. No. 148-771. Thompson-Hayward Chemical Co. THIO 4% DUST. Active Ingredients: Endosulfan (Hexachlorohexahydromethano-2,4,3-benzoidioxathiepin 3 oxide) 4.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM15

EPA Reg. No. 148-830. Thompson-Hayward Chemical Co. THIO-SULFUR 4-50. Active Ingredients: Endosulfan (Hexachlorohexahydromethano-2,4,3-benzodioxathiepin 3-oxide) 4.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM15

EPA Reg. 148-863. Thompson-Hayward Chemical Co. BOTRAN-SULFUR 6-50. Active Ingredients: 2,6 - Dichloro - 4 - nitroaniline 6.0%; Sulfur 50.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM21

EPA Reg. No. 148-872. Thompson-Hayward Chemical Co. THIO - SULFUR 4-75. Active Ingredients: Endosulfan (Hexachlorohexahydromethano-2,4,3-benzodioxathiepin 3 oxide) 4.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM15

EPA Reg. No. 148-1149. Thompson-Hayward Chemical Co., 5200 Speaker Rd., Kansas City, Kansas 66106. DIURON 80 WP. Active Ingredients: Diuron [3-(3,4-Dichlorophenyl)-1,1-Dimethylurea] 80%. Method of Support: Application proceeds under 2 (b) of interim policy. Application for reregistration. PM25

EPA Reg. No. 11687-20. Transvaal, Inc., Suite 2414, 5100 Poplar Ave., Memphis TN 38137. TRANSVAAL WEED-RHAP LV-5D HERBICIDE 2,4-D LOW VOLATILE. Active Ingredients: Isooctyl Ester of 2,4-Dichlorophenoxyacetic Acid 82.5%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA File Symbol 11687-1E. Transvaal, Inc. TRANSVAAL LO-VOL D 5 HERBICIDE 2,4-D LOW VOLATILE. Active Ingredients: Isooctyl Ester of 2,4-Dichlorophenoxyacetic Acid 82.5%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-2E. Transvaal, Inc. TRANSVAAL WEED-RHAP A-5D HERBICIDE 2,4-D AMINE. Active Ingredients: Dimethylamine Salt of 2,4-Dichlorophenoxyacetic Acid 59.4%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration PM23

EPA 11687-IT. Transvaal, Inc. TRANSVAAL D-AMINE 5 HERBICIDE 2,4-D AMINE. Active Ingredients: Dimethylamine Salt of 2,4-Dichlorophenoxyacetic Acid 59.4%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-28. Transvaal, Inc. TRANSVAAL WEED-RHAP LV-6D HERBICIDE. Active Ingredients: Isooctyl Ester of 2,4-Dichlorophenoxyacetic Acid 94.5%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA File Symbol 11687-10. TRANSVAAL LO-VOL D 6 HERBICIDE. Active Ingredients: Isooctyl Ester of 2,4-Dichlorophenoxyacetic Acid 94.5%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-29. Transvaal, Inc. TRANSVAAL 2,4-D ACID. Active Ingredients: 2,4-Dichlorophenoxyacetic Acid 98.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-32. Transvaal, Inc. TRANSVAAL 2,4-D LO VOLATILE ESTER. Active Ingredients: Isooctyl Ester of 2,4-Dichlorophenoxyacetic Acid 98.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-36. Transvaal, Inc. TRANSVAAL 2,4-D BUTYL ESTER. Active Ingredients: Butyl Ester of 2,4-Dichlorophenoxyacetic Acid 98.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-55. Transvaal, Inc. TRANSVAAL 2,4-D LOW VOLATILE OXY-ESTER. Active Ingredients: Butoxyethanol Ester of 2,4-Dichlorophenoxyacetic Acid 97.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-57. Transvaal, Inc. TRANSVAAL BRUSH-RHAP LOW VOLATILE-4D HERBICIDE 2,4-D LOW VOLATILE. Active Ingredients: Isooctyl Ester of 2,4-Dichlorophenoxyacetic Acid 69.9%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-58. Transvaal, Inc. TRANSVAAL WEED-RHAP LV-OXY-4D HERBICIDE 2,4-D LOW VOLATILE. Active Ingredients: Butoxyethyl Ester of 2,4-Dichlorophenoxyacetic Acid 65.7%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA File Symbol 11687-IG. Transvaal, Inc. TRANSVAAL LO-VOL BE-4D HERBICIDE 2,4-D LOW VOLATILE. Active Ingredients: Butoxyethyl Ester of 2,4-Dichlorophenoxyacetic Acid 65.7%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-60. Transvaal, Inc. TRANSVAAL WEED-RHAP LV-OXY-5D HERBICIDE 2,4-D LOW VOLATILE. Active Ingredients: Butoxyethyl Ester of 2,4-Dichlorophenoxyacetic Acid 77.5%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA File Symbol 11687-IA. Transvaal, Inc. TRANSVAAL LO-VOL BE-5D HERBICIDE 2,4-D LOW VOLATILE. Active Ingredients: Butoxyethyl Ester of 2,4-Dichlorophenoxyacetic Acid 77.5%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-62. Transvaal, Inc. TRANSVAAL WEED-RHAP LV-OXY-6D HERBICIDE. Active Ingredients: Butoxyethyl Ester of 2,4-Dichlorophenoxyacetic Acid 88.08%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA File Symbol 11687-IU. Transvaal, Inc. TRANSVAAL LO-VOL BE-6D HERBICIDE. Active Ingredients: Butoxyethyl Ester of 2,4-Dichlorophenoxyacetic Acid 88.08%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-5. Transvaal, Inc. TRANSVAAL WEED-RHAP B-6D HERBICIDE 2,4-D BUTYL ESTER. Active Ingredients: Butyl Ester of 2,4-Dichlorophenoxyacetic Acid 79.1%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-4. Tranvaal, Inc. TRANSVAAL WEED-RHAP LV-4D HERBICIDE 2,4-D LOW VOLATILE. Active Ingredients: Isooctyl Ester of 2,4-Dichlorophenoxyacetic Acid. Method of Support: Application proceeds under 2(b) of interim policy. Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-2. Transvaal, Inc. TRANSVAAL WEED-RHAP B-2.67D HERBICIDE 2,4-D BUTYL ESTER. Active Ingredients: Butyl Ester of 2,4-Dichlorophenoxyacetic Acid 42.2%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-1. Transvaal, Inc. TRANS-TRANSVAAL WEED-RHAP B-4D HERBICIDE 2,4-D BUTYL ESTER. Active Ingredients: Butyl Ester of 2,4-Dichlorophenoxyacetic Acid 58.8%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 11687-1. Transvaal, Inc. TRANSVAAL WEED-RHAP ISOPROPYL-3.34D ISOPROPYL ESTER. Active Ingredients: Isopropyl Ester of 2,4-Dichlorophenoxyacetic Acid 47.8%. Method of Support: Application proceeds upder 2(b) of interim Application for reregistration. PM23

EPA Reg. No. 769-335. Woolfolk Chemical Works, Ltd., E. Main St., Fort Valley GA 31030. 6% BOTRAN DUST. Active Ingredients: 2,6-dichloro-4-nitroaniline 6.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM21

EPA Reg. No. 769-395. Woolfolk Chemical Works, Ltd. BOTRAN 75W. Active Ingredients: 2,6-dichloro-4-nitroaniline 75.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM21

[FR Doc.76-19416 Filed 7-2-76;8:45 am]

## ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

[ERDA-1536]

### IDAHO NATIONAL ENGINEERING LABORATORY, IDAHO

**Waste Management Operations; Availability of Draft Environmental Statement**

Notice is hereby given that a Draft Environmental Statement, ERDA-1536, Waste Management Operations, Idaho National Engineering Laboratory, Idaho, was issued pursuant to the Energy Research and Development Administration's (ERDA) implementation of the National Environmental Policy Act of 1969. The statement was prepared to assess the environmental impact of continuing the waste management operations at the Idaho site.

Copies of the draft statement have been distributed for review and comment to Federal and Idaho State and local agencies and other organizations and individuals. Copies of the draft statement are available for public inspection at the ERDA public document rooms at:

ERDA Headquarters, 20 Massachusetts Avenue, Washington, D.C.

Albuquerque Operations Office, Kirtland Air Force Base East, Albuquerque, New Mexico.
Chicago Operations Office, 9800 South Cass Avenue, Argonne, Illinois.
Idaho Operations Office, 550 Second Street, Idaho Falls, Idaho.
Nevada Operations Office, 2753 South Highland Drive, Las Vegas, Nevada.
Oak Ridge Operations Office, Federal Building, Oak Ridge, Tennessee.
Richland Operations Office, Federal Building, Richland, Washington.
San Francisco Operations Office, 1333 Broadway, Oakland, California.
Savannah River Operations Office, Savannah Plant, Aiken, South Carolina.

Comments and views concerning the draft statement are requested from other interested agencies, organizations and individuals. Single copies of the draft environmental statement will be furnished for review and comment upon request addressed to W. H. Pennington, Director, Office of NEPA Coordination, U.S. Energy Research and Development Administration, Mail Station E-201, Washington, D.C. 20545, (301) 353-4241. Comments should be sent to the same address.

In accordance with guidelines from the Council on Environmental Quality, agencies and members of the public submitting comments on the draft environmental statement should endeavor to make their comments as specific, substantive, and factual as possible without undue attention to matters of form in the impact statement. It would assist in the review of comments if the comments were organized in a manner consistent with the structure of the draft statement. Emphasis should be placed on the assessment of the environmental impacts of the waste management activities, and the acceptability of those impacts on the quality of the environment, particularly as contrasted with the impacts of reasonable alternatives. Commenting entities may recommend modifications and/or new alternatives that will enhance environmental quality and avoid or minimize adverse environmental impacts.

Comments on the draft environmental statement will be placed in the above referenced document rooms and will be considered in the preparation of the final environmental statement if received on or before October 4, 1976.

A public hearing on the draft environmental impact statement is planned following receipt of the written comments and an analysis of the issues raised. The hearing will be based on ERDA's responses to issues raised in the formal commenting process. Details of the hearing will be announced in a subsequent FEDERAL REGISTER notice.

Dated at Germantown, Maryland, this 25 day of June 1976.

For the Energy Research and Development Administration.

HAL HOLLISTER,
*Deputy Assistant Administrator for Environment and Safety.*

[FR Doc.76-19342 Filed 7-2-76;8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

[FCC 76-583]

### BOARD OF COMMISSIONERS

#### Establishing Order

1. To assure the continuity of Commission operations during the month of August 1976, we are hereby establishing a Board of Commissioners, to function during that period whenever a quorum of the Commission is not present and able to act.

2. Auhtority for this action is contained in section 5(d) of the Communicatons Act, 47 U.S.C. 155(d). Subject to the provisions of section 5(d), the Board shall have the authority of a Board established under § 0.212 of the rules and regulations, 47 CFR 0.212.

3. In view of the foregoing, it is hereby Ordered, effective August 2, 1976, that a Board of Commissioners composed of all Commissioners present and able to act, is established to function during the month of August 1976 in accordance with the provisions of this Order when a quorum of Commissioners is not present.

Adopted: June 24, 1976.

Released: June 30, 1976.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
*Secretary.*

[FR Doc.76-19373 Filed 7-2-76;8:45 am]

### INTERFERENCE PROBLEMS ASSOCIATED WITH PROPOSED EXPANSION OF THE 27 MHZ CITIZENS RADIO SERVICE BAND

#### Availability of Report

JUNE 22, 1976.

The Office of Chief Engineer announces the release of Report FCC/OCE LAB 76-02 "Interference Problems Associated with Proposed Expansion of the 27 MHz Citizens Radio Service Band" by Carl R. Weber and Lawrence C. Middlekamp of the Laboratory Division.

There were indications that an additional type of IM interference of significant severity would occur as a result of a proposed CRS band expansion (Docket 20120). Results of Laboratory measurements and field tests of this problem are contained in this report, along with certain conclusions from the study.

Docket 20120 and the proposal set out therein seeks to increase the number of channels authorized for use by CRS stations by adding new frequencies above 27.23 MHz. The Chief Engineer was advised that expansion beyond 27.405 MHz could cause certain transceivers now in use to be affected by intermodulation (IM). These models are susceptible to IM resulting from any two signals in the band that are separated by 455 kHz in frequency. IM of this type can interfere with the reception of the desired channel to which the transceiver is tuned. This project, involving both lab measurements and field studies, was undertaken to establish the extent to which this and other related IM problems could affect the CRS service.

A limited number of copies of this report are available from Room 7202D, 2025 M Street NW., Washington, D.C. 20554. The telephone number is 632-7040.

This report will be filed in Docket No. 20120.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
*Secretary.*

[FR Doc.76-19374 Filed 7-2-76;8:45 am]

[Docket No. 20853, etc.]

### INTERNATIONAL FUELING CO., INC.

#### Designating Applications for Consolidated Hearing on Stated Issues

In re renewal application of International Fueling Co., Inc., Docket No. 20853, File No. 48-A-RL-125; Bedford, Massachusetts and applications of Technical Aeroservice, Inc., Docket No. 20854, File No. 107-A-L-125; Bedford, Massachusetts; Jenney Beechcraft, Inc., Docket No. 20855, File No. 127-A-L-16; Bedford, Massachusetts for an Aeronautical Advisory Station to serve L. G. Hanscom Field, Bedford, Massachusetts. By the Chief, Safety and Special Radio Services Bureau.

1. On February 20, 1974, International Fueling Co., Inc. (hereinafter called International), filed an application for renewal of its license for aeronautical advisory station KZW8 at L. G. Hanscom Field, Bedford, Massachusetts. International, pursuant to § 87.251(b) of the Commission's rules, notified the owner of the landing area (Massport) of its intent to file a renewal application.[1] As part of its application, International submitted a statement on March 28, 1974, that it had notified Massport and that it was the only fixed-base operator at Hanscom Field.[2] Based on International's representations the renewal application was granted on April 22, 1974, for a five year term.

[1] Section 87.251(b) provides that:

An applicant for an aeronautical advisory station license or renewal thereof must give written notice of such application to the owner of the landing area to be served and all aviation service organizations, so-called fixed base operators, who are located at the landing area. Such notice shall include the applicant's name and address, name of the landing area to be served, and a statement that the applicant intends to file an application for an aeronautical advisory station (Unicom) to serve the named landing area. Such notice shall be given within the 10 day period immediately preceding the filing of the application with the Commission.

[2] Section 87.251(c) provides that:

Each applicant must submit a statement as part of the application that (1) notice has been given in accordance with paragraph (b) of this section and list the names and addresses of persons given written notice including the dates when such notices were given or (2) notice is not required because the applicant owns the landing area and there are no organizations that should be notified.

2. On July 17, 1975, the Chief, Safety and Special Radio Services Bureau, pursuant to delegated authority, released an Order directing International to Show Cause why its license for radio station KZW8 in the Aviation Radio Service should not be revoked (SS-018-76). The Order alleged that International violated Section 87.251(b) of the Commission's Rules by failing to notify the other aviation service organizations located at Hanscom Field of its intent to file a renewal application. The Order further alleged that International misrepresented a material fact to the Commission when it stated in its application that it was the only fixed-base operator at Hanscom Field. By Memorandum Opinion and Order (FCC 75M-1881) released November 4, 1975, in Docket No. 20558, the Order to Show Cause was dismissed by stipulation and International was directed to file a renewal application. The allegations in the Order to Show Cause were not resolved.

3. On December 3, 1975, International filed the required early renewal application of its license for aeronautical advisory station KZW8. Technical Aeroservice, Inc. (hereinafter called Tech), and Jenney Beechcraft, Inc. (hereinafter called Jenney), have since filed applications for new aeronautical advisory facilities at the same landing area. Section 87.251(a) of the Commission's Rules provides that only one aeronautical advisory station may be authorized to operate at a landing area. Therefore, the above-captioned applications are mutually exclusive. Accordingly, it is necessary to designate the applications for hearing in order to determine which application should be granted. Except for the issues specified herein, each application is otherwise qualified.

4. In view of the foregoing, *it is ordered*, That, pursuant to the provisions of section 309(e) of the Communications Act of 1934, as amended, and § 0.331 of the Commission's Rules, the above-captioned applications are hereby designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent Order on the following issues:

(a)(1) To determine whether International complied with § 87.251(b) of the Commission's rules in its March 28, 1974, filing for its aeronautical advisory station license (KZW8) at Hanscom Field, Bedford, Massachusetts;

(2) To determine whether International misrepresented a material fact to the Commission in obtaining the April 22, 1974, renewal of its aeronautical advisory station license (KZW8) at Hanscom Field, Bedford, Massachusetts, when it stated that it was the only fixed-base operator at Hanscom Field; and

(3) To determine, based on the evidence adduced under sub-issues (1) and (2), whether International possesses the requisite qualifications to be a Commission licensee, and, if so, to determine the effect of such evidence on International's comparative qualifications.

(b) To determine which applicant would provide the public with better aeronautical advisory service based on the following considerations:

(1) Location of the fixed-based operation and proposed radio station in relation to the landing area and traffic patterns;

(2) Hours of operation;

(3) Personnel available to provide advisory service;

(4) Experience of applicant and employees in aviation and aviation communications;

(5) Ability to provide information pertaining to primary and secondary communications as specified in § 87.257 of the Commission's rules;

(6) Proposed radio system including control and dispatch points; and

(7) The availability of the radio facilities to other fixed-based operators;

(c) To determine in light of the evidence adduced on the foregoing issues which of the applications should be granted.

5. *It is further ordered*, That the burden of proof and burden of proceeding with the introduction of evidence on issues (a)(1) and (a)(2) are on International, and on issues (b)(1) through (b)(7) the burdens are on each applicant with respect to its own application.

6. *It is further ordered*, That to avail themselves of an opportunity to be heard, International, Jenney and Tech, pursuant to § 1.221(c) of the Commission's Rules, in person or by an attorney, shall within 20 days of the mailing of this Order file with the Commission, in triplicate, a written appearance stating an intention to appear on the date set for hearing and present evidence on the issues specified in this Order. Failure to file a written appearance within the time specified may result in dismissal of the application with prejudice.

7. *It is further ordered*, That a copy of this Order shall be sent by Certified Mail—Return Receipt Requested to Frederick W. Ford, Esquire, Pittman, Lovett, Ford and Hennessey, Counsel for International Fueling Company, Inc., 1819 H Street NW., Washington, D.C. 20006; to William E. Ziminsky, President, Technical Aeroservice, Inc., Civilian Terminal Building, Hanscom Field, Bedford, Massachusetts 01730; and to Robert M. Jenney, President, Jenney Beechcraft, Inc., Civilian Air Terminal, Hanscom Field, Bedford, Massachusetts 01730.

Adopted: June 23, 1976.

Released: June 28, 1976.

CHARLES A. HIGGINBOTHAM,
*Chief, Safety and Special Radio Services Bureau.*

[FR Doc.76-19371 Filed 7-2-76;8:45 am]

## FEDERAL ENERGY ADMINISTRATION

### ENERGY SUPPLY AND ENVIRONMENTAL COORDINATION ACT

#### Effectiveness of Previously Issued Construction Orders

Pursuant to 10 CFR 303.47(d) the Federal Energy Administration (FEA) hereby gives notice that on June 30, 1976 it issued Notices of Effectiveness making effective certain construction orders previously issued on June 30, 1975, (40 FR 28430, July 3, 1975). The Notices of Effectiveness were issued under the authorities granted to FEA by section 2 of the Energy Supply and Environmental Coordination Act of 1974, as amended, and pursuant to 10 CFR Parts 303 and 307. The following powerplants were issued Notices of Effectiveness on June 30, 1976:

| Docket No. | Owner | Powerplant No. | Generating station | Location |
|---|---|---|---|---|
| OFU-001-N | Alabama Power Co | 2 | J. H. Miller | West Jefferson, Ala. |
| OFU-002-N | do | 3 | do | Do. |
| OFU-003-N | do | 4 | do | Do. |
| OFU-009-N | City of Painesville, Ohio | | Painesville Municipal | Painesville, Ohio. |
| OFU-027-N | Southwestern Electric Power Co | 2 | Welsh | Cason, Tex. |
| OFU-028-N | do | 3 | do | Do. |
| OFU-029-N | The Cincinnati Gas & Electric Co | 2 | East Bend | Boone County, Ky. |
| OFU-032-N | Central Illinois Public Service Co | 2 | Newton | Jasper County, Ill. |
| OFU-034-N | Central Power & Light Co | 1 | Coleto Creek | Goliad County, Tex. |
| OFU-035-N | Dairyland Power Cooperative | 6 | Alma | Alma, Wis. |
| OFU-036-N | Iowa Southern Utilities Co | 1 | Ottumwa | Chillicothe, Iowa. |
| OFU-037-N | Kansas City Power & Light Co | 1 | Iatan | Iat n, Mo. |
| OFU-045-N | Montana-Dakota Utilities Co | 1 | Coyote Station | Beulah, N. Dak. |
| OFU-048-N | Oklahoma Gas & Electric Co | 1 | Sooner | Noble County, Okla. |
| OFU-049-N | do | 2 | do | Do. |
| OFU-050-N | Portland General Electric Co | | Boardman | Boardman, Oreg. |
| OFU-051-N | Public Service Co. of Colorado | | Pawnee Plant [1] | Brush, Colo. |
| OFU-052-N | Public Service Co. of Oklahoma | 3 | Northeastern | Oologah, Okla. |
| OFU-053-N | do | 4 | do | Do. |
| OFU-054-N | Public Service Co. of New Mexico and Tucson Gas & Electric Co. | 3 | San Juan | Waterflow, N. Mex. |
| OFU-055-N | do | 4 | do | Do. |
| OFU-056-N | Sierra Pacific Power Co | 1 | N. Valmy No. 1 [2] | Humboldt County, Nev. |
| OFU-061-N | Southern Illinois Power Cooperative. | 4 | Southern Illinois | Marion, Ill. |
| OFU-062-N | Southern Indiana Gas & Electric Co. | 1 | A. B. Brown | West Franklin, Ind. |
| OFU-063-N | Southwestern Electric Power Co | 1 | Flint Creek | Gentry, Ark. |
| OFU-065-N | The Dayton Power & Light Co. and the Cincinnati Gas & Electric Co. | 1 | Killen | Adams County, Ohio. |
| OFU-066-N | do | 2 | do | Do. |
| OFU-069-N | The Kansas Power & Light Co | 2 | Jeffrey Energy Center. | St. Marys, Kans. |
| OFU-070-N | do | 3 | do | Do. |
| OFU-071-N | do | 4 | do | Do. |

[1] Formerly 1981 unnamed.
[2] Formerly Northeastern 1.
[3] Formerly unnamed.

The construction orders issued by FEA on June 30, 1975 to the above listed powerplants in the early planning process require the powerplants to be designed and constructed to be capable of using coal as their primary energy source. In accordance with the requirements of 10 CFR Parts 303 and 307, however, the orders provided they would not become effective until FEA had considered the environmental impact of the orders and until FEA had served the affected powerplants with a Notice of Effectiveness.

Subsequent to issuance of the construction orders, FEA performed analyses and reviews, pursuant to 10 CFR 307.7 and 208.3, of the environmental impact of the issuance of these Notices of Effectiveness. These analyses resulted in a determination that it is clear that issuance of Notices of Effectiveness making these construction orders effective is not a "major Federal action significantly affecting the quality of the human environment." Section 102(2)(C) of the National Environmental Policy Act, 42 U.S.C. 4332(2)(C). Public notice of the negative determination and of the availability for inspection of these analyses was given in the FEDERAL REGISTER published June 30, 1976, in accordance with 10 CFR 208.4(c) and 208.15(a).

Upon completion of these environmental analyses, FEA issued Notices of Effectiveness of the construction orders on June 30, 1976 to the above listed powerplants and served the Notices on the powerplants by registered mail on the same day. The Notices make effective the construction orders, including the requirements contained therein that the powerplants be designed and constructed to be capable of using coal as their primary energy source.

Any person aggrieved by the now effective construction orders may file an appeal with the FEA Office of Exceptions and Appeals in accordance with 10 CFR Part 303, Subpart H. The appeal shall be filed within 30 days after June 30, 1976. There has not been an exhaustion of administrative remedies until an appeal has been filed pursuant to Subpart H of Part 303, and the appellate proceeding is completed by the issuance of an order granting or denying the appeal.

Application may be made for modification or rescission of the construction orders in accordance with the provisions of 10 CFR Part 303, Subpart J. An application for modification or rescission of a construction order based on "significantly changed circumstances," which circumstances occurred during the interval between issuance of the order and service of the Notice of Effectiveness, shall be filed within 30 days of June 30, 1976. An application for modification or rescission of a construction order based on significantly changed circumstances occurring after that interval may be filed at any time after June 30, 1976.

All terms and conditions of the construction orders and the Notices of Effectiveness may be the subject of either an appeal or an application for modification or rescission.

The orders made effective by the Notices of Effectiveness are effective against any persons that, as of June 30, 1976, own, lease, operate, or control the above listed powerplants, and against any successors-in-interest or assignees of such persons.

All of the above listed powerplants have been served Notices of Effectiveness by mail. In addition, copies of these documents will be on display for any interested members of the public at the FEA public docket room located in Room B-120, 2000 M Street, NW., Washington, D.C., from 1-5 p.m., Monday-Friday. Copies will also be on display in the appropriate FEA regional office. The negative determination and environmental analyses are available upon request from the FEA Office of Communications and Public Affairs, Room 3138, 12th and Pennsylvania Avenue, NW., Washington, D.C. 20461. Copies of the documents are also available for public review in the FEA Information Access Reading Room, Room 3116, 12th and Pennsylvania Avenue, NW., Washington, D.C.

Any questions regarding this notice should be directed to the Director, Office of Coal Utilization, Federal Energy Administration, 12th Street and Pennsylvania Avenue, Washington, D.C., 20461. (202) 961-7941.

Issued in Washington, D.C., June 30, 1976.

MICHAEL F. BUTLER,
*General Counsel,*
*Federal Energy Administration.*

[FR Doc.76-19337 Filed 6-30-76;12:20 pm]

## FEDERAL MARITIME COMMISSION

### CITY OF LONG BEACH AND KOPPEL, INC.

#### Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, (46 U.S.C. 814)).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before July 26, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Leslie E. Still, Jr., Deputy, The City of Long Beach, Suite 600 City Hall, Long Beach, California 90802.

Agreement No. T-3305, between the City of Long Beach (Port) and Koppel, Inc., (Koppel) provides for a 15-year lease to Koppel of approximately 117,596 square feet of space at Pier A, adjacent to Berths 210 and 211, Long Beach, California, to be used as a bulk commodity terminal facility and elevator business, including the assembling, storing, handling, loading and unloading of grains and other bulk commodities into and from vessels at the Port. In addition, the Port grants Koppel a nonexclusive preferential berth assignment for use of approximately 1,100 lineal feet of the wharf and berth facilities at Berths 210 and 211, Pier A.

As compensation for the first five years, Koppel shall pay Port the sum of $24,166.67 per month plus all applicable charges for dockage, wharfage (both of which are subject to a Guaranteed Annual Minimum), wharf demurrage, wharf storage, and all other tariff charges assessed according to the Port of Long Beach Tariff No. 3. The provisions of the Ports' tariff relating to wharf storage and demurrage are not applicable to grains in bulk and other bulk commodities held upon the leased premises. Compensation for the remaining lease term shall be subject to renegotiation as provided for in the agreement.

The facility shall not be used for long-term storage of grain or other bulk commodities without the written consent of the Port. By Order of the Federal Maritime Commission.

Dated: June 29, 1976.

FRANCIS C. HURNEY,
*Secretary.*

[FR Doc.76-19393 Filed 7-2-76;8:45 am]

## FEDERAL RESERVE SYSTEM

### BANCOOK CORP.

#### Formation of Bank Holding Company

Bancook Corporation, Cook, Nebraska, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80 percent or more of the voting shares of Farmers Bank of Cook, Cook, Nebraska. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices 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 July 20, 1976.

Board of Governors of the Federal Reserve System, June 28, 1976.

J. P. GARBARINI,
*Assistant Secretary of the Board.*

[FR Doc.76-19353 Filed 7-2-76;8:45 am]

## BANKSHARES OF HAWLEY, INC.

### Order Denying Formation of Bank Holding Company

Bankshares of Hawley, Inc., Hawley, Minnesota, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 95.7 percent of the voting shares of State Bank of Hawley, Hawley, Minnesota ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is a nonoperating corporation organized for the purpose of becoming a bank holding company through acquisition of Bank. Bank, with deposits of $8 million,[1] representing one-tenth of 1 percent of the total commercial bank deposits in Minnesota, is the twelfth largest of 23 banking organizations within the relevant banking market.[2] Bank holds 1.62 percent of the total commercial bank deposits in this market. Inasmuch as the proposal represents merely a restructuring of Bank's ownership, the acquisition of Bank by Applicant would have no adverse effects on competition within the relevant banking market.

The financial and managerial resources and prospects of the newly formed Applicant are generally dependent upon these conitions as they relate to Bank. However, Applicant proposes to assume debt incurred by its principals. The record indicates that Bank is in need of additional capital, and although Applicant proposes to increase Bank's capital, it appears that the servicing of Applicant's substantial acquisition debt over a 12-year period through Bank's dividends can be expected to further weaken Bank's capital position.

In addition, it appears that the two individuals who would own 78 percent of the outstanding shares of Applicant would not be in a sufficiently strong financial position to provide assistance to Bank in the event problems arose in servicing the acquisition debt or in meeting other unforeseen financial needs. In view of the limited financial flexibility of Applicant and its two principals, and the strain that would be placed on Bank's capital position as a result of Applicant's debt servicing requirements, the Board is of the opinion that considerations relating to the financial aspects of Applicant's proposal weigh against approval of the application.

Applicant indicates that banking services currently rendered the community by Bank will remain unchanged upon consummation of the proposal. Accordingly, considerations relating to the convenience and needs of the community to be served do not outweight the adverse findings with respect to the financial factors involved in Applicant's proposal.

On the basis of all the circumstances of this case and the facts of record, the Board concludes that the acquisition debt involved in this proposal presents adverse circumstances bearing on the financial condition and prospects of Applicant and Bank. Such adverse factors are not outweighed by any procompetitive effects or by benefits to the convenience and needs of the communities to be served. Accordingly, it is the Board's judgment that approval of the application to become a bank holding company would not be in the public interest and the application should be denied.

On the basis of the record, the application is denied for the reasons summarized above.

By order of the Board of Governors,[3] effective June 25, 1976.

GRIFFITH L. GARWOOD,
*Assistant Secretary of the Board.*

[FR Doc.76-19354 Filed 7-2-76;8:45 am]

## FEDERAL OPEN MARKET COMMITTEE

### Domestic Policy Directive

In accordance with § 271.5 of its rules regarding availability of information, there is set forth below the Committee's Domestic Policy Directive issued at its meeting held on May 18, 1976.[1]

The information reviewed at this meeting suggests that growth in real output of goods and services is continuing at a vigorous pace in the current quarter. In April recovery in industrial production continued, and gains in employment were large and widespread. However, the civilian labor force also increased substantially, and the unemployment rate continued at 7.5 per cent. Retail sales remained at the March level. The wholesale price index for all commodities rose appreciably in April, reflecting a sharp increase in average prices of farm products and foods and a modest increase in prices of industrial commodities. Over recent months, the index of average wage rates has advanced moderately.

The average value of the dollar against leading foreign currencies has been relatively steady in recent weeks. During the first quarter, there was a sizable U.S. foreign trade deficit, in contrast to the large surpluses in the preceding four quarters.

$M_1$, which had expanded moderately in February and March, increased sharply in April, reflecting in part a drop in U.S. Government deposits. Inflows of time and savings deposits other than negotiable CD's were strong at banks and nonbank thrift institutions, and $M_2$ and $M_3$ increased substantially. In recent weeks, both short- and long-term market interest rates have risen.

In light of the foregoing developments, it is the policy of the Federal Open Market Committee to foster financial conditions that will encourage continued economic recovery, while resisting inflationary pressures and contributing to a sustainable pattern of international transactions.

To implement this policy, while taking account of developments in domestic and international financial markets, the Committee seeks to achieve bank reserve and money market conditions consistent with moderate growth in monetary aggregates over the period ahead.

By order of the Federal Open Market Committee, June 25, 1976.

ARTHUR L. BROIDA,
*Secretary.*

[FR Doc.76-19360 Filed 7-2-76;8:45 am]

## NATIONAL CITY CORP.

### Order Approving Acquisition of Bank

National City Corporation, Cleveland, Ohio, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire all of the voting shares, less directors' qualifying shares, of the successor by consolidation to First National Bank of Elyria ("Bank"), Elyria, Ohio. As part of this proposal, Applicant will acquire all of the voting shares, less directors' qualifying shares, of a new national bank ("interim bank"), which is to be consolidated with Bank. The interim bank and resulting consolidated bank to be acquired have no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposal is treated herein as the acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the fourth largest banking organization in Ohio, controls 4 banks with aggregate deposits of $1.56 billion, representing approximately 5.3 percent of the total commercial bank deposits in the State.[1] Consummation of this pro-

[1] All banking data are as of June 30, 1975.

[2] The relevant banking market is approximated by the Fargo-Moorhead SMSA: Clay County, Minnesota, and Cass County, North Dakota.

[3] Voting for this action: Vice Chairman Gardner and Governors Wallich, Coldwell and Lilly. Absent and not voting: Chairman Burns and Governors Jackson and Partee.

[1] The Record of Policy Actions of the Committee for the meeting of May 18, 1976 is filed as part of the original document. Copies are available on reqeust to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

[1] All banking data are as of June 30, 1975, unless otherwise indicated.

posal would increase Applicant's share of Statewide deposits by approximately .1 percent and would not have a significant effect upon the concentration of banking resources in the State.

Bank, headquartered in the city of Elyria about 935 miles from downtown Cleveland, is the 21st largest of 37 banking organizations competing in the Cleveland banking market[2] and holds approximately $29.6 million in deposits, representing about .34 percent of the total commercial bank deposits in the market.[3] Applicant, with two subsidiary banks operating 50 offices in the market, is the second largest banking organization in the Cleveland market controlling approximately 16.6 percent of total market deposits.[4] Applicant's acquisition of Bank would increase only slightly Applicant's market share and the concentration of deposits in the Cleveland market and Applicant would still remain the second largest banking organization in the Cleveland market behind the largest banking organization which controls approximately 31.1 percent of market deposits. While approval of this application would eliminate one independent banking alternative in the market, 36 banking organizations, including subsidiaries of nine other Ohio multibank holding companies, would remain, operating 432 banking offices in the Cleveland market. Even though Applicant and Bank operate in the same market, the facts of record indicate that subsidiaries of Applicant and Bank derive no significant business from each others' services areas and thus approval would not result in the elimination of any significant amount of existing competition.

In assessing the effects of the proposal on potential competition, the Board is of the view that although Applicant may possess the capabilities to enter Lorain County de novo and acquisition of Bank would eliminate one independent banking alternative in the relevant market, there are several other facts of record that mitigate these slightly adverse competitive effects. Ohio's restrictive branching laws, which limit branching to home office counties, prohibit Applicant's present subsidiaries from branching into the Lorain County portion of the market; moreover, it appears unlikely that Applicant would enter Lorain County de novo since its population and deposits-per-banking office ratios are considerably below the State averages. Furthermore, Bank is the smallest of eight banks headquartered in Lorain County and, following approval, there would remain 18 other independent banking organizations as possible entry points into the market for competitors. Accordingly, it is concluded that consummation of the proposal would have only slightly adverse effects on potential competition.

The financial and managerial resources and future prospects of Applicants, its subsidiaries, and Bank are regarded as generally satisfactory and consistent with approval. The acquisition of Bank by Applicant will allow the more specialized banking services currently being offered in the market to become more readily accessible to residents of Elyria and the remainder of Lorain County. In particular, Applicant has indicated that it will make available to Bank and Bank's customers more specialized and diversified trust services, more specialized types of credit services, including personal property leasing and industrial revenue bond financing, international banking services and data processing services. The Board concludes, therefore, that considerations relating to the convenience and needs of the community to be served outweigh the slight anticompetitive effects of the proposal. Accordingly, it is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record,[5] the application is approved for the reasons summarized above. The transaction should 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 Cleveland pursuant to delegated authority.

By order of the Board of Governors,[6] effective June 23, 1976.

GRIFFITH L. GARWOOD,
*Assistant Secretary of the Board.*

[FR Doc.19355 Filed 7-2-76;8:45 am]

[2] The Cleveland banking market, which is the relevant banking market, is approximated by all of Cuyahoga, Lake and Geauga Counties, the northwestern quarter of Portage County, the northern third of Summit County, all but the southern-most tier of townships in Medina and Lorain Counties and the City of Vermilion which straddles the border of Lorain and Erie Counties.

[3] All market data are as of June 30, 1974.

[4] Applicant controls two subsidiary banks in the market, National City Bank, Cleveland, Ohio, and National City Bank of Lake County, Mentor, Ohio, a de novo bank, which was opened on March 15, 1976 and therefore its deposits are not reflected in the market data.

[5] Dissenting Statement of Governor Coldwell filed as part of the original document. Copies are available upon request to Board of Governors of the Federal Reserve Systems, Wash. D.C. 20551 or to the Federal Reserve Bank of Cleveland.

[6] Voting for this action: Chairman Burns and Governors Gardner, Wallich, Jackson, Partee, and Lilly. Voting against this action: Governor Coldwell.

## PEOPLES BANKSHARES, LTD.

### Formation of Bank Holding Company

Peoples Bankshares, Ltd., Waterloo, Iowa, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 56 percent or more of the voting shares of Peoples Bank and Trust Company, Waterloo, Iowa. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than July 27, 1976.

Board of Governors of the Federal Reserve System, June 28, 1976.

J. P. GARBARINI,
*Assistant Secretary of the Board.*

[FR Doc.76-19356 Filed 7-2-76;8:45 am]

## REPUBLIC OF TEXAS CORP.

### Order Approving Retention

Republic of Texas Corporation, Dallas, Texas, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), to retain ownership of the voting shares of Republic Commerce Company, Dallas, Texas ("Company"), and indirect ownership of the voting shares of Republic Money Orders, Inc. ("RMO"), and Republic Money Orders of California, Inc. ("RMO of California"), both of Dallas, Texas. Company engages in no activities and merely serves as owner of record of all shares of RMO. RMO engages in the activity of issuing money orders and travelers checks to third party agents who, in turn, sell the instruments at the retail level. RMO of California is a wholly-owned subsidiary of RMO which, until 1972, also issued money orders and travelers checks. RMO of California is inactive and will be liquidated in 1985 when any money orders that remain unclaimed at that time escheat to the State of California.

The Board has previously determined by order that the activity of issuing and selling travelers checks is closely related to banking (59 Federal Reserve Bulletin 544 (1973)). The Board has not previously determined whether the issuance and sale of money orders constitutes an activity closely related to banking. The Board has decided to proceed by rulemaking on the question of whether Regulation Y should be amended by adding the activity of issuing payment instruments, such as money orders, to the list of permissible nonbank activities (12 CFR 225.4(a)). Notice of the Board's decision has been published affording interested persons an opportunity to submit their views on this subject (41 FR 14902). Since it has previously determined that the activity of issuing and selling travelers checks is closely related to banking, the Board decided to consider as a separate matter Applicant's application to continue to engage (through RMO) in the activity of issuing and selling travelers checks.

Notice of the application, affording opportunity for interested persons to submit comments and views on the public

interest factors, has been duly published (40 FR 44634). The time for filing comments and views has expired, and the Board has considered all comments received in the light of the public interest factors set forth in section 4(c)(8) of the Act.

By Order dated October 25, 1973, the Board approved the application of Applicant to become a bank holding company through the acquisition of Republic National Bank of Dallas ("Republic Bank"). Applicant became a bank holding company on May 9, 1974. At the time that Applicant became a bank holding company, it also acquired, from Republic Bank, direct ownership of Company. Republic Bank was itself a bank holding company by virtue of the 1970 Amendments to the Act and owned various bank and nonbank interests. RMO and its subsidiary, RMO of California, were established as de novo subsidiaries of the profit sharing plan of Republic Bank. Pursuant to the provisions of section 4(a)(2) of the Act, Applicant has two years from the date when it became a bank holding company to divest its nonbank activities or, in the alternative, to apply to the Board for approval to retain them. The Board regards the standards under section 4(c)(8) of the Act for retention of shares to be the same as the standards for a proposed acquisition.

Applicant, the fourth largest banking organization in Texas, controls three banks with total deposits of approximately $2.8 billion, representing about 6.5 percent of the total deposits in commercial banks in the State.[1] In addition, Applicant engages indirectly through a group of corporations referred to collectively as The Howard Corporation, in various nonbanking activities which are described in a Board determination dated September 10, 1973, relating to the grandfather benefits of Republic Bank (59 Federal Reserve Bulletin 768 (1973)). The Board has previously ruled that Applicant would not be a successor to the grandfather benefits of Republic Bank, and Applicant has committed, and is required, to dispose of the nonpermissible activities within the two-year statutory period prescribed in section 4(a)(2) of the Act.[2]

The issuance and sale of travelers checks is recognized as a distinct line of commerce. Seven firms constitute most of the travelers check industry which has annual sales of approximately $6 billion. The largest organization, American Express, accounts for about two-thirds of the industry total. RMO's share of the national market is approximately one percent.[3] Barriers to entry into the industry appear high in view of the necessity for a large international sales organization to handle this low-margin high-volume product. Thus, potential entrants are likely to be those large money center banking organizations which have, or are capable of building, correspondent or agency relationships worldwide. The Board has previously determined that it would be in the public interest for bank holding companies having such capabilities to engage in the activity of issuing and selling travelers checks in view of the limited number of competitors presently serving the industry (59 Federal Reserve Bulletin 544 (1973)). Retaining Company as a subsidiary of Applicant should serve to promote competition among the various leading participants in the travelers check industry.

RMO was established de novo by Republic Bank in 1959. In 1974 it had travelers checks issues of $129.7 million. In view of the highly concentrated nature of the travelers check industry and the fact that RMO was established de novo, as a subsidiary of Applicant's lead bank, the Board concludes that Applicant's retention of RMO would not result in any adverse effects on competition in any relevant area. Furthermore, there is no evidence in the record to indicate that the proposed retention of RMO by Applicant would lead to an undue concentration of resources, unfair competition, conflicts of interest, or unsound banking practices, or other adverse effects.

Funds received on the issuance of travelers checks by a member bank are considered as demand deposits and included in the money supply. As much, member banks are required to carry reserves against outstanding instruments (see 15 Federal Reserve Bulletin 348; Board Interpretation ¶2770). RMO, however, because it is not a member bank, is not required by statute to maintain reserves with respect to such funds. While the Board believes that the better course would be to have all institutions engaged in deposit banking of this kind subject to common reserve requirements, it recognizes that competition in the travelers check industry is likely to be promoted by allowing bank holding companies to offer such services through nonbank subsidiaries rather than through subsidiary banks. It has therefore approved the subject application in view of the relevant favorable considerations under the Bank Holding Company Act.

Unlike some other issuers of travelers checks, RMO does not charge its agents a fee. The absence of a fee provides RMO's agents greater flexibility in dealing with retail customers and, in certain circumstances, may result in lower retail costs. In addition, continued affiliation of Applicant and RMO should increase the possibilities that RMO will expand the number of retail outlets that handle its travelers checks. Accordingly, it is the Board's view that approval of the subject application will produce benefits to the public and will be in the public interest.

Based upon the foregoing and other considerations reflected in the record, the Board has determined, in accordance with the provision of section 4(c)(8) of the Act, that retention of Company, RMO and RMO of California can reasonably be expected to result in benefits to the public that outweigh possible adverse effects. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,[4] effective June 25, 1976.

GRIFFITH L. GARWOOD,
*Assistant Secretary of the Board.*

[FR Doc.76-19357 Filed 7-2-76;8:45 am]

[1] Unless otherwise noted, all banking data are as of December 31, 1974.

[2] The Federal Reserve Bank of Dallas, acting pursuant to delegated authority, has extended the period within which Applicant must dispose of its impermissible activities by one year to May 9, 1977.

[3] Applicant sells travelers checks to companies with outlets in 44 states and two foreign countries.

[4] Voting for this action: Chairman Burns and Governors Gardner, Wallich, Coldwell, and Lilly. Absent and not voting: Governors Jackson and Partee.

## SEDALIA ENTERPRIZES, INC.

### Request for Determination of Control and Notice Providing Opportunity for Hearing

Notice is hereby given that a request has been made to the Board of Governors of the Federal Reserve System, pursuant to the provisions of section 2(g)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(g)(3)) ("the Act"), by Sedalia Enterprizes, Inc., Sedalia, Missouri, ("Sedalia"), for a determination that it is not capable of controlling Mercantile Bancorporation, Inc., St. Louis, Missouri, ("Mercantile"), withstanding the indebtedness incurred by Mercantile to Sedalia in connection with Mercantile's purchase from Sedalia of all of the shares of Sedalia Bank and Trust Company, Sedalia, Missouri, ("Bank").

Section 2(g)(3) of the Act provides that shares transferred after January 1, 1966, by any bank holding company (or any company which but for such transfer, would be a bank holding company) directly or indirectly to any transferee that is indebted to the transferor or has one or more officers, directors, trustees, or beneficiaries in common with or subject to control by the transferor, shall be deemed to be indirectly owned or controlled by the transferor, unless the Board, after opportunity for hearing, determines that the transferor is not, in fact, capable of controlling the transferee.

Notice is hereby given, that, pursuant to section 2(g)(3) of the Act, an opportunity is provided for filing a request for oral hearing. Any such request or written comments on the request should be submitted in writing (in duplicate) to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received

no later than July 29, 1976. If a request for oral hearing is filed, each request should contain a statement of the nature of the requesting person's interest in the matter, his reasons for wishing to appear at an oral hearing, and a summary of the matters concerning which such person wishes to give testimony. The Board subsequently will designate a time and place for any hearing it orders, and will give notice of such hearing to the transferor, the transferee, and all persons that have requested an oral hearing. In the absence of a request for an oral hearing, the Board will consider the requested determination on the basis of documentary evidence filed in connection with the request.

Board of Governors of the Federal Reserve System, June 29, 1976.

J. P. GARBARINI,
*Assistant Secretary of the Board.*

[FR Doc.76-19358 Filed 7-2-76;8:45 am]

## WALTER E. HELLER INTERNATIONAL CORP.

### Order Approving Acquisition of PepsiCo Leasing Corp.

Walter E. Heller International Corporation, Chicago, Illinois, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2 of the Board's Regulation Y (12 CFR 225.4(b)(2) (1976), to acquire PepsiCo Leasing Corporation, Lexington, Massachusetts ("PLC"), a company that, directly or indirectly through subsidiaries, engages in the activities of commercial finance, full-payout leasing of personal property, and financially-related data processing. Such activities have been determined by the Board to be so closely related to banking as to be a proper incident thereto (12 CFR 225.4(a)(1), (6), and (8) (1976)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (41 FR 21701 (1976)). The time for filing comments and views has expired, and the Board has considered the application and all comments received in the light of the public interest factors set forth in section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)).

Applicant is the fifth largest banking organization in Illinois by virtue of its control of one bank with total deposits of $1 billion, representing approximately 1.7 percent of total deposits held by commercial banks in the State.[1] Applicant is also the nation's twelfth largest finance company, based on total assets of $3.3 billion, as of December 31, 1975. Its numerous nonbanking subsidiaries are engaged, inter alia, in the activities of factoring, commercial finance, full-payout leasing, data processing, and mortgage banking.[2]

PLC (total assets of $215.4 million as of December 31, 1975) is a wholly-owned subsidiary of PepsiCo, Inc., New York, New York. PLC has a total of 17 wholly-owned subsidiaries which have offices located in nine States and certain foreign countries.[3] PLC and its subsidiaries primarily engage in the nonleveraged leasing of a wide range of personal property and equipment (receivables from these activities account for approximately 95 percent of PLC's gross receivables). Certain of PLC's current leasing transactions do not appear to be within the scope of nonbanking activities that are permissible for bank holding companies pursuant to the Act and the Board's Regulation Y. Therefore, Applicant has committed to the Board that it will acquire and conduct only those leasing activities of PLC that are within the scope of the leasing requirements set forth in § 225.4(a)(6)(a) of the Board's Regulation Y [12 CFR 225.4(a)(6)(a) (1976)]. In connection with its leasing activities, PLC also engages in a small amount of commercial finance activities that represent approximately 2 percent of its gross receivables. In addition, PLC presently performs financially-related data processing services for itself and its subsidiaries and its parent company PepsiCo, Inc. and subsidiaries thereof. After consummation of the proposed transaction, PLC will continue to provide its own data processing services and will continue to perform financially-related data processing services for PepsiCo, Inc., and its subsidiaries until such organizations can obtain satisfactory alternative services.

As indicated previously, Applicant will not acquire lease receivables from PLC that do not meet the full-payout requirements of the Board's Regulation Y. In this regard, PLC had net receivables in full-payout personal property leasing in the amount of approximately $191.5 million as of September 30, 1975; as of the same date, Applicant had net receivables in full-payout personal property leasing totalling approximately $31.4 million. While PLC has lease receivables outstanding in 44 of the 50 States, it derives approximately 53.4 percent ($102.3 million) of its total full-payout lease receivables from within those SMSA's wherein its and its subsidiaries' offices are located.[4] With the exception of the Philadelphia and Cincinnati SMSA's, Applicant also has offices located within these areas, with the most competition between Applicant and PLC being in the New York, Chicago, and Los Angeles SMSA's.[5] However, in view of the large number of competitors in the areas where Applicant and PLC compete, including all of the major national and regional leasing firms, and the intensity of competition in these areas, the amount of existing and future competition that would be eliminated as a result of this proposal is considered, at the most, to be slight. In addition, it appears from the facts of record that acquisition of PLC would not give Applicant a dominant position in any relevant market.

With respect to PLC's commercial finance activities, PLC, as of September 30, 1975, had notes receivable outstanding totalling $1.2 million, all of which were derived from SMSA's where PLC or its subsidiaries maintain offices. In the same areas, Applicant, as of the same date, had notes receivable outstanding of approximately $169.3 million. In view of the large number and size of banks and finance company competitors in these areas and PLC's relatively small involvement in this activity, it does not appear that Applicant's acquisition of PLC's commercial finance activities would have any significant adverse effects on either existing or future competition.

Due to the nature of PLC's data processing activities, which have been limited to servicing its needs and those of its parent organization, it does not appear that Applicant's acquisition of these data processing activities would have any significant effect on existing or future competition.

It appears that consummation of this proposal would not result in any undue concentration of resources, conflicts of interest, unsound banking practices, or any other adverse effects on the public interest. Applicant's acquisition of PLC should make PLC a more effective competitor with the major equipment leasing companies operating in its markets, since it will have access to Applicant's significant financial and managerial re-

[1] All banking data are as of June 30, 1975, unless otherwise indicated.

[2] One of Applicant's subsidiaries, Knoll International, Inc., is engaged in the business of manufacturing furniture. The Board's Order of May 11, 1973, approving Applicant's application to become a bank holding company required divestiture of Knoll International, Inc., by May 11, 1975. Acting pursuant to delegated authority, the Federal Reserve Bank of Chicago on January 3, 1975, extended the divestiture date by one year. Applicant has requested another one-year extension until May 11, 1977, which request is currently pending at the Board.

[3] Applicant has applied under section 4(c)(8) of the Act to acquire 11 of PLC's existing subsidiaries, all of which are principally engaged in domestic leasing activities. Applicant has also filed a separate application under section 4(c)(13) of the Act to acquire four of PLC's foreign leasing subsidiaries; this application has also been approved today in a separate letter issued by the Board. The activities of PLC's subsidiaries are carried on as a unit; all administrative, credit, operational, data processing and collection functions for each of the subsidiaries are performed at PLC's home office and that office and each other location serves as a sales office for PLC and each of its subsidiaries.

[4] Baltimore, Boston, Chicago, Cincinnati, Dallas, Ft. Lauderdale, Houston, Los Angeles, New York, Philadelphia and San Francisco.

[5] Applicant derives lease receivables totalling $6.6 million from within the Chicago SMSA, $5.5 million from within the New York SMSA and $2.2 million from within the Los Angeles SMSA. From these same SMSA's, PLC has lease receivables outstanding of $12.4 million, $34.2 million and $13.4 million respectively.

sources, and will benefit from certain improved efficiencies in its operations. In this regard, it is noted from the record that PepsiCo, Inc. has apparently determined to dispose of PLC's leasing activities that are unrelated to PepsiCo's commercial business activities, and that if a suitable purchaser of PLC is not found, it is likely that PLC's assets would be liquidated. In the Board's judgment, the slight amount of competition between Applicant and PLC that would be eliminated as a result of this proposal is outweighed, under the circumstances, by the public benefits that will result from PLC's affiliation with Applicant.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be made not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Chicago pursuant to authority hereby delegated.

By order of the Board of Governors,[4] effective June 28, 1976.

GRIFFITH L. GARWOOD,
*Assistant Secretary of the Board.*

[FR Doc.76-19359 Filed 7-2-76;8:45 am]

## GENERAL SERVICES ADMINISTRATION

### REGIONAL PUBLIC ADVISORY PANEL ON ARCHITECTURAL AND ENGINEERING SERVICES

#### Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of a meeting of the Regional Public Advisory Panel on Architectural and Engineering Services, Region 4, July 21, 1976 from 10:00 a.m. to 4:00 p.m., Room 5A, 1776 Peeachtree Street, N.W., Atlanta, Georgia 30309. The meeting will be devoted to the initial step of the procedures for screening and evaluating the qualifications of architect-engineers under consideration for selection to furnish professional services for the site adaptation of existing working drawings and specifications for the proposed Federal Youth Center in Talladega, Alabama. Frank and open discussion between panel members of the professional qualifications of the firms being considered is essential to insure selection of the best qualified firms. Accordingly, pursuant to a determination that it will be concerned with a matter listed in 5 U.S.C. 552(b)(5) the meeting will not be open to the public.

Dated: June 29, 1976.

L. D. STROM,
*Regional Administrator.*

[FR Doc.76-19338 Filed 7-2-76;8:45 am]

[4] Voting for this action: Chairman Burns and Governors Gardner, Wallich, Jackson, Partee and Lilly. Absent and not voting: Governor Coldwell.

## INTERNATIONAL TRADE COMMISSION

[TA-201-14]

### HONEY

#### Determination, Findings, and Recommendations of the Commission

*Determination.*—On the basis of its investigation, the Commission determines (Commissioners Bedell and Parker dissenting, Commissioner Ablondi not participating) that honey, provided for in item 155.70 of the Tariff Schedules of the United States (TSUS), is being imported into the United States in such increased quantities as to be a substantial cause of the threat of serious injury to the domestic industry producing articles like or directly competitive with the imported article.

*Findings and recommendations.*—The Commission (Chairman Leonard, Vice Chairman Minchew, and Commissioner Moore) finds that—

(1) a tariff-rate quota system, as hereinafter specified, is necessary to prevent the threatened injury;

(2) whenever, in calendar year 1976, or in any of the four ensuing calendar years, the aggregate quantity of imports of honey, as provided for in item 155.70 of the TSUS, exceeds a tariff-rate quota of 30 million pounds, honey in such item entered during the remainder of such calendar year shall be subject to rates of duty as follows:

| | |
|---|---|
| For calendar years 1976,[1] 1977 and 1978 | 1¢ per lb. + 30% ad val. |
| For calendar year 1979 | 1¢ per lb. + 20% ad val. |
| For calendar year 1980 | 1¢ per lb. + 10% ad val. |

[1] To avoid possible retroactive application of the over-quota rate of duty for calendar year 1976, the President's proclamation should provide for the application of such rate of duty to be effective on the date of the proclamation or at the time the quota is exceeded, whichever occurs last.

(3) the existing rate of duty shall apply to imports of such honey entered within the tariff-rate quota for each calendar year;

(4) such tariff-rate quota shall be established and allocated to countries subject to the rate of duty provided for in rate of duty column numbered 1 of the TSUS; and

(5) whenever the over-quota rate of duty specified in (2) exceeds the rate of duty (3 cents per pound) applicable to imports of honey from countries whose imports are currently subject to the rate of duty set forth in column 2 of the TSUS, such column 2 rate should be made to conform with rates proclaimed for column 1.

By order of the Commission.

Issued: June 29, 1976.

KENNETH R. MASON,
*Secretary.*

[FR Doc.76-19392 Filed 7-2-76;8:45 am]

## JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

### ACCESS TO RECORDS

#### Adoption of Additional Routine Use

On page 20454 of the FEDERAL REGISTER of May 18, 1976, there was published a proposal to adopt an additional routine use for the systems of records described in a previously published notice (40 FR 39227) of the Joint Board for the Enrollment of Actuaries. The additional routine use permits disclosure from the records of an individual to a congressional office in response to an inquiry made at the request of the individual. Interested persons were given 30 days in which to submit comments, suggestions or objections regarding the proposed additional routine use.

No objections have been received and the proposed additional routine use is hereby adopted without change and is set forth below.

Effective date: This Joint Board routine use is effective June 18, 1976.

Approved: June 30, 1976.

ROWLAND E. CROSS,
*Chairman.*

1. The following routine use is adopted: Disclosure from the record of an individual may be made to a congressional office, in response to an inquiry which such congressional office presents as being made on behalf of, and at the request of, that individual.

[FR Doc.76-19329 Filed 7-2-76;8:45 am]

## MARINE MAMMAL COMMISSION

### MARINE MAMMAL COMMISSION AND COMMITTEE OF SCIENTIFIC ADVISORS ON MARINE MAMMALS

#### Meetings

Pursuant to the notice published in the FEDERAL REGISTER on May 10, 1976, further notice is hereby given that the Marine Mammal Commission and the Committee of Scientific Advisors on Marine Mammals will meet on July 22, 23, and 24, 1976 in the Crown College Senior Commons Building at the University of California at Santa Cruz, Santa Cruz, California.

The Commission and Committee will meet together from 11:00 a.m. to 5:00 p.m. on July 22, from 9:00 a.m. to 5:00 p.m. on July 23, and from 9:00 a.m. to 1:00 p.m. on July 24 to discuss and consider the status of activities and problems affecting marine mammals including matters relating to:

(1) taking of porpoises incidental to commercial yellowfin tuna fishing;
(2) the review of permit applications to take marine mammals for research purposes and/or public display;
(3) application of the State of Alaska for waiver of the moratorium and return of management;
(4) application of the State of California concerning the Southern sea otter;
(5) discussion of optimum sustainable populations of marine mammals;
(6) special activities of subcommittees of the Committee of Scientific Advisors on Marine Mammals; and
(7) such other matters as may appropriately come before the Commission.

The sessions of the meeting will be open to the public, and seating will be available to accommodate interested participants and observers.

The remainder of the meeting will consist of executive sessions of the Commission and Committee. These sessions will be devoted to the review of memoranda, and exchange of opinions and deliberations concerning internal operations, budget, personnel, policy, interagency liaison, and the evaluation of proposals to conduct research related to marine mammal protection and conservation. Participants will be candidly discussing and appraising the professional qualifications and competence of the proposers, their potential contribution to the research program, and information given to the Commission and Committee in confidence.

Executive sessions will be held as follows:

July 22, from 9:00 a.m. to 10:40 a.m.;
July 22, from 4:00 p.m. to 5 p.m.; and
July 24, from 1:00 p.m. to 6:00 p.m.

These sessions are concerned with matters listed in 5 U.S.C. 552(b) (2), (3), (4), (5) and (6), and therefore will not be open to the public.

Dated: June 30, 1976.

JOHN R. TWISS, Jr.,
*Executive Director,*
*Marine Mammal Commission.*

[FR Doc.76-19311 Filed 7-2-76;8:45 am]

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 76-59]

### JAPAN ENGINEERING DEVELOPMENT CO.

#### Intent To Grant Foreign Exclusive Patent License

In accordance with the NASA Foreign Licensing Regulations, 14 CFR 1245.405 (e), the National Aeronautics and Space Administration announces its intention to grant to the Japan Engineering Development Company, Tokyo, Japan, an exclusive patent license in Japan for the four NASA owned inventions covered by the Japanese counterparts of: (1) U.S. Application for Patent Serial No. 576,488 for "Low Cost Substrates for Polycrystalline Solar Cells", filed by NASA on May 12, 1975; (2) U.S. Application for Patent Serial No. 623,188 for "Emergency Descent Device", filed by NASA on October 16, 1975; (3) U.S. Application for Patent Serial No. 633,876 for "High Temperature Resistant Cermet and Ceramic Compositions", filed by NASA on November 20, 1975; and (4) U.S. Application for Patent Serial No. 633,877 for "High Temperature Oxidation Resistant Cermet Compositions", filed by NASA on November 10, 1975. Copies of the above U.S. Patent Applications can be purchased from the National Technical Information Service, Springfield, Virginia, at a cost of $3.75 a copy. Interested parties should submit written inquiries or comments on or before September 7, 1976, to the Assistant General Counsel for Patent Matters, Code GP, National Aeronautics and Space Administration, Washington, D.C. 20546.

S. NEIL HOSENBALL,
*General Counsel.*

JUNE 28, 1976.

[FR Doc.76-19468 Filed 7-2-76;8:45 am]

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. STN-50-528, STN-50-529 and STN-50-530]

### ARIZONA PUBLIC SERVICE CO., ET AL. (PALO VERDE NUCLEAR GENERATING STATION, UNITS 1, 2 & 3)

#### Assignment of Atomic Safety and Licensing Appeal Board

Notice is hereby given that, in accordance with the authority in 10 CFR § 2.787(a), the Chairman of the Atomic Safety and Licensing Appeal Panel has assigned the following panel members to serve as the Atomic Safety and Licensing Appeal Board for this construction permit proceeding:

Alan S. Rosenthal, Chairman,
Dr. John H. Buck,
Michael C. Farrar.

Dated: June 22, 1976.

MARGARET E. DU FLO,
*Secretary to the Appeal Board.*

[FR Doc.76-19222 Filed 7-2-76;8:45 am]

[Docket No. 50-10]

### COMMONWEALTH EDISON CO. (DRESDEN NUCLEAR POWER STATION, UNIT NO. 1)

#### Order for Modification of License

I

Commonwealth Edison Company, Post Office Box 767, Chicago, Illinois 60690 (licensee), is the holder of Operating License No. DPR-2 which authorizes the operation of nuclear power reactor Unit No. 1 at the Dresden Nuclear Power Station near Morris, Illinois, under certain conditions specified therein.

II

Dresden Nuclear Power Station Unit No. 1 was designed and constructed in the late 1950's and was issued an operating license on October 14, 1960. Approximately 8 years after this facility was licensed for operation the proposed edition of the Institute of Electrical and Electronics Engineers Standard: "Criteria for Protection Systems for Nuclear Power Generating Stations" (IEEE-279-1968) was published. These criteria provide guidance relative to the design, functional performance and reliability of protection systems for nuclear power plants with construction permits issued after January 1, 1971.

On June 30, 1975, Commonwealth Edison submitted a report, "Engineering Evaluation of Dresden Unit 1 Equipment Rating", which identified components which would either be relocated or replaced to assure their acceptability, as required, during and after a loss-of-collant accident. These modifications would provide partial conformance with the criteria of IEEE-279-1968. Commonwealth Edison's letter dated September 24, 1975, provided a tentative schedule for the completion of these modifications during the 1976 fall refueling outage.

On July 31, 1975, the Commission requested that Commonwealth Edison (CECo) compare the as built design of the Dresden Unit No. 1 facility with the 1968 Edition of IEEE Standard 279 "Criteria for Nuclear Power Plant Protective Systems" to identify features of the plant that do not comply with this standard and to determine whether, based on that evaluation, there are changes in the facility that should be accomplished which provide substantial additional protection. Our request was made pursuant to 10 CFR Part 50, Section 109(c)—"Backfitting".

On December 10, 1975, CECo submitted a report, "Comparison of Dresden Unit 1 Safety System Design to IEEE Standard 279-1968", which identified those features of the facility that do not comply with the referenced standard. On January 12, 1976, CECo informed the Commission that they will modify the reactor protection systems, except for the reactor poison system and the containment spray system, to comply with IEEE Standard 279. The modifications would include:

1. An extensive qualification program of installed equipment, and the subsequent replacing or relocating of those components found to be not qualified for their intended functions in the postulated environments;

2. Provisions of additional circuitry to assure proper system protective action following a single failure within the reactor protection system;

3. Provisions of physical protection to assure channel integrity during malfunctions, accidents, or other unusual events;

4. Provision of additional redundancy and physical separation to assure channel independence;

5. Isolation of existing or new sensing instruments by barrier or relocation to provide separation of redundant instruments;

6. Installation of two new conduit wireways between sensors and control room to separate RPS digital sensor input cabling from other cables;

7. Installation of terminal block cabinets and rearrangement of conductors

at the sphere electrical penetrations to provide two safety system penetrations, including the construction of barriers to provide additional separation between RPS input and output cables at these penetrations;

8. Reconstruction of existing RPS logic cabinet to provide a four channel, one-out-of-two twice logic system with two manual pushbutton scram channels, including the installation of barriers to provide adequate physical separation between channels,

9. Installation of two new conduit wireways between control room and scram solenoids to separate the RPS scram output signal cabling from other cables;

10. Installation of an additional scram backup solenoid to provide redundancy necessary for a two channel manual scram;

11. Installation of a fixed automatic fire protection system at the sphere electrical penetrations and in the cable tunnel connecting the sphere to the control room complex; and

12. Modification of outputs of the neutron monitoring devices for compatibility with the proposed four channel RPS scram logic.

In the January 12, 1976 letter Commonwealth Edison proposed to complete the detailed design of these modifications in August 1976 and stated that they expected to complete the modifications during the decontamination outage scheduled for early 1977.

By letter dated May 28, 1976, Commonwealth Edison, in response to a request from the Regulatory staff, agreed to provide the following additional information related to the efficacy of the containment spray system by September 1976:

1. An analysis which establishes the whole body and thyroid doses in manrem that would occur with and without the containment spray system.

2. An estimate of the total cost required to upgrade the containment spray system to meet the single failure criterion of IEEE Standard 279–1968.

III

The NRC Staff has reviewed the licensee's submittals dated June 30, 1975, January 12, 1976, and May 28, 1976, and has concluded that CECo has appropriately identified those features of the plant that do not comply with IEEE Standard 279–1968, and that the proposed modifications are acceptable. CECo has agreed to supply some additional information that is required to complete our review of the containment spray system.

We find that the improvements in plant protection systems proposed by CECo's letters of June 30, 1975 and January 12, 1976, will provide sunbstantial additional protection for the health and safety of the public. We concur with the proposed schedule for implementing these modifications during the fall 1976 refueling outage and the primary coolant system decontamination outage presently scheduled for early 1977.

The NRC staff believes that the licensee's commitments, under the circumstances, are appropriate and that these commitments should be confirmed by NRC Order.

IV

In view of the foregoing and pursuant to the Atomic Energy Act of 1954, as amended, and the regulations in 10 CFR Parts 2, and 50, it is ordered that Facility Operating License No. DPR–2 is hereby amended by adding the following new provision as paragraph 2.C(3).

(3) *Licensee Commitments Related to IEEE–279–1968:*

a. Commonwealth Edison shall submit to the Commission, by September 1976:

1. Additional information relating to the efficacy of the Dresden Unit No. 1 containment spray system.

2. Details of proposed modifications that are necessary to make the design of plant protection systems conform with the requirements of Sections 4.2, "Single Failure Criterion," and 4.6, "Channel Independence" of IEEE Std 279–1968.

3. Detailed analyses of all portions of plant protection systems, including the proposed modifications, which show that the modified systems meet the single failure criterion.

4. Results of analyses and/or tests which demonstrate that all instrumentation and electric equipment essential to safety can function in its environment during and following an accident. It satisfactory results are not obtained, describe the modifications necessary to assure that all instrumentation and electric equipment essential to safety can function in its accident environment.

b. Commonwealth Edison shall complete the modifications identified in their June 30, 1975 letter (B. B. Stephenson, CECo to J. G. Keppler, NRC) and their January 12, 1976 letter (R. L. Bolger, CECo to the Director of Nuclear Reactor Regulation, NRC) prior to returning Dresden Nuclear Power Station Unit No. 1 to service following the 1977 outage to decontaminate the primary cooling system. This outage is presently scheduled to begin in early 1977. In no event shall Dresden Unit No. 1 be operated after December 31, 1977 unless these modifications have been completed.

This Order shall become effective immediately upon issuance.

Dated at Bethesda, Maryland this 23rd day of June, 1976.

For the Nuclear Regulatory Commission.

BEN C. RUSCHE,
*Director, Office of Nuclear Reactor Regulation.*

[FR Doc.76–19224 Filed 7–2–76;8:45 am]

[Docket No. 50–265]

## COMMONWEALTH EDISON CO. AND IOWA-ILLINOIS GAS AND ELECTRIC CO.

### Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 24 to Facility Operating License No. DPR–30, issued to Commonwealth Edison Company (acting for itself and on behalf of the Iowa-Illinois Gas and Electric Company) (the licensee), for operation of the Quad Cities Unit No. 2 (the facility) located in Rock Island County, Illinois. The amendment is effective as of its date of issuance.

The amendment authorizes operation of the reactor beyond the previously analyzed end-of-cycle scram reactivity conditions in accordance with Commonwealth Edison's request dated June 11, 1976.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated June 11, 1976, (2) Amendment No. 24 to License No. DPR–30, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Moline Public Library, 504–17th Street, Moline, Illinois 60265.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 25th day of June, 1976.

For the Nuclear Regulatory Commission.

M. GROTENHUIS,
*Acting Chief, Operating Reactors Branch No. 2, Division of Operating Reactors.*

[FR Doc.76–19223 Filed 7–2–76;8:45 am]

[Docket No. 50–409]

## DAIRYLAND POWER COOPERATIVE (LA CROSSE BOILING WATER REACTOR)

### Availability of Draft Environmental Statement

Pursuant to the National Environmental Policy Act of 1969 and the United States Nuclear Regulatory Commission's regulations in 10 CFR Part 51 (formerly Appendix D, Part 50), notice is hereby given that a Draft Environmental Statement prepared by the Commission's

Office of Nuclear Reactor Regulation related to the conversion from a provisional operating license to a full-term operating license for the La Crosse Boiling Water Reactor in Vernon County, Wisconsin is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. and in the La Crosse Public Library, 800 Main Street, La Crosse, Wisconsin. The Draft Statement is also being made available at the Bureau of Planning and Budget, Madison, Wisconsin 53701 and at the Mississippi River Regional Planning Commission, Grandview Building, 1707 Main Street, La Crosse, Wisconsin 54601. Requests for copies of the Draft Environmental Statement should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis.

The Applicant's Environmental Report, as supplemented, submitted by the Dairyland Power Cooperative is also available for public inspection at the above-designated locations. Notice of availability of the Applicant's Environmental Report was published in the FEDERAL REGISTER on July 29, 1974 (39 FR 27489) and corrected on August 6, 1974 (39 FR 28313).

Pursuant to 10 CFR Part 51, interested persons may submit comments on the Draft Environmental Statement for the Commission's consideration. Federal and State agencies are being provided with copies of the Applicant's Environmental Report and the Draft Environmental Statement (local agencies may obtain these documents upon request.) Comments are due by August 16, 1976. Comments by Federal, State, and local officials, or other persons received by the Commission will be made available for public inspection at the Public Library, 800 Main Street, La Crosse, Wisconsin. Upon consideration of comments submitted with respect to the Draft Environmental Statement, (NUREG-0087) the Commission's staff will prepare a Final Environmental Statement, the availability of which will be published in the FEDERAL REGISTER.

Comments on the Draft Environmental Statement from interested persons of the public should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis.

Dated at Rockville, Maryland, this 21st day of June 1976.

For the Nuclear Regulatory Commission.

ROBERT P. GECKLER,
*Acting Chief, Environmental Projects Branch No. 1, Division of Site Safety and Environmental Analysis.*

[FR Doc.76-19225 Filed 7-2-76;8:45 am]

[Docket Nos. 50-516, 50-517]

## LONG ISLAND LIGHTING CO. (JAMESPORT NUCLEAR POWER STATION, UNITS 1 AND 2)

### Order Reconvening Conference

Pursuant to the Nuclear Regulatory Rule, 10 CFR § 2.752, the prehearing conference will be reconvened at 9:00 a.m. (local time) on July 15, 1976, at the Holiday Inn of Riverhead, Exit 72, Long Island Expressway, Riverhead, Long Island, New York. If necessary, said conference will be continued on the following day.

At this conference consideration will be given to the matters enumerated in said Rule as well as to other matters.

The public is invited. No limited appearance statements will be taken at this reconvened prehearing conference but, will be called for later at the evidentiary hearing.

It is so ordered.

Dated at Bethesda, Maryland this 28th day of June, 1976.

For the Atomic Safety and Licensing Board.

SHELDON J. WOLFE,
*Chairman.*

[FR Doc.76-19226 Filed 7-2-76;8:45 am]

[Docket No. STN 50-484]

## NORTHERN STATES POWER CO. OF MINNESOTA AND NORTHERN STATES POWER CO. OF WISCONSIN

### Availability of NRC Draft Environmental Statement for Tyrone Energy Park Unit 1

Pursuant to the National Environmental Policy Act of 1969 and the United States Nuclear Regulatory Commission's regulations in 10 CFR Part 51, notice is hereby given that a Draft Environmental Statement, prepared by the Commission's Office of Nuclear Reactor Regulation, related to the proposed construction of the Tyrone Energy Park Unit 1 to be located in Dunn County, Wisconsin, is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C., and in the Stout Library, University of Wisconsin, Menomonie, Wisconsin. The Draft Environmental Statement is also being made available at the State Clearinghouse, Bureau of Planning and Budget, Department of Administration, State Office Building, 1 West Wilson Street, Madison, Wisconsin, and the West Central Wisconsin Regional Planning Commission, 731 Oxford Avenue, Eau Claire, Wisconsin. Copies of the Commission's Draft Environmental Statement may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis, Office of Nuclear Reactor Regulation.

The applicant's Environmental Report, as supplemented, submitted by Northern States Power Company of Minnesota and Northern States Power Company of Wisconsin is also available for public inspection at the above-designated locations. Notice of availability of the Applicant's Environmental Report was published in the FEDERAL REGISTER on August 30, 1974 (39 FR 31693).

Pursuant to 10 CFR Part 51, interested persons may submit comments on the Applicant's Environmental Report, as supplemented, and the Draft Environmental Statement for the Commission's consideration. Federal and State agencies are being provided with copies of the Applicant's Environmental Report and the Draft Environmental Statement (local agencies may obtain these documents upon request). Comments are due by August 16, 1976. Comments by Federal, State and local officials or other persons received by the Commission will be made available for public inspection at the Commission's Public Document Room in Washington, D.C., and the Stout Library in Menomonie, Wisconsin. Upon consideration of these comments, the Commission's staff will prepare a final environmental statement, the availability of which will be published in the FEDERAL REGISTER.

Comments on the Draft Environmental Statement from interested members of the public should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis, Office of Nuclear Reactor Regulation.

Dated at Rockville, Maryland, this 21st day of June 1976.

For the Nuclear Regulatory Commission.

B. J. YOUNGBLOOD,
*Chief, Environmental Projects Branch 2, Division of Site Safety and Environmental Analysis.*

[FR Doc.76-19227 Filed 7-2-76;8:45 am]

[Docket No. 50-267]

## PUBLIC SERVICE CO. OF COLORADO

### Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 15 to Facility Operating License No. DPR-34 issued to Public Service Company of Colorado which revised Technical Specifications for operation of the Fort St. Vrain Nuclear Generating Station, located in Weld County, Colorado. The amendment is effective as of its date of issuance.

The amendment adds requirements to the Technical Specifications for operability and surveillance of shock suppressors.

The application for the amendent complies with the standards and requirements of the Atomic Energy Act of

1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated May 13, 1976, (2) Amendment No. 15 to License No. DPR-34, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Greeley Public Library, City Complex Building, Greeley, Colorado 80631.

A copy of items (2) and (3) may be obtained upon request addressed to the United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Project Management.

Dated at Bethesda, Maryland, this 24th day of June, 1976.

For the Nuclear Regulatory Commission.

ROBERT A. CLARK,
*Chief, Special Reactors Branch, Division of Project Management.*

[FR Doc.76-19228 Filed 7-2-76;8:45 am]

## REGULATORY GUIDE

### Issuance and Availability

The Nuclear Regulatory Commission has issued a guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 1.96, Revision 1, "Design of Main Steam Isolation Valve Leakage Control Systems for Boiling Water Reactor Nuclear Power Plants," describes a basis acceptable to the NRC staff for the design of a leakage control system for the main steam isolation valves of boiling water reactor nuclear power plants for the purpose of implementing the Commission's regulations with regard to the control or limitation of leakage.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced or for) placement on an automatic distribution list for single copies of future guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 22nd day of June 1976.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
*Director, Office of Standards Development.*

[FR Doc.76-19231 Filed 7-2-76;8:45 am]

[Docket No. PRM-50-11]

## SIERRA CLUB AND PRINCE GEORGE'S ENVIRONMENT COALITION

### Denial of Petition for Rulemaking

Notice is hereby given that the Nuclear Regulatory Commission has denied a petition for rulemaking submitted to the Atomic Energy Commission by letter dated May 17, 1974, by the Sierra Club and the Prince George's Environment Coalition. A notice of filing of petition, Docket No. PRM-50-11, and request for comments was published in the FEDERAL REGISTER on June 13, 1974.

The petitioners sought the promulgation of a rule requiring each applicant for a permit to construct and operate a nuclear power reactor for commercial operation to submit—as a part of the "Applicant's Environmental Report-Construction Stage"—a study, made in accordance with procedures to be prescribed by the Commission, of the price elasticity of demand for electricity in the applicant's service area.

The petitioners requested that this study: (1) Be based on econometric methods and principles; (2) utilize an adequate cross-sectional sample of customers from each customer class over several years; and (3) to the extent possible, relate customers' peak demand (at times of total system peak rather than at times of individual customer or customer class peak demands) and monthly electricity consumption to electricity prices (especially marginal prices for additional power consumption during the billing cycle period), customer income, and other relevant variables such as weather, price of competing fuels, and size of family.

The petitioners requested that the results of the elasticity studies be utilized along with the applicant's estimates of future average electricity rates (fully reflecting inflationary trends) and various projected rate structures (including marginal cost pricing structures and inverted rate structures based on the expected future average electricity rates) to predict future consumption levels.

The petitioners also requested that the proposed rule (1) direct the Regulatory staff to review each applicant's price elasticity of demand study and future consumption projections based on these elasticity estimates, and determine, prior to the issuance of any permit to conduct pre-construction site activities, that the applicant's current rate structure exploits (consistent with marginal cost pricing) the elasticity of demand for electric power which exists in the service area to be affected; and (2) prohibit, subsequent to adoption of the proposed rule, the completion of the Regulatory staff's environmental impact review of any application for a construction permit which does not contain the elasticity of demand study.

#### SUMMARY OF COMMENTS

Comments on the petition were received from twenty-two organizations, including electric utilities and national, interstate, state and regional groups.

One commenter stated that it would be proper to require applicants for a license or permit to perform the proposed study of price elasticity of demand, in that, in one specific geographical region elasticity of demand was fairly significant and that it could be utilized as an effective tool for reducing the demand for electricity. The commenter suggested a careful public review of the procedure to be used for the study so that the latest techniques for elasticity demand analysis would be used in the most effective way.

All other commenters were opposed to the proposed rule. The significant comments of these follow.

1. There is no convincing evidence that peak demand is substantially related to pricing structure.

2. The Commission should not prejudice the methods used by State agencies by giving undue emphasis to one variable. State agencies are already actively reviewing rate structures and practices, and petitioners have the opportunity as do others to make their views known, and they do so.

3. Because of financing problems and the limited availability of funds for capital investments for power plants, it is virtually impossible that utilities would build unnecessary nuclear power plants.

4. The degree of demand elasticity in a period of rising prices and decreasing substitute sources is difficult to determine even if there were currently ac-

ceptable methods of analysis applicable in all cases.

5. Econometric methods are neither widely accepted nor proven for load forecasting.

6. Matters dealing with electricity rates and demand should be addressed at the State and local level, rather than by Federal regulatory agencies. In any case, the Commission should not duplicate reviews of other government agencies at any level.

7. NEPA (National Environmental Policy Act of 1969) does not require evaluations of alternatives such as these that depend on assumptions that are presently remote and speculative.

8. If the Commission, using the proposed studies of price elasticity of demand, determined that a certain rate structure would eliminate the need for a nuclear power plant, serious problems could result if the state regulatory commission having jurisdiction over rates did not agree or decided on a different rate structure.

9. Involvement of the Commission in setting rates and rate structures would be haphazard since the evaluations would apply only to utility organizations desiring to construct nuclear facilities.

COMMISSION ANALYSIS

The Commission has analyzed the petition, the Memorandum in Support of Petition, the public comments received, its licensing record and current policies, and other factors.

A rule of reason applies to the discussion of energy conservation issues under NEPA. The impacts of the rate changes that the proposed rule would require the Nuclear Regulatory Commission routinely to consider are not reasonably foreseeable in many cases, since they are highly dependent on policy decisions of state agencies which determine the rate structures. Moreover, the associated demand forecasts that the proposed rule would require the Commission to consider in all cases, would, in many cases, be of only marginal value. The price elasticity of demand for electricity at the present price is generally difficult to measure accurately because of the complexity of the factors upon which it depends. The complexity becomes accentuated when econometric modeling is applied to relatively small areas and segments of the population.

The Commission has previously held that possible changes in electricity rate structures are relevant in assessing the need for power in NEPA cost-benefit analyses in nuclear power reactor licensing proceedings where it appears that the effect of such changes would be to curtail demand for electricity to a level at which the proposed facility would not be needed. However, such a change in rate structure must be reasonably attainable and the effects of such a change on power demands must be susceptible to a reasonable degree of proof. "Consumers Power Company (Midland Plant, Units 1 and 2)," 7 AEC 19 (1974). Thus the Commission has not and does not foreclose the type of inquiry which the petitioners seek, in particular cases. However, the Commission believes that it would not be desirable to lay down precise guidelines regarding the kinds of energy conservation issues that must be addressed or the kinds of studies that must be required in individual licensing proceedings. We believe that the varying circumstances in individual cases and the uncertainties associated with energy conservation efforts dictate a case-by-case approach as a matter of sound policy.

Accordingly, the Nuclear Regulatory Commission has denied the petition for rulemaking.

Copies of the petition for rule making and of the Commission's letter of denial are available for public inspection in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

Dated at Washington, D.C., this 30th day of June 1976.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
*Secretary of the Commission.*

[FR Doc.76-19519 Filed 7-2-76;8:45 am]

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[Docket No. 50-537]

## TENNESSEE VALLEY AUTHORITY; PROJECT MANAGEMENT CORPORATION; (CLINCH RIVER BREEDER REACTOR PLANT)

### Order; Oral Argument

The Commission will hear oral argument on the issues in this proceeding set out in the Commission's Order of May 28, 1976. Argument is scheduled for July 16, 1976, beginning at 10:00 a.m. at the Commission's offices at 1717 H Street, N.W., Washington, D.C. The NRC Staff and the applicant will be allotted 30 minutes each for the presentation of their positions. The intervenors Natural Resources Defense Council, Sierra Club, East Tennessee Energy Group and the State of Tennessee, will be allotted a total of one hour for the presentation of their positions, the time to be divided by agreement between counsel for the three intervenor groups and the State of Tennessee.

The NRC Staff, in its response to question 3 in our Order, states that it would, should that be necessary, develop a supplement to its project impact statement in which it would review ERDA's judgments to determine whether they were arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law. The Staff is directed to describe in more detail, with specific examples, the sort of technical review that application of that standard would entail, if that course of action were to be adopted.

All parties are directed to address the relevance of (1) Congressional knowledge of and approval of the LMFBR program and the Clinch River project, as manifested by authorization and appropriations statutes or otherwise, and (2) the Supreme Court's decision in *Kleppe* v. *Sierra Club*, No. 75-552, decided June 28, 1976, to the scope of the consideration of alternatives which NEPA requires in this proceeding.

The papers called for by the preceding paragraph shall be received by the Secretary of the Commission by July 12, 1976. Papers in response will not be accepted.

It is so ordered.

Dated at Washington, D.C. this 1st day of July 1976.

SAMUEL J. CHILK,
*Secretary of the Commission.*

[FR Doc.76-19576 Filed 7-2-76;9:30 am]

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[Docket Nos. 50-338 OL & 50-339 OL]

## VIRGINIA ELECTRIC AND POWER CO. (NORTH ANNA POWER STATION, UNITS 1 AND 2)

### Reconstitution of Atomic Safety and Licensing Appeal Board

Notice is hereby given that, in accordance with the authority in 10 CFR § 2.787 (a), the Chairman of the Atomic Safety and Licensing Appeal Panel has reconstituted the Atomic Safety and Licensing Appeal Board for this operating license proceeding to consist of the following members:

Alan S. Rosenthal, Chairman,
Dr. John H. Buck,
Michael C. Farrar.

Dated: June 23, 1976.

MARGARET E. DU FLO,
*Secretary to the Appeal Board.*

[FR Doc.76-19229 Filed 7-2-76;8:45 am]

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[Docket No. 50-474]

## WESTINGHOUSE ELECTRIC CORP.

### Issuance of Facility Export License

Please take notice that no request for a hearing or a petition for leave to intervene having been filed following publication of notice of proposed action in the FEDERAL REGISTER on April 15, 1974 (39 FR 13575) and the Nuclear Regulatory Commission having found that:

(a) The application filed by Westinghouse Electric Corporation, Docket No. 50-474, complies with the requirements of the Act, and the Commission's regulations set forth in Title 10, Chapter I, Code of Federal Regulations, and

(b) The reactor proposed to be exported is a utilization facility as defined in said Act and regulations,

the Commission has issued License No. XR-99 to Westinghouse Electric Corporation, authorizing the export of a pressurized water reactor with a thermal power level of 2696 megawatts to the Asociaion Nuclear ASCO II, Barcelona, Spain.

The export of this reactor to Westinghouse Electric Corporation is within the purview of the present Agreement for Cooperation Between the Government of the United States of America and the Government of Spain Concerning Civil Uses of Atomic Energy.

Copies of the Commission decision, "Opinion of Chairman Rowden and Commissioners Mason and Kennedy," and the Dissenting Opinion of Commissioner Gilinsky" are available in the Nuclear Regulatory Commission Public Document Room, 1717 H Street, NW., Washington, D.C. 20555.

Dated at Bethesda, Maryland this 24th day of June, 1976.

For the Nuclear Regulatory Commission.

MICHAEL A. GUHIN,
*Assistant Director, Export/Import and International Safeguards, Office of International Programs.*

[FR Doc.76-19230 Filed 7-2-76;8:45 am]

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 12566]

### BOSTON STOCK EXCHANGE, INC.

### Approval of Fingerprint Processing Plans

JUNE 22, 1976.

The Securities and Exchange Commission today announced the approval of plans submitted by the Boston Stock Exchange, Inc. ("BSE"), the National Association of Securities Dealers, Inc. ("NASD"), the New York Stock Exchange, Inc. ("NYSE") and the Pacific Stock Exchange, Inc. ("PSE") for a six month pilot period beginning July 1, 1976, and ending December 31, 1976 pursuant to paragraph (c) of Rule 17f-2 [17 CFR 240.17f-2] under Section 17(f)(2) of the Securities Exchange Act of 1934 (the "Act") [15 U.S.C. 78a et seq., as amended by Pub. L. No. 94-29 (June 4, 1975)]. Under the terms of these plans, the four self-regulatory organizations will collect fingerprint cards submitted by their members, forward the cards to the Attorney General of the United States for identification and appropriate processing, and return the fingerprint cards and any information received as a result of such processing to the submitting members.

#### BACKGROUND

Section 17(f)(2) of the Securities Act Amendments of 1975 requires all partners, directors, officers, and employees of members of national securities exchanges, brokers, dealers, registered transfer agents, and registered clearing agencies to be fingerprinted and to submit, or cause to be submitted, such fingerprints to the Attorney General of the United States for identification and appropriate processing. The statute further provides that the Commission, by rule, may exempt from the provisions of this section, upon specified terms, conditions, and periods, any class of partners, directors, officers, or employees of any such organizations upon a finding that such action is not inconsistent with the public interest or the protection of investors.

On March 16, 1976, the Commission adopted Rule 17f-2, effective July 1, 1976, exercising the exemptive authority granted by Section 17(f)(2) of the Act. Paragraph (a) of the rule sets forth conditions which must be met in order for an exemption to apply. Persons who do not qualify for exemption under paragraph (a) are offered additional exemptive procedures in paragraphs (b) and (c).

#### SUBMISSION OF FINGERPRINTS PURSUANT TO STATE LAW OR OTHER AUTHORITY

Paragraph (b) provides that persons who are fingerprinted pursuant to any other law, rule or regulation of any state, the Federal government, or respective agencies thereof, and who submit, or cause to be submitted, such fingerprints to the Attorney General of the United States for identification and appropriate processing, may satisfy the requirements of paragraph (a) by compliance with such other law, rule, or regulation. Included herein would be many employees of registered bank transfer agents, and many individuals in the brokerage industry in states which have statutes requiring the submission of fingerprints to the Attorney General.

The following states are known by the Commission to have fingerprinting requirements and procedures which incorporate the submission of fingerprints to the Attorney General and the conveyance of some information to the submitting organizations in cases where the criminal history record search indicates a conviction for a statutory disqualification or other crime: Arizona, Arkansas, Colorado, the District of Columbia, Idaho, New Jersey, and New York. The Commission will continue its efforts to identify other states through whom submission of fingerprints will qualify persons for the paragraph (b) exemption.

#### SUBMISSION OF FINGERPRINTS THROUGH SELF-REGULATORY ORGANIZATIONS

Paragraph (c) of Rule 17f-2 provides that persons who are not exempted from fingerprinting under paragraphs (a) or (b) of the rule may satisfy the requirements of paragraph (a) by submitting their fingerprints to a registered national securities exchange or a registered national securities association which forwards said fingerprints to the Attorney General of the United States pursuant to a plan filed with and approved by the Commission. Furthermore, the rule states that the Commission, in declaring any such plan effective, may impose such terms and conditions relating to the provisions of the plan and the period of its effectiveness as may be deemed necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

#### APPROVAL OF BSE, NASD, NYSE AND PSE PLANS

Pursuant to the provisions of paragraph (c) of Rule 17f-2, BSE, NASD, NYSE and PSE submitted plans whereby they would collect fingerprint cards from their members, forward such records to the FBI, the fingerprint processing arm of the Attorney General, for identification and appropriate processing, and thereafter return the fingerprint cards and any information received from the FBI to the participating entities submitting such records.[1] The Commission has reviewed the procedures detailed in the plans, and having due regard for the public interest, the protection of investors, and the fulfillment of the Commission's functions under the provisions of the Act, declares these plans to be effective on July 1, 1976 for a six month period, ending December 31, 1976.[2]

It is anticipated that the Boston Stock Exchange, the National Association of Securities Dealers, the New York Stock Exchange and the Pacific Stock Exchange will contact their membership directly regarding submission of fingerprints pursuant to their plans. Partners, directors, officers, and employees of members of these three self-regulatory organizations who do not meet the conditions for exemption from fingerprinting under paragraphs (a) or (b) of the rule may satisfy the requirements of paragraph (a) by submission of fingerprints to such organizations pursuant to paragraph (c) of the rule and in accordance with the provisions of the plans.

The Boston Stock Exchange, the National Association of Securities Dealers, the New York Stock Exchange, and the Pacific Stock Exchange, through their roles as intermediaries in accordance with the terms of their plans and the provisions of Rule 17f-2, undertake no responsibility other than the conveyance of fingerprint records and criminal history record information between participating entities and the Attorney General of the United States.

#### STATUTORY BASIS AND COMPETITIVE CONSIDERATIONS

The approval of the fingerprinting plans filed by the Boston Stock Exchange, the National Association of Securities Dealers, the New York Stock Exchange, and the Pacific Stock Exchange is made pursuant to Sections 2, 17(f), and 23(a) of the Securities Exchange Act of 1934. The Commission has determined that the approval of these fingerprinting plans would impose no burden on competition not necessary or appropriate in furtherance of the purposes of the Act and is not inconsistent with the public interest or the protection of investors.

#### SOLICITATION OF PUBLIC COMMENT

All interested persons are invited to submit written statements of views and comments on the approval of the four fingerprint plans to George A. Fitzsimmons, Secretary, Securities and Ex-

[1] The NYSE plan, in addition, provides for the transmittal of fingerprint records for employees and associated persons of non-bank registered transfer agents handling NYSE-listed securities.

[2] At the end of this pilot period, the Commission will evaluate the program and consider the permanent approval of such plans.

change Commission, 500 North Capitol Street, Washington, D.C. 20549. They should refer to File No. S7-605. All comments will be available for public inspection.

By the Commission.

GEORGE A. FITZSIMMONS,
*Secretary.*

[FR Doc.76-19352 Filed 7-2-76;8:45 am]

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[Release No. 34-12569; File Nos. SR-CBOE-76-8, SR-CBOE-76-9]

## CHICAGO BOARD OPTIONS EXCHANGE, INC.

### Self-Regulatory Organizations

In the matter of Chicago Board Options Exchange, Incorporated, LaSalle at Jackson, Chicago, Illinois 60604.

By publication of Commission Releases (Securities Exchange Act Release Nos. 12400 (May 3, 1976) and 12453 (May 18, 1976)), and by publication in the FEDERAL REGISTER (41 FR 19174 (May 10, 1976) and 41 FR 21369 (May 25, 1976)), the Commission gave notice of the filing of proposed Rules 4.18 and 4.19 by the Chicago Board Options Exchange, Incorporated. Interested persons were invited to submit comments thereon by June 9, 1976 and June 24, 1976, respectively.

To provide interested persons additional time to prepare and to submit comments, the Commission has extended the comment period applicable to each such proposal until July 30, 1976.

Copies of all submissions will be available for inspection at the Commission's Public Reference Room, 1100 L Street, NW., Washington, D.C. Persons desiring to make written submissions should file six copies thereof with the Secretary of the Commission, 500 North Capitol Street, Washington, D.C. 20549, with reference to the appropriate file number.

By the Commission.

GEORGE A. FITZSIMMONS,
*Secretary.*

JUNE 23, 1976.

[FR Doc.76-19351 Filed 7-2-76;8:45 am]

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[Release No. 34-12577; File No. S7-639]

## DISPUTES BETWEEN CUSTOMERS AND BROKER DEALERS

### Grievance Procedure; Extension of Time for Submitting Proposals

On June 9, 1976, the Commission invited all interested persons to submit on or before June 28, 1976, in writing their ideas for a procedure that will be available nationwide throughout the self-regulatory organizatons to investors for settling disputes arising out of dealings in securities between a customer and a registered broker-dealer.

In addition. the Commission announced that a public forum would be held on July 7, 1976, at which time persons or organizations who have submitted written comments would be invited to make an oral presentation.

The Commission has been requested to extend the comment period in order that interested persons could more fully develop their ideas relating to a dispute grievance procedure and submit written comments thereon to the Commission's Office of Consumer Affairs Accordingly, the Commission announced today that the period for submitting written comments on Securities Exchange Act Release No. 34-12528 (41 FR 23803, June 11, 1976) has been extended to the close of business on July 12, 1976, and that the public forum previously scheduled for July 7, 1976, has been rescheduled for July 15, 1976.

By the Commission.

GEORGE A. FITZSIMMONS,
*Secretary.*

JUNE 25, 1976.

[FR Doc.76-19346 Filed 7-2-76;8:45 am]

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[70-5873]

## OHIO POWER CO.

### Proposed Assignment of Purchase Rights to and Bareboat Charter of Coal Barges and Towboats

JUNE 24, 1976.

Notice is hereby given that Ohio Power Company ("Ohio") 301 Cleveland Avenue, S.W., Canton, Ohio 44701, an electric utility subsidiary company of American Electric Power Company, Inc., ("AEP"), a registered holding company, has filed an application-declaration and an amendment thereto with this Commission pursuant to applicable provisions of the Public Utility Holding Company Act of 1935 ("Act") regarding the sale of the purchase rights to and the bareboat charter of certain coal barges and towboats. Ohio requests approval of these transactions unless advised by the Commission that approval thereaof under the Act is not required. All interested persons are referred to the application-declaration as amended, which is summarized below, for a complete statement of the proposed transactions.

Ohio states that American Electric Power Service Corporation ("AEP Service"), a service company subsidiary of AEP, entered into the following agreements since designated to be for the benefit of Ohio to the extent of the vessels to be delivered in 1976: (1) agreement dated July 15, 1974 with Dravo Corporation ("Dravo") for the construction of ten towboats and 119 1500 ton capacity coal barges ("jumbo barges") (collectively, "Dravo vessels"); (2) agreement dated October 7, 1975 with St. Louis Ship, Division of Pott Industries, Inc. ("St. Louis Ship") for the construction of 6 towboats ("St. Louis Ship vessels"); and (3) agreement dated December 6, 1974 with American Bridge Division, United States Steel corporation ("American Bridge") for the construction of 120 jumbo barges. Indiana & Michigan Electric Company ("I&M"), a subsidiary electric utility company of AEP, entered into an agreement dated March 12, 1975, since assigned to Ohio, with Hillman Barge and Construction Company ("Hillman") for the construction of 20 900 ton capacity coal barges ("standard barges") ("Hillman vessels"). The proposed transactions relates to vessels to be delivered in 1976—8 towboats, 152 jumbo barges and 20 standard barges. The estimated cost of the vessels to be delivered in 1976 is $51,000,000, including delivery expense, construction interest and other capitalizable costs.

It is proposed that under a Participation Agreement, Ohio, as designee of AEP Service and assignee of I&M, will assign to United States Trust Company, trustee-shipowner ("Shipowner"), for the benefit of The Pittston Company ("Pittston"), as beneficial owner, Construction Contracts for the Dravo, St. Louis Ship, American Bridge and Hillman vessels to be delivered in 1976. The purchase price to be paid Ohio for the Construction Contracts will equal the cost of such vessels, $51,000,000. Pursuant to the Participation Agreement, Pittston will furnish the Shipowner with funds toward the purchase by the Shipowner of the vessels in an amount not less than 20% nor more than 26% of the total cost of the vessels, including all overhead and indirect costs. The balance of the purchase price will be obtained by the Shipowner by a borrowing through the issuance by the Shipowner, pursuant to a public offering by it, of United States Government Guaranteed Ship Financing Bonds, guaranteed pursuant to a United States Maritime Administration ("Marad") program for ship financing.

Subject to the satisfaction of the terms and conditions of the Participation Agreement, the Shipowner and Ohio will enter into a net Bareboat Charter with respect to the vessels. The Bareboat Charter will be for an interim period from delivery through March 31, 1977 and for a base term of 20 years beginning April 1, 1977, with rights to renew for four successive five year periods. An application has been made to Marad by Ohio, the charterer, for a guarantee of the bonds to be issued by the Shipowner. In connection therewith and as a prerequisite thereof, the Shipowner will execute a Secretary's Note to Marad in the amount of the guarantee. The Secretary's Note will become due and payable only in the event Marad has to make a payment pursuant to its guarantee. The Shipowner, as security for the guarantee, and as security for the payment of the principal of, and the interest due or to become due on, the Secretary's Note in accordance with the terms thereof, will, on the first closing date (there will be separate closing dates for each group of vessels ready for delivery) enter into a Security Agreement with Marad pursuant to which the Shipowner will assign to Marad, among other things, all of its interest in the assigned Construction Contracts, insofar as they relate to the vessels to be delivered in 1976, and all other contracts which relate to the construction of such vessels, and all property, including the applicable vessels, in which it has or will have an interest relating to such vessels pursuant to the Construction Contracts.

It is stated that as further security to Marad, the Security Agreement provides that the Shipowner will execute and deliver on the first closing date a First Preferred Fleet Mortgage created under and pursuant to the Ship Mortgage Act, 1920, as amended, to Marad covering the delivered vessels, and on each succeeding delivery date of vessels will execute and deliver a supplement to the mortgage in respect of such vessels. Also pursuant to the Security Agreement, the Shipowner will assign to Marad its interest in the Bareboat Charter with Ohio, and Ohio will consent to such assignment. Furthermore, the Security Agreement provides for deposit in escrow of a portion of the proceeds of the bonds. The contemplated transactions are contingent upon receipt of a commitment from Marad to guarantee to Bonds. One of the conditions of such guarantee is that, pursuant to Section 2 of the Shipping Act, 1916, the Shipowner, Pittston and Ohio are, and will continue to be, citizens of the United States qualified to engage in coastwise trade. The contemplated transaction is further contingent upon receipt of not less than 74% to 80% of the funds required for the purchase of the vessels from the issuance of the bonds. The contemplated transaction is also contingent upon receipt by Pittston, prior to assignment of the Construction Contracts, of a favorable opinion of independent tax counsel in lieu of a Ruling from the Internal Revenue Service and a satisfactory indemnity agreement from Ohio.

Under the terms of the Bareboat Charter, the rental rate during the interim period from the actual delivery and acceptance date through March 31, 1977, will be equal to the interest rate payable by the Shipowner on bonds issued by the Shipowner pursuant to a Marad guarantee during such interim period, less the net income from a Construction Fund, as set forth in a Depository Agreement and/or an Escrow Fund, as set forth in the Security Agreement. Such interim rent is to be paid on April 1, 1977. The rental rate for the 20-year base charter term will depend upon several factors, including the average delivery date of the vessels, the percentage of the cost of the vessels obtained by the Shipowner from the sale of bonds and the interest rate of the bonds, and will be payable semi-annually in arrears commencing on October 1, 1977. Assuming that 76.40% to 74.74% of the cost of the vessels is obtained from the sale of bonds and that the interest rate on such bonds is 9%, the rental rate and the resulting effective interest rate for the cost of money to Ohio would be as follows:

| Average delivery and acceptance date during 1976 | Annual rent factor, percent of cost | Effective annual cost of money, including ½ pct Marad fee (percent) |
|---|---|---|
| July | 8.530 | 12.1490 |
| August | 8.500 | 12.0620 |
| September | 8.472 | 11.9812 |
| October | 8.444 | 11.9000 |
| November | 8.418 | 11.8249 |
| December | 8.390 | 11.7437 |

The annual rent factor and the effective interest rate for cost of money would increase or decrease to the extent that the interest rate of the bonds is higher or lower than 9% or that the percentage of the cost of the vessels obtained through the sale of bonds is greater than 76.40% or less than 74.74%. Ohio, as the charterer, will also pay, as supplemental rent, all maintenance costs, insurance premiums, taxes (other than certain income taxes) and all other costs in connection with the operation of the vessels.

It is proposed that at the end of the base charter term, Ohio will have rights to renew the Bareboat Charter for four successive five year periods as to any or all of the vessels at a rent equal to the fair market Bareboat Charter of such vessels at the time of such renewal, such rent to be paid semi-annually in arrears. At the end of the base charter term or any renewal term, Ohio will also have the right to purchase any or all of the vessels at the then current fair market sales value of such vessels at the time of purchase. In addition, Ohio will have the right at any time after the end of the seventh year of the base term to terminate the Bareboat Charter because of economic obsolescence for Ohio's needs with respect to any or all of the vessels. In such event, Ohio would cause the vessels declared obsolete to be sold to an unrelated third party, and the Bareboat Charter would terminate as to such vessels upon payment to the Shipowner of the greater of the termination value, as specified in the Bareboat Charter, or the proceeds of the sale.

It is further stated that Marad requires that the charterer demonstrate ability to operate the vessels. To meet this Marad requirement, Ohio will enter into an Operating Agreement with I&M, which has an existing River Transportation Division which operates barges and towboats on the Ohio River. Pursuant to this Operating Agreement, the vessels to be chartered by Ohio will be operated by the River Transportation Division of I&M, as agent for Ohio and not as an independent contractor. For this service Ohio will be billed at cost (including all overhead and indirect costs) by I&M. Costs associated with I&M's River Transportation Division will be accounted for in the following manner. Charges for services and expenses of employees shall be based upon the actual time engaged in such activities, or in case that method is impracticable, upon the basis of a study of the time actually engaged during a representative period. The expenses incurred by I&M in regard to river transportation activities will include all elements of cost incurred in such activities, and the accounts shall be maintained so as to permit ready summarization of operation, maintenance and any other such expenses incurred by I&M and properly associated with river transportation services rendered to Ohio.

The vessels will be used by Ohio to transport low sulfur coal arriving from the West on unit trains, such coal being transferred to the barges at the Cook Coal Terminal ("Cook Terminal") near Metropolis, Illinois. An application-declaration concerning the sale and leaseback of the Cook Terminal was filed with this Commission by Ohio on May 4, 1976. (File No. 70-5862; HCAR No. 19551, June 2, 1976). Once on board the barges, the coal will be delivered to Ohio's steam electric generating plants. It is stated that the development of Western coal reserves by AEP System companies would lead to an increasing shortage of barging capacity. Inquiries into the availability of sufficient barging capacity to support the AEP System's planned Western coal movement led to the conclusion that commercial supply of barging capability would probably require a full-cost "take or pay" contract or a cost-plus contract, with the AEP System arranging the financing. It is stated that neither of these alternatives offered any economic benefit over direct control and operation. Additionally, Ohio concluded that to maintain reliability of shipment of adequate supplies of coal, operational control of the barges and towboats was desirable. Having control over its own barging, Ohio states, will permit it to coordinate its rail and barge schedules so as to optimize the efficiency of the rail-barge mode of transportation.

It is anticipated that the vessels will transfer coal owned by I&M. Such transaction and all other transactions by Ohio with affiliated interests, other than the aforementioned I&M River Transportation Division operation, will be subject to further order of this Commission. Additionally, Ohio anticipates that no idle capacity in such vessels will develop. However, if from time to time this should take place, Ohio proposes that it may enter into short term sub-leasing of the vessels with non-affiliated interests on a fully compensatory basis. Any revenues derived from such non-affiliated transactions will be accounted for as credits against the amounts chargeable to FPC Account 151, Fuel Stock.

The proceeds from the sale of the Construction Contracts will be used to repay Ohio for funds it has advanced for construction of the vessels.

In connection with the proposed transactions, Ohio will pay, as supplemental rent under the Bareboat Charter, an amount equal to the Marad Investigation Fee of approximately $53,000 and amounts equal to each Annual Guarantee Fee thereafter, computed at the rate of ½ of 1% of the outstanding principal balance of the bonds. In addition, Ohio will pay a public offering underwriting fee estimated to be not in excess of $190,000. Ohio will also pay insurance premiums for liability and property damage coverage in connection with its operation of the vessels. The initial annual premium will be approximately $495,000. Ohio will also pay the fees and expenses, including legal fees, incurred by the participants in the proposed transaction with respect to such transaction. Such fees and expenses are currently estimated to be not in excess of $160,000. No other fees, commissions or expenses have been or will be paid or incurred by Ohio or by any affiliated company in connection with the herein described transaction

except the Commission's filing fee of $2,000 and miscellaneous expenses, including its own legal fees, not in excess of $75,000. It is stated that in addition to the approval by Marad in regard to its guarantee of the bonds, Ohio will file a copy of the Operating Agreement between Ohio and I&M with the Public Service Commission of Indiana. It is further stated that no other state commission and no other federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than July 19, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, and reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicant-declarant at the above-stated adress and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20 (a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
*Secretary.*

[FR Doc.76-19347 Filed 7-2-76;8:45 am]

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[Release No. 12571; SR-PCC-76-5]

## PACIFIC CLEARING CORPORATION, INC.

### Order Approving Rule Change; Establishment of a Satellite Facility in Denver, Colorado

JUNE 23, 1976.

On April 28, 1976, the Pacific Clearing Corporation, 453 South Spring Street, Los Angeles, California 90013 ("PCC") submitted a proposed rule change under Rule 19b-4 under the Securities Exchange Act of 1934, 15 U.S.C. 78(s) (the "Act"). The rule change was designed to enable PCC to establish a satellite facility in Denver, Colorado. In accordance with Section 19(b) of the Act and Rule 19b-4 thereunder, the rule change was published in the FEDERAL REGISTER (41 FR 20626, May 19, 1976), and the public was invited to submit comments. Notice of the filing and an invitation for comments also appeared in the SEC Docket May 10, 1976. (Securities Exchange Act Release No. 12419) No letters of comment were received.

As described in Securities Exchange Act Release No. 12419, the PCC submission consists of a plan to establish a satellite facility for local brokers and banks for processing at the San Francisco and Los Angeles offices of PCC and Pacific Securities Depository Trust Company. In connection with the submission, the Commission must determine, pursuant to paragraphs (g) of Rules 8c-1 and 15c2-1 under the Act, that the agreements, provisions and safeguards established by PCC are adequate for the protection of investors.

The Commission has reviewed the PCC submission and finds that the agreements, provisions and safeguards established by PCC are adequate for the protection of investors. The Commission finds also that the rule change is consistent with the provisions of the Act and the rules and regulations thereunder.

*It is therefore ordered,* Pursuant to section 19(b)(2) of the Act, that the rule change contained in File No. SR-PCC-76-5 be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
*Secretary.*

[FR Doc.76-19348 Filed 7-2-76;8:45 am]

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[812-3908]

## STATE MUTUAL SECURITIES, INC. AND STATE MUTUAL LIFE ASSURANCE COMPANY OF AMERICA

### Filing of Application To Amend Order

JUNE 28, 1976.

Notice is hereby given that State Mutual Securities, Inc. ("Fund"), registered under the Investment Company Act of 1940 ("Act") as a closed-end investment company, and State Mutual Life Insurance Company of America, 440 Lincoln Street, Worcester, Massachusetts 01605 ("Insurance Company") filed an application on February 3, 1976, and an amendment thereto on May 26, 1976, for an amendment to the Commission's order under Section 17(d) of the Act and Rule 17d-1 thereunder, dated February 12, 1973 (Investment Company Act Release No. 7665), as corrected by an order dated February 27, 1973 (Investment Company Act Release No. 7698), such order as so amended being hereinafter referred to as the "Order". All interested persons are referred to the application, as amended, on file with the Commission for a statement of the representations therein which are summarized below.

Insurance Company is the Fund's investment adviser. Colonial Management Associates, Inc. ("Colonial"), a subsidiary of a subsidiary of Insurance Company, acts as sub-adviser to advise the Fund with respect to the management of its publicly-traded securities. The Order authorizes Insurance Company to invest concurrently with the Fund in each issue of securities purchased by the Fund at direct placement, subject to certain conditions specified in the Order. Among the conditions is the requirement that all securities which Insurance Company is prepared to purchase at direct placement which are long-term debt obligations or preferred stock without equity participation and which are consistent with the Fund's investment policies, be shared equally by Insurance Company and the Fund unless, in the judgment of the Fund's Board of Directors concurred in by a majority of those Directors who are not interested persons (as defined in the Act) of Insurance Company or Colonial, (i) 21% or more by value of the assets of the Fund are invested in accordance with the investment policies of the Fund in long-term debt obligations and preferred stocks purchased directly from the issuers which do not have equity participation, (ii) there is insufficient cash to make the investment, and (iii) the sale of the Fund's portfolio securities to provide such cash is inadvisable.

Applicants represent that at the time the Fund commenced operations in early 1973 it was believed that fixed-income securities without equity participation acquired at direct placement would be attractive investments for the Fund because they frequently offered higher yields than those available on comparable publicly traded securities. Since that time, Applicants state, conditions have changed and the investment advantages offered recently by available direct placement offerings over comparable publicly traded issues have been less than was the case in 1973. At December 31, 1975, approximately 14% of the value of the Fund's net assets was invested in direct placement securities, with approximately 1.5% being a security with an equity participation and approximately 12.5% being debt securities without equity participation. The balance of approximately 86% of the Fund's assets consisted of publicly-traded debt issues, cash and cash items, and receivables.

Applicants state that Insurance Company, Colonial and the Fund all believe that the investment considerations pertaining to Insurance Company and those pertaining to the Fund are sufficiently different so that the purchase of certain direct placements which Insurance Company finds attractive may not be in the best interests of the Fund in fulfilling its primary investment objective of providing a high rate of current income, with capital appreciation as a secondary objective. Applicants assert that the most significant difference is that Insurance Company has a continuous and largely predictable flow of new funds available for investment, whereas the Fund, which is not engaged in a continuous public offering, has only a very limited flow of new funds for investment derived from principal repayments on the portfolio securities held by the Fund and from the

reinvestment of some portion of the Fund's dividend distributions to its shareholders. Accordingly, it is stated, the Fund might be required to liquidate higher yielding comparable publicly-traded securities in order to purchase a direct placement. Other differences in investment considerations include, without limitation, the following. There may be instances in which Insurance Company is prepared to purchase a direct placement in order to continue to participate in that market or in the financing of a company with which it has traditionally done business, although the yield premium over a comparable publicly traded issue is insufficient to warrant investment by the Fund. Moreover, many direct placements involve substantial delays between the commitment to purchase and the closing date; while Insurance Company can predict that it will have new money to invest on the closing date, the Fund in effect must commit itself to liquidate portfolio securities at a future date when such liquidation might be inappropriate. In addition, Applicants state that the portfolios of Insurance Company and the Fund may differ substantially with respect to industry concentrations and quality of investments. Accordingly, there may be times when it would be inappropriate for the Fund to make additional investments in a particular industry while Insurance Company may, because of different holdings, be adding to its investments in the same industry. Similarly, the Fund may be engaging in a program of upgrading the quality of its investments while the Insurance Company is undertaking a program of downgrading.

Therefore, the proposed modification of the Order would permit Insurance Company to purchase securities without equity participation at direct placement without sharing them with the Fund. Applicants represent that this amendment will reflect changes in investment conditions since the Order was issued and will afford greater flexibility in managing the investments of the Fund in accordance with its investment objectives and policies.

Pursuant to the requested modification, paragraph (3) of the conditions contained in the Order would be amended by changing paragraph (3)(a) by the insertion of a new paragraph (3)(b) and by redesignating present paragraphs (3)(b) and (3)(c) as (3)(c) and (3)(d), respectively. As so amended the conditions of Paragraph 3 of the Order would read as follows:

(3) All securities which Insurance Company is prepared to purchase at direct placement and which would be consistent with the investment policies of Fund will be shared equally by the Insurance Company and Fund unless:

(a) in the judgment of Fund's Board of Directors, concurred in by a majority of those Directors who are not "interested persons" (as defined in the Act) of Insurance Company or Colonial (i) 42% or more by value of the assets of Fund are invested, in accordance with the investment policies of Fund, in long-term debt obligations or preferred stocks purchased directly from the issuers or in equities acquired either in connection with such purchases or as a result of the exercise of rights or other options so acquired, (ii) there is insufficient cash to make the investments and (iii) the sale of portfolio securities of Fund to provide such cash is inadvisable;

(b) the security to be so purchased is a long-term debt obligation or preferred stock without equity participation;

(c) the purchase by Fund would be inconsistent with the provisions of any Commission order granted on this Application or otherwise and thus in effect; or

(d) the Commission by order otherwise permits;

Applicants state that the stockholders of the Fund are being asked to ratify and approve the action of the Fund in seeking the requested amendment at a Special Meeting in Lieu of the Annual Meeting of Stockholders scheduled to be held on June 29, 1976. If the stockholders do not act favorably on such request, the application will be withdrawn.

Rule 17d-1 adopted by the Commission under Section 17(d) of the Act provides in pertinent part that "no affiliated person of * * * any registered investment company * * *, acting as principal, shall participate in or effect any transaction in connection with any joint enterprise or other joint arrangement or profit sharing plan in which any such registered company * * * is a participant and which is entered into, adopted or modified subsequent to the effective date of this rule, unless an application regarding such joint enterprise, arrangement or profit sharing plan has been filed with the Commission and has been granted by an order entered * * * prior to such adoption or modification." It is also provided that in passing upon such applications, the Commission will consider whether the participation of such registered or controlled company in such joint enterprise, joint arrangement or profit-sharing plan on the basis proposed is consistent with the provisions, policies and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

Notice is further given that any interested person may, not later than July 23, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule O-5 of the Rules and Regulations promulgated under the Act, an order disposing of the matter will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
*Secretary.*

[FR Doc.76-19349 Filed 7-2-76;8:45 am]

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[Release No. 34-12572; File No. SR-SCCP-76-3]

## STOCK CLEARING CORPORATION OF PHILADELPHIA

### Self-Regulatory Organizations

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on June 16, 1976, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGES

The Stock Clearing Corporation of Philadelphia (SCCP) proposes a series of rule changes to enable members to clear securities transactions on a continuous-net-settlement basis. The text of the proposed rule changes is set forth below. New material is italicized.

INCOMING SECURITIES

Rule 5. *Members may elect trade-for-trade Clearance or Continuous Net Settlement (CNS). For trade-for-trade clearance* on settlement day, delivery of securities by the selling clearing member pursuant to each sale shall be due at Stock Clearing Corporation at the exact sale price. Stock Clearing Corporation will prepare a duplicate delivery ticket for each such transaction, listing thereon the date, member's clearing number, number of shares, name of security, and amount of sale. These delivery tickets will be distributed to selling members prior to settlement date. The member shall enter on each delivery ticket the number and number of shares of each certificate delivered and attach ticket to the securities. Upon presentation at Stock Clearing Corporation, the member's copy of the delivery ticket will be receipted and returned to member.

*For CNS clearance members may deliver to Stock Clearing Corporation any portion of securities due on settlement date. Stock Clearing Corporation will provide members with appropriate receipt for securities delivered. Prior to settlement date, member will be notified of securities owed to Stock Clearing Corporation.*

OUTGOING SECURITIES

Likewise, *for trade-for-trade clearance,* on settlement day, delivery of round lots of securities by Stock Clearing Corporation to buying clearing members shall be due at the exact purchase prices. Stock Clearing Corporation will list as above each delivery of securities made to buying member on duplicate delivery tickets, and shall retain one copy with the member's receipt for the securities.

Also, *for trade-for-trade clearance,* on settlement day, payment in full for the total of all odd-lot purchases due for settlement that day shall be made by each member to Stock Clearing Corporation. Delivery of the securities will be made only upon receipt of instructions for transfer or for delivery of street certificates.

*For members who elect CNS settlement, Stock Clearing Corporation may deliver any portion of amount owed to member and obtain appropriate receipt from the member.*

DUE BILLS

All deliveries of securities to or by Stock Clearing Corporation in which a stock split is involved shall be accompanied by due bills. Settlement of due bills will be made on payable date.

DELIVERY HOURS

Delivery of securities to Stock Clearing Corporation shall be made between 10:00 a.m. and 12:00 noon. Deliveries by Stock Clearing Corporation to members shall be from 1:30 p.m. to 2:00 p.m. At branch offices, the delivery hours shall be from 10:00 a.m. to 1:30 p.m.

REQUIREMENTS

All securities tendered to Stock Clearing Corporation on deliveries must conform to the delivery requirements of the PBW Stock Exchange, Inc. and also either be in the name of or guaranteed by a clearing member of Stock Clearing Corporation, or bear a signature guarantee acceptable to Stock Clearing Corporation. In addition, Stock Clearing Corporation will accept deliveries only if each certificate is stamped with the name of the delivering member and dated.

GUARANTEES

All securities received from clearing members by Stock Clearing Corporation, whether or not such securities bear the guarantee or endorsement of such clearing member, are received for the account of the clearing member under the express agreement and condition that the clearing member completely guarantees the securities in every particular, and will accept them back if any irregularity is found therein.

CONDITION FOR TRANSFER

All deliveries of securities to clearing members are made under the express agreement and condition that such securities are held in trust for Stock Clearing Corporation by the member, and that title thereto remains in Stock Clearing Corporation until completion of the cash settlement for the day's deliveries between Stock Clearing Corporation and the member. The provisions of this paragraph shall not apply to member banks and trust companies.

WHEN ISSUED AND WHEN DISTRIBUTED TRANSACTIONS

When issued and/or when distributed transactions shall be settled at such time as Stock Clearing Corporation may set, or shall be cancelled if the Corporation determines that the plan under which the securities were to be issued or distributed has been abandoned or materially changed.

BANK HOLIDAYS

No securities will be accepted or delivered by Stock Clearing Corporation on a bank holiday in the City of Philadelphia, or by a branch office of Stock Clearing Corporation on a bank holiday in such city.

STATEMENT OF FAIL ITEMS

Rule 21. Stock Clearing Corporation will render to clearing members, as of the last Friday of each month except December, which will be as of the last business day, a statement in duplicate, showing each item which the corporation is failing to deliver to the members and failing to receive from the member, and a statement in duplicate of items in transfer for the member. These statements must be verified promptly upon receipt, and the duplicate copy signed by the member and returned to Stock Clearing Corporation, with all exceptions or corrections noted thereon, by the 15th day of the month following the date of the statement.

STATEMENTS OF ACCOUNT

Stock Clearing Corporation will render to clearing members carrying margin or omnibus accounts *or a continuous net settlement account,* a statement of account as of each settlement day; also a statement showing the net debit or credit balance in each such account, together with the long and short securities therein valued at current market prices. The statement will show the member's equity together with the margin requirements. Each statement must be verified upon receipt, and any exceptions or corrections promptly reported to Stock Clearing Corporation. As of the last Friday of each month except December, which will be as of the last business day, the equity statement will be forwarded in duplicate. The duplicate copy must be verified, signed by the member and returned to Stock Clearing Corporation by the 15th day of the month following the date of the statement.

A further change is represented by SCCP Bulletin No. 57 entitled "Continuous Net Settlement." The Bulletin describes the several CNS arrangements available depending on whether the member is a Philadelphia based non-depository participant, and out-of-town non-depository participant, a DTC participant or a PHILADEP (depository account) participant.

The SCCP clearing charge of .75¢ per hundred share unit has been reduced to .50¢ per hundred share unit for members clearing via CNS with a PHILADEP account. The depository charge of $1.00 per item for each order out whether by transfer or street certificate and the custody fee of $1.00 per year per thousand dollars of value with a maximum billing of $6.00 per month are extended to participants using the CNS System with a PHILADEP account.

STATEMENT OF BASIS AND PURPOSE

The purpose of procedure is to enable members of SCCP to clear on a continuous-net-settlement basis.

The proposed procedures relate to the following standards contained in Section 17A(b)(3) of the Act.

(a) The procedure have the capacity to facilitate the prompt and accurate clearance and settlement of securities, by reducing security handling and movement in connection with netting.

(b) They facilitate participation in a National System by allowing participants to clear with all other registered clearing agencies on a uniform basis.

(c) They incorporate reasonable fees which have been allocated on an equitable basis as required by Section 17A(b)(3)(D).

A number of SCCP members have expressed a desire to clear with CNS because they believe it is less costly and will enable them to deal on a more uniform basis with other clearing corporations.

No burden on competition will be imposed by the proposed rules.

On or before August 10, 1976, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding, or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(a) By order approve such proposed rule change, or

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file six copies thereof with the Secretary of the Commisison, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before July 27, 1976.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
*Secretary.*

JUNE 24, 1976.

[FR Doc.76-19350 Filed 7-2-76;8:45 am]

## SMALL BUSINESS ADMINISTRATION

### AMERICAN ASIAN CAPITAL CORP.

[License Application No. 02/02-5316]

#### Application for License

An application for a license to operate as a small business investment company under the provisions of Section 301(d) of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.), has been filed by American Asian Capital Corporation (applicant), with the Small Business Administration (SBA), pursuant to 13 C.F.R. 107.702 (1976).

The officers, directors, and major stockholders of the applicant are as follows:

Irving Chin, 747 East Broad Street, Columbus, Ohio 43205, Chairman of the Board, Secretary, 40 percent stockholder.

Howard H. Lin, 66-01 Burns Street, Forest Hills, New York 11374, President, Treasurer, Director, 40 percent stockholder.

The applicant, a New York corporation, with its principal business located at 75 East Broadway, New York, New York 10002, will begin operations with $503,000 of paid-in capital and paid-in surplus, derived from the sale of 5,030 shares of common stock. The applicant will initially conduct its operations in the Greater New York Metropolitan area. It is intended that as applicant's business and operations grow, the operation will be conducted on a national basis.

The applicant intends to place greater emphasis in areas populated, to a larger extent, by Chinese-Americans, because of the great need among Chinese-Americans for equity capital, long-term loans, convertible loans, and loan guarantees in order to finance small business concerns in these areas. However, applicant intends to provide assistance to all qualified socially or economically disadvantaged small business concerns as the opportunity to profitably assist such concerns is presented.

As a small business investment company under Section 301(d) of the Act, the applicant has been organized and chartered solely for the purpose of performing the functions and conducting the activities contemplated under the Small Business Investment Act of 1958, as amended from time to time, and will provide assistance solely to small business concerns which will contribute to a well-balance national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the applicant include the general business reputation and character of the proposed management, and the probability of successful operation of the applicant under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act and SBA Rules and Regulations.

Any person may, on or before July 21, 1976, submit to SBA written comments on the proposed applicant. Any such communication should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 114 L Street, NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in New York, New York.

Dated: June 25, 1976.

(Catalog of Federal Domestic Assistance Program No. 59.011 Small Business Investment Companies)

JAMES THOMAS PHELAN,
*Deputy Associate Administrator for Investment.*

[FR Doc.76-19365 Filed 7-2-76;8:45 am]

### DIMAN FINANCIAL CORP.

[License No. 06/06-0181]

#### Issuance of License

On May 26, 1976, a notice was published in the FEDERAL REGISTER (41 FR 21531) stating that Diman Financial Corporation, 13601 Preston Road, Suite 717E, Dallas, Texas 75240, had filed an application with the Small Business Administration (SBA), pursuant to § 107.102 of the Regulations governing small business investment companies (13 CFR § 107.102(1975)), for a license to operate as a small business investment company (SBIC).

Interested parties were given to the close of business, June 10, 1976, to submit their written comments to SBA.

Notice is hereby given that, having considered the application and all other pertinent information, SBA has issued License No. 06/06-0181 to Diman Financial Corporation, pursuant to Section 301(c) of the Small Business Investment Act of 1958, as amended.

Dated: June 24, 1976.

(Catalog of Federal Domestic Assistance Program No. 59.011 Small Business Investment Companies)

JAMES THOMAS PHELAN,
*Deputy Associate Administrator for Investment.*

[FR Doc.76-19366 Filed 7-2-76;8:45 am]

## VETERANS ADMINISTRATION

### PRIVACY ACT OF 1974

#### Proposed Additional Routine Use

Notice is hereby given that the Veterans Administration is considering adding a new routine use statement in the description of the system of records entitled, "Veterans Appellate Records System—VA," as set forth on page 38115 of the FEDERAL REGISTER of August 26, 1975, and adopted by notice published on page 47980 of the FEDERAL REGISTER of October 10, 1975. This proposed use is not a new use for the system involved; rather, it was overlooked in the preparation of the initial notice. The proposed statement, which follows, involves the routine use of records in the system, including categories of users and the purposes of such uses and will obviate the need for written consent of an individual in every case which would involve a disclosure of information pertaining to that individual.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420. All relevant material received before August 5, 1976, will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 am and 4:30 pm Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any VA field station will be informed that the comments are available for inspection only in Central Office and furnished the address and the above room number.

Notice is given that it is proposed to make this description effective September 27, 1975, the effective date of section 3, Pub. L. 93-579.

Approved: June 29, 1976.

By direction of the Administrator.

A. J. SCHULTZ, Jr.,
*Associate Deputy Administrator.*

In the system, "Veterans Appellate Records System—VA", appearing at 40 FR 38115, the following routine use statement is added to read as follows:

**System Name: Veterans Appellate Records System—VA.**

* * * * *

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

* * * * *

A record from this system of records may be disclosed to a veteran claimant or a third party claimant to the extent necessary in the development of a potential beneficiary's claim for VA benefits (i.e. individual identifiers and other similar identifying information).

[FR Doc.76-19361 Filed 7-2-76;8:45 am]

### PRIVACY ACT OF 1974

#### Proposed Amendment of Notice of Systems of Records

Notice is hereby given that the Veterans Administration is considering adding one now routine use statement in the description of the system of records en-

titled, "Veterans and Armed Forces Personnel U.S. Government In-Force Life Insurance Records—VA", appearing on page 38111 of the FEDERAL REGISTER of August 26, 1975 and adopted by notice published on page 47980 of the FEDERAL REGISTER of October 10, 1975. The proposed statement which follows involves the routine uses of records in the system, including categories of users and the purposes of such uses. Its adoption will obviate the need for written consent of the individual in every case which would involve a disclosure of information pertaining to that individual. This proposed use is not a new use for the system involved; rather, it was overlooked in the preparation of the initial notice.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420. All relevant material received before August 5, 1976, will be considered. All written comments will be available for public inspection at the above address only between the hours of 8 am and 4:30 pm Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any VA field station will be informed that the comments are available for inspection only in Central Office and furnished the address and the above room number.

Notice is given that it is proposed to make this description effective September 27, 1975, the effective date of section 3, Pub. L. 93–579.

Approved: June 29, 1976.

By direction of the Administrator.

In the system "Veterans and Armed Forces Personnel U.S. Government In-Force Life Insurance Records—VA", appearing at 40 FR 38111, the following routine use statement is added to read as follows:

**System name: Veterans and Armed Forces Personnel U.S. Government In-Force Life Insurance Records—VA.**

* * * * *

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

* * * * *

To provide that a record from this system of records may be disclosed to any Federal, State, or local agency, in response to its request, in connection with an application for Medicaid, Medicare, nursing home admittance or for welfare purposes, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

* * * * *

[FR Doc.76–19362 Filed 7–2–76;8:45 am]

## DEPARTMENT OF LABOR

### Employment and Training Administration

### FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

### Notice of Ending of Federal Supplemental Benefit Period in New Mexico

This notice announces the ending of the Federal Supplemental Benefit Period in the State of New Mexico, effective July 10, 1976.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Public Law 93–572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks or 26 weeks, depending upon the level of the rate of insured unemployment in the State. A Federal Supplemental Benefit Period commenced in the State of New Mexico on January 5, 1975.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5.0 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 26 weeks.

DETERMINATION OF "OFF" INDICATOR

The employment security agency of the State of New Mexico has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on June 19, 1976, and the immediately preceding twelve weeks, was less than 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(b), and as authorized by the Secretary of Labor's Order 4–75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of New Mexico for the week ending on June 19, 1976, and that the Federal Supplemental Benefit Period in that State terminates on July 10, 1976.

INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefits to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the New Mexico Employment Security Commission of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of New Mexico should contact the nearest Employment Office of the New Mexico Employment Security Commission in their locality.

Signed at Washington, D.C., on July 1, 1976.

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

[FR Doc.76–19543 Filed 7–2–76;8:45 am]

### Office of the Secretary

[TA–W–890]

### ATLAS BOLT & SCREW CO.

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

*Correction*

In FR Doc. 76–18297, appearing on page 26298, in the issue of Friday, June

25, 1976, the heading should read as set forth above.

[TA-W-98T]

**CARLISLE TIRE AND RUBBER CO.**

**Investigation Regarding Termination of Certification of Eligibility To Apply for Worker Adjustment Assistance**

*Correction*

In FR Doc. 76-18531, appearing on page 26294, in the issue of Friday, June 25, 1976, the headings should read as set forth above.

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[TA-W-932]

**CUTE TOGS OF NEW ORLEANS**

**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

*Correction*

In FR Doc. 76-18532, appearing on page 26294, in the issue of Friday, June 25, 1976, the headings should appear as set forth above.

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[TA-W-900]

**ELLISON CLOTHES, INC.**

**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

*Correction*

In FR Doc. 76-18533, appearing on page 26295, in the issue of Friday, June 25, 1976, the headings should read as set forth above.

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[TA-W-21T, 34T]

**GENERAL ELECTRIC CO.**

**Investigation Regarding Termination of Certification of Eligibility To Apply for Worker Adjustment Assistance**

*Correction*

In FR Doc. 76-18534, appearing on page 26295, in the issue of Friday, June 25, 1976, the headings should read as set forth above.

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[TA-W-72T]

**HARLEY-DAVIDSON, INC. DIVISION OF AMF, INC.**

**Investigation Regarding Termination of Certification of Eligibility To Apply for Worker Adjustment Assistance**

*Correction*

In FR Doc. 76-18535, appearing on page 26296, in the issue of Friday, June 25, 1976, the headings should read as set forth above.

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[TA-W-103T]

**KEYSTONE CARBON CO.**

**Investigation Regarding Termination of Certification of Eligibility To Apply for Worker Adjustment Assistance**

*Correction*

In FR Doc. 76-18536, appearing on page 26296, in the issue of Friday, June 25, 1976, the headings should read as set forth above.

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[TA-W-90T]

**NICE DIVISION OF SKF INDUSTRIES, INC.**

**Investigation Regarding Termination of Certification of Eligibility To Apply for Worker Adjustment Assistance**

*Correction*

In FR Doc. 76-18537, appearing on page 26296, in the issue of Friday, June 25, 1976, the headings should read as set forth above.

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[TA-W-65T]

**SHELLER GLOBE CORP.**

**Investigation Regarding Termination of Certification of Eligibility To Apply for Worker Adjustment Assistance**

*Correction*

In FR Doc. 76-18538, appearing on page 26296, in the issue of Friday, June 25, 1976, the headings should read as set forth above.

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[TA-W-104T]

**SPRINGFIELD WIRE OF INDIANA, INC.**

**Investigation Regarding Termination of Certification of Eligibility To Apply for Worker Adjustment Assistance**

*Correction*

In FR Doc. 76-18539, appearing on page 26297, in the issue of Friday, June 25, 1976, the headings should read as set forth above.

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[TA-W-929]

**TALON**

**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

*Correction*

In FR Doc. 76-18540, appearing on page 26297, in the issue of Friday, June 25, 1976, the headings should read as set forth above.

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[TA-W-71T]

**V-M CORP.**

**Investigation Regarding Termination of Certification of Eligibility To Apply for Worker Adjustment Assistance**

*Correction*

In FR Doc. 76-18544, appearing on page 26297, in the issue of Friday, June 25, 1976, the headings should read as set forth above.

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[TA-W-74T]

**WARWICK ELECTRONICS, INC.**

**Investigation Regarding Termination of Certification of Eligibility To Apply for Worker Adjustment Assistance**

*Correction*

In FR Doc. 76-18541, appearing on page 26298, in the issue of Friday, June 25, 1976, the headings should read as set forth above.

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[TA-W-91O]

**WILKINSON & SON, INC.**

**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

*Correction*

In FR Doc. 76-18542, appearing on page 26298, in the issue of Friday, June 25, 1976, the headings should read as set forth above.

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[TA-W-61T]

**WILSON SPORTING GOODS CO.**

**Investigation Regarding Termination of Certification of Eligibility To Apply for Worker Adjustment Assistance**

*Correction*

In FR Doc. 76-18543, appearing on page 26298, in the issue of Friday, June 25, 1976, the headings should read as set forth above.

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**Office of the Secretary**

[TA-W-935]

**BURNDY CORP.**

**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On June 11, 1976 the Department of Labor received a petition dated June 2, 1976 which was filed under section 221 (a) of the Trade Act of 1974 ("the Act") by the International Association of Machinists and Aerospace Workers on behalf of the workers and former workers of Toledo, Ohio, Facility of Burndy Corporation, Norwalk, Connecticut (TA-W-935). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with electronic components and connectors produced by Burndy Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a

substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 11th day of June 1976.

DOMINIC SORRENTINO,
*Acting Director, Office of Trade Adjustment Assistance.*

[FR Doc.76-19395 Filed 7-2-76;8:45 am]

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[TA-W-946]

## C. M. GRAY PREMIER MARBLE CORP.

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 21, 1976 the Department of Labor received a petition dated June 16, 1976 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Marble Workers Union on behalf of the workers and former workers of C. M. Gray Premier Marble Corporation, Long Island City, New York (TA-W-946). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221 (a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with marble finished by C. M. Gray Premier Marble Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 21st day of June 1976.

MARVIN M. FOOKS,
*Director, Office of Trade Adjustment Assistance.*

[FR Doc.76-19397 Filed 7-2-76;8:45 am]

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[TA-W-936]

## CHRYSLER CORP.

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 11, 1976 the Department of Labor received a petition dated May 26, 1976 which was filed under section 221 (a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Twinsburg Stamping Plant, Twinsburg, Ohio of Chrysler Corporation, Detroit, Michigan (TA-W-936). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with dies, jigs and fixtures produced by Chrysler Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 11th day of June 1976.

DOMINIC SORRENTINO,
*Acting Director, Office of Trade Adjustment Assistance.*

[FR Doc.76-19393 Filed 7-2-76;8:45 am]

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[TA-W-934]

## CROMPTON & KNOWLES CORP.

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 10, 1976 the Department of Labor received a petition dated May 25, 1976 which was filed under section 221 (a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Worcester, Mass, Textile Machinery Group of Crompton & Knowles Corp., New York, New York (TA-W-934). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with textile machinery parts, Ford Auto machinery parts, & foundry produced by Crompton & Knowles Corp. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

Interested persons are invited to submit written comments regarding the

subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 10th day of June 1976.

DOMINIC SORRENTINO,
*Acting Director, Office of Trade Adjustment Assistance.*

[FR Doc.76-19398 Filed 7-2-76;8:45 am]

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[TA-W-882]

## HOOVER-SENG CO.

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On May 19, 1976 the Department of Labor received a petition dated April 15, 1976 which was filed under section 221 (a) of the Trade Act of 1974 ("the Act") by the United Steel Workers of America on behalf of the workers and former workers of the Los Angeles, Calif. plant of Hoover-Seng Co., a subsidiary of Hoover Ball & Bearing Co., Saline, Michigan (TA-W-882). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with metal frames for sofa sleepers produced by Hoover-Seng Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 19th day of May 1976.

MARVIN M. FOOKS,
*Director, Office of Trade Adjustment Assistance.*

[FR Doc.76-19399 Filed 7-2-76;8:45 am]

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[TA-W-948]

## MAJESTIC SILVER CO.

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 21, 1976 the Department of Labor received a petition dated June 16, 1976 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the United Automobile, Aerospace and Agricultural Implement Workers of America on behalf of the workers and former workers of Majestic Silver Company, New Haven, Connecticut (TA-W-948). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with stainless steel flatware produced by Majestic Silver Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 21st day of June 1976.

MARVIN M. FOOKS,
*Director, Office of Trade Adjustment Assistance.*

[FR Doc.76-19400 Filed 7-2-76;8:45 am]

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[TA-W-944]

## MARBLE UNLIMITED

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 21, 1976 the Department of Labor received a petition dated June 21, 1976 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Bricklayers, Plasterers, and Joiners Union on behalf of the workers and former workers of Marble Unlimited, Bellville, New Jersey (TA-W-944). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221 (a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with installing of marble slabs provided by Marble Unlimited or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 21st day of June 1976.

MARVIN M. FOOKS,
*Director, Office of*
*Trade Adjustment Assistance.*

[FR Doc.76-19401 Filed 7-2-76;8:45 am]

[TA-W-939]

## MILLER DRUCK CO., INC.

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 15, 1976 the Department of Labor received a petition dated April 6, 1976, which was filed under section 221 (a) of the Trade Act of 1974 ("the Act") by the International Association of Marble, Slate & Polishers, Rubbers and Sawyers, Tile and Marble Setters' Helpers and Terrazzo Workers' Helpers on behalf of the workers and former workers of Miller Druck Company, Inc., New York, New York (TA-W-939). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with marble and stone slabs produced by Miller Druck Company, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 15th day of June 1976.

DOMINIC SORRENTINO,
*Acting Director, Office of*
*Trade Adjustment Assistance.*

[FR Doc.76-19402 Filed 7-2-76;8:45 am]

[TA-W-943]

## PPG INDUSTRIES

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 21, 1976 the Department of Labor received a petition dated June 18, 1976 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the United Glass and Ceramic Workers on behalf of the workers and former workers of Mt. Vernon, Ohio plant of PPG Industries, Pittsburgh, Pennsylvania (TA-W-943). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with sheet glass produced by PPG Industries or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 21st day of June 1976.

MARVIN M. FOOKS,
*Director, Office of*
*Trade Adjustment Assistance.*

[FR Doc.76-19403 Filed 7-2-76;8:45 am]

[TA-W-102T and 150T]

## STACKPOLE CARBON CO.

### Notice of Investigation Regarding Termination of Certification of Eligibility To Apply for Worker Adjustment Assistance

Following a Department of Labor investigation under section 222 of the Trade Act of 1974 ("the Act") and in accordance with section 223 of the Act, on October 1, 1975 the Department of Labor issued a certification of eligibility to apply for adjustment assistance applicable to workers and former workers of St. Marys and Kane, Pennsylvania plants of Stackpole Carbon Company engaged in employment related to the production of carbon composition resistors and ferrites. The notice of certification was published in the FEDERAL REGISTER on October 16, 1975 (40 FR 48559).

On the basis of further showing, the Director of the Office of Trade Adjustment Assistance has instituted an investigation directed to the termination of the certification, as provided for in section 223(d) of the Act and 29 CFR 90.17(a).

The purpose of the investigation is to determine whether the total or partial separations of the certified workers of Stackpole Carbon Co. are no longer attributable to the conditions specified in section 222 of the Act and 29 CFR 90.16 (b).

Pursuant to 29 CFR 90.17(b) the group of workers or any other persons showing a substantial interest in the proceedings may request a public hearing or may make written submissions to show why the certification should not be terminated, *Provided*, That such request or submission is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The record of the certification (TA-W 102 and 150) containing non-confidential information is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 27th day of May 1976.

MARVIN M. FOOKS,
*Director, Office of*
*Trade Adjustment Assistance.*

[FR Doc.76-19404 Filed 7-2-76;8:45 am]

[TA-W-942]

## STAR METAL PRODUCTS

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 18, 1976 the Department of Labor received a petition dated June 14, 1976 which was filed under section 221 (a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Star Metal Products, Cleveland, Ohio (TA-W-942). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221 (a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with tools used to manufacture fasteners produced by Star Metal Products or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 18th day of June 1976.

DOMINIC SORRENTINO,
*Acting Director, Office of Trade Adjustment Assistance.*

[FR Doc.76-19405 Filed 7-2-76;8:45 am]

[TA-W-949]

## STRIDE RITE SHOE CO.

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 21, 1976 the Department of Labor received a petition dated June 10, 1976 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of the Newburyport, Mass. plant of Stride Rite Shoe Co., Boston, Mass. (TA-W-949). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with childrens, young girls and ladies leather shoes produced by Stride Rite Shoe Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 21st day of June 1976.

MARVIN M. FOOKS,
*Director, Office of Trade Adjustment Assistance.*

[FR Doc.76-19406 Filed 7-2-76;8:45 am]

[TA-W-937]

## U.S. STEEL CORP.

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 10, 1976 the Department of Labor received a petition dated May 15, 1976 which was filed under section 221 (a) of the Trade Act of 1974 ("the Act") by the United Steelworkers of America on behalf of the workers and former workers of Cuyahoga Works, Cleveland, Ohio of U.S. Steel Corporation, Pittsburgh, Pennsylvania (TA-W-937). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221 (a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with bars, rods, and strips produced by U.S. Steel Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 10th day of June 1976.

DOMINIC SORRENTINO,
*Acting Director, Office of Trade Adjustment Assistance*

[FR Doc.76-19408 Filed 7-2-76;8:45 am]

[TA-W-938]

## UNITED STATES STEEL CORP.

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 15, 1976 the Department of Labor received a petition dated June 2, 1976 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the United Steelworkers of America on behalf of the workers and former workers of United States Steel Corp., New Haven Works, New Haven, Connecticut (TA-W-938). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with wire and wire rope in stainless steel & carbon wire produced by United States Steel Corp. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 15th day of June 1976.

DOMINIC SORRENTINO,
*Acting Director, Office of Trade Adjustment Assistance.*

[FR Doc.76-19409 Filed 7-2-76;8:45 am]

[TA-W-941]

## UNIVERSAL-CYCLOPS SPECIALTY STEEL CO.

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 16, 1976 the Department of Labor received a petition dated June 8, 1976 which was filed under Section 221 (a) of the Trade Act of 1974 ("the Act") by the United Steelworkers of America on behalf of the workers and former workers of Universal-Cyclops Specialty Steel Company, Coshocton, Ohio, a division of Cyclops Corporation, Mount Lebanon, Pennsylvania (TA-W-941). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with stainless sheet and strip steel produced by Universal-Cyclops Specialty Steel Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial sepration of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 16th day of June 1976.

DOMINIC SORRENTINO,
*Acting Director, Office of Trade Adjustment Assistance.*

[FR Doc.76-19410 Filed 7-2-76;8:45 am]

[TA-W-933]

## WARNACO MEN'S SPORTSWEAR, INC.

### Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 10, 1976 the Department of Labor received a petition date June 3, 1976 which was filed under section 221 (a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Warnaco Men's Sportswear, Inc., Altoona, Pennsylvania, a division of Warnaco, Incorporated, Bridgeport, Connecticut (TA-W-933). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's sweaters and shirts produced by Warnaco Men's Sportswear, Inc., or an appropriate subdivision thereof have contributed importantly to an absolute decline in sale or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 16, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 10th day of June 1976.

DOMINIC SORRENTINO,
*Acting Director, Office of Trade Adjustment Assistance.*

[FR Doc.76-19407 Filed 7-2-76;8:45 am]

## INTERSTATE COMMERCE COMMISSION

[Notice No. 85]

### ASSIGNMENT OF HEARINGS

JUNE 30, 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 110144 (Sub 17), Jack C. Robinson, dba Robinson Freight Lines now being assigned October 4, 1976 (1 week), at Morristown, Tennessee in a hearing room to be later designated.

MC 135518 (Sub-No. 4), Everett Trucking, Inc., now assigned October 18, 1976, at Salem, Oreg. is postponed indefinitely.

MC 19227 (Sub-No. 226), Leonard Bros. Trucking Co., Inc. application dismissed.

MC 59856 Sub 64, Salt Creek Freightways, A Corp., now being assigned October 4, 1976 (1 Week), Boise, Idaho, in a hearing room to be later designated.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19427 Filed 7-2-76;8:45 am]

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[No. AB-1 (Sub-No. 43)]

### CHICAGO AND NORTH WESTERN TRANSPORTATION CO.

**Abandonment Between Waterville and Morristown, in Le Seur and Rice Counties, Minnesota; Notice of Findings**

Notice is hereby given pursuant to section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an Initial Decision served May 17, 1976, to which no exceptions were filed, it was found that, subject to the conditions for protection of railway employees prescribed by the Commission in Chicago, B & Q R Co., Abandonment 257 I.C.C. 700, the present and future public convenience and necessity permit abandonment by The Chicago and North Western Transportation Company permitting abandonment of a line of railroad beginning at mile post 29.2 at or near Waterville, Le Seur County, Minnesota, and extending in an northeasterly direction to mile post 35.3 at or near Morristown, Rice County, Minnesota, a distance of 6.1 miles. A certificate of abandonment will be issued to The Chicago and North Western Transportation Company, based on the above-described finding, August 5, 1976, unless on or before that date the Commission further finds that:

(1) a financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) it is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested parties are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

By the Commission.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19441 Filed 7-2-76;8:45 am]

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[Docket No. AB-1 (Sub-No. 12)]

### CHICAGO AND NORTHWESTERN TRANSPORTATION CO.

**Abandonment Between Albert Lea, Minn. and Lake Mills, Iowa, in Freeborn County, Minn. and Winnebago and Worth Counties, Iowa; Notice of Findings**

Notice is hereby given pursuant to section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on May 6, 1976 a finding, which is administratively final, was made by an Administrative Law Judge, in an initial decision, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & Q. R. Co., Abandonment*, 257 I.C.C. 700, the present and future public convenience and necessity permit abandonment of the operations by the Chicago and Northwestern Transportation Company extending from railroad Milepost 120.5 near Albert Lea, Minnesota and Milepost 138.2 near Lake Mills, Iowa located in Freeborn County, Minnesota, and in Winnebago and North Worth Counties, Iowa. A certificate of abandonment will be issued to the Chicago and Northwestern Transportation Company based on the above-described finding of abandonment, August 5, 1976, unless by that date, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

By the Commission.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19432 Filed 7-2-76;8:45 am]

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### FOURTH SECTION APPLICATION FOR RELIEF

JUNE 30, 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

within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

FSA No. 43185—*Iron and Steel Articles to Points in Western Trunk Line Territory.* Filed by Western Trunk Line Committee, Agent (No. A-2726), for interested rail carriers. Rates on iron and steel articles, in carloads, as described in the application, from specified points in Colorado and Utah, to points in western trunk-line territory, Illinois, Indiana, and Kentucky.

Grounds for relief—Market competition, short-line distance formula and grouping.

Tariff—Supplement 84 to Western Trunk Line Committee, Agent, tariff 130-N, I.C.C. No. A-4946. Rates are published to become effective on July 26, 1976.

By the Commission.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19425 Filed 7-2-76;8:45 am]

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[Docket No. AB-26 (Sub-No. 8)]

## LIVE OAK, PERRY AND SOUTH GEORGIA RAILWAY CO.

### Abandonment of Operations Between Foley Junction and Live Oak, in Taylor, Lafayette, and Suwannee Counties, Florida; Notice of Findings

Notice is hereby given pursuant to section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on May 4, 1976, a finding, which is administratively final, was made by the Commission, Commissioner Brown, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & Q. R. Co., Abandonment,* 257 I.C.C. 700, the present and future public convenience and necessity permit abandonment by the Live Oak, Perry and South Georgia Railway Company of its operations over the line of railroad extending from Foley Junction to Live Oak, Florida, a distance of 39.54 miles. A certificate of abandonment will be issued to the Live Oak, Perry and South Georgia Railway Company based on the above-described finding of abandonment, August 5, 1976, unless by that date, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

By the Commission.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19431 Filed 7-2-76;8:45 am]

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[Docket No. AB-3 (Sub-No. 2)]

## MISSOURI PACIFIC RAILROAD CO.

### Abandonment Between Eudora, Arkansas and Delhi, Louisiana, in Chicot County, Arkansas and West Carroll and Richland Parishes, Louisiana; Notice of Findings

Notice is hereby given pursuant to section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on April 2, 1976 a finding, which is administratively final, was made by an Administrative Law Judge, in an initial decision, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & O. R. Co., Abandonment,* 257 I.C.C. 700, the present and future public convenience and necessity permit abandonment by the Missouri Pacific Railroad Company of its branch line of railway in Chicot County, Arkansas and West Carroll and Richland Parishes, Louisiana, extending from Milepost 447.8 near Eudora, Arkansas, southwardly through Oak Grove, Louisiana and Pioneer, Louisiana to Milepost 494.3 at Delphi, Louisiana, a distance of 46.51 miles. A certificate of abandonment will be issued to the Missouri Pacific Railroad Company based on the above-described finding of abandonment, August 5, 1976, unless by that date, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributale to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

By the Commission.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19429 Filed 7-2-76;8:45 am]

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[Docket No. AB-3 (Sub-No. 5)]

## MISSOURI PACIFIC RAILROAD CO.

### Abandonment Between Marvell and Holly Grove, in Monroe and Phillips Counties, Ark.; Notice of Findings

Notice is hereby given pursuant to section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on May 3, 1976 a finding, which is administratively final, was made by an Administrative Law Judge, in an initial decision, subject to the conditions for protection of railway employees prescribed by the Commission in *Chicago B. & Q. R. Co., Abandonment,* 257 I.C.C. 700, the present and future public convenience and necessity permit abandonment by the Missouri Pacific Railroad Company of its branch line of railroad between a point at Milepost 339.0 at Marvell, Arkansas, and the end of such branch line at Milepost 355.2 at Holly Grove, Arkansas, all in Monroe and Phillips Counties, Arkansas. A certificate of abandonment will be issued to the Missouri Pacific Railroad Company based on the above-described finding of abandonment, August 5, 1976, unless by that date the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

By the Commission.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19442 Filed 7-2-76;8:45 am]

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[Sec. 5a Application No. 78 (Amdt. No. 1)]

## MOBILE HOUSING CARRIERS CONFERENCE—AGREEMENT

### Application

JUNE 28, 1976.

Notice: The Commission is in receipt of an application in the above-entitled proceeding for approval of amendments to the agreement therein approved.

Filed April 27, 1976 by: Don H. Norman, General Manager, Mobile Housing Carriers Conference, 2001 Jefferson Davis Highway, Arlington, VA 22202; Leonard A. Jaskiewicz, Grove, Jaskiewicz, Gilliam and Cobert, 1730 M Street, NW., Washington, D.C. 20036 (of Counsel).

The amendments involve: Modification of the bylaws and rate agreement among the carrier members of the Conference so as to (1) comply with Ex Parte No. 297, 349 I.C.C. 811 and 351 I.C.C. 437; (2) revise the commodity scope by deleting reference to mobile homes and substituting therefor: Trailers drawn by passenger automobiles, buildings or sections of buildings, recreational vehicles, and component parts, accessories intended for use, manufacture, or completion of the foregoing articles; (3) establish procedures for Section 22 quotations for Federal government traffic; (4) revise the appeal procedures governing denial of carrier membership; (5) provide for a general manager in lieu of an agent and attorney-in-fact; (6) modify the qualifications for the board of directors and require 4 meetings annually, in lieu of 2 meetings; (7) require 5 days notice for general membership meetings, in lieu of 10 days; and (8) define the duties of the secretary of the conference.

The complete application may be inspected at the Office of the Commission in Washington, D.C.

Any interested person desiring to protest and participate in this proceeding shall notify the Commission in writing on or before August 5, 1976. As provided by the General Rules of Practice of the Commission, persons other than applicants should fully disclose their interest, and the position they intend to take with respect to the application. Otherwise, the Commission, in its discretion may proceed to investigate and determine the matters involved in such application, without further or formal hearing.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19426 Filed 7-2-76;8:45 am]

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[Notice No. 286]

## MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

The following publications include motor carrier, water carrier, broker, and freight forwarder transfer applications filed under Section 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act.

Each application (except as otherwise specifically noted) 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.

Protests against approval of the application, which may include a request for oral hearing, must be filed with the Commission on or before August 5, 1976. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest must be served upon applicants' representative(s), or applicants (if no such representative is named), and the protestant must certify that such service has been made.

Unless otherwise specified, the signed original and six copies of the protest shall be filed with the Commission. All protests must specify with particularity the factual basis, and the section of the Act, or the applicable rule governing the proposed transfer which protestant believes would preclude approval of the application. If the protest contains a request for oral hearing, the request shall be supported by an explanation as to why the evidence sought to be presented cannot reasonably be submitted through the use of affidavits.

The operating rights set forth below are in synopses form, but are deemed sufficient to place interested persons on notice of the proposed transfer.

No. MC-FC-35472, filed May 26, 1976. Transferee: Blaschke Trucking Company, A Corporation (Formerly Pinepoint, Inc.), 7720 Pinemont, Houston, Tex. 77040. Transferor: Pinepont, Inc., (Formerly Blaschke Trucking Company, A Corporation), 7720 Pinemont, Houston, Tex. 77040. Applicants' representative: Paul D. Angenend, Attorney at Law, P.O. Box 2207, Austin, Tex. 78767. Authority sought for lease by transferee of the operating rights evidenced by Certificate of Registration No. MC 120851 (Sub-No. 1) issued April 3, 1967, covering the transportation of oilfield equipment and pipe and other named commodities pursuant to the scope of intrastate authority in certificate of convenience and necessity No. SMC 5255 issued March 21, 1966, by the Railroad Commission of Texas. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-76540, filed June 23, 1976. Transferee: JACK SHEPHERD, doing business as JACK SHEPHERD'S GARAGE & WRECKER SERVICE, P.O. Box 97, Diamond, Missouri. Transferor: DONALD J. MALLATT, doing business as HAMMER'S DX, 202 West 7th Street, Galena, Kansas 66739. Applicants' attorney: Louis W. Cowan, 626 Woodruff Building, Springfield, Missouri 65805. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificate No. MC-119161, issued May 23, 1972, as follows: Wrecked or disabled motor vehicles by use of wrecker equipment only, and replacement vehicles for wrecked or disabled motor vehicles, in secondary movements, between points in Missouri, Kansas, Oklahoma, and Arkansas. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-76579, filed May 11, 1976. Transferee: Peter E. Ozols & Son, Inc., Doing Business As Nutmeg Moving & Storage Co., 6 Farimead Road, Darien, CT 06820. Transferor: Vanguard, Inc., Doing Business As Vanguard Executive Transfer Service, 1950 Post Road, Darien, CT 06820. Transferee's representative: R. E. Norstrand, Esquire, 36 Old Kingshighway South, Darien, CT 06820. Authority sought for purchase by transferee of the operating rights of transferor as set forth in Certificate No. MC-80851, issued May 5, 1970, as follows: Household goods as defined by the Commission, between Bridgeport, Conn., and points in Connecticut within 25 miles of Bridge-

port, on the one hand, and, on the other, points in Vermont, Massachusetts, New York, Rhode Island, New Jersey, and Pennsylvania. Transferee presently holds no authority from this Commission Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-76640, filed June 24, 1976. Transferee: FIELD VIEW FARM TRANSPORTATION, INC., 707 Derby Avenue, Orange, Connecticut 06477. Transferor: WALTER S. HINE, doing business as FIELD VIEW FARMS, 707 Derby Avenue, Orange, Connecticut 06477. Applicants' attorney: William J. Meuser, 86 Cherry Street, P.O. Box 507, Milford, Connecticut 06460. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Permit No. MC-134144, issued September 2, 1970, as follows: fertilizers and pesticides, in containers, from Derby, Conn., to points in Massachusetts, Vermont, New Hampshire, Maine, Rhode Island, and points in that part of New York on and east of Interstate Highway 81. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-76641, filed June 24, 1976. Transferee: C & C TRUCKING COMPANY, INC., Route 2, Box 293, Hephzibah, Ga. 30815. Transferor: The Sanders Truck Transportation Co., Inc., P.O. Box 457, Augusta, Ga. 30903. Applicants' representative: William Addams, Attorney-at-Law, Suite 212, 5299 Roswell Road, NE., Atlanta, Ga. 30342. Authority sought for purchase by transferee of that portion of the operating rights of transferor, as set forth in Certificates Nos. MC 26088, MC 26088 (Sub-No. 6) and MC 26088 (Sub-No. 7), issued by the Commission August 28, 1973, April 29, 1966, and June 20, 1967, respectively, as follows: Fertilizer, from Augusta and Savannah, Ga., to points in Allendale, Barnwell, Beaufort, and Hampton Counties, S.C.; dry fertilizer and dry fertilizer materials, in bulk, from Augusta, Ga., and points within a ten mile radius thereof, to points in South Carolina (except points in Allendale, Barnwell, Beaufort and Hampton Counties); and dry fertilizers and dry fertilizer materials, in bags, from Augusta, Ga., and points within 10 miles of Augusta, to points in Florida. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19433 Filed 7-2-76;8:45 am]

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[Notice No. 81]

## MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 30, 1976.

Important Notice: 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 C.F.R. § 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 representative, 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 applicant 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.

### MOTOR CARRIERS OF PROPERTY

No. MC 98952 (Sub-No. 35TA), filed June 22, 1976. Applicant: GENERAL TRANSFER COMPANY, 2880 North Woodford St., P.O. Box 2203, Decatur, Ill. 62526. Applicant's representative: Paul E. Steinhour, 918 East Capitol Ave., Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products, and food ingredients*, in mechanically refrigerated equipment (except in bulk), from the plant and warehouse facilities owned and operated by Archer Daniels Midland Company, located in Decatur, Ill., also shipping products for Wilsey Foods, Inc., and others, to points in Arkansas, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Tennessee, Wisconsin and Kansas City, Kans., restricted to traffic originating at origin and destined to named states, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Jerry C. Slaughter, General Traffic Manager, Archer Daniels Midland Company, P.O. Box 1470, Decatur, Ill. 62525. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 103051 (Sub-No. 372TA), filed June 22, 1976. Applicant: FLEET TRANSPORT COMPANY, INC., 934 44th Ave., North, P.O. Box 90408, Nashville, Tenn. 37209. Applicant's representative: Russell E. Stone (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry starch*, in bulk, from Spartansburg, S.C., to points within five miles thereof to Lanett, Ala., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: ABCI Chemicals, Inc., P.O. Box 3236, Spartansburg, S.C. 29302. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, Tenn. 37203.

No. MC 105051 (Sub-No. 371TA), filed June 22, 1976. Applicant: FLEET TRANSPORT COMPANY, INC., 934 44th Ave. North, P.O. Box 90408, Nashville, Tenn. 37209. Applicant's representative: Russell E. Stone (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry slag*, in bulk, from Carrollton, Ga., to Ozark, Ala., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Southern Agri-Minerals Corporation, 108 N. Union Ave., Box 86, Ozark, Ala. 36360. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, Tenn. 37203.

No. MC 106674 (Sub-No. 197TA), filed June 22, 1976. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: Jerry L. Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from Walton, Ind., to points in Ohio and Michigan, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Beker Industries Corp., 124 West Putnam Ave., Greenwich, Conn. 06830. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 110525 (Sub-No. 1158TA) (Correction), filed June 7, 1976, published in the FEDERAL REGISTER issue of June 22, 1976, and republished as corrected this issue. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 E. Lancaster Ave., Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boron trifluoride gas*, in manifold tube trailers, from Marcus Hook, Pa., to Moundsville, Ala.; McCook and Wood River, Ill.; Calvert City, Ky.; Menlo Park, and Los Angeles, Calif.; Cleveland, Ohio; Deer Park, Beaumont, Port Neches and Texas City, Tex., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Allied Chemical Corporation, P.O. Box 1087R,

Morristown, N.J. 07960. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106. The purpose of this republication is to state that this application is for temporary authority.

No. MC 111397 (Sub-No. 115TA), filed June 22, 1976. Applicant: DAVIS TRANSPORT, INC., 1345 South 4th St., P.O. Box 1139, Paducah, Ky. 42001. Applicant's representative: H. S. Melton, Jr., 233 North Seventh St., Box 1407, Avondale Station, Paducah, Ky. 42001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Radioactive waste materials*, in shipper owned containers, on shipper owned trailers, (1) from Peach Bottom Atomic Power Station, at or near Delta, Pa.; (2) from Vermont Yankee Nuclear Power Station, at or near Vernon, Vt., and (3) from Calvert Cliffs Nuclear Power Station, at or near Lusby, Md., to Barnwell County, S.C., and *Empty radioactive material*, in shipper owned containers, from Barnwell, S.C., to the origin points named in (1), (2) and (3) above, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Hittman Nuclear & Development Corporation, 9190 Red Branch Road, Columbia, Md. 21045. Send protests to: Kenneth R. Inman, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, Suite 2006, 100 North Main St., Memphis, Tenn. 38103.

No. MC 112049 (Sub-No. 19TA), filed June 22, 1976. Applicant: McBRIDE'S EXPRESS, INC., East Route 316, Mattoon, Ill. 61938. Applicant's representative: Paul E. Steinhour, 918 E. Capitol Ave., Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products, and food ingredients*, in mechanically refrigerated equipment; (except in bulk), from the plant and warehouse facilities owned and operated by Archer Daniels Midland Company, located in Decatur, Ill., also shipping products for Wilsey Foods, Inc., and others, to points in Alabama, Arkansas, Georgia, Indiana, Iowa, Michigan, Missouri, Mississippi, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia and Kansas City, Kans., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Jerry C. Slaughter, General Traffic Mgr., Archer Daniels Midland Company, P.O. Box 1470, Decatur, Ill. 62525. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 112223 (Sub-No. 101TA), filed June 22, 1976. Applicant: QUICKIE TRANSPORT COMPANY, 1700 New Brighton Blvd., N.E., Minneapolis, Minn. 55413. Applicant's representative: Earl Hacking (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coke breeze*, in bulk, in dump vehicles, from Waupaca, Wis., to St. Paul, Minn., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: Koppers Company, Inc., 1000 North Hamline Ave., St. Paul, Minn. 55104. Waupaca Foundry, Inc., Waupaca, Wis. 54981. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg., & U.S. Courthouse, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 113959 (Sub-No. 7TA) (Amendment), filed May 25, 1976, published in the FEDERAL REGISTER issue of June 22, 1976 as MC 107544 (Sub-No. 125TA), republished as amended this issue. Applicant: LEMMON TRANSPORT COMPANY, INCORPORATED, P.O. Box 580, Marion, Va. 24354. Applicant's representative: Daryl J. Henry (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Caustic soda*, in bulk, in tank vehicles, from the plantsite and storage facilities of Olin Corporation, located at or near Charleston, Tenn., to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, Virginia and West Virginia (except Kanawha County, W. Va.), under a continuing contract with Olin Corporation, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Olin Chemicals Group, 120 Long Ridge Rd., Stanford, Conn. 06904. Send protests to: Danny R. Beeler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 210, Roanoke, Va. 24011. The purpose of this republication is to amend the (1) common carrier authority to that of contract carrier; and (2) amend the request authority in this proceeding.

No. MC 119741 (Sub-No. 58TA), filed June 22, 1976. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., P.O. Box 1235, Fort Dodge, Iowa 50501. Applicant's representative: D. L. Robson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products, and food ingredients*, in mechanically refrigerated equipment (except in bulk), from the plant and warehouse facilities owned and operated by Archer Daniels Midland Company, located in Decatur, Ill.; also, shipping products for Wilsey Foods, Inc., and others, to points in North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Colorado and Indiana, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Archer Daniels Midland Company, P.O. Box 1470, Decatur, Ill. 62525. Send protects to: Herbert W. Allen, District Supervisor, Bureau of Operation, Interstate Commerce Commission, 518 Federal Bldg., Des Moines, Iowa 50309.

No. MC 120761 (Sub-No. 9TA), filed June 22, 1976. Applicant: NEWMAN BROS. TRUCKING CO., P.O. Box 13302, Fort Worth, Tex. 76118. Applicant's representative: Clint Oldham, 1108 Continental Life Bldg., Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing materials and roofing supplies*, from the plantsite and storage facilities of Johns-Manville Corporation, at Fort Worth, Tex., to points in Arkansas, Colorado, Kansas, Missouri, Louisiana, New Mexico, and Oklahoma, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Johns-Manville Corporation, Harold S. Ray, Traffic Mgr., Greenwood Plaza, Denver, Colo. 80217. Send protests to: H. C. Morrison, Sr. District Supervisor, Interstate Commerce Commission, Room 9A27, Federal Bldg., 819 Taylor St., Fort Worth, Tex. 76102.

No. MC 133591 (Sub-No. 24TA), filed June 21, 1976. Applicant: WAYNE DANIEL TRUCK, INC., P.O. Box 303, Mount Vernon, Mo. 65712. Applicant's representative: Michael J. Ogborn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs;* (2) *Cooking utensils;* and (3) *Agricultural commodities*, in mixed loads with commodities in (1) or (2) above, from points in California, to Blue Eye, Mo., for 180 days. Supporting shipper: Earthwonder, Inc., Blue Eye, Mo. 65611. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 135640 (Sub-No. 3TA), filed June 22, 1976. Applicant: STALEY EXPRESS, INC., 2501 N. Brush College Road, Decatur, Ill. 62521. Applicant's representative: Paul E. Steinhour, 918 East Capitol Ave., Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products, and food ingredients*, in mechanically refrigerated equipment (except in bulk), from the plant and warehouse facilities owned and operated by Archer Daniels Midland Company, located in Decatur, Ill., also shipping products for Wilsey Foods, Inc. and others, to points in Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Michigan, Indiana, Ohio, Kentucky, Tennessee, and Kansas City, Kans., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Jerry C. Slaughter, General Traffic Mgr., Archer Daniels Midland Company, P.O. Box 1470, Decatur, Ill. 62625. Send protests to Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 136318 (Sub-No. 41TA) (Amendment), filed May 28, 1976, published in the FEDERAL REGISTER issue of June 21, 1976, and republished as amended this issue. Applicant: COYOTE TRUCK LINE, INC., P.O. Box 756, Thomasville, N.C. 27360. Applicant's representative: David R. Parker, 1600 Broadway, 2310 Colorado State Bank Bldg., Denver, Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Brookneal, Va., to points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington and Wyoming, restricted to traffic originating at the facilities utilized by Thomasville Furniture Industries, Inc., under a continuing contract with Thomasville Furniture Industries, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Thomasville Furniture Industries, Inc., P.O. Box 339, Thomasville, N.C. 27360. Send protests to: Terrell Price, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 800 Briar Creek Road, Room CC516, Mart Office Bldg., Charlotte, N.C. 28205. The purpose of this republication is to amend the territorial description in this proceeding.

No. MC 139475 (Sub-No. 2TA), filed June 21, 1976. Applicant: LISA MOTOR LINES, INC., 2715 Ellis Ave., P.O. Box 4550, Fort Worth, Tex. 76106. Applicant's representative: Billy R. Reid, P.O. Box 9093, Fort Worth, Tex. 76107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in Description in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Brownwood, Tex., to Evansville, Ind., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Swift Fresh Meats Co. a Division of Swift & Company, W. H. Rudge, Mgr., Transportation Services, 115 W. Jackson Blvd., Chicago, Ill. 60604. Send protests to: H. C. Morrison, Sr., District Supervisor, Interstate Commerce Commission Room 9A27, Federal Bldg., 819 Taylor St., Fort Worth, Tex. 76102.

No. MC 140030 (Sub-No. 3TA), filed June 22, 1976. Applicant: RAY KURTZ AND LINDA FARLEY, doing business as PLASTIC EXPRESS, 11452 Eckhoff St., P.O. Box 5593, Orange, Calif. 92668. Applicant's representative: Jerry Solomon Berger, 433 North Camden Drive, 6th Floor, Beverly Hills, Calif. 90210. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, and related fittings, valves, parts and accessories, and materials and supplies* used in the installation of plastic pipe systems, from the plantsite and warehouse facilities of Colby Plastic Converters, Inc., located at points in Orange County, Calif., to points in Arizona and Nevada, under a continuing contract with Colby Plastic Converters, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Colby Plastic Converters, Inc., 1335 Allec St., Anaheim, Calif. 92805. Send protests to: Philip Yallowitz, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 140081 (Sub-No. 1TA), filed June 22, 1976. Applicant: A & B TRUCKING, INC., Box 68, Shelby, Nebr. 68662. Applicant's representative: Bradford E. Kistler, Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed, feed ingredients, and animal and poultry health products* (except in bulk, in tank vehicles), between the facilities of Allied Mills, Inc., near Columbus, Nebr., on the one hand, and, on the other, points in Kansas and Colorado, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Donald A. Smith, Plant Manager, Allied Mills, Inc., Columbus, Nebr. 68601. Send protests to: Max H. Johnston, District Supervisor, 285 Federal Bldg., & Court House, 100 Centennial Mall North, Lincoln, Nebr. 68508.

No. MC 141010 (Sub-No. 1TA), filed June 21, 1976. Applicant: CONTRACT TRANSPORT, INC., R.R. No. 3, Norwalk, Iowa 50211. Applicant's representative: James M. Hodge, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products;* (1) from Tulsa, Okla. and Omaha, Nebr., to the plantsites and warehouse facilities of Distinctive Packaging, located at Midrid, West Des Moines and Spirit Lake, Iowa, and (2) between the plantsites and warehouse facilities of Distinctive Packaging, located at Midrid, West Des Moines and Spirit Lake, Iowa, on the one hand, and, on the other, points in South Dakota, Minnesota and Wisconsin, under a continuing contract with Distinctive Packaging, for 180 days. Supporting shipper: Distinctive Packaging, 1733 Grand Ave., Des Moines, Iowa 50309. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 518 Federal Bldg., Des Moines, Iowa 50309.

No. MC 142038 TA (Amendment), filed May 5, 1976, published in the FEDERAL REGISTER issue of May 19, 1976, and republished as amended this issue. Applicant: DARIO GUERRA, doing business as DARIO GUERRA TRANSFER, 1040 Biscayne Bldg., Suite 303, Miami, Fla. 33132. Applicant's representative: Richard B. Austin, Suite 214, Palm Coast II Bldg., 5255 NW. 87th Ave., Miami, Fla. 33178. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods, commodities in bulk and those requiring special equipment), in shipper-owned trailers, between Port Everglades and the port of Miami, and points in Dade County, Fla., on and north of North Kendall Drive (SR 94), on and east of Krome Ave., (SR 27), restricted to traffic having an immediately prior or subsequent movement by water in interstate or foreign commerce, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: There are approximately 24 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: Joseph B. Teichert, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Monterey Bldg., Suite 101, 8410 NW. 53rd Terrace, Miami, Fla. 33166. The purpose of this republication is to amend the commodity description in this proceeding.

No. MC 142179 TA, filed June 17, 1976. Applicant: WILLIAM C. SAPP, JR. AND JAMES P. SAPP doing business as, SAPP SERVICE CENTER, 306 Coastal Highway, Port Wentworth, Ga. 31407. Applicant's representative: Sol H. Proctor, 1101 Blackstone Bldg., Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, damaged or disabled vehicles*, in wrecker service only and *replacement vehicles*, between points in Georgia, on the one hand, and, on the other, points in Florida, South Carolina, North Carolina and Virginia, for 180 days. Applicant has also filed an 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: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay St., Jacksonville, Fla. 32202.

PASSENGER APPLICATION

No. MC 136596 (Sub-No. 3TA) (amendment), filed April 2, 1976, published in the FEDERAL REGISTER issue of April 16, 1976, and republished as amended this issue. Applicant: NORMAN H. DAVIS, doing business as DAVIS SERVICE CO., 408 State Road, Croydon, Pa. 19020. Applicant's representative: James H. Sweeney, P.O. Box 684, Woodbury, N.J. 08096. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and baggage* of passengers in the same vehicle, between Willingboro, N.J., and Philadelphia, Pa.,

serving the intermediate points of Delran, Riverton, Cinnaminson, Morrisville, Parry, Pennsauken and Camden, N.J.; from Willingboro, N.J., over U.S. Highway 130 to junction of U.S. Highway 30, thence over U.S. Highway 30 to Philadelphia, Pa., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: There are approximately 75 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: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106. The purpose of this republication is to amend the territorial description in this proceeding.

By the Commission.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19440 Filed 7-2-76;8:45 am]

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[Docket No. AB-37 (Sub-No. 2)]

## OREGON-WASHINGTON RAILROAD AND NAVIGATION CO. AND UNION PACIFIC RAILROAD CO.

### Abandonment Portion Brogan Branch Between Vale and Jamieson in Malheur County, Oregon; Notice of Findings

Notice is hereby given pursuant to section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on May 3, 1976, a finding, which is administratively final, was made by the Commission, Commissioner Brown, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & Q. R. Co., Abandonment,* 257 I.C.C. 700, the present and future public convenience and necessity permit abandonment by the Oregon-Washington Railroad and Navigation Company, and abandonment of operation by Union Pacific Railroad Company, over a portion of the Brogan Branch of Oregon-Washington Railroad and Navigation Company extending from railroad Milepost 0.10 near Vale, Oregon, in a northwestly direction to railroad Milepost 17.68 at Jamieson, Oregon, a distance of 17.58 miles in Malheur County, Oregon. A certificate of abandonment will be issued to the Oregon-Washington Railroad and Navigation Company and Union Pacific Railroad Company, based on the above-described finding of abandonment, August 5, 1976, unless by that date, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

By the Commission.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19430 Filed 7-2-76;8:45 am]

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[Docket No. AB-108]

## TEXAS EXPORT RAILROAD CO.

### Abandonment of Operations Between Bridgeport and Graham, in Wise, Jack, and Young Counties, Texas; Notice of Findings

Notice is hereby given pursuant to section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on May 3, 1976, a finding, which is administratively final, was made by the Commission, Commissioner Brown, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & Q. R. Co., Abandonment,* 257 I.C.C. 700, the present and future public convenience and necessity permit abandonment of operation by the Texas Export Railroad Company over its entire leased line of railroad, extending from railroad Milepost 3+249.8 near Bridgeport, Texas, in a westerly direction to railroad Milepost 3+304.14 at Graham, Texas, a distance of 54.34 miles in Wise, Jack and Young Counties, Texas. A certificate of abandonment will be issued to the Texas Export Railroad Company based on the above-described finding of abandonment, August 5, 1976, unless by that date, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases", published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

By the Commission.

ROBERT L. OSWALD,
*Secretary.*

[FR Doc.76-19428 Filed 7-2-76;8:45 am]

federal register

TUESDAY, JULY 6, 1976




PART II:

# DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## Public Health Service

## CRITICAL HEALTH MANPOWER SHORTAGE AREAS

### Designations and Withdrawals

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Public Health Service

### CRITICAL HEALTH MANPOWER SHORTAGE AREAS

### Designations and Withdrawals

Section 329(b) of the Public Health Service Act provides that the Secretary of Health, Education, and Welfare shall designate those areas which he determines have critical health manpower shortages and thus would be areas eligible for assignment of National Health Service Corps personnel. Section 23.4(b) of the regulations implementing this authority (42 CFR Part 23) provides that the Secretary will publish periodically in the FEDERAL REGISTER a list of such designated areas together with the specific criteria utilized in determining such areas. On October 23, 1974, and again on February 25, 1975, a list of areas so designated was published in the FEDERAL REGISTER (39 FR 37756 and 40 FR 8156). The purpose of this notice is, first, to update the list of such areas by adding to the previously published list, areas of the United States which the Secretary has since that time determined meet the criteria for such designation; second, to set forth in more detail the procedures and criteria utilized by the Secretary in making such designations; and, finally, to provide notice of the planned withdrawal of the designation of certain areas (specified separately below) as critical health manpower shortage areas effective 90 days from this publication.

With respect to the designation of areas, § 23.4(a) of the regulations governing the National Health Service Corps program provides that in determining whether an area has a critical health manpower shortage, the Secretary shall take into consideration, among other pertinent factors:

(i) The latest reliable health resources statistics available to him, such as numbers of primary care physicians, dentists, and other health manpower personnel; the range of primary care and other health services available; and the types of health facilities in the area.

(ii) Health status indicators, such as infant and maternal mortality rates, accident rates, morbidity rates, disability rates, life expectancy rates, and others.

(iii) Inaccessibility of health care services in the community, and the ability to obtain services when required on a timely and effective basis, taking into account transportation difficulty, travel times, utilization rates, ability of health resources to meet increased demands, and other socio-economic, demographic and environmental factors of community life which significantly impair access.

In applying these factors, the Secretary has adopted the specific criteria listed below and requested the appropriate areawide comprehensive health planning agencies or State comprehensive health planning agencies to identify, in the manner indicated below, any areas within their respective jurisdiction which meet or exceed such criteria:

A. *For Critical Medical Shortage Areas* (Physician and Physician Extenders)

1. *Area definition.*

The area defined must be one that is rational for the delivery of medical care. Such an area may be:

a. A *county* or several contiguous counties.

b. In *non-metropolitan areas*,[1] a portion of a county (or an area made up of portions of more than one county, which, taken together, are more closely united by topography and/or transportation routes to each other than to the counties of which they are part) which is separated from resources elsewhere in the county (or counties) by natural barriers (mountains, waterways, etc.) or by an absence of roads, or by excessive distances. An "excessive" distance would be approximately 20 miles by road. To compensate for differences in travel time due to terrain and density differences between areas, this figure for "excessive" distance may be reduced to 15 miles in mountainous terrains, or increased to 25 miles or more in flat terrains or where interstate highways are available. Where possible, such portions of counties should be defined in terms of one or more minor civil divisions (M.C.D.'s) or census county divisions (C.C.D.'s). In general, such service areas should be defined so as to include a circle of at least 10 miles radius around the major population center of the area, or a total area of at least 300 square miles.

c. In *metropolitan areas*,[1] a group of census tracts which form an existing neighborhood or interrelated set of neighborhoods, and/or have some social and economic homogeneity, and are separated by natural or man-made barriers, or by excessive distance or other access difficulties, from resources in the surrounding areas. An "excessive" distance would be 5 to 10 miles in inner urban areas and 15 to 20 miles in suburban (or rural) areas, with the tolerance relating to travel times and availability of public transportation. Where the population suffering the shortage is dependent upon public transportation and travel times to primary care resources by public transportation can be shown to be excessive (as compared with 30 minutes), these distances can be further reduced. In general, such service areas should include a circle of at least 4 miles radius around the center of the area, or a total area of at least 50 square miles. (The lesser minimum for these urban service areas is due to their considerably higher density.)

2. *Location of existing resources.*

A road map of the proposed service area and surrounding areas must be submitted, showing the boundaries of the proposed service area and the approximate location of all primary care physicians' offices, neighborhood health centers or local health department clinics, and organized hospital outpatient departments within 25 miles of the major population center of the service area in non-metropolitan areas or in rural or suburban portions of metropolitan areas or within 10 miles of the center of the service area in inner urban areas.

3. *Ratio criterion.*

To be considered a critical medical shortage area, the ratio of the resident civilian population of the area to the number of full-time equivalent, non-Federal primary care physicians practicing within the proposed service area (including those practicing in federally-funded neighborhood health centers, local health department clinics, and hospital outpatient departments) must be greater than 4000:1. Primary care physicians are here defined to include all those physicians (M.D. and D.O.) practicing general or family medicine, internal medicine, pediatrics, and obstetrics and gynecology, and those general surgeons who spend 50 percent or more of their patient care time in primary care practice. (Unless data to the contrary is supplied, general surgeons in non-metropolitan areas will be assumed to fall in this category while general surgeons in metropolitan areas will be assumed not to fall in this category.) The use of "full-time equivalent" refers to percentage of a full workweek and is intended to make allowance for physicians who are semi-retired, who operate a reduced practice due to infirmity or other limiting conditions (which should be specified), or who are available to the population of the shortage area on a part-time basis only. Thus advanced age alone shall not constitute justification for counting an individual physician as less than full time. (Nurse practitioners and other physician extenders are not counted as some particular percentage of a full-time equivalent physician; their effort is instead considered as an additional factor in designation decisions.)

4. *Contiguous area considerations.*

a. Where the proposed service area is a county, the population-to-primary care physician ratios in contiguous counties (or independent cities) will be examined. A ratio of more than 2000:1 in a contiguous county will be taken to indicate that that county has no excess capacity which might alleviate the shortage situation in the county for which designation is requested. In the event that a contiguous county or independent city has a ratio less than 2000:1, the distance by road between population centers of the two counties and the topography of the region will be considered in order to determine whether the resources of the contiguous county should disqualify the proposed county from designation. The submitting agency should call attention to any other factors that would inhibit residents of the proposed county from obtaining care in such contiguous counties.

b. Where the proposed service area is a portion of a county, the population-to-primary care physician ratio in the county as a whole will be examined. A ratio of 3000:1 or more in the county as a whole will be taken to indicate that the county has a relative shortage (subject

[1] "Metropolitan areas" here refers to those areas which have been designated by the Office of Management and Budget as Standard Metropolitan Statistical Areas. All other areas are referred to here as "non-metropolitan areas."

to examination of contiguous county ratios as in item 4.a.), and that the shortage is critical in those portions of the county having ratios greater than 4000:1. Where the service area proposed includes portions of more than one county, the ratios in each such county will be considered in this manner.

c. Where a proposed subcounty service area is within a county or group of counties whose overall population to primary care physician ratio is less than 3000:1, the area can nevertheless be considered for designation if the service area as drawn (with reference to its major population center) includes all primary care resources available within approximately 10 miles in inner urban areas or approximately 20 miles in suburban areas, rural parts of metropolitan areas, and non-metropolitan areas. (These distances may be reduced to 15 miles in mountainous areas or increased to 25 miles or more in flat terrains or where interstate highways are available.) The reasons why any such resources were not included in defining the area and/or computing the ratio must be given the principal factors to be considered in evaluating such exclusions will be those relating to physical inaccessibility of the excluded resources to the service area population. Such factors may include lack of adequate highways, hazardous travel conditions, excessive travel times, or lack of adequate public transportation in inner urban areas. Where lack of adequate public transportation is to be considered as a factor, the map provided should indicate public transportation routes and data provided should include schedule information, travel time estimates, and census data on automobile ownership. In exceptional cases, organized outpatient departments and/or health department clinics may be excluded where it can be shown that they do not serve the population in question or that they draw from a much larger population than the population of the service area in question and are overutilized.

5. *Other considerations.*

a. Where the criteria outlined above are nearly but not fully met in an area for which designation is requested, mitigating circumstances may help qualify the area for consideration. These may include: unusually large numbers of indigent persons (as indicated by a high percentage of the population below the poverty line), particularly if this is in conjunction with a documented refusal on the part of a significant portion of providers to accept medicaid patients; unusually large numbers of aged persons (as indicated by a high percent of the population over age 65); abnormally poor health status (as indicated by a high infant mortality rate or by other health status indicators); advanced age of a significant number of the area's physicians; large migrant or tourist populations during significant portions of the year; or the presence of other sociocultural barriers which tend to limit the population's access to health care.

b. Where area size is large, but population is smaller than that normally considered necessary to support a physician (generally 3,000 persons), the area may nevertheless be designated for placement of a physician extender or for inclusion in a larger rural health system.

B. *For Critical Dental Shortage Areas.*

1. *Area definition.*

The area defined must be one that is rational for the delivery of dental care. Such an area may be:

a. A *county* or several contiguous counties.

b. In *non-metropolitan areas*, a portion of a county (or an area made up of portions of more than one county which, taken together, are more closely united by topography and/or transportation routes to each other than to the counties of which they are a part) which is separated from resources elsewhere in the county (or counties) by natural barriers (mountains, waterways, etc.) or by an absence of roads or by excessive distance. An "excessive" distance would be approximately 30 miles by road. This may be reduced to 20 miles in mountainous terrain, or increased to 40 miles in flat terrain or where interstate highways are available. Where possible, such portions of counties should be defined in terms of one or more minor civil divisions (M.C.D.'s) or census county divisions (C.C.D.'s). In general, such service areas should include a circle of at least 15 miles radius around the population center of the area, or a total area of at least 700 square miles.

c. In *metropolitan areas*, a city or group of political subdivisions which have some social and/or economic homogeneity and are separated by natural or man-made barriers, or by excessive distance or other access difficulties from resources in the surrounding areas. An "excessive" distance would be 10 to 20 miles in inner urban areas and 20 to 30 miles in suburban (or rural) areas, with the tolerance relating to travel times and availability of public transportation. In general, such metropolitan service areas should include a circle of at least 10 miles radius around the center of the area, or a total area of at least 300 square miles.

2. *Location of existing resources.*

A road map of the proposed service area and surrounding area must be submitted showing the boundaries of the proposed service area, and the approximate location of all dentists' offices (including those in health centers or clinics) within 40 miles of the center of the service area in non-metropolitan areas, or within 20 miles of the center of the service area in metropolitan areas.

3. *Ratio criterion.*

To be considered a critical dental shortage area, the ratio of the resident civilian population to the number of full-time equivalent, non-Federal dentists practicing within the area (including any practicing in federally-funded health centers or local health department clinics) must be greater than 5000:1. All practicing dentists, general care and specialty care, are included. (See medical section for comments on full-time equivalency.)

4. *Contiguous area considerations.*

a. Where the proposed service area is a county, the population-to-dentist ratio in contiguous counties will be examined. A ratio of more than 2500:1 will be taken to indicate that that county has no excess capacity which might alleviate the shortage situation in the county for which designation is requested.

b. Where the proposed service area is a portion of a county, the population-to-dentist ratio in the county as a whole will be examined. A ratio of 4000:1 or more in the county as a whole will be taken to indicate that the county as a whole has a relative shortage (subject to examination of contiguous county ratios as in item 4.a.) and that the shortage is critical in those portions of the county having ratios greater than 5000:1.

c. Where a proposed subcounty service area is within a county or group of counties whose overall ratio is less than 4000:1, the area can nevertheless be considered for designation if the service area as drawn includes all dental resources available within 20 miles in metropolitan areas or within 30 miles in non-metropolitan areas. (These distances may be reduced to 20 miles in mountainous terrain or increased to 40 miles in flat terrain.) The reasons why any such resources were not included in defining the area and/or computing the ratio must be given. (For principal factors to be considered in evaluating such exclusions, see item 4.c. under Critical Medical Shortage.)

5. *Other considerations.*—See item 5.a. under Critical Medical Shortage.

DESIGNATION PROCEDURES

Section 23.4(a)(2) of the regulations implementing section 329(b) of the Public Health Service Act requires that the Secretary consult with the appropriate comprehensive areawide or State health planning agencies (section 314(a) or (b) CHP agencies) or their successor agencies (Health Systems Agencies (HSA) or State Health Planning and Development agencies designated under Title 15 of the PHS Act).

While these agencies are a primary source of recommendations for designation of critical health manpower shortage areas, any State health agency or local public health agency or other public or non-profit private health entity in an area which has not been so designated by the Secretary may request such designation. However, the appropriate CHP, HSA or State agency will continue to be consulted with regard to designation requests pertaining to their areas. Finally, proposed additions and deletions to the lists of critical health manpower shortage areas may also be initiated by the Bureau of Health Manpower, based on data available to it. Such proposed changes will also be circulated to the CHP or HSA agencies or State agencies for review and consultation prior to their implementation.

Official requests for additions to or deletions from these lists should be directed to:

Chief, Manpower Analysis Branch, Bureau of Health Manpower
Health Resources Administration
Attention: Shortage Area Designation Staff
NIH, Building 31, Room 3B06
9000 Rockville Pike
Bethesda, Maryland 20014

Notice is hereby given that after reviewing the areas identified by the health planning agencies in light of the above criteria, the Secretary has designated the areas (counties or specified parts of counties) listed in Appendix A as areas having critical medical and/or dental shortages for purposes of section 329(b) of the Act.

With respect to the withdrawal of designation of an area as a critical health manpower shortage area, § 23.4 (d) of the regulations governing the National Health Service Corps Program (42 CFR Part 23) provides that the Secretary may withdraw such designation upon his determination that there has been a substantial change in the circumstances upon which the designation of an area was based, or that the data upon which the designation was based was inaccurate or incomplete and that corrected data or additional information indicates that the area does not meet the criteria. Notice is hereby given that, the determination having been made in each case either that there has been such a substantial change or that the previous designation was the result of the use of incorrect data concerning the circumstances in the area, it is planned that 90 days after this publication the designation of the areas (counties, or specified parts of counties) listed in Appendix B will be withdrawn.

Dated: June 17, 1976.

LOUIS M. HELLMAN, M.D.,
*Administrator,*
*Health Services Administration.*

APPENDIX A

ALABAMA

CRITICAL MEDICAL SHORTAGE AREAS

Bibb
Blount
Bullock
Calhoun—Piedmont, Centre, Fruithurst, Mudcreek C.C.D.'s
Calhoun—Hobson City
Chambers—Lafayette C.C.D.
Chilton
Choctaw
Cleburne
Cochise—Benson C.C.D.
Colbert—Cherokee C.C.D.
Conecuh
Coosa
Covington—Florala and Falco C.C.D.'s
Dale
Dekalb—Crossville, Fyffe, Geraldine-Rainsville and Sylvania C.C.D.'s
Escambia—Atmore, Flomaton, and Browton C.C.D.'s—part of Flomaton Medical Service Area
Fayette
Franklin—Phil Campbell C.C.D.—part of Marion medical service area
Franklin—Red Bay C.C.D.
Geneva
Hale

ALABAMA—Continued

Henry
Jackson—Bridgeport, Long Island and Stevenson C.C.D.'s
Jefferson—Morris and Warrier C.C.D.'s
Lauderdale—Waterloo C.C.D.
Lawrence
Limestone—Salem and Elkmont C.C.D.'s
Lowndes
Macon
Marion—part of Marion medical service area
Marshall—Guntherville C.C.D.
Perry
Pickens
Randolph—Wadley C.C.D.
Randolph—Wedowee C.C.D.
Russell
St. Clair
Shelby
Washington
Wilcox
Winston—Addison C.C.D.

CRITICAL DENTAL SHORTAGE AREAS

Bibb
Blount
Bullock
Butler
Chambers
Cherokee
Chilton
Choctaw
Clay
Cleburne
Conecuh
Coosa
Crenshaw
Dale
Dekalb
Fayette
Franklin
Geneva
Greene
Hale
Jackson
Lamar
Lawrence
Lowndes
Macon
Marengo
Perry
Pickens
Randolph
Russell
Sumter
Talladega
Washington
Wilcox
Winston—Addison C.C.D.

ALASKA

CRITICAL MEDICAL SHORTAGE AREAS

Entire State of Alaska, except for Anchorage and Fairbanks Divisions

CRITICAL DENTAL SHORTAGE AREAS

None

ARIZONA

CRITICAL MEDICAL SHORTAGE AREAS

Apache
Cochise—Benson, C.C.D.
Cochise—Bowie & San Simon C.C.D.'s
Gila—Globe, Miami C.C.D.'s—part of Gila-Pinal medical service area
Maricopa—Gila Bend and Buckeye C.C.D.'s
Navajo
Pima—Marana C.C.D.
Pinal—Superior-Ray Division—part of Gila-Pinal medical service area

CRITICAL DENTAL SHORTAGE AREAS

Apache
Greenlee
Pima—Marana C.C.D.

ARKANSAS

CRITICAL MEDICAL SHORTAGE AREAS

Ashley—Banner, Bayou, Bearhouse, Beech Creek, De Bastrop, Montrose, Portland, Prairie, Union, and Wilmot townships
Calhoun
Chicot
Cleveland
Crawford
Crittenden
Desha
Franklin
Fulton
Jefferson—Bogy, Dudley Lake, Dunnington, Plum Bayou, and Roberts townships
Johnson
Lafayette
Lee
Lincoln

ARKANSAS—Continued

Logan
Madison
Montgomery
Nevada—Jackson, Leake Townships—part of Stephens medical service area
Newton
Ouachitas—Washington Township—part of Smackover medical service area
Ouachitas—Liberty, Jefferson, Smackover, Bragg, Marion, Lafayette, Bridge Creek Townships—part of Stephens medical service area
Perry
Poinsett
Prairie
Scott
Searcy
Union—Smackover and Norphlet townships—part of Smackover medical service area
Union—Boone, Van Buren Townships—part of Stephens medical service area
Van Buren
Washington—Lincoln, Price, Dutch Mills, Morrow, Cane Hill, Marrs Hill, Illinois townships—Lincoln medical service area
Washington—Winslow, Lees Creek, Reed, Crawford, Cove Creek, Valley townships—Winslow medical service area
Woodruff

CRITICAL DENTAL SHORTAGE AREAS

Ashley
Clay
Cleveland
Crawford
Cross
Dallas
Fulton
Grant
Greene
Jefferson—Dudley Lake, Roberts, Plum Bayou, Dunnington, Bogy townships
Johnson
Lafayette
Lee
Lincoln
Little River
Logan
Marion
Monroe
Montgomery
Nevada
Newton
Perry
Phillips
Prairie
Scott
Searcy
Sharp
St. Francis
Stone
Van Buren
Woodruff

CALIFORNIA

CRITICAL MEDICAL SHORTAGE AREAS

Alpine—part of Tri-County Indian Health Project Area
Contra Costa—Brentwood C.C.D.
El Dorado—North El Dorado C.C.D.
Fresno—Coalinga, Huron, San Joaquin-Tranquility, Riverdale, Carurs-Raisin City C.C.D.'s
Glenn—Orland C.C.D.
Humboldt—North Coastal C.C.D.
Imperial
Inyo—part of Tri-County Indian Health Project Area
Kern—Arvin-Lamont, Greenfield-Panama C.C.D.'s
Kern—East Kern C.C.D.
Lassen—Big Valley, Madeline Plains C.C.D.'s—part of Adin-Bieber medical service area
Merced—Livingston-Delhi, Hilman-Irwin C.C.D.'s
Mendocino—Point Arena C.C.D.—part of Russian River-Pacific Coast medical service area
Modoc—Adin-Lookout, C.C.D.—part of Adin-Bieber medical service area
Modoc—Tulelake—part of Tulelake/Butte Valley service area
Mono—part of Tri-County Indian Health Project Area
Monterey—Town of Seaside
Monterey—Soledad C.C.D.
Placer—Forest Hill-Back Country C.C.D.
Placer—West Valley C.C.D.—part of Lincoln medical service area

Riverside—Idyllwild C.C.D.
Riverside—Morongo Indian Reservation area
Sacramento—Franklin, Delta C.C.D.'s—part of Delta Service Area
San Bernardino—Mojave Valley, Red Mountain-Trona, Newberry-Baker and Needles C.C.D.'s (Mojave Desert medical service data)
San Bernardino—Twenty-Nine Palms-Morongo Valley C.C.D. (Morongo Basin medical service area)
San Bernardino—Apple Valley-Lucerne Valley C.C.D. (Victor Valley medical service area)
San Benito
San Diego—Pauma Valley-Valley Center, Palomar-Laguna, and Ramona C.C.D.'s
San Diego—Jamul and Mountain Empire C.C.D.'s
Sierra—Downieville City, Sierra City, Goodyears Bar, Indian Valley, Forest, Allegheny C.C.D.'s
Siskiyou—Etna and Fort Jones Census County Divisions
Siskiyou—Happy Camp C.C.D.
Siskiyou—Tulelake and Butte Valley C.C.D.'s—part of Tulelake/Butte Valley service area.
Solano—Census Tracts 2530, 2531, 2532—Vacaville service area
Solano—Rio Vista C.C.D.—part of Delta medical service area
Solano—Dixon C.C.D.
Sonoma—Census Tracts 1541 and 1542—Cloverdale-Geyserville Medical Service Area
Sonoma—Census Tracts 1537 and 1543—Part of Russian River-Pacific Coast medical service area
Sutter—South Suter C.C.D.—part of Lincoln medical service area
Yolo—Clarksburg C.C.D.—part of Delta medical service area
Yuba—Yuba Foothills C.C.D.
Yuba—Wheatland C.C.D.—part of Lincoln medical service area

CRITICAL DENTAL SHORTAGE AREAS

Alameda
Alpine—part of Tri-County Indian Health Project Area
Butte—Feather Falls C.C.D.—part of Yuba Foothills-Feather Falls service area
Inyo—part of Tri-County Indian Health Project Area
Mono—part of Tri-County Indian Health Project Area
Riverside—Idyllwild C.C.D.
Riverside—Morongo Indian Reservation area
Yuba—Yuba Foothills C.C.D.—part of Yuba Foothills-Feather Falls service area

COLORADO

CRITICAL MEDICAL SHORTAGE AREAS

Archuleta—Pagosa Spring medical service area
Baca—Springfield, Pritchett, Campo C.C.D.'s
Bent
Conejos—part of San Luis Valley medical service area
Costilla—part of San Luis Valley medical service area
Custer—Westcliffe medical service area
Dolores—Dove Creek medical service area
Fremont
Huerfano—Walsenburg medical service area
Lincoln—Limon medical service area
Elbert—Eastern Portion—Limon medical service area
Logan—Sterling medical service area
Otero—Rocky Ford medical service area
Park—Fairplay medical service area
Park—Lake George C.C.D.—part of Teller medical service area
Phillips
Rio Blanco—Rangley medical service area
Saguache
Teller—part of Teller medical service area

COLORADO—Continued

Yuma—Yuma medical service area
Washington

CRITICAL DENTAL SHORTAGE AREAS

Bent
Crowley
Saguache
Washington

CONNECTICUT

CRITICAL MEDICAL SHORTAGE AREAS

Hartford—Enfield, Suffield, Windsor Locks C.C.D.'s

CRITICAL DENTAL SHORTAGE AREAS

None

DELAWARE

CRITICAL MEDICAL SHORTAGE AREAS

New Castle—Wilmington Census Tracts Nos. 1, 8, 9, 17, 20, 154, 155, 156

CRITICAL DENTAL SHORTAGE AREAS

None

DISTRICT OF COLUMBIA

None

FLORIDA

CRITICAL MEDICAL SHORTAGE AREAS

Baker
Bay
Bradford
Calhoun—Frink, Chipola Park, Broadbranch, Kinard
Collier—Immokalee C.C.D.
Dixie
Escambia—South Flomation C.C.D.—part of Flomation service area
Franklin
Gadsden
Gilchrist
Glades
Gulf—Wewahitchka Census Division
Hardee
Holmes
Jackson
Jefferson
Liberty
Madison
Martin
Okaloosa—Laurel Hill Division
Okeechobee
Osceola
Palm Beach—Belle Glade—Pahokee C.C.D.
Pasco
Santa Rosa—Jay-Berrydale C.C.D.—part of Flomation service area
Seminole
Suwanee
Wakulla
Walton—Paxton - Darlington, Defuniak Springs C.C.D.'s—part of Florala medical service area
Washington

CRITICAL DENTAL SHORTAGE AREAS

Bay—Panama City Beaches Division, Southport Division—Panama City Beaches dental service area
Baker
Citrus
Collier—Immokalee dental service area
Dixie
Flagler
Franklin
Gadsden
Glades
Gulf
Hardee
Holmes
Jackson
Lafayette
Levy
Liberty
Madison
Nassau
Osceola
Palm Beach—Belle Glade-Pahokee C.C.D.

FLORIDA—Continued

Pasco
Polk—Frostproof medical service area
Union
Wakulla
Walton—Freeport Division—part of Panama City Beaches dental service area
Washington—town of Ebro—part of Panama City Beaches dental service area

GEORGIA

CRITICAL MEDICAL SHORTAGE AREAS

Atkinson
Banks
Bartow
Brantley
Brooks
Bryan
Camden
Chattahoochee
Cook
Crawford
Dade
Dawson
Dooly
Early
Effingham
Fannin
Gilmer
Grady
Hart
Jones
Lee
Liberty
Lincoln
Long
Madison
McIntosh
Mitchell
Montgomery
Murray
Oglethorpe
Pike
Stewart—part of Stewart-Webster two-county service area
Talbot
Tattnall
Taliafero
Twiggs
Warren
Webster—part of Stewart-Webster two-county service area
Wheeler
White
Wilkinson

CRITICAL DENTAL SHORTAGE AREAS

Atkinson
Bacon
Baldwin
Banks
Berrien
Bleckley
Brantley
Brooks
Bryan
Burke
Butts
Calhoun
Camden
Candler
Catoosa
Charlton
Chattahoochee
Chattooga
Cherokee
Clinch
Columbia
Coweta
Coffey
Crawford
Cook
Dade
Decatur
Dodge
Douglas
Dooly
Early
Effingham
Emanuel
Evans
Fannen
Fayette
Forsyth
Franklin
Gilmer
Grady
Greene
Hancock
Harris
Hart
Heard
Irwin
Jackson
Jasper
Jeff Davis
Jefferson
Johnson
Jones
Lamar
Lanier
Lee
Liberty
Lincoln
Lumpkin
Long
Macon
Madison
McIntosh
Meriwer
Miller
Mitchell
Montgomery
Morgan
Murray
Oconee
Oglethorpe
Peach
Pickens
Pierce
Pike
Polk
Randolph
Screven
Seminole
Spaulding
Stephens
Stewart—part of Stewart-Webster two-county service area
Talbot
Taylor
Treutlen
Twiggs
Turner
Union
Walker
Warren
Washington
Wayne
Webster—part of Stewart-Webster two-county service area
Wheeler
White
Wilcox
Wilkinson
Worth

IDAHO

CRITICAL MEDICAL SHORTAGE AREAS

Bannock—Downey, McCammon, Lava Hotsprings C.C.D.'s
Boise—part of Boise-Valley medical service area
Owyhee Valley—Cascade, Stibnite C.C.D.'s—part of Boise-Valley medical service area

CRITICAL DENTAL SHORTAGE AREAS

None

ILLINOIS

CRITICAL MEDICAL SHORTAGE AREAS

Alexander
Edwards
Fulton—Union, Ellisville, Lee, Young Hickory townships—part of Avon medical service area
Hardin
Henderson
Knox—Chesnut, Indian Point townships—part of Avon medical service area
Johnson
Lake—Avon, Grant, Lake Villa, Freemont, Libertyville, Warren—Round Lake medical service area
McDonough—Prairie City township—part of Avon medical service area
Mercer
Pulaski
Warren—Green Bush, Berwick, Swan townships—part of Avon medical service area

CRITICAL DENTAL SHORTAGE AREAS

Alexander
Gallatin
Henderson
Mercer
Pulaski
Shelby
Wayne

INDIANA

CRITICAL MEDICAL SHORTAGE AREAS

Brown
Clinton
Crawford
Franklin
Jennings
Marion
Ohio
Owen
Pike
Posey
Rush
Shelby
Spencer
Switzerland
Union

CRITICAL DENTAL SHORTAGES AREAS

Crawford
Dearborn
Jackson—Brownstown, Carr, Driftwood, Grassy Fork, Hamilton, Owen, Pershing, Salt Creek and Washington townships
Ohio
Owen
Pike
Rush
Shelby
Starke
Union

IOWA

CRITICAL MEDICAL SHORTAGE AREAS

Adair
Butler
Grundy—Felix, Melrose, Shiloh, German townships—part of Eldora medical service area
Hardin—Etna, Clay, Concord, Grant, Eldora, Tipton, Sherman, Union, Providence townships—part of Eldora medical service area
Ida
Lyon
Marshall—Vienna, Liscomb, Bangor, Liberty townships—part of Eldora medical service area
Story—Lincoln and Warren townships—part of Eldora medical service area
Tama
Taylor
Wayne

IOWA—Continued

CRITICAL DENTAL SHORTAGE AREAS

Adams
Butler
Clarke
Fremont
Guthrie
Harrison
Louisa
Mills
Monona
Tama
Taylor
Warren

KANSAS

CRITICAL MEDICAL SHORTAGE AREAS

Atchison—Benton, Center, Kapioma townships—part of Valley Falls medical service area
Cherokee
Cheyenne
Clark—Englewood township—part of Beaver medical service area
Elk
Gray
Haskell
Jackson—Cedar, Douglas, Franklin, Garfield, Holton City, Liberty, Straight Creek, Whiting townships—part of Valley Falls medical service area
Jefferson—part of Valley Falls medical service area
Leavenworth—Alexandria township—part of Valley Falls medical service area
Lincoln
Linn
Meade—Cimarron, Ode, Sand Creek C.C.D.'s—part of Beaver medical service area
Miami—community of Louisburg
Nemaha
Phillips
Reno—Albion, Castleton, Center, Haven, Lincoln, Ninnescan, Summer, Troy, Yoder township—part of Haven medical service area
Rush
Segwick—Greely township—part of Haven medical service area
Seward—Fargo township—part of Beaver medical service area
Shawnee—Soldier township—part of Valley Falls medical service area
Wichita
Woodson

CRITICAL DENTAL SHORTAGE AREAS

Brown
Chase
Coffey
Comanche
Doniphan
Elk
Greeley
Geary
Haskell
Jefferson
Jewell
Lane
Lincoln—part of Lincoln dental service area
Linn
Meade
dental service area
Osage—Russell—Fairview Township
Osborne
Ottawa—Morton Township—part of Lincoln dental service area
Russell—Fairview Township—part of Lincoln dental service area
Mitchell—Custer Township—part of Lincoln
Stanton
Wabaunsee
Wallace
Woodson

KENTUCKY

CRITICAL MEDICAL SHORTAGE AREAS

Adair
Ballard
Bath
Bell—Pruden-Fork C.C.D.—part of Jellico medical service area
Breathitt
Bullitt
Butler
Carlisle
Carter
Crittenden
Cumberland

KENTUCKY—Continued

Edmonson
Elliott
Estill
Floyd—Wheelwright C.C.D.
Gallatin
Greenup
Hancock
Henry
Jackson
Jessamine
Knott—Emmalena C.C.D.
Laurel
Lee
Leslie
Letcher
Lewis
Lincoln
Logan—Adairville C.C.D.—part of Springfield medical service area
Lyon
McCreary
Magoffin
Martin
Menifee
Metcalf
Morgan
Ohio
Owen
Owsley
Pendleton
Perry—Dice-Dwarf C.C.D.
Pike—Long Fork, Dorton, and Robinson Creek C.C.D.'s
Pike—Millard, Phelps, and Fedscreek C.C.D.'s
Powell
Robertson
Rockcastle
Russell
Todd
Trigg
Trimble
Webster
Whitley—Pearl C.C.D.—part of Jellico medical service area
Wolfe

CRITICAL DENTAL SHORTAGE AREAS

Ballard
Bath
Bracken
Breathitt
Breckinridge
Bullitt
Butler
Carlisle
Carter
Casey
Clay
Edmonson
Elliott
Estill
Grant
Grayson
Greenup
Hancock
Hardin
Jackson
Jessamine
Johnson
Knott
LaRue
Laurel
Leslie
Letcher
Lewis
Lincoln
Livingston
Logan
Magoffin
Martin
McCreary
Meade
Morgan
Ohio
Oldham
Pendleton
Perry
Pike
Powell
Spencer
Todd
Trigg
Trimble
Webster
Wolfe

LOUISIANA

CRITICAL MEDICAL SHORTAGE AREAS

Assumption
Bienville
Bossier
DeSoto
Evangeline—town of Basile
Grant
Iberia—Division 4
Livingston
St. Bernard
St. Helena
St. John

LOUISIANA—Continued

St. Martin
Vermilion—town of Gueydan
Vermilion—Divisions 5, 9, 6
Webster
West Baton Rouge
West Feliciana
West Carroll

CRITICAL DENTAL SHORTAGE AREAS

Bienville
Bossier
Caldwell
Cameron
Catahoula
Claiborne
DeSoto
East Carroll
East Feliciana
Franklin
Grant
Jackson
Madison
Plaquemines
Pointe Coupee
Red River
Sabine
St. Helena
Tensas
Vernon
West Carroll
West Feliciana
Winn

MAINE

CRITICAL MEDICAL SHORTAGE AREAS

Aroostook—Island Falls medical service area
Knox—Vinalhaven Island, North Haven Island and Matinicus Island

CRITICAL DENTAL SHORTAGE AREAS

Washington

MARYLAND

CRITICAL MEDICAL SHORTAGE AREAS

Baltimore City—Census Tracts 802, 803.01, 803.02, 804 thru 808, 901 thru 909, 1001, 1204
Baltimore City—Census Tracts 2601.01, 2601.2—O'Donnell Heights medical service area
Caroline
Garrett
Somerset—Census Tracts 3, 4, 6, 8, 13

CRITICAL DENTAL SHORTAGE AREAS

None

MASSACHUSETTS

None

MICHIGAN

CRITICAL MEDICAL SHORTAGE AREAS

Alcona—Curtis, Mikado Townships
Alger—Burt township—part of Newberry medical service area
Baldwin
Cass—Dowagiac, Silver Creek, Wayne, Pokagon, Lagrange, Volinia, Marcellus, Newberg, Penn townships—part of Dowagiac medical service area
Chebougan—Forest, Koehler, Walker, Waverly townships—part of Onway medical service area
Chippewa—Hulert, Whitefish, Chippewa townships—part of Newberry medical service area
Clinton—part of Onway medical service area
Eaton—part of Onway medical service area
Iosco—Plainfield, Reno, Burleight, Grant, Sherman, Oscoda townships—part of Hale medical service area
Kalamazoo—Prairie Ronde township—part of Dowagiac medical service area
Luce—McMillan, Columbus, Lakefield, Pentland townships—part of Newberry medical service area
Mackinac——Garfield, Portage, Hudson, Hendricks, Newton townships—part of Newberry medical service area
Lake—part of Baldwin medical service area
Mackinac—Mackinac Island
Mason—Freesoil, Meade, Sherman, Sheridan, Custer, Branch, Eden, Logan Township—part of Baldwin medical service area
Manistee—Dickinson, Norman Townships—part of Baldwin medical service area
Montmorency—Avery, Briley, Hillman, Loud townships
Newaygo—Troy, Lilley, Home, Baron, Beaver, Merrill, Monroe, Norwich, Goodwell Wilcox, Lincoln, Denver, Sherman, Everett, Big Prairie Townships part of Baldwin medical service area
Ogemaw—Hill, Logan, Goodar, Richland townships—part of Hale medical service area
Oscoda—Mentor township—part of Hale medical service area
Presque Isle—Beringer, North Allis, Allis, Ocqueoc, Case, Onway City Roscommon
Schoolcraft—Seney, Germfask townships—part of Newberry medical service area
St. Joseph—Flowerfield, Fabius townships—part of Dowagiac medical service area
Van Buren—Keeler, Hamilton, Decatur, Porter townships—part of Dowaigiac medical service area
Wayne—Sumpter Township

CRITICAL DENTAL SHORTAGE AREAS

Missaukee
Montmorency—Avery, Bailey, Hillman, Loud townships
Ontonagon
Wayne—Sumpter Township

MINNESOTA

CRITICAL MEDICAL SHORTAGE AREAS

Aitkin—Idum, Seary, Lakeside Townships—part of Mille Lacs medical service area
Aitkin—Balsam, Ball Bluff, Cornish Townships and N.E. unorganized territory part of Floodwood medical service area
Carlton—Cromwell Village, Wright Village, Beseman, Lakeview townships and Unorganized Territory—part of Floodwood medical service area
Cass
Crow Wing—Bay Lake Garrison Townships—part of Mille Lacs medical service area
Dodge
Houston
Itasca—Goodland, Sago, Wawina townships—part of Floodwood medical service area
Kanabec—Ann Lake, Hillman, Haybrook Township
Koochinching—Big Falls, Littlefork, Mizpah, Nett River, Northome Townships, Unorganized Territories
Marshall
Mille Lacs—Eastside, Isle Harbor, Louis, Onamia South Harbor, Kathio Bradbury, Dailey, Mudgett Townships—part of Mille Lacs medical service area
Morrison—Richardson, Leigh, Mt. Morris Township—part of Mille Lacs medical service area
Pine
Roseau
Sibley
St. Louis—Floodwood Village, Alborn, Arrowhead, Culver, Elmer, Meadowlands, Meadowlands Village, Cedar Valley, Fine Lakes, Halden, Nes Payne, Prairie Lake, Toivola, Van Buren townships—part of Floodwood medical service area
Wright

CRITICAL DENTAL SHORTAGE AREAS

Aitkin—Balsam, Ball Bluff, Cornish townships, and N.E. Unorganized Territory—part of Floodwood dental service area
Carlton—Cromwell Village, Wright Village, Beseman, Lakeview C.C.D.'s and Unorganized Territory—part of Floodwood dental service area
Itasca—Goodland, Sago, Wawina townships—part of Floodwood dental service area
Marshall
St. Louis—Floodwood Village, Alborn, Arrowhead, Culver, Elmer, Meadowlands, Meadowlands Village, Cedar Valley, Fine Lakes, Payne, Prairie Lake, Toviola, Van Buren townships—part of Floodwood dental service area

MISSISSIPPI

CRITICAL MEDICAL SHORTAGE AREAS

Amite
Benton
Bolivar—Districts 1 and 2
Calhoun
Choctaw—District 2—part of Lumberton medical service area
Clarke—Shubuta medical service area
Clarke—part of Quitman medical service area
Clay—District 5—part of Lumberton medical service area
Covington—part of Seminary medical service area
De Soto—part of De Soto-Tate medical service area
Forrests—Districts 2, 5—part of Lumberton medical service area
Holmes
Humphreys—District 5—part of Sharkey-Issaquena medical service area
Issaquena—part of Sharkey-Issaquena medical service area
Itawamba
Jasper—Districts 2 and 5—part of Quitman medical service area
Jefferson Davis
Jones—Districts 2 and 5—part of Seminary medical service area
Kemper
Lamar—Districts 1, 2, 3 and 4—part of Lumberton medical service area
Lauderdale—Districts 4 and 5 not including Meridan City—part of Quitman medical service area
Lawrence—Districts 4 and 5—part of New Hebron medical service area
Leake—Division 5—part of Union medical service area
Marion—District 5—part of Lumberton medical service area
Marshall
Neshoba—Divisions 3 and 4—part of Union medical service area
Newton—Divisions 2 and 3—part of Union medical service area
Noxubee
Oktibbeha—District 3—Maben medical service area
Pearl River—District 2—part of Lumberton medical service area
Pontotoc
Rankin
Scott—Division 5—part of Union medical service area
Sharkey—part of Sharkey-Issaquena medical service area
Simpson—Districts 3 and 4—part of New Hebron medical service area
Smith
Stone—District 2—part of Lumberton medical service area
Tallahatchie
Tate—part of De Soto-Tate medical service area
Tippah—Walnut medical service area
Tunica
Warren—District 1—part of Sharkey-Issaquena medical service area
Wayne—Districts 3 and 4—part of Quitman medical service area
Washington—Districts 1 and 5—part of Sharkey-Issaquena medical service area
Webster—District 4—part of Quitman medical service area
Yazoo—District 5—part of Sharkey-Issaquena medical service area

### Mississippi

#### CRITICAL DENTAL SHORTAGE AREAS

Amite
Calhoun
Carroll
Claiborne
Clarke
Covington
De Soto
Greene
Holmes
Humphreys
Itawamba
Jasper
Kemper
Lamar
Lawrence
Leake
Madison
Marshall
Monroe
Montgomery
Neshoba
Newton
Noxubee
Perry
Pontotoc
Quitman
Ranklin
Sharkey
Smith
Stone
Tallahatchie
Tippah
Tunica
Walthall
Webster
Yalobusha

### Missouri

#### CRITICAL MEDICAL SHORTAGE AREAS

Carter
Clarke
Dallas
Harrison
Hickory
Jackson—Census Tracts 113, 114.01, 114.02, 115, 149, 150, 151
Knox
McDonald
Mercer
New Madrid
Ozark
Platte
Shannon

#### CRITICAL DENTAL SHORTAGE AREAS

Bollinger
Caldwell
Carter
Charlton
Clark
Dallas
Hickory
Holt
Knox
Maries
McDonald
Mercer
Mississippi
Moniteau
Ozark
Pemiscot
Platte
Reynolds
Scotland
Shannon
Stoddard
Stone
Sullivan

### Montana

#### CRITICAL MEDICAL SHORTAGE AREAS

Big Horn
Blaine
Chouteau—Fort Benton medical service area
Daniels—Scobey medical service area
Fallon
Gallatin—West Yellowstone C.C.D. south of Lookout Point
Garfield
Golden Valley—part of Wheatland/Golden Valley 2 county area
Hill—Gildford, Rudyard C.C.D.'s—part of Chester medical service area
Liberty—part of Chester medical service area
Mineral—Superior medical service area
Musselshell
Phillips
Prairie—Terry medical service area
Roosevelt—Poplar Division
Rosebud—part of Rosebud-Treasure medical service area
Toole—South Toole C.C.D.—part of Chester medical service area
Treasure—part of Rosebud-Treasure medical service area
Wheatland—part of Wheatland/Golden Valley 2 county area

#### CRITICAL DENTAL SHORTAGE AREAS

Big Horn
Daniels
Fallon
Garfield
Phillips
Roosevelt
Rosebud—part of Rosebud-Treasure dental service area
Treasure—part of Rosebud-Treasure dental service area

### Nebraska

#### CRITICAL MEDICAL SHORTAGE AREAS

Antelope—town of Elgin—part of Albion medical service area
Arthur
Banner
Blaine
Boone—part of Albion medical service area
Clay
Cherry—Gillespie, Kennedy, Cleveland, Lackey, Wells, Loup, Goose Creek, Elsmere, Pleasant Hill, Calf Creek, Mor Lake precincts—part of Mullen medical service area
Custer—Hayes, Arnold, Cliff, Triumph, Elim, Delight, Wayne townships—part of Arnold medical service area
Fillmore
Frontier
Gosper
Grant—part of Mullen medical service area
Greeley—part of Albion medical service area
Hayes—part of Hayes-Hitchcock medical service area
Hooker—part of Mullen medical service area
Keith—Paxton C.C.D.—part of Surland medical service area
Keya Paha—part of Bassett medical service area
Lincoln—Wittier, Garfield, Harrison, Table, Cox, Antelope precincts—part of Arnold medical service area
Lincoln—Springdale, Birdwood, Rosedale, North Rosedale, Hershey, Fairview, Nowell, Wallace, Hooker, Dickens, Willow precincts—part of Surland medical service area
Logan—Gandy, Logan C.C.D.'s—part of Arnold medical service area
Logan—Dort, Stapleton, Cody Lake, Lone Valley, Burt precincts
Loup—part of Bassett medical service area
Madison—town of Newman Grove—part of Albion medical service area
McPherson
Nance—town of Belgrade—part of Albion medical service area
Perkins—Woodson, Yankee, Marvin precincts—part of Surland medical service area
Platte—town of Lindsay—part of Albion medical service area
Rock—part of Bassett medical service area
Sheridan—Rushville medical service area
Sherman
Sioux
Thomas—part of Mullen medical service area
Wheeler

#### CRITICAL DENTAL SHORTAGE AREAS

Arthur
Banner
Brown—Long Pine City—part of Bassett dental service area
Boyd—Basin township—part of Bassett dental service area
Blaine
Clay
Grant
Hayes—part of Stratton dental service area
Hitchcock—part of Stratton dental service area
Holt—Cleveland, Stuart, Green Valley, Holt Creek townships—part of Bassett dental service area
Keya Paha—part of Bassett dental service area
Logan
Loup—part of Bassett dental service area
McPherson
Rock—part of Bassett dental service area
Sioux
Thomas
Thurston
Wheeler

### Nevada

#### CRITICAL MEDICAL SHORTAGE AREAS

Elko—Wells township
Humbolt—Norrn Section
Lincoln—Alamo, Pioche townships

#### CRITICAL DENTAL SHORTAGE AREAS

Esmeralda—part of Esmeralda-Mineral medical service area
Eureka
Lander
Lincoln
Mineral—part of Esmeralda-Mineral medical service area
Nye
Pershing

### New Hampshire

#### CRITICAL MEDICAL SHORTAGE AREAS

Coos—Gorham medical service area
Grafton—Canaan, Dorchester, Enfield, Grafton, Orange towns

#### CRITICAL DENTAL SHORTAGE AREAS

Grafton—Canaan, Dorchester, Enfield, Grafton, Orange

### New Jersey

None

### New Mexico

#### CRITICAL MEDICAL SHORTAGE AREAS

Donna Ana—Hatch, Fair Acres, Donna Anna-Hill C.C.D.'s
Guadalupe
Harding
Hidalgo
Lincoln—Carrizozo, Capitan, Corona, C.C.D.'s part of Carrizozo medical service area
Mora
Rio Arriba
Roosevelt
Sandoval
San Miguel
Socorro—Clauch C.C.D.—part of Carrizozo medical service area
Taos
Torrance

#### CRITICAL DENTAL SHORTAGE AREAS

Catron
De Baca
Donna Ana—Hatch, Fair Acres, Donna Anna-Hill C.C.D.'s
Grant
Guadalupe
Harding
Hidalgo
Mora
Quay
Rio Arriba
Sandoval
San Miguel
Sierra
Socorro
Taos
Torrance
Valencia

### New York

#### CRITICAL MEDICAL SHORTAGE AREAS

Allegheny—Centerville, Rushford towns—part of Arcade medical service area
Allegheny—Genessee town—part of Shinglehouse medical service area
Cattaraugus—Farmersville, Freedom, Machias, Yorkshire towns—part of Arcade medical service area
Cayuga—Sempronius, Summer Hill, Moravia, Locke, Venia, Genoa, Ledyard, Springport, Scipio, Niles towns
Chenango—Smyrne and Sherborrne towns—part of Hamilton medical service area
Franklin—Almost Township—part of Tupper Lake medical service area
Genessee—Bergen, Byron Towns—part of Bergen medical service area
Greene—Ashland, Halcott, Hunter, Jewett, Lexington, Prattsville, Windham towns
Hamilton—Long Lake Town—part of Tupper Lake medical service area
Herkimer—Census Tracts 101, 102.01, 102.02, Town of Bridgeport

NEW YORK—Continued

Herkimer—Census Tract 115
Laurence—Piercefield Town—part of Tupper Lake medical service area
Madison—Madison, Eaton, Lebanon, Hamilton towns—part of Hamilton merical service area
Monroe—Riga Town—part of Bergen medical service area
Oneida—Census Tracts 241, 242, 243.02, 243.-03, 244
Orleans—Carlton, Gaines, Albion, Barry, Clerendon, Murray, Kendall towns
Steuben—Avoca, Cohoctown, Dansville, Freemont, Prattsburg, Pulteney, Wayland, Wheeler Towns
Wayne—Census Tracts 201, 202, 204, 205, 208, 209, 215, 216
Wyoming—Arcade, Eagle, Java, Orangeville, Sheldon, Wersfield towns—part of Arcade medical service area

CRITICAL DENTAL SHORTAGE AREAS

Cattaraugus—Dayton, Persia, Otto, E. Otto, Mansfield, Leon, New Albion, Conewango, Napoli, Little Valley towns
Wayne—Census Tracts 201, 202, 204, 205, 208, 209, 215, 216

NORTH CAROLINA

CRITICAL MEDICAL SHORTAGE AREAS

Alexander
Alleghany
Anson
Bertie
Beaufort—Richland township, and District 30 of Chocowinity township
Bladen
Camden
Caswell
Clay
Dare
Duplin—Smith and Limestone townships
Gates
Graham
Granville
Greene
Hertford
Hoke
Hyde
Jones
Madison—Laurel, Walnut, Hot Spring, Spring Creek Townships
Northampton
Pamlico
Pasquotank
Pender
Perquimans
Person
Randolph
Robeson—Pembroke Township
Robeson—Red Springs Township
Robeson—St. Paul's Township
Rockingham—Madison, Huntsville, New Bel, Mayo, and Price townships—part of Madison medical service area
Rowan—Cleveland, Mt. Villa, Scotch-Irish, Steele, Unity townships—part of Madison medical service area
Stokes—Beaver Island, Snow Creek, Sauratown townships—part of Madison medical service area
Tichmond
Tyrrell
Union
Warren
Washington
Wilkes
Yadkin

NORTH CAROLINA—Continued

CRITICAL DENTAL SHORTAGE AREAS

Alleghany
Anson
Ashe
Beaufort—Richland township, and District 30 of Chocowinity township
Bertie
Bladen
Brunswick
Camden
Caswell
Clay
Columbus
Currituck
Duplin
Edgecombe
Franklin
Gates
Graham
Greene
Halifax
Harnett
Hoke
Hyde
Jones
Lincoln
Madison
Martin
Northampton
Pamlico
Pender
Perquimans
Robeson
Rowan—western portion
Rutherford
Sampson
Scotland
Stanly
Stokes
Swain
Tyrrell
Union
Warren
Washington
Wilkes
Yancey

NORTH DAKOTA

CRITICAL MEDICAL SHORTAGE AREAS

Billings
Burke
Cavalier
Dunn
Golden Valley
Grant
Griggs
Hettinger
Kidder
Lamoure
Logan
McKenzie
Oliver
Pembina
Sargent
Sheridan
Slope
Steele
Ward—Kenmare medical service area

CRITICAL DENTAL SHORTAGE AREAS

Billings
Burke—Bow Bells C.C.D.—part of Burke-Ward dental service area
Eddy
Emmons
Golden Valley
Grant
Griggs—part of Griggs/Steele 2 county area
Hettinger
Logan
McHenry
McIntosh
McKenzie
Nelson
Oliver
Rolette
Sargent
Sioux
Slope
Steele—part of Griggs/Steele 2 country area
Ward—Des Lacs Valley C.C.D.—part of Burke-Ward dental service area

OHIO

CRITICAL MEDICAL SHORTAGE AREAS

Brown
Carroll
Clermont
Gallia—Racoon, Greenfield, Huntington townships—part of Oak Hill medical service area
Jackson—Jefferson, Madison, Hamilton, Franklin, Bloomfield, Scioto townships—part of Oak Hill medical service area
Lawrence—Washington township—part of Oak Hill medical service area

OHIO—Continued

Mahoning—Smith township
Medina—Liverpool, Brunswick, Hills, Hinkley, Lichfield, York, Medina, Granger, Sharon, Montville, Chatham, Spencer, Lafayette townships
Meigs
Perry
Pike
Putnam
Scioto—Bloom township—part of Oak Hill medical service area
Vinton
Warren

CRITICAL DENTAL SHORTAGE AREAS

Adams
Brown
Clermont
Harrison
Mahoning—Smith township
Monroe
Noble
Perry
Pike
Vinton
Warren

OKLAHOMA

CRITICAL MEDICAL SHORTAGE AREAS

Adair
Alfalfa
Beaver—Beaver medical service area
Choctaw
Cimarron
Coal
Delaware
Dewey
Harper
Jefferson — Ringling medical service area
Johnston
LeFlore
McClain
McCurtain
McIntosh
Murray
Noble
Okmulgee
Osage
Roger Mills
Woods

CRITICAL DENTAL SHORTAGE AREAS

Adair
Atoka
Beaver
Coal
Creek
Delaware
Dewey
Haskell
Johnston
LeFlore
Love
McCurtain
McIntosh
Nowata
Osage
Wagoner
Sequoyah

OREGON

CRITICAL MEDICAL SHORTAGE AREAS

Baker—Halfway, Eagle Valley C.C.D.'s
Benton—Blodgett, Alsea, Philomath C.C.D.'s—part of Benton medical service area
Clackawas—Census Tracts 235, 236, 242, 243
Coos—Powers Census County Division
Curry—Port Oxford-Gold Beach, Agness C.C.D.'s
Gilliam
Jackson—Prospect, Shady Cove, Butte Falls C.C.D.'s
Josephine—Cave Junction Census County Division
Lane—Oakridge C.C.D.
Lincoln—Eddyville Division—part of Benton medical service area
Morrow
Union—Elgin C.C.D. and Town of Imbler, part of Elgin medical service area
Wallowa—Town of Minam—part of Elgin medical service area
Wheeler

CRITICAL DENTAL SHORTAGE AREAS

Curry—Port Oxford, Gold Beach, Agness C.C.D.'s
Klamath

PENNSYLVANIA

CRITICAL MEDICAL SHORTAGE AREAS

Armstrong—Sugarcreek, Washington, Madison, Pine, Brady's Bend, Perry townships—part of Clarion-Armstrong medical service area
Butler—Venango, Allegheny, Washington, Parker, Concord, Fairview, Oakland, Donegal townships; Cherry Valley, Eau Claire, Bruin, Fairview, Petrolia, Karn City, Chicora Boroughs
Cambria—Norrn portion
Cameron—part of Austin-Emporium medical service area
Carbon—East Side, Kidder, Penn Forest, Lausanne, Lehigh townships—part of Kidder medical service area
Centre—Potter, Penn, Gregg, Miles, Haines townships—part of Penns Valley medical service area
Centre—Snow Shoe, Bunside, Boggs, Union, townships—part of Snow Shoe medical service area
Chester—Census Tracts 3061–3072 and 3077–3082
Chester—Census Tracts 4048, 4049.01, 4049.02, 4050 through 5057, 4058.01 4058.02, 4059, 4060
Clarion—Farmington, Washington, Knox Townships—part of Forest medical service area
Clarion—Richland, Perry, Licking, Toby, Madison townships
Clarion—Madison, Brady, East Brady Townships—part of Clarion-Armstrong medical service area
Clinton—East Keating, West Keating, Leidy, Chapman, Noyes, Gallagher, Colebrook, Grugan townships
Columbia—Pine, Madison, Greenwood, Jackson, Benton, Sugarloaf, Fishing Creek townships—part of N. Columbia-W. Lycoming medical service area
Delaware—City of Chester—census tracts 4048 through 4060
Franklin—Fannett, Metal townships
Forest—part of Forest medical service area
Huntington
Indiana—North Mahoning, East Mahoning, South Mahoning, West Mahoning, Canoe, Banks, Grant, Montgomery, Washington, Rayne, Greene, Pine townships, Glen Campbell, Smicksburg, Cherry Tree, Marion Center, Plumville, Creekside, Clymer Boroughs
Juniata—Greenwood, Susquehanna, Monroe townships—part of W. Snyder-E. Juniata medical service area
Juniata—Lack, Tuscarora, Beale, Spruce Hill townships—part of Shinglehouse medical service area
Lackawanna—Lehigh, Clifton townships—part of Kidder medical service area
Lackawanna—Covington, Spring Brook, Roaring Brook, Madison, Jefferson Townships—part of Wayne medical service area
Lancaster—Salisbury, Caernarvon, Earl townships, East Earl townships
Luzerne—White Haven, Buck, Dennison, Foster townships—part of Kidder medical service area
Lycoming—Shrewsbury, Penn, Moreland, Franklin, Jordan townships—part of N. Columbia-W. Lycoming medical service area
Lycoming—Watson, Cummings, McHenry, Brown, Pine, Jackson, Cogan House, Lewis, McIntyre, McNatt, Cascade, Gamble, Plunkett Creek townships
McKean—Ceres, Eldred townships—part of Shinglehouse medical service area
Mifflin—Wayne, Oliver, Bratton, Menno townships of Shinglehouse medical service area
Monroe—Coolbaugh, Tobyhanna, Tunkhannock townships—part of Kidder medical service area
Perry—Sallsbury, Caernarvon, Earl, East Earl townships
Pike
Potter—Austin, Keating, Portage, Sylvania, Wharton Townships—part of Austin-Emporium medical service area
Potter—Galatin borough, Pike, Ulysses, West Branch, Abbott, Stewardson townships
Potter—Shinglehouse borough, Sharon, Oswayo borough, Osway, Genessee, Pleasant Valley, Clara townships—part of Shinglehouse medical service area
Snyder—West Perry, Perry, Franklin, Centre, Adams, Spring, Beaver, West Beaver townships—part of W. Snyder-E. Juniata medical service area
Susquehanna—East of U.S. Interstate 81
Sullivan—Forks, Elkland, Hillsgrove, Fox townships
Tioga—Galeton borough, Pike, Ulysses, West Branch, Abbott, Stewardson, Gains, Brookfield, Westfield townships
Washington—Hanover, Robinson, Smith, Mt. Pleasant, Jefferson, Cross Creek, Independence, Hopewell townships, Burgettstown, Midway, McDonald, West Middletown boroughs
Wayne—part of Wayne medical service area

CRITICAL DENTAL SHORTAGE AREAS

Armstrong—Perry, Brady's Bend, Sugarcreek, Washington, Madison, Pine
Carbon—East Side, Kidder, Penn Forest, Lausanne, Lehigh M.C.D.'s—part of Kidder dental service area
Centre—Potter, Penn, Gregg, Miles, Haines C.C.D.'s—part of Penns Valley dental service area
Centre—Snow Shoe, Bunside, Boggs, Union, C.C.D.'s—part of Snow Shoe dental service area
Chester—Census Tracts 3061 thru 3072, and 3077 thru 3082
Chester—Census Tracts 4048, 4049.01, 4049.02, 4050–4057, 4058.01, 4058.02, 4059, 4060
Clarion—Madison, Brady, East Brady, M.C.D's
Clinton—East Keating, West Keating, Leidy, Chapman, Noyes, Gallagher, Colebrook, Grugan C.C.D.'s
Columbia—Pine, Madison, Greenwood, Jackson, Benton, Sugarloaf, Fishing Creek C.C.D.'s—part of N. Columbia—W. Lycoming dental service area
Franklin—Fannett, Metal C.C.D.'s
Huntingdon
Indiana—North Mahoning, East Mahoning, South Mahoning, West Mahoning, Canoe, Banks, Grant, Montgomery, Washington, Rayne, Greene, Pine townships, Glen Campbell, Smicksburg, Cherry Tree, Marion Center, Plumville, Creekside, Clymer borough
Juaniata—Greenwood, Susquehanna, Monroe—part of W. Snyder—E. Juniata dental service area
Juniata—Milford, Fermanagh, Fayette, Delware, Walker, Turbett C.C.D.'s
Juniata—Wayne, Oliver, Bratton, Menno, C.C.D.'s—part of Shinglehouse dental service area
Lycoming—Shrewsbudy, Penn, Moreland, Franklin, Jordan C.C.D.'s—part of N. Columbia—W. Lycoming medical service area
Lycoming—Watson, Cummings, McHenry, Brown, Pine, Jackson, Cogan House
Mifflin—Lack, Tuscarora, Beale, Spruce Hill C.C.D.'s—part of Shinglehouse dental service area
Perry
Snyder—West Perry, Perry, Franklin, Centre, Adams, Spring, Beaver, West Beaver C.C.D.'s—part of W. Snyder—E. Juniata dental service area
Sullivan
Tioga—Putland, Tioga, Jackson, Lawrence, Middleburry, Farmington, Nelson, Osceola, Deerfield, Chatham, Cylmer, Westfield, Brookfield, Elkland M.C.D.'s

SOUTH CAROLINA

CRITICAL MEDICAL SHORTAGE AREAS

Abbeville—Antreville-Loundesville Division—part of Iva medical service area
Abbeville—Calhoun Falls Division
Anderson—Iva & Starr Divisions—part of Iva medical service area
Allendale
Berkeley—Cross division—part of Orangeburg medical service area
Beaufort—St. Helena division
Calhoun
Clarendon
Charleston—Census Tracts 46 and 50
Cherokee
Chester
Dorchester—Harleyville division—Part of Orangeburg medical service area
Fairfield
Jasper
Lancaster
Laurens
Lee
Lexington—Batesburg-Leesville and Gilbert divisions
McCormick
Orangeburg—Bowman, Holly Hill, Euauville, Vance—part of Orangeburg medical service area
Saluda
Union

CRITICAL DENTAL SHORTAGE AREAS

Abbeville—Antreville-Lowndesville division—Part of Iva dental service area
Anderson—Iva and Star divisions—part of Iva dental service area

Allendale
Beaufort
Berkeley
Calhoun
Cherokee
Chesterfield
Clarendon
Colleton
Dillon
Edgefield
Fairfield
Jasper
Lancaster
Laurens
Lee
McCormick
Marion
Marlboro
Saluda
Union
Williamsburg

SOUTH DAKOTA

CRITICAL MEDICAL SHORTAGE AREAS

Aurora
Bennett
Buffalo—part of Buffalo-Jerauld medical service area
Campbell
Clark
Corson
Custer
Deuel
Dewey
Douglas
Edmunds
Faulk
Haakon—part of Phillip medical service area
Hamlin
Hanson
Harding
Jackson—Unorganized territory of northwest Jackson, East Jackson, Brady; Grandview, Jewett, Cottonwood Town, Indian Creek, Big Buffalo, Little Buffalo, Kadoka City, Kadoka Township, Belvidere Township, Belvidere Town—part of Phillip medical service area
Jerauld—part of Buffalo-Jerauld medical service area
Jones
McPherson
Meade
Mellette
Miner
Moody

SOUTH DAKOTA—Continued

Pennington—Unorganized territory of Norast; Dalzell Canyon; Badlands, Flat Button, Cheyenne, Rainy Creek, Sunnyside, Ash, Shyne, Crooked Creek, Castle Butte, Cedar Butte, Huron, Pens, Owanka, Wasta, Lake Hat, Lake Hill, Lake Creek, Conata, Wall, Quinn, Inlay townships—part of Phillip medical service area
Roberts
Sanborn
Shannan
Stanley
Sully
Todd
Union
Washabaugh
Ziebach

CRITICAL DENTAL SHORTAGE AREAS

| | |
|---|---|
| Aurora | Custer |
| Buffalo | Deuel |
| Campbell | Dewey |
| Charles Mix | Douglas |
| Clark | Edmunds |
| Corson | Faulk |

Grant—Bigstone City, Bigstone Township—part of Clinton dental service area

| | |
|---|---|
| Gregory | Moody |
| Haakon | Roberts |
| Hamlin | Sanborn |
| Hand | Shannon |
| Harding | Spink |
| Jones | Sully |
| Lyman | Todd |
| McCook | Union |
| Marshall | Washabaugh |
| Mellette | Ziebach |

TENNESSEE

CRITICAL MEDICAL SHORTAGE AREAS

Campbell—Caryville, Clinchmore, Jacksboro C.C.D.'s
Campbell—Habersham C.C.D.—part of Jellico medical service area
Carroll
Carter—Roan Mountain C.C.D.
Cheatham—part of Springfield medical service area
Claiborne—Clairfield C.C.D.—part of Jellico medical service area
Cocke
Crockett
Cumberland—Crab Orchard C.C.D.
Decatur
Fayette
Fentress—Jamestown medical service area
Franklin—Sherwood, Sewanee C.C.D.'s—part of Franklin medical service area
Giles
Grainger
Grundy—Monteagle, Tracy City, Pelham C.C.D.'s—part of Franklin medical service area
Hancock
Hardeman
Hardin—Saltillo C.C.D.—part of Saltillo medical service area
Hawkins
Haywood
Henderson—Sardis C.C.D.—part of Saltillo medical service area
Hickman
Jackson
Johnson
Lauderdale
Loudon
Macon
Marion—Monteagle-South Pittsburg C.C.D.—part of Franklin medical service area
McNairy
Meigs
Moore
Morgan
Perry
Putnam—Monterey medical service area
Rhea
Roane
Robertson—part of Springfield medical service area
Scott
Stewart
Sumner—White House C.C.D.—part of Springfield medical service area
Trousdale
Union
Wayne
White
Williamson
Wilson

CRITICAL DENTAL SHORTAGE AREAS

| | |
|---|---|
| Bledsoe | Hickman |
| Campbell | Jackson |
| Carroll | Lake |
| Carter | Macon |
| Cheatham | Meigs |
| Claiborne | Morgan |
| Clay | Overton |
| Cocke | Perry |
| Crockett | Pickett |
| Cumberland | Robertson |
| Decatur | Scott |
| DeKalb | Smith |
| Fayette | Stewart |
| Giles | Trousdale |
| Grainger | Unicoi |
| Grundy | Union |
| Hancock | Van Buren |
| Hardeman | Wayne |
| Hawkins | White |

TEXAS

CRITICAL MEDICAL SHORTAGE AREAS

Armstrong—Claude medical service area
Atascosa
Bailey—Mileshoe C.C.D.—part of Farwell medical service area
Bandera
Borden
Briscoe
Cameron—Harlingen/Raymondsville medical service area
Carson
Crosby
Dickens
Floyd
Freestone
Frio
Gaines
Garza
Gonzales
Hidalgo—Elsa-Edcouch-La Villa medical service area
Hill
Hudspeth
Jim Hogg
Karnes
Kent
King
Kinney
Leon
Limestone
Lipscomb—Booker, Follet C.C.D.'s—part of Beaver medical service area
Maverick
Motley
Navarro
Newton
Oldham
Farmer—part of Farwell medical service area
Rains
Randall
Roberts
Robertson
San Jacinto
Shelby
Sherman
Starr
Stonewall
Terrell
Waller
Ward
Willacy—Harlingen/Raymondsville medical service area
Yoakum
Zapata
Zavala

CRITICAL DENTAL SHORTAGE AREAS

Armstrong
Atascosa
Bailey—Muleshoe C.C.D.
Bandera
Borden
Briscoe
Callahan
Carson
Castro
Coleman
Fisher
Frio
Hall
Hansford
Hidalgo
Hudspeth
Jim Hogg
Kent
Knox
Maverick—Eagle Pass dental service area
Motley
Newton
Oldham
Parmer
Rains
Randall
Roberts
Shelby
Sherman
Somervell
Starr
Stonewall
Throckmorton
Trinity
Willacy
Zavala

UTAH

CRITICAL MEDICAL SHORTAGE AREAS

Daggett
Emery
Garfield—part of Garfield-Piute two-county service area
Millard
Piute—part of Garfield-Piute two-county service area

| | |
|---|---|
| Rich | Unitah |
| San Juan | Wayne |
| Tooele | |

CRITICAL DENTAL SHORTAGE AREAS

None

VERMONT

CRITICAL MEDICAL SHORTAGE AREAS

Addison—Hancock Division—part of Route 100 medical service area
Caledonia—Hardwick medical service area
Essex—Island Pond medical service area
Rutland—Mt. Holly Division—part of Black River Valley medical service area
Rutland—Granville Division—part of Route 100 medical service area
Windsor—Cavendish, Ludlow, Reading and Wearsfield towns—part of Black River Valley medical service area
Windsor—Rochester, Pittsfield, Stockbridge Division—part of Route 100 medical service area
Windham—Brookline, Jamaica, Newfane, Stratton, Townshed, Wardsboro, Windham towns—West River Valley medical service area

VERMONT—Continued

CRITICAL DENTAL SHORTAGE AREAS

Addison—Addison, Bridport, Bristol, Ferrisberg, Lincoln, Monkton, New Haven, Orwell, Panton, Shoreham, Waltman, Starksboro Township
Essex
Grand Isle
North Addison—Addison, Bridport, Bristol town, Bristol village, Ferrisburg, Lincoln, Monkton, New Haven, Orwell, Panton, Shoreham, Waltham, and Starksboro towns

VIRGINIA

CRITICAL MEDICAL SHORTAGE AREAS

Accomack
Amelia
Amherst
Augusta—Craigsville medical service area
Bedford—Peaks, Center, and Lakes M.C.D.'s, Bedford City
Bland—Sharon M.C.D.—part of Saltville medical service area
Botetourt—Fincastle/Amsterdam medical service area
Buchanan
Buckingham—part of Tri-County medical service area
Campbell
Charles City
Charlotte—Drake's Branch medical service area
Chesapeake City
Craig
Cumberland—part of Tri-County medical service area
Dickenson
Floyd
Fluvanna—part of Tri-County medical service area
Grayson—Elk Creek M.C.D.—Independence medical service area
Grayson—Wilson Creek—Troutdale medical service area
Isle of Wright
Lee
Louisa
Madison
Nansemond
Pittsylvania—Pigg River, Chatham, Station River, Callando, and Banister M.C.D.'s
Page
Russell
Smyth—Saltville, Dry Fork M.C.D.'s—part of Saltville medical service area
Southhampton—Berlin-Ivor medical service area
Southhampton—Capron, Drewryville, Newsons M.C.D.'s
Surry
Tazewell
Virginia Beach—boroughs of Pungo and Blackwater
Washington—Jefferson M.C.D.—part of Saltville medical service area
Warren

CRITICAL DENTAL SHORTAGE AREAS

Amherst
Bedford
Buchanan
Buckingham
Campbell
Chesapeake City
Craig
Cumberland
Floyd
Fluvanna
Franklin—part of Franklin-Patrick dental service area
Grayson
Nansemond
Patrick—part of Franklin-Patrick dental service area
Southhampton

WASHINGTON

CRITICAL MEDICAL SHORTAGE AREAS

Adams—Ritzville medical service area
Clallam—Forks medical service area
Ferry
Grant—Grand Coulee medical service area
Grays Harbor—Districts 7, 8, 9, and 10
Kittias—Districts 2, 3, 4, 5, and 6
Okanogan—Districts 4, 5, 6, 7, and 9
Pacific (north)—Raymond/South Bend medical service area—Districts 1, 2, 3, 4, and Raymond Division
Pacific (south)—Districts 5, 6 and 7; part of Ilwaco M.S.A.
Skamania
Snohomish—Darrington medical service area
Spokane—Deer Park, Colbert, Mt. Spokane Divisions—part of Deer Park medical service area
Stevens—District 7—part of Deer Park medical service area
Stevens—Districts 4 and 6
Wahkiakum—District 3—part of Ilwaco medical service area

CRITICAL DENTAL SHORTAGE AREAS

Ferry
Kittitas—Districts 2, 3, 4, 5 and 6
Mason—Union dental service area
Okanogan—Twisp dental service area

WEST VIRGINIA

CRITICAL MEDICAL SHORTAGE AREAS

Boone
Cabell—excluding Huntington urban area
Calhoun
Clay
Doddridge
Fayette—excluding Kanawha district
Gilmer
Grant—Union District
Hampshire—Blommery, Cacapon, Gore and Sherman districts
Hardy
Kanawha—Big Sandy, Cabin Creek, Elk, Malden, Poca, Union and Washington Districts St. Albans City, Marment Town, and Chesapeake Town
Lewis
Lincoln
Logan—excluding Logan-Man medical service area
Marshall—Cameron District
Mason—Arbuckle, Clendenin, Cologne, Copper, Grahm, Hannan, Robinson, Union, Waggener districts
Mercer—excluding Bluefield/Princeton area
McDowell—Big Creek, Sandy River Districts—War medical service area
Mineral—Frankfort and Cabin Run M.C.D.'s
Mingo—excluding Williamson district
Monongalia—Blacksville medical service area
Monroe
Nicholas—Grant, Hamilton, Jefferson, Summerville, and wilderness districts
Pendelton
Pleasants—Grant, Jefferson, Lafayette, McKim, and Union districts
Pocahontas
Preston
Putnam
Randolph—Middlefork district—part of Middle Fork-Hacker Valley medical service area
Ritchie
Summers
Taylor
Tucker
Tyler—Centreville, Ellsworth, McElroy, Meade and Union districts
Upshur—Banks, Meade, Washington districts
Wayne
Webster—Hacker Valley district—part of Middle Fork-Hacker Valley medical service area
Wirt
Wyoming

WEST VIRGINIA—Continued

CRITICAL DENTAL SHORTAGE AREAS

Barbour
Boone
Calhoun
Clay
Doddridge
Fayette—excluding Kanawha District
Gilmer
Grant—Union District
Greenbrier—Meadow Bluff district
Hampshire—Gore, Sherman, Bloomery, Cacapon, districts
Kanawha—Big Sandy, Cabin Creek, Elk, Malden, Poca, Union and Washington Districts, St. Albans City, Marmet Town, and Chesapeake Town
Lincoln
Logan
McDowell
Mercer—excluding Bluefield-Princeton area
Mineral—Frankfort, Cabin Run, districts
Mingo—excluding Williamson district
Monongalia—Blacksville dental service area
Monroe
Nicholas—part of Nicholas-Wabster dental service area
Pleasants—Grant, Jefferson, Layfayette, McKim, and Union districts
Preston
Putnam
Ritchie
Summers
Taylor
Tucker
Tyler—Centerville, Ellsworth, McElroy, Meade and Union districts
Wayne
Webster—part of Nicholas-Webster dental service area
Wyoming

WISCONSIN

CRITICAL MEDICAL SHORTAGE AREAS

Ashland—Ashland, Gordon, Jacobs, Maengo, Mellen City, Morse, Peeksville, Shanagoldin M.C.D.'s—part of Mellen-Ashland medical service area
Bayfield
Buffalo—Nelson, Maxville, Canton, Modena—part of Hillsboro medical service area
Buffalo—Alma, Belvidere, Buffalo, Lincoln, Waumadee, Milton Cross, Cochrane—part of Buffalo-Vernon medical service area
Clark
Crawford—Mt. Sterling, Utica, Clayton, Soldiers Grove, Gays Mills, Bell Center, Haney, Scott M.C.D.'s—part of Kickapoo River Valley medical service area
Florence
Forest
Grant—Castle Roo Town, Montfort Village (part), Muscoda Village, Muscoda Town and Wingville Highland, Pulask Towns—part of Highland medical service area
Iowa—Clyde, Eden Town, Highland Town, Highland Village, Pulaski Town, Avoca Village, Cobb Village, Montfort Village (part)—part of Highland medical service area
Iron—Gurney, Kimball, Oma, Pence, Saxon, Carey townships, Hurley, Montreal Cities
Iron—Anderson, Knight, Mercer, Sherman M.C.D.'s—part of Mellen-Ashland medical service area
Juneau—Wonewoc Town, Wonewoc City—part of Hillsboro medical service area
Lafayette
Lincoln—Corning Town—part of Ans medical service area
Manitowoc—Morrison, Cooperstown, Cato, Rockland, Franklin, Maple Grove, Reedsville M.C.D.'s
Marathon—Ans Village, Bern Frankfort, Halsey, Hamburg, Holton, Johnson, Rib Falls, Rietbrock Town—part of Athens medical service area

WISCONSIN—Continued

Menominee
Monroe—Cashton, Jefferson, Sheldon, Wellington, Glendale, Kendall M.C.D.'s—part of Hillsboro medical service area
Price—Central and Sourn portions
Richland—Henrietta, Yuba, Westford, Cazenovia (part) M.C.D.'s—part of Hillsboro medical service area
Richland—Viola, Forrest, Bloom, Sylvan M.C.D.'s—part of Kickapoo River Valley medical service area
Rusk
Sauk—Woodland M.C.D., Lavalle Town, Lavalle Village, Casenovia (part) M.C.D.'s part of Hillsboro medical service area
Sawyer—Couderay, Couderay Village, Draper, Exeland Village, Meadow Brook, Meteor, Ojibwa, Radisson, Radisson Village, Weigor, Winter M.C.D.'s—part of Mellen-Ashland medical service area
Taylor—Browning, Deer Creek, Goodrich Towns—part of Athens medical service area
Vernon—Starr, Greenwood, Hillsboro Town, Hillsboro City M.C.D.'s—part of Hillsboro medical service area
Vernon—Clinton, Webster, Liberty, Viola, Kickapoo, Readstown, Whitestown, Ontario, Stark, La Farge, Forest, Union C.C.D.'s—part of Kickapoo River Valley medical service area
Vernon—Bergen, Genoa, Hamburg, Harmony, Sterling, Wheatland, Chaseburg, De Soto, Stoddard, C.C.D.'s—part of Buffalo-Vernon medical service area

WISCONSIN

CRITICAL MEDICAL SHORTAGE AREAS

Adams
Bayfield
Buffalo—Nelson, Alma City, Alma Town, Belvidere, Buffalo City, Buffalo, Cochrane, Lincoln, Waumanoce, Milton, Cross, Fountain City, Maderia, Gilmanton, Montana, Glencoe M.C.D.'s

WISCONSIN—Continued

Burnett
Calumet
Crawford—Mt. Sterling, Utica, Clayton, Soldiers Grove, Gays Mills, Bell Center, Haney, Scott M.C.D.'s—part of Kickapoo River Valley dental service area
Florence
Jackson
Lafatette
Marquette
Menominee
Richland—Viola, Forest, Bloom, Sylvan M.C.D.'s—part of Kickapoo River Valley dental service area
Vernon—Clinton, Webster, Liberty, Viola, Kickapoo, Readstown, Whitestown, Ontario, Stark, La Farge, Forest, Union M.C.D.'s—part of Kickapoo River Valley dental service area
Vernon—Starr, Greenwood, Hillsboro town, Hillsboro City M.C.D.'s—part of Hillsboro service area

WYOMING

CRITICAL MEDICAL SHORTAGE AREAS

Carbon
Crook
Lincoln
Niobrara—Lusk medical service area
Sweetwater—Green River medical service area
Uinta

CRITICAL DENTAL SHORTAGE AREAS

Campbell
Crook

AMERICAN SAMOA

CRITICAL MEDICAL SHORTAGE AREAS

None

CRITICAL DENTAL SHORTAGE AREAS

American Samoa—entire territory

PUERTO RICO

CRITICAL MEDICAL SHORTAGE AREAS

Adjuntas
Albonito
Barranquitas
Cidra
Comerio
Corozal
Lares
Las Marias
Maricoa
Rincon

CRITICAL DENTAL SHORTAGE AREAS

Abjuntas
Albonito
Anasco
Barranquitas
Cabo Poso
Cidra
Comerio
Corozal
Hormigueros
Lares
Las Marias
Loiza
Maricao
Mayaquez
Rincon
Yauco

APPENDIX B

DELETIONS

Colorado—Dental: Phillips
Georgia—Medical: Henry
Illinois—Dental: Fulton—the Avon dental Service Area, Hardin
Indiana—Dental: Dubois County
Louisiana—Medical: Nachitoches—the Town of Marthaville
Michigan—Medical: Barry County
Minnesota—Dental: The Clinton Dental Service Area, consisting of: Traverse County, Big Stone County, Grant County (Big Stone C.C.D. and Big Stone City), Stevens County (the Eldorado, Everglade, Pepperton, Baker, Scott, Stevens, and Synnes C.C.D.s)
Nevada—Medical: Eureka, Humbolt-Northern Section, Mineral, Esmeralda (2 county area)
Ohio—Dental: Mahoning—Smith Township

[FR Doc.76-19163 Filed 7-2-76;8:45 am]

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(Revised as of April 1, 1976)

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