

THURSDAY, MAY 19, 1977



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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

The six-month trial period ended August 6. The program is being continued on a voluntary basis (see OFR notice, 41 FR 32914, August 6, 1976). The following agencies have agreed to remain in the program:

Monday	Tuesday	Wednesday	Thursday	Friday
NRC	USDA/ASCS		NRC	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
DOT/NHTSA	USDA/FNS		DOT/NHTSA	USDA/FNS
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DOT/OPSO	LABOR		DOT/OPSO	LABOR
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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 program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

ATTENTION: For questions, corrections, or requests for information please see the list of telephone numbers appearing on opposite page.

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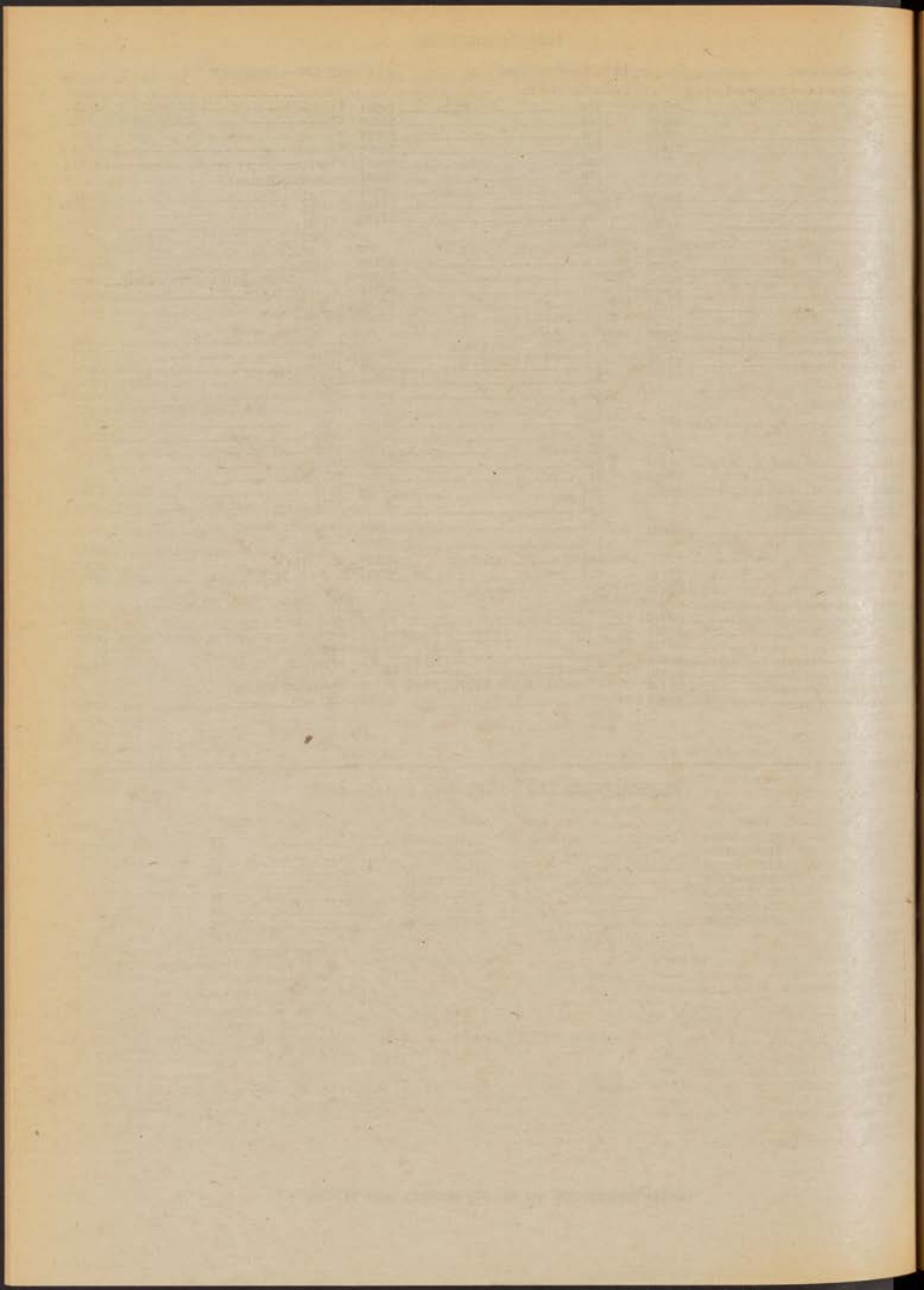
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Title 7—Agriculture

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

[Valencia Orange Reg. 556]

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

Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period May 20-26, 1977. This regulation is needed to provide for orderly marketing of fresh Valencia oranges for the regulation period because of the production and marketing situation confronting the orange industry.

EFFECTIVE DATE: May 20, 1977.

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250 (202-447-3545).

SUPPLEMENTARY INFORMATION:

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

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

(i) The committee has submitted its recommendation for the quantities of Valencia oranges that should be mar-

keted during the specified week. The recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors covered in the order. The committee further reports the fresh market demand for Valencia oranges continues to improve.

Average f.o.b. price was \$3.49 per carton on 363 cars for the week ended May 12, as compared with \$3.33 per carton on 254 cars the previous week.

Track and rolling supplies at 137 cars were down 56 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantities of Valencia oranges which may be handled should be established as provided in this regulation.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553), because the time intervening between the date when information becomes available upon which this regulation is based and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient. A reasonable time is permitted for preparation for such effective time; and good cause exists for making the regulation effective as specified. The committee held an open meeting during the current week, after giving due notice, to consider supply and market conditions for Valencia oranges and the need for regulation. Interested persons were afforded an opportunity to submit information and views at this meeting. The recommendation and supporting information for regulation during the period specified were promptly submitted to the Secretary after the meeting was held, and information concerning such provisions and effective time has been provided to handlers of Valencia oranges. It is necessary, to effectuate the declared policy of the act, to make this regulation effective during the period specified. The committee meeting was held on May 17, 1977.

§ 908.856 Valencia Orange Regulation 556.

(b) Order. (1) The quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period May 20, 1977, through May 26, 1977, are hereby fixed as follows:

(i) District 1: 287,000 cartons;

(ii) District 2: 413,000 cartons;

(iii) District 3: Unlimited.

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

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

Dated: May 18, 1977.

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

[FR Doc. 77-14502 Filed 5-18-77; 11:25 am]

[Papaya Reg. 7, Amdt. 2]

PART 928—PAPAYAS GROWN IN HAWAII

Limitation of Shipments

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This amendment relaxes the quality and size requirements for Hawaiian papayas shipped out-of-state during the period May 16 through May 25, 1977. It also deletes or revises certain terms used in previous regulations. Due to a delay in the seasonal peak production of Hawaiian papayas, this amendment is needed to increase the supply of papayas available for export to the benefit of producers and consumers.

EFFECTIVE DATE: May 16, 1977.

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250 (202-447-3545).

SUPPLEMENTARY INFORMATION:

Pursuant to the marketing agreement and Order No. 928 (7 CFR Part 928), regulating the handling of papayas grown in Hawaii, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the recommendations of the Papaya Administrative Committee, established under the marketing agreement and order, and upon other available information, it is found that this amendment will tend to effectuate the declared policy of the act.

The committee reports that due to a delay in seasonal peak production of Hawaiian papayas, ample supplies of larger sized fruit will be later than nor-

mal. Therefore, the committee has recommended that the current requirements for papayas for export of at least Hawaii No. 1 grade and a weight of not less than 10 ounces each set to expire on May 15, 1977, be extended through May 25, 1977. During the remainder of 1977, papayas for export are required to weight at least 11 ounces each and grade at least Hawaii No. 1 except that the tolerance for defects is 5 percent instead of 10 percent. This amendment also deletes the requirement that papayas for export be of pyriform shape and revises certain regulation terms to conform with current standards.

It is further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that 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 restrictions on the handling of papayas grown in Hawaii.

Order. The provisions of § 928.307 (Papaya Regulation 7; 42 FR 1; 17099) are hereby amended to read as follows:

§ 928.307 Papaya Regulation 7.

(a) During the period January 1 through December 31, 1977, no handler shall ship any container of papayas to any destination within the production area unless said papayas grade at least Hawaii No. 1 and are of a size which individually weigh not less than 14 ounces: *Provided*, That papayas handled as Hawaii Fancy grade shall be of a size which individually weigh not less than 16 ounces.

(b) During the period January 1 through May 25, 1977, no handler shall ship any container of papayas to any export destination unless said papayas grade at least Hawaii No. 1: *Provided*, That such papayas shall weigh not less than 10 ounces each.

(c) During the period May 26 through December 31, 1977, no handler shall ship any container of papayas to any export destination unless said papayas grade at least Hawaii No. 1, except that the allowable tolerances for defects shall be 5 percent: *Provided*, That not more than 3 percent shall be permitted for serious damage, not more than 1 percent for immature fruit, and not more than 1 percent for decay: *Provided further*, That such papayas shall weigh not less than 11 ounces each.

(d) When used herein "Hawaii Fancy" and "Hawaii No. 1" shall have the same meaning as set forth in the State of Hawaii Standards for Hawaii-Grown Papayas, Subsection 5.32, as amended. All other terms shall have the same meaning as when used in the marketing agreement and order.

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

Dated: May 13, 1977, to become effective May 16, 1977.

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

[FR Doc. 77-14279 Filed 5-18-77; 8:45 am]

PART 953—POTATOES GROWN IN
SOUTHEASTERN STATES

Expenses and Rate of Assessment

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation authorizes expenses of \$11,125 and establishes a rate of assessment of one-fourth cent per hundredweight of potatoes for the functioning of the Southeastern Potato Committee for the 1977-78 fiscal period. The regulation will enable the committee to collect assessments from first handlers on all assessable potatoes handled and to use the resulting funds for its expenses.

EFFECTIVE DATE: June 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, Deputy Director, Fruit and Vegetable Division, AMS, U.S. Department of Agriculture, Washington, D.C. 20250, Telephone 202-447-3545.

SUPPLEMENTARY INFORMATION: Marketing Agreement No. 104 and Order No. 953, both as amended, regulate the handling of potatoes grown in designated counties of Virginia and North Carolina. It is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The Southeastern Potato Committee, established under the order, is responsible for its local administration.

Notice was published in the April 22, 1977, FEDERAL REGISTER (42 FR 20825) regarding the proposal. It afforded interested persons an opportunity to submit written comments not later than May 13, 1977. None was received.

After consideration of all relevant matters, including the proposals in the notice, it is found that the following expenses and rate of assessment should be approved.

It is further found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) because this part requires that the rate of assessment for a particular period shall apply to all assessable potatoes from the beginning of such period.

The regulation is as follows:

§ 953.214 Expenses and rate of assessment.

(a) The expenses the Secretary finds may be necessary to be incurred during

the fiscal period June 1, 1977, through May 31, 1978, by the Southeastern Potato Committee for its maintenance and functioning will amount to \$11,125.

(b) The rate of assessment to be paid by each handler in accordance with the amended Marketing Agreement and this part shall be one-fourth cent (\$0.0025) per hundredweight of potatoes handled by him as the first handler thereof during the said fiscal period except potatoes for canning, freezing, and other processing shall be exempt.

(c) Unexpended income in excess of expenses for the fiscal period may be carried over as a reserve.

(d) Terms used in this section shall have the same meaning as when used in the said amended marketing agreement and this part.

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

Dated: May 16, 1977.

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

[FR Doc. 77-14328 Filed 5-18-77; 8:45 am]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1976 Crop Corn Supplement, Amdt. 1]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

1976 Crop Corn Loan and Purchase Program; Correction

AGENCY: Agricultural Stabilization and Conservation Service, Department of Agriculture.

ACTION: Correction.

SUMMARY: This document corrects a final rule that appeared at pages 10302 and 10303 in the FEDERAL REGISTER of February 22, 1977 (FR Doc. 77-5264).

EFFECTIVE DATE: May 19, 1977.

FOR FURTHER INFORMATION CONTACT:

Merle Strawderman, (ASCS) (202-447-9223).

The following corrections are made to § 1421.113(a):

1. On page 10302, left column, under heading "Iowa" the entry that reads "Kossuth \$1.52" is changed to read "Kossuth \$1.42".

2. On page 10303, right column, under heading "Texas" the entry that reads "Lamb \$1.52" is changed to read "Lamb \$1.57".

Signed at Washington, D.C., on May 12, 1977.

VICTOR A. SENECHAL,
Acting Executive Vice President,
Commodity Credit Corporation.

[FR Doc. 77-14330 Filed 5-18-77; 8:45 am]

Title 10—Energy

CHAPTER I—NUCLEAR REGULATORY COMMISSION

GAO CLEARANCES

Reporting and Record Keeping Requirements

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission is amending its regulations which include reporting or record keeping requirements subject to clearance by the General Accounting Office. The amendments add notations, or up-date existing notations, which state that the reporting or record keeping requirements have been approved by the General Accounting Office, and include the appropriate GAO approval number. These amendments are required in order to conform with the regulations of the General Accounting Office "Clearance of proposals by independent Federal regulatory agencies to conduct or sponsor the collection of information." The amendments will furnish currently effective information regarding GAO clearances of NRC reporting and record keeping requirements.

EFFECTIVE DATE: May 19, 1977.

FOR FURTHER INFORMATION CONTACT:

Gerald L. Hutton, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, 301-492-7211.

SUPPLEMENTARY INFORMATION: Because these amendments relate solely to minor matters, good cause exists for omitting notice of proposed rule making, and public procedure thereon, as unnecessary. Since the amendments do not impose obligations on persons other than the Nuclear Regulatory Commission, the Commission has found that good cause exists for making the amendments effective immediately without the customary 30-day notice.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and sections 552 and 553 of Title 5 of the United States Code, the following amendments to Title 10, Chapter I, Code of Federal Regulations, Parts 20, 30, 31, 32, 33, 34, 35, 36, 40, 50, 55, 70, 71, 73, 140, and 150 are published as a document subject to codification.

§ 20.601 [Amended]

1. The note at the end of Appendix D of Part 20 is deleted and a note is added following § 20.601 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0043), (R0044), and (R0084).

§ 30.71 [Amended]

2. A note is added following § 30.71 of Part 30 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0079), (R0089), and (R0173).

§ 31.5 [Amended]

§ 31.11 [Amended]

3. Footnote 3 to § 31.5 of Part 31 is deleted and a note is added following § 31.11 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0088), (R0160).

§ 32.51 [Amended]

§ 32.110 [Amended]

4. Footnote 4 to § 32.51 of Part 32 is deleted and a note is added following § 32.110 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0038).

§ 33.100 [Amended]

5. A note is added following § 33.100 of Part 33 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0085).

§ 34.51 [Amended]

6. A note is added following § 34.51 of Part 34 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0052), (R0335).

§ 35.100 [Amended]

7. A note is added following § 35.100 of Part 35 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0068), (R0334).

§ 36.50 [Amended]

8. A note is added following § 36.50 of Part 36 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0090).

§ 40.65 [Amended]

§ 40.90 [Amended]

9. Footnote 1 to § 40.65 of Part 40 is deleted and a note is added following § 40.90 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0128), (R0147), (R0203), (R0413), (R0040).

§ 50.33a [Amended]

§ 50.65 [Amended]

§ 50.110 [Amended]

10. Footnote 1 to § 50.33a, footnote 2 to § 50.65, and the note following § 50.110 of Part 50 are deleted and a note is added following § 50.110 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0071).

§ 55.60 [Amended]

11. A second note is added following § 55.60 of Part 55 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0113), (R0358).

§ 70.22 [Amended]

§ 70.57 [Amended]

§ 70.59 [Amended]

§ 70.71 [Amended]

12. Footnote 1 to § 70.22, footnote 1 to § 70.57, footnote 2 to § 70.59, and the note at the end of § 70.71 are deleted and a note is added following § 70.71 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0061), (R0172), (R0041), (R0040).

§ 71.64 [Amended]

13. The note at the end of Appendix D of Part 71 is deleted and a note is added following § 71.64 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0056).

§ 73.80 [Amended]

14. A note is added following § 73.80 of Part 73 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0039).

§ 140.90 [Amended]

15. A note is added following § 140.90 of Part 140 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0115).

§ 150.30 [Amended]

16. A note is added following § 150.30 of Part 150 to read as follows:

NOTE.—The reporting and record keeping requirements contained in this part have been approved by the General Accounting Office under B-180225 (R0040), (R0078), (R0414).

Effective date: These amendments become effective on May 19, 1977.

(Sec. 161, 68 Stat. 948 (42 U.S.C. 2201; Sec. 201, 88 Stat. 1242 (42 U.S.C. 5841)).)

Dated at Bethesda, Md., this 11th day of May 1977.

For the Nuclear Regulatory Commission.

LEE V. GOSSICK,
Executive Director for
Operations.

[FR Doc. 77-14257 Filed 5-18-77; 8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 76-EA-65; Amdt. 39-2885]

PART 39—AIRWORTHINESS DIRECTIVES

Canadair Aircraft

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This rule (AD) requires an inspection for cracks in the main land-

ing gear wheel well angles P/N 215-32200-58, -59, -60, -61 in the Canadair CL-215-1A10 type airplanes. The cracks had been reported by an operator of the aircraft.

EFFECTIVE DATE: May 9, 1977.

ADDRESSES: Canadair Circular 104-CL-215 may be acquired from the manufacturer at P.O. Box 6087, Montreal, Canada.

FOR FURTHER INFORMATION CONTACT:

L. Lipsius, Airframe Section, Engineering and Manufacturing Branch, AEA-212, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, Tel. 212-995-2875.

SUPPLEMENTARY INFORMATION: The FAA published a Notice of Proposed Rulemaking on this subject on page 5701 of the FEDERAL REGISTER for January 31, 1977. Interested parties were given 30 days in which to respond. There were no objections received. Further, there are no CL-215 type aircraft presently registered in the United States.

It has been determined that the expected impact of the proposed regulation is so minimal that the proposal does not warrant an evaluation.

Accordingly, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended, effective May 9, 1977, as published.

CANADAIR: Applies to Canadair CL-215-1A10 airplanes, Serial Nos. 1001 to 1040 inclusive, not altered with Canadair Reinforcement Kit K215-30043 or an FAA approved equivalent.

Compliance is required as indicated.

To assure the structural integrity of the main landing gear wheel well angles, P/N 215-32200-58, -59, -60, -61, accomplish the following:

(a) On aircraft with 1000 or more hours in service, compliance with paragraph (c) is required before the next flight. The inspection of paragraph (c) must be repeated at intervals not to exceed 150 hours in service.

(b) On aircraft with less than 1000 hours in service, compliance with paragraph (c) is required at or before 1000 hours in service. The inspections of paragraph (c) must be repeated at intervals not to exceed 150 hours in service.

(c) Inspect for cracks and modify in accordance with Canadair Service Information Circular No. 104-CL-215 dated September 5, 1975, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, Eastern Region.

(d) 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 compliance time in this AD.

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

NOTE: The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

The principal authors of this document are Mr. L. Lipsius, Airframe Section, and Mr. T. Halloran, Office of the Regional Counsel, Eastern Region.

Issued in Jamaica, New York, on April 25, 1977.

WILLIAM E. MORGAN,
Director, Eastern Region.

[FR Doc. 77-14116 Filed 5-18-77; 8:45 am]

[Docket No. 76-EA-66; Amdt. 39-2886]

PART 39—AIRWORTHINESS DIRECTIVES Canadair Aircraft

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This rule (AD) requires Canadair CL-215-1A10 type airplanes with 12 months or more service time to be restricted to land operations until the nose landing gear door closing rods and sequencing redundancy mechanism rods have been inspected and reworked. Exposure to water leakage has affected the rods.

EFFECTIVE DATE: May 9, 1977.

ADDRESSES: Canadair Circular 101-CL-215 dated May 6, 1975, may be acquired from the manufacturer at P.O. Box 6087, Montreal, Canada.

FOR FURTHER INFORMATION CONTACT:

L. Lipsius, Airframe Section, Engineering and Manufacturing Branch, AEA-212, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, Tel. 212-995-2875.

SUPPLEMENTARY INFORMATION: The FAA published a Notice of Proposed Rule Making on this subject on page 5702 of the FEDERAL REGISTER for January 31, 1977. Interested parties were given 30 days in which to comment. No objections have been received. Further there are no Canadair CL-215 type airplanes registered with the United States.

It has been determined that the expected impact of the proposed regulation is so minimal that the proposal does not warrant an evaluation.

Accordingly, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended, effective May 9, 1977, as published.

CANADAIR: Applies to Canadair CL-215-1A10 airplanes, Serial Numbers 1001 to 1040 inclusive, in all categories.

Compliance is required as indicated unless already accomplished.

To assure the structural integrity of the nose landing gear door closing rods, P/N 215-85009, and the sequencing redundancy mechanism rod, P/N 215-85026, accomplish the following:

(a) On aircraft that have been in service for 12 months or more, compliance with paragraph (c) is required and flight operations are restricted to land operations until compliance is shown.

(b) On aircraft that have been in service less than 12 months, compliance with para-

graph (c) is required before achieving 12 months in service.

(c) Inspect and rework in accordance with Canadair Service Information Circular No. 101-CL-215 dated May 6, 1975 or an equivalent method of compliance. A later revision and an equivalent method of compliance must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region.

(d) Upon request, with substantiating data submitted through an FAA Maintenance Inspector, the compliance time specified in this AD may be increased by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region.

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

NOTE:—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

The principal authors of this document are Mr. L. Lipsius, Airframe Section, and Mr. T. Halloran, Office of the Regional Counsel, Eastern Region.

Issued in Jamaica, New York, on April 25, 1977.

WILLIAM E. MORGAN,
Director, Eastern Region.

[FR Doc. 77-14117 Filed 5-18-77; 8:45 am]

[Docket No. 76-EA-67; Amdt. 39-2887]

PART 39—AIRWORTHINESS DIRECTIVES Canadair Aircraft

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This rule (AD) requires a periodic inspection and rework where necessary, of the lower rudder bearing of corrosion on Canadair CL-215-1A10 type airplanes. Water contamination through leakage appears to have affected the bearing.

EFFECTIVE DATE: May 9, 1977. Initial compliance requires an inspection prior to 1200 hours in service.

ADDRESSES: Canadair Circular 110-CL-215, dated October 27, 1975, may be acquired from the manufacturer at P.O. Box 6087, Montreal, Canada.

FOR FURTHER INFORMATION CONTACT:

L. Lipsius, Airframe Section, Engineering and Manufacturing Branch, AEA-212, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, 212-995-2875.

SUPPLEMENTARY INFORMATION: The FAA published a Notice of Proposed Rulemaking on this subject on page 7160 of the FEDERAL REGISTER for February 7, 1977. Interested parties were given 30 days in which to respond to the NPRM. No objections have been received. Further, there are no Canadair CL-215 type airplanes presently registered in the United States.

It has been determined that the expected impact of the proposed regulation is so minimal that the proposal does not warrant an evaluation.

Accordingly, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended, effective May 9, 1977, as published.

CANADIAN: Applies to Canadair CL-215-1A10 Airplanes, Serial Numbers 1001 and 1043 inclusive and 1046, not altered in accordance with Appendix I of Canadair Information Circular 110-CL-215 dated October 27, 1975 or an FAA approved equivalent.

Compliance is required as indicated. To prevent failure of the lower rudder bearing due to water ingress and subsequent corrosion, accomplish the following:

(a) Prior to 1200 hours in service, and at each 1050 hours in service or one year, whichever occurs first thereafter, inspect for corrosion as outlined in paragraphs "Inspection" and "Rework" in Canadair Information Circular 110-CL-215 dated October 27, 1975 or later approved revision thereto, or an FAA approved equivalent.

(b) Equivalent alterations and inspections must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region.

(c) Upon request with substantiating data submitted through an FAA Maintenance Inspector, the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region, may adjust the compliance times specified in this AD.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended 49 U.S.C. 313(a), 1421, and 1423; Sec. 6(c), Department of Transportation Act, 49 U.S.C. 1555(c).)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

The principal authors of this document are Mr. L. Lipsius, Airframe Section, and Mr. T. Halloran, Office of the Regional Counsel, Eastern Region.

Issued in Jamaica, New York, on April 25, 1977.

WILLIAM E. MORGAN,
Director, Eastern Region.

[FR Doc. 77-14115 Filed 5-18-77; 8:45 am]

[Airworthiness Docket No. 77-SW-15; Amdt. 39-2903]

PART 39—AIRWORTHINESS DIRECTIVES **Mooney Aircraft Corporation Models M20E, F, and J Airplanes**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Immediate adopted rule.

SUMMARY: Amendment 39-2877, 42 FR 21102, Airworthiness Directive (AD) 77-08-06, is being amended to revise the list of airplanes required to be inspected and to include an additional model oil cooler which must be removed from service.

DATES: Effective date May 19, 1977, and was effective upon receipt for all recipients of the airmail letter dated May 16, 1977.

Compliance required within the next five (5) hours time in service after the effective date of this AD.

FOR FURTHER INFORMATION CONTACT:

Martin J. Saunders, Propulsion Section (ASW-214), Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Texas 76101; telephone 817-624-4911, extension 524.

SUPPLEMENTARY INFORMATION: The FAA has received information which indicates that the listing of airplanes and oil coolers identified in Amendment 39-2877, 42 FR 21102 (AD 77-08-06), is incorrect. Therefore, the applicability section of this AD is being revised.

The principal authors of this document are W. F. Wells, Flight Standards Division, and Joseph Kovarik, Office of the Regional Counsel.

Accordingly, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) Amendment 39-2877, 42 FR 21102, Airworthiness Directive 77-08-06 is amended as follows:

1. By amending the list of applicable airplanes to read as follows:

MOONEY: Applies to Models M20E (Serial Numbers 101 through 466, 470 through 1217, 1219, 1221, 1223 through 1308, 670001 through 670062, 690001 through 690073, 700001 through 700039, 700041 through 700043, 700045 through 700052, 700055, 700056, 700060, 700061, 21-0001 through 21-1180); M20F (Serial Numbers 670001 through 670383, 670385 through 670385, 670387 through 670482, 670484 through 670539, 680001 through 680206, 690001 through 690090, 690092, 700001 through 700061, 700063, 700066 through 700070, 700072, 22-0001 through 22-1437); M20J (Serial Numbers 24-0001 through 24-0154) airplanes.

2. By amending paragraph (a) of the compliance section to read as follows:

(a) Before the next flight of the affected airplanes, remove the engine cowl and visually check the engine oil cooler to determine whether it is a Stewart-Warner Model 8432H (Serial Numbers 001 through 499) or a Stewart-Warner Model 8432F (Serial Numbers 1610 through 1717).

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1555).)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

This amends airmail letter dated April 15, 1977, and Amendment 39-2877 (42 FR 21102), AD 77-08-06.

Issued in Fort Worth, Texas, on May 9, 1977.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc. 77-14356 Filed 5-18-77; 8:45 am]

[Docket No. 77-WE-13-AD; Amdt. 39-2902]

PART 39—AIRWORTHINESS DIRECTIVES

Rockwell International NA-265-80 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The Instrument Inverter Remote Reset Circuit Breaker Relay (K1066) has been positioned improperly and wired incorrectly in certain NA-265-80 airplanes. Since this condition results in (1) a lack of thermal isolation between relay K1066 and the No. 2 Inverter Power Relay, and (2) a lack of short circuit protection of the Instrument Inverter power input cable, an airworthiness directive is being issued to require repositioning of relay K1066 and appropriate reconnection of the inverter cable. This condition, if not corrected, could result in a fire or loss of all electrical power.

EFFECTIVE DATE: May 23, 1977.

FOR FURTHER INFORMATION CONTACT:

Jerry Presba, Executive Secretary, Airworthiness Directive Review Board, Federal Aviation Administration, Western Region, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009, Telephone 213-536-6351; or Richard G. Wittry, Attorney, Office of the Regional Counsel, Federal Aviation Administration, Western Region, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009, Telephone 213-536-6274.

SUPPLEMENTARY INFORMATION: The improper positioning of the relay and wiring error were discovered in the aircraft assembly line; there have been no reported instances of service difficulties. The orientation of relay K1066 with respect to the No. 2 inverter relay could result in premature tripping of relay K1066 only under conditions of previous failure of No. 2 inverter. A fault to ground on the instrument inverter power input cable would result in the loss of the standby instrument a.c. power, and could also cause a fire or loss of all electrical power. Since this condition exists in NA-265-80 Model airplanes equipped with rotary inverters, corrective action is necessary to preclude the possibility of a fire or loss of electrical power.

The principal authors of this Airworthiness Directive are Lonnie Tarver, Aerospace Engineer, AWE-132, Aircraft Engineering Division, FAA Western Region, and Richard G. Wittry, Attorney, AWE-7.2, Office of the Regional Counsel, FAA Western Region.

Accordingly, and pursuant to the authority delegated to me by the Administrator (11 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR Part 39) is amended by adding the following new Airworthiness Directive:

ROCKWELL INTERNATIONAL: Applies to NA-265-80 airplanes, serial numbers 380-1 through 380-4, 380-6 through 380-9, 380-11 through 380-13, 380-15, 380-17, 380-19, 380-21, 380-23, 380-25, 380-27, 380-30, 380-32, 380-34, 380-36 and 380-38 through 380-54, with Relay K1066 installed. (Cutler-Hammer P/N 6141H126), certificated in all categories.

Compliance required on or before June 7, 1977, unless already accomplished.

To provide electrical protection for the Instrument Inverter power input cable, and improve thermal isolation of the Instrument Inverter Remote Reset Circuit Breaker Relay (K1066), accomplish the following:

(a) Modification specified in Rockwell International Sabreliner Service Bulletin No. 28, dated April 18, 1977, or later FAA approved revisions.

(b) Equivalent procedures may be approved by the Chief, Aircraft Engineering Division, FAA Western Region, upon submission of adequate substantiation data.

(c) Special flight permits may be issued in accordance with FAR's 21.197 and 21.199 to operate airplanes to a base for accomplishment of the modification required by this AD.

This amendment becomes effective May 23, 1977.

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

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Los Angeles, California, on May 6, 1977.

ROBERT H. STANTON,
Director, Western Region.

[FR Doc.77-14118 Filed 5-18-77; 8:45 am]

[Docket No. 15176; Amendment Nos. 91-138 and 133-6]

PART 91—GENERAL OPERATING AND FLIGHT RULES

PART 133—ROTORCRAFT EXTERNAL-LOAD OPERATIONS

Operations Review Program Amendment No. 2: Rotorcraft External-Load Operations

Correction

In FR Doc. 77-13607 appearing at page 24196 of the issue for Thursday, May 12, 1977:

1. In the table in the middle column, page 24196, the fifth entry under "FAR", now reading "§ 133.10", should read "§ 133.1".

2. In the third line from the bottom, middle column, page 24197, "§ 133.3(f)" should read "§ 133.31(f)".

Title 24—Housing and Urban Development

CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING—FEDERAL HOUSING COMMISSIONER, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER A—GENERAL

[Docket No. R-77-441]

PART 200—INTRODUCTION

Subpart D—Delegations to Particular Positions

LOAN ASSISTANCE COMMITTEE

AGENCY: Department of Housing and Urban Development.

ACTION: Final rule delegating authority.

SUMMARY: The Assistant Secretary for Housing—Federal Housing Commissioner is revising the Delegations of Authority to the Loan Assistance Committee in order to reflect the changed composition of the committee and its new functions and responsibilities.

EFFECTIVE DATE: April 4, 1977.

SUPPLEMENTARY INFORMATION: On June 18, 1976, the Office of the Assistant Secretary for Housing Production and Mortgage Credit—Federal Housing Commissioner and the Office of the Assistant Secretary for Housing Management were merged into the Office of the Assistant Secretary for Housing—Federal Housing Commissioner (41 FR 24755). As a result, delegations of authority to various officials and committees within that office require revision. This document brings current the delegations to the Loan Assistance Committee under § 200.94. Since the amendment involves only internal matters of agency management, it does not require comment or public procedure and good cause exists for making the change effective April 4, 1977. Environmental and inflation determinations are not required.

Accordingly, Part 200 is amended as follows:

§ 200.94 Loan Assistance Committee.

(a) *Members.* The Loan Assistance Committee is composed of the following members, or their designees: the Director, Office of Loan Origination, Chairman; the Director, Office of Policy Development and Evaluation; the Director, Office of Management; and (by agreement with the Assistant Secretary for Administration) the Director, Office of Finance and Accounting.

(b) *Functions.* The functions of the Loan Assistance Committee are the review and approval or disapproval of requests for cancellation or waiver of repayment, in whole or in part, of loans

made under Section 106 of the Housing and Urban Development Act of 1968 and Section 207 of the Appalachian Regional Development Act of 1965, as amended.

(Secretary's delegation of authority to redelegate published at 41 FR 24755, June 12, 1976.)

LAWRENCE B. SIMONS,
Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc.77-14280 Filed 5-18-77; 8:45 am]

Title 28—Judicial Administration

CHAPTER I—DEPARTMENT OF JUSTICE

[Order No. 721-77]

PART 42—NONDISCRIMINATION; EQUAL EMPLOYMENT OPPORTUNITY; POLICIES AND PROCEDURES

EQUAL EMPLOYMENT OPPORTUNITY WITHIN THE DEPARTMENT OF JUSTICE

Authority To Direct Remedial Action in EEO Complaints

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: The regulations governing discrimination complaints filed by employees and applicants for employment in the Department of Justice provide that the Complaint Adjudication Officer, appointed by the Assistant Attorney General in charge of the Civil Rights Division, shall render decisions on complaints from employees and applicants for employment within the Department. This order clarifies and updates the present regulations and provides that in cases where no discrimination is found, any remedial action ordered by the Complaint Adjudication Officer shall have the prior approval of the Assistant Attorney General in charge of the Civil Rights Division in consultation with the Deputy Attorney General.

EFFECTIVE DATE: May 9, 1977.

FOR FURTHER INFORMATION CONTACT:

John M. Harmon, Acting Assistant Attorney General, Office of Legal Counsel, U.S. Department of Justice, Washington, D.C. 20530 (202-739-2041).

By virtue of the authority vested in me by 28 U.S.C. 509, 510 and 5 U.S.C. 301, and in conformity with 5 CFR Part 713, Subpart A of Part 42 of Title 28, Code of Federal Regulations, is amended as follows:

Subpart A—Equal Employment Opportunity Within the Department of Justice

§ 42.1 Policy.

It is the policy of the Department of Justice to seek to eliminate discrimina-

tion on the basis of race, color, religion, sex, national origin or age in employment within the Department and to assure equal employment opportunity for all employees and applicants for employment in the Department, in conformity with the policies and requirements of Executive Order No. 11478 of August 8, 1969, relating to equal employment opportunity in the Federal Government, section 717 of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000e-16), section 15 of the Age Discrimination in Employment Act of 1967, as amended (29 U.S.C. 633a), and the regulations of the United States Civil Service Commission relating to equal employment opportunity (5 CFR Part 713).

§ 42.2 Designation of Director of Equal Employment Opportunity and Complaint Adjudication Officer.

(b) The Assistant Attorney General in charge of the Civil Rights Division shall appoint a Complaint Adjudication Officer, who shall render final decisions for the Department of Justice on complaints of discrimination filed by employees and applicants for employment in the Department pursuant to the Department's Equal Employment Opportunity Regulations. In rendering decisions, the Complaint Adjudication Officer shall order such remedial action as may be appropriate, whether or not there is a finding of discrimination, but in cases where no discrimination is found any remedial action ordered shall have the prior approval of the Assistant Attorney General in charge of the Civil Rights Division, who shall consult with the Deputy Attorney General on the matter.

Dated: May 9, 1977.

GRIFFIN B. BELL,
Attorney General.

[FR Doc.77-14235 Filed 4-18-77; 8:45 am]

Title 31—Money and Finance

**CHAPTER II—FISCAL SERVICE,
DEPARTMENT OF THE TREASURY**

**SUBCHAPTER B—BUREAU OF THE PUBLIC
DEBT**

**Amendment of Regulations Governing
United States Savings Bonds**

AGENCY: Department of the Treasury.

ACTION: Final rule.

SUMMARY: These amendments of the regulations governing U.S. savings bonds eliminate the requirement that women named as coowners or beneficiaries on such bonds must be identified by a courtesy title if their social security numbers are not furnished. The primary author of these amendments is A. E. Martin, Attorney-Adviser, Bureau of the Public Debt.

EFFECTIVE DATE: May 19, 1977.

FOR FURTHER INFORMATION CONTACT:

A. E. Martin, Attorney-Adviser, Bureau of the Public Debt (202-376-0255).

Accordingly, Department of the Treasury Circular No. 530, Tenth Revision, dated December 5, 1973, as amended, (31 CFR Part 315); Department of the Treasury Circular No. 653, Ninth Revision, dated April 23, 1974, as amended (31 CFR Part 316); and Department of the Treasury Circular No. 905, Sixth Revision, dated April 19, 1974 (31 CFR Part 332), are amended as follows:

**PART 315—REGULATIONS GOVERNING
UNITED STATES SAVINGS BONDS**

§ 315.5 [Amended]

Section 315.5 of 31 CFR, Part 315 is amended by the deletion of the twelfth sentence which begins with the words, "If a woman * * *"

**PART 316—OFFERING OF UNITED
STATES SAVINGS BONDS, SERIES E**

§ 316.2 [Amended]

Section 316.2 of 31 CFR, Part 316 is amended by the deletion of the first two sentences of Footnote 2.

**PART 332—OFFERING OF UNITED
STATES SAVINGS BONDS, SERIES H**

§ 332.2 [Amended]

Section 332.2 of 31 CFR, Part 332 is amended by the deletion of Footnote 1.

The foregoing amendments are issued under the authority of 5 U.S.C. 301, 31 U.S.C. 757c. As they involve the fiscal policy of the United States, notice and public procedures thereon are found to be unnecessary.

Dated: May 13, 1977.

DAVID MOSSO,
Fiscal Assistant Secretary
of the Treasury.

[FR Doc.77-14331 Filed 5-18-77; 8:45 am]

**Title 32—National Defense
CHAPTER V—DEPARTMENT OF THE
ARMY**

**PART 553—ARMY NATIONAL
CEMETERIES**

**Arlington and Soldiers' Home National
Cemeteries**

AGENCY: Department of the Army,
DOD.

ACTION: Final rule.

SUMMARY: The Department of the Army is amending its regulations on eligibility criteria for burial in Arlington National Cemetery and its regulations on policies and procedures for the administration of Arlington and Soldiers' Home National Cemeteries. The amendment also reflects the transfer of the major part of the National Cemetery System to the Veterans Administration and stipulates that the Army has retained control of Arlington and Soldiers' Home National Cemeteries. The eligibility criteria are being expanded because during the last few years the cemetery has acquired approximately 200 acres of land previously occupied by South Post,

Fort Myer which will provide additional gravesites. Therefore, it was determined that certain disabled veterans and those who had received certain decorations should be included in the eligibility criteria.

DATES: Comments must be received on or before June 20, 1977. Effective date of regulations, April 15, 1977.

ADDRESS: Comments should be submitted to HQDA (DAAG-PED), Washington, D.C. 20314.

FOR FURTHER INFORMATION CONTACT:

LTC Ellsworth S. Clarke (202-693-0882).

SUPPLEMENTARY INFORMATION: Pursuant to the provisions of Public Law 93-43, the National Cemetery System was transferred from the Department of the Army to the Veterans Administration on September 1, 1973. Notice to this effect was published in the FEDERAL REGISTER on January 4, 1974, (39 FR 1024). This notice deletes information in 32 CFR regarding the National Cemetery System and describes procedures and policies for the administration of Arlington and Soldiers' Home National Cemeteries which were retained by the Department of the Army.

NOTE.—The Department of the Army has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

Dated: May 13, 1977.

By authority of the Secretary of the Army.

T. C. SHAYLOR,
Colonel, United States Army,
Director, Personal Affairs,
TAGCEN.

It is proposed to amend Title 32, Chapter V of the Code of Federal Regulations by revising Part 553 as follows:

Sec.	Purpose.
553.1	Statutory authority.
553.2	Scope and applicability.
553.3	Responsibility.
553.4	Federal jurisdiction.
553.5	Donations.
553.6	Design and layout of Army national cemeteries.
553.7	Arlington Memorial Amphitheater
553.8	Power of arrest.
553.9	Solicitations.
553.10	Procurement.
553.11	Encroachments and revocable licenses.
553.12	Standards of construction, maintenance, and operations.
553.13	Authority for interments.
553.14	Persons eligible for burial in Arlington National Cemetery.
553.15	Persons eligible for burial in Soldiers' Home National Cemetery.
553.16	Persons ineligible for burial in an Army national cemetery.
553.17	Assignment of gravesites.
553.18	Disinterments.
553.19	Headstones and markers.
553.20	Monuments and inscriptions at private expense.
553.21	Visitors rules for Arlington National Cemetery.
553.22	

AUTHORITY: 24 U.S.C. Ch. 7, unless otherwise noted.

§ 553.1 Purpose.

The following specifies the authority and assigns the responsibilities for the development, operation, maintenance, and administration of the Arlington and Soldiers' Home National Cemeteries, a civil works activity of the Department of the Army.

§ 553.2 Statutory authority.

Basic statutory authority pertaining to the Army national cemeteries is in Chapter 7, Title 24, United States Code, entitled "National Cemeteries." Many of the provisions of this chapter were repealed by Section 7(a) of the National Cemeteries Act of 1973 (Public Law 93-43, 18 June 1973, 38 U.S.C. 1000 et seq.); but Section 7(b) provides that nothing in this section shall be deemed to affect in any manner the functions, powers, and duties of the Secretary of the Army with respect to Arlington and Soldiers' Home National Cemeteries.

§ 553.3 Scope and applicability.

(a) *Scope.* The development, operation, maintenance, and administration of Arlington National Cemetery and the Soldiers' Home National Cemetery are governed by this Part and TM 10-287. AR 210-190 assigns responsibilities for the operation, maintenance, and administration of Army post cemeteries.

(b) *Applicability.* The provisions of AR 290-5 are applicable to active and retired members of the Armed Forces, certain disabled veterans, and veterans who were awarded certain military decorations.

§ 553.4 Responsibilities.

The Army national cemeteries, consisting of the Arlington National Cemetery, Arlington, Virginia, and Soldiers' Home National Cemetery, Washington, D.C., are under the jurisdiction of the Department of the Army. The Assistant Secretary of the Army for Civil Works is directly responsible to the Secretary of the Army for policy formulation in the administration of these cemeteries. The Adjutant General is responsible for their day-to-day administration, operation, and maintenance. Specific responsibilities for Arlington and Soldiers' Home National Cemeteries are delegated to the Commander, Military District of Washington in accordance with a Memorandum of Understanding.

§ 553.5 Federal jurisdiction.

Where the State legislature has given the consent of that State to purchase the land which now comprises an Army national cemetery, the jurisdiction and power of legislation of the United States over Army national cemeteries will, in all courts and places, be held to be the same as is granted by Section 8, Article 1, Constitution of the United States.

§ 553.6 Donations.

(a) *Policy.* Under Department of the Army policy, proffered donations or

gifts for beautifying Army national cemeteries may be accepted from legitimate societies and organizations or from reputable individuals, subject to the following provisions:

(1) The society, organization, or individual does not associate the name of the Department of the Army in any way with soliciting for the donation or gift.

(2) Delivery is made to the cemetery or to another point designated by the Department of the Army without expense to the Government.

(3) Installing, constructing, placing, or planting is in keeping with the planned development of the cemetery and the donor agrees to the use of the gift at any designated place within the cemetery.

(4) The donor is not permitted to affix any commemorative tablet or plaque to the items donated or to place one in the cemetery or elsewhere on Department of the Army property.

(b) *Processing.* All proffers of donations to Army national cemeteries will be referred to The Adjutant General with the recommendation of the cemetery superintendent as to the action to be taken.

(c) *Conditional gifts.* The Secretary of the Army is authorized, at his discretion, to accept, receive, hold, administer, and expend any gift, devise, or bequest of real or personal property on condition that the item be used for the benefit of, or in connection with, the operation, maintenance, or administration of the two national cemeteries under the jurisdiction of the Department of the Army. The Adjutant General will take appropriate action on conditional gifts as prescribed in AR 1-100.

(d) *Unconditional gifts.* All proffers or donations of gifts which are unconditional will be accompanied by a report stating all material facts in connection with the source, nature, and purpose of the gift.

§ 553.7 Design and layout of Army national cemeteries.

(a) General cemetery layout plans, landscape planting plans and gravesite layout plans for Army national cemeteries will be maintained by The Adjutant General.

(b) New burial sections will be opened and prepared for burials only with the approval of The Adjutant General and after types and sizes of monuments on permanent sites have been established.

§ 553.8 Arlington Memorial Amphitheater.

(a) The Act of 2 September 1960 (74 Stat; 24 USC 295a) provides that the Secretary of Defense or his designee may send to Congress in January of each year recommendations on the memorials to be erected and the remains of deceased members of the Armed Forces to be entombed in the Arlington Memorial Amphitheater in Arlington National Cemetery. The Act further provides that—

(1) No memorial may be erected and no remains may be entombed in the Arlington Memorial Amphitheater unless specifically authorized by Congress;

(2) The character, design, or location of any memorial authorized by Congress is subject to the approval of the Secretary of Defense or of his designee.

(b) Under the provisions of the Act of 2 September 1960, the Secretary of the Army has been designated to act in behalf of the Secretary of Defense.

(c) The Department of the Army will seek the advice of the Commission of Fine Arts concerning any requests relative to inscriptions or memorials within the Arlington Memorial Amphitheater.

§ 553.9 Power of arrest.

The superintendents of Army national cemeteries are authorized to arrest any person who willfully destroys, cuts, breaks, injures, or removes any tree, shrub, or plant within the limits of the cemetery and to bring that person before any United States magistrate or judge of any district court of the United States within any State or district where the cemeteries are situated, to hold that person to answer for the misdemeanor, and then and there to make a complaint in due form.

§ 553.10 Solicitations.

Solicitations to the public of any type of business including the sale of souvenirs and refreshments within the cemetery are prohibited. Violators who do not leave when so ordered or who unlawfully reenter the cemetery after being evicted will be subject to prosecution.

§ 553.11 Procurement.

Cemetery supplies and services will be procured in accordance with the provisions of the Armed Services Procurement Regulation (ASPR) and the Army Procurement Procedure (APP).

§ 553.12 Encroachments and revocable licenses.

(a) *Encroachments.* No railroads will be permitted upon the right-of-way acquired by the United States leading to Arlington or Soldiers' Home National Cemetery or to encroach upon any roads or walks thereon and maintained by the United States.

(b) *Revocable licenses.* The construction or erection of poles and lines (including underground lines) for transmitting and distributing electric power or for telephone and telegraph purposes, as well as water and sewer pipes, will not be permitted without the authority of the Department of the Army. Requests for revocable licenses to construct water, gas, or sewer lines or other appurtenances on or across the cemetery or an approach road in which the Government has a right-of-way or fee simple title or other interest will be submitted for final action to the cemetery superintendent with a complete description of the privilege desired and a map showing the location of the project on the roadway in question. The superintendent will forward the application and inclosures with his comments and recommendation to Headquarters, Department of the Army.

§ 553.13 Standards of construction, maintenance, and operations.

The following standards of the Department of the Army will be observed in the development, operation, maintenance, administration, and support of Army national cemeteries and will be considered in relation to budgetary reviews within the Department of the Army:

(a) As permanent national shrines provided by a grateful nation to the honored dead of the Armed Forces of the United States, the standards for construction, maintenance, and operation of Army national cemeteries will be commensurate with the high purpose to which they are dedicated.

(b) Structures and facilities provided for Army cemeteries will be permanent in nature and of a scope, dignity, and aesthetic design suitable to the purpose for which they are intended.

(c) Cemeteries will be beautified by landscaping and by means of special features based on the historical aspects, location, or other factors of major significance.

(d) Accommodations and services provided to the next of kin of the honored dead and to the general public will be of high order.

§ 553.14 Authority for interments.

The Act of 14 May 1948 (62 Stat. 234), as amended by the Act of 14 September 1959 (73 Stat. 547; 24 U.S.C. 281), and other laws specifically cited in this Part authorize burial in Arlington and Soldiers' Home National Cemeteries under such regulations as the Secretary of the Army may, with the approval of the Secretary of Defense, prescribe.

§ 553.15 Persons eligible for burial in Arlington National Cemetery.

(a) Any active duty member of the Armed Forces (except those members serving on active duty for training only).

(b) Any retired member of the Armed Forces. A retired member of the Armed Forces, in the context of this paragraph, is a retired member of the Army, Navy, Air Force, Marine Corps, Coast Guard, or a Reserve component who has served on active duty (other than for training), is carried on an official retired list, and is entitled to receive retired pay stemming from service in the Armed Forces. If, at the time of death, a retired member of the Armed Forces is not entitled to receive retired pay stemming from his service in the Armed Forces until some future date, the retired member will not be eligible for burial.

(c) Any former member of the Armed Forces separated for physical disability prior to 1 October 1949 who has served on active duty (other than for training) and who would have been eligible for retirement under the provisions of 10 U.S.C. 1201 had that statute been in effect on the date of his separation.

(d) Any former member of the Armed Forces whose last active duty (other than for training) military service terminated

honorably and who has been awarded one of the following decorations:

- (1) Medal of Honor.
- (2) Distinguished Service Cross (Air Force Cross or Navy Cross).
- (3) Distinguished Service Medal.
- (4) Silver Star.
- (5) Purple Heart.

(e) Persons who have held any of the following positions, provided their last period of active duty (other than for training) as a member of the Armed Forces terminated honorably:

- (1) An elective office of the United States Government.
- (2) Office of the Chief Justice of the United States or of an Associate Justice of the Supreme Court of the United States.
- (3) An office listed in 5 U.S.C. 5312 or 5 U.S.C. 5313.
- (4) The Chief of a mission who was at any time during his tenure classified in class I under the provisions of 411 of the Act of 13 August 1946, 60 Stat. 1002, as amended (22 U.S.C. 866, 1964 ed.).

(f) The spouse, widow or widower, minor child and, at the discretion of the Secretary of the Army, unmarried adult child of any of the persons listed above.

(1) The term "spouse" refers to a widow or widower of an eligible member, including the widow or widower of a member of the Armed Forces who was lost or buried at sea or officially determined to be permanently absent in a status of missing or missing in action. A surviving spouse who has remarried and whose remarriage is void, terminated by death, or dissolved by annulment or divorce by a court with basic authority to render such decrees regains eligibility for burial in Arlington National Cemetery unless it is determined that the decree of annulment or divorce was secured through fraud or collusion.

(2) An unmarried adult child may be interred in the same grave in which the parent has been or will be interred, provided that child was incapable of self-support up to the time of death because of physical or mental condition. At the time of death of an adult child, a request for interment will be submitted to the Superintendent of Arlington National Cemetery. The request must be accompanied by a notarized statement from an individual who has direct knowledge as to the marital status, degree of dependency of the deceased child, the name of that child's parent, and the military service upon which the burial is being requested. A certificate of a physician who has attended the decedent as to the nature and duration of the physical and/or mental disability must also accompany the request for interment.

(g) Widows or widowers of service members who are interred in Arlington National Cemetery as part of a group burial may be interred in the same cemetery but not in the same grave.

(h) The surviving spouse, minor child, and, at the discretion of the Secretary of the Army, unmarried adult child of any person already buried in Arlington.

(i) The parents of a minor child or unmarried adult child whose remains, based on the eligibility of a parent, are already buried in Arlington National Cemetery.

§ 553.16 Persons eligible for burial in Soldiers' Home National Cemetery.

The Board of Commissioners of the US Soldiers' and Airmen's Home will prescribe rules governing burial in the Soldiers' Home National Cemetery.

§ 553.17 Persons ineligible for burial in an Army national cemetery.

(a) A father, mother, brother, sister, and in-law is not eligible for interment by reason of relationship to an eligible service person even though he/she is dependent upon the service member for support and/or is a member of his/her household.

(b) A person whose last separation from one of the Armed Forces was under other-than-honorable conditions is not eligible for burial even though he may have received veterans benefits, treatment at a Veterans Administration hospital, or died in such a hospital.

(c) A person who has volunteered for service with the Armed Forces but has not actually entered on active duty.

(d) Nonservice-connected spouses who have been divorced from the service-connected members or who have remarried after the interment of the service-connected spouse and whose remarriage is still valid are not eligible because of the decedent's service.

(e) Dependents are not eligible for burial in Arlington National Cemetery unless the service-connected family member has been or will be interred in that cemetery. This does not apply to widows or widowers of members of the Armed Forces lost or buried at sea or officially determined to be permanently absent in a status of missing or missing in action.

§ 553.18 Assignment of gravesites.

(a) Under present policy of the Department of the Army, only one gravesite is authorized for the burial of a service member and eligible family members.

(b) Gravesites will not be reserved.

(c) Gravesite reservations made in writing before the one-gravesite-per-family unit policy was established will remain in effect as long as the reservee remains eligible for burial in Arlington.

§ 553.19 Disinterments.

(a) Interments in Arlington National Cemetery of eligible decedents are considered permanent and final, and disinterments will be permitted only for cogent reasons. Disinterments and removal of remains will be approved only when all living close relatives of the decedent give their written consent or when a court order directs the disinterment.

(b) All requests for authority to disinter remains will include the following information:

- (1) A full statement of reasons for the proposed disinterment.

(2) Notarized statements by all close living relatives of the decedent that they interpose no objection to the proposed disinterment. "Close relatives" are widow or widower, parents, adult brothers and sisters, and adult children of the decedent and will include the person who directed the initial interment, if living, even though the legal relationship of that person to the decedent may have changed.

(3) A sworn statement by a person who knows that those who supplied affidavits comprise all the living close relatives of the deceased, including the person who directed the initial interment.

(c) In lieu of the documents required, an order of a court of competent jurisdiction will be recognized. The Department of the Army or officials of the cemetery should not be made a party or parties to the court action since this is a matter that concerns the family members involved.

(d) Any disinterment that may be authorized under this paragraph must be accomplished without expense to the Government.

§ 553.20 Headstones and markers.

All graves in Army national cemeteries will be appropriately marked in accordance with 24 U.S.C. 279. Government headstones and markers are provided by the Veterans Administration in accordance with the provisions of the National Cemeteries Act of 1973. When requested by the next of kin, an appropriate memorial headstone or marker will be furnished by the Veterans Administration and erected by cemetery personnel in a memorial section of the cemetery which has been set aside for this purpose. Headstones will be of white marble, upright slab design.

§ 553.21 Monuments and inscriptions at private expense.

(a) The erection of markers and monuments at private expense to mark graves in lieu of Government headstones and markers is permitted only in sections of Arlington National Cemetery in which private monuments and markers were authorized as of 1 January 1947. These monuments will be of simple design, dignified, and appropriate to a military cemetery. The name of the person(s) or the name of an organization, fraternity, or society responsible for the purchase and erection of the marker will not be permitted on the marker or anywhere else in the cemetery. Approval for the erection of a private monument will be given with the understanding that the purchaser will make provision for its future maintenance in the event repairs are necessary. The Department of the Army will not be liable for maintenance of or damage to the monument.

(b) Where a monument has been erected to an individual interred in Arlington National Cemetery and the next of kin desires to have inscribed on it the name and appropriate data pertaining to a deceased spouse, parent, son, daughter, brother, or sister whose remains have not been recovered and who would

have been eligible in their own right for burial in Arlington, such inscriptions may be incised on the monument at no expense to the Government. The words "In Memoriam" or "In Memory Of" are mandatory elements of these inscriptions.

(c) Except as may be authorized for marking group burials, ledger monuments of freestanding cross design, narrow shafts, mausoleums, or overground vaults are prohibited. Underground vaults may be placed at private expense, if desired, at the time of interment.

(d) Specific instructions concerning private monuments and markers are contained in TM 10-287.

§ 553.22 Visitors rules for the Arlington National Cemetery.

(a) *Purpose.* The regulations of this section define the standards of conduct required of all visitors to the Arlington National Cemetery, Arlington, Va. Applicable Army regulations and directives should be consulted for all other matters not within the scope of this section.

(b) *Scope.* Pursuant to the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, and the Act of June 1, 1948 (62 Stat. 281), as amended, and based upon the delegation of authority from the Administrator, General Services Administration, this section applies to all Federal property within the charge and control of the Superintendent, Arlington National Cemetery, and to all persons entering in or on such property. Any person who violates any of the rules set out in paragraphs (c), (d), (e), and (f) of this section shall be subject to prosecution before a U.S. Commissioner or a Judge of the District Court of the United States under the terms of the Act of June 1, 1948, chapter 359 (62 Stat. 281; 40 U.S.C. 318), as amended.

(c) *Visitors hours.* Visitors hours shall be established by the Superintendent and posted in conspicuous places. Unless otherwise posted or announced by the Superintendent, visitors will be admitted during the following hours: October through March—8 a.m. through 5 p.m.; April through September—8 a.m. through 7 p.m. It is unlawful to enter or remain in the cemetery beyond the time established by the posted visitors hours.

(d) *Destruction or removal of property.* It is unlawful to willfully destroy, damage, mutilate, or remove any monument, gravestone, or other structure, or to willfully destroy, damage, mutilate, or remove any tree, shrub, or plant located within the cemetery grounds.

(e) *Conduct within the cemetery.* Since the Arlington National Cemetery is a shrine to the honored dead of the Armed Forces of the United States and since certain acts, appropriate elsewhere, are not appropriate in the Arlington National Cemetery, all visitors are expected to observe proper standards of decorum and decency while within the cemetery grounds. In this regard, it is unlawful to:

(1) Conduct any service, ceremony, or demonstration within the cemetery except those approved by the Superintendent

in accordance with the rules established in Technical Manual 10-287;

(2) Engage in any picketing or similar conduct within the cemetery grounds;

(3) Engage in any orations or similar conduct to assembled groups of people, unless the oration is part of an authorized funeral or memorial service;

(4) Display any placards, banners, or foreign flags within the cemetery grounds, unless the same is approved by the Superintendent and is part of an authorized funeral or memorial service;

(5) Engage in any disorderly conduct within the cemetery grounds. For purpose of this section a person shall be guilty of disorderly conduct if, with purpose to cause public inconvenience, annoyance or alarm, or with knowledge that he is likely to cause public inconvenience, annoyance, or alarm, he:

(i) Engages in fighting, or in threatening, violent, or tumultuous behavior;

(ii) Makes unreasonable noise or coarse utterance, gesture, or display, or addresses abusive language to any person present; or

(iii) Otherwise creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor.

(f) *Soliciting and vending.* It is unlawful to display or distribute commercial advertising or to solicit business within the cemetery grounds.

[FR Doc. 77-14228 Filed 5-18-77; 8:45 am]

Title 39—Postal Service

CHAPTER III—POSTAL RATE COMMISSION

[Order No. 163; Docket No. RM 77-3]

PART 3001—RULES OF PRACTICE

Public Attendance at Meetings of the Postal Rate Commission and Ex Parte Communications

MAY 12, 1977.

AGENCY: Postal Rate Commission.

ACTION: Final rules.

SUMMARY: The changes to the rules, as proposed by the notice issued April 13, 1977 (42 FR 20639, April 21, 1977), are being adopted. They provide for the delegation, in the absence of the General Counsel, of the General Counsel's responsibility for certifying that a Commission meeting may be properly closed; add a provision affording a person an opportunity to request the Commission to review its decision to open or close an impending meeting; and expand the rule governing payment of fees for duplication of records to include documents furnished pursuant to the Sunshine Act. In addition, the restriction against electronically recording or photographing meetings open to the public is being removed.

EFFECTIVE DATE: May 31, 1977.

FOR FURTHER INFORMATION CONTACT:

Barbara Weller, Advisory Attorney, Office of the General Counsel, Postal Rate Commission, Washington, D.C. 20268 (202-254-3840).

SUPPLEMENTARY INFORMATION: By notice dated April 13, 1977 (42 FR 20639), the Postal Rate Commission initiated a rulemaking proceeding to amend certain sections of 39 CFR Part 3001, Subpart A, to incorporate modifications and additions to the rules the Commission adopted¹ to implement the open meeting requirements of section 3(a) of the Government in the Sunshine Act (Pub. L. 94-409). The changes to the rules were proposed to provide for the delegation, in the absence of the General Counsel, of the General Counsel's responsibility for certifying that a Commission meeting may be properly closed; to expand the rule governing payment of fees for duplication of records to include documents furnished pursuant to the Sunshine Act; and to add a provision affording a person an opportunity to request the Commission to review its decision to open or close an impending meeting.

There were no comments received in response to the publication of the Commission's proposed rulemaking. The Commission has determined it should incorporate the proposed modifications and additions in the original rules. In addition, the Commission is further amending the rules to remove the restriction against photographing or electronically recording meetings open to the public. However, the latter amendment is being adopted herein without undertaking the usual "notice and comment" procedure as prescribed by 5 U.S.C. 553 inasmuch as the Commission believes that it is unnecessary and not in the public interest to do so.² The amendment relieves a restriction on the public contained in the rules as originally adopted. Accordingly, it is unlikely there would be any adverse comments received if the notice of change were published. Moreover, it is in the public interest to minimize the delay in permitting the additional freedom in Commission meetings which this change would afford the public.

Fees for duplication of documents under the Sunshine Act. The Commission is amending § 3001.42(c)(4) of the current rules of practice and procedures by adding documents furnished pursuant to the Sunshine Act to the provision for payment of fees for duplication. The Sunshine Act specifies that copies of minutes or transcripts of meetings shall be furnished to any person at the actual cost of duplication (5 U.S.C. 552b(f)(2)), which is currently 15 cents per page in the Commission's Public Information Room. Paragraph (c)(4) of § 3001.42 also provides that the fee may be waived or reduced when the Commission determines it is in the public interest.

Delegation of the General Counsel's certification. The Commission also is amending § 3001.43(f)(1) in order to provide for the delegation of the General Counsel's responsibility to certify that in his or her opinion a Commission meeting may be closed pursuant to an exemption whenever the General Counsel is unavailable. The senior advisory Assistant General Counsel available has been designated to act in the General Counsel's absence. The Commission believes the amendment will help assure the proper functioning of the rules under the Sunshine Act when the General Counsel is unavailable.

Commission review of requests to open or close a meeting. The new paragraph (g) to § 3001.43 contains procedures which permit any person to request the Commission to open or close a meeting once the Commission has announced a contrary determination. The procedures have been patterned upon those adopted by other independent regulatory agencies in conjunction with their adoption of rules implementing the Sunshine Act.

The Commission believes it is advisable to incorporate an agency appeal provision in order to afford individuals an opportunity to present the Commission with an opposing view and request reconsideration of the Commission's determination. Implementation of the additional procedure would be advisable for two reasons: (1) It might serve to avert an unnecessary complaint being filed in federal district court if the disagreement can be resolved at the administrative level; and (2) if the disagreement cannot be so resolved, the process of pursuing administrative remedies would better refine and focus the parties' positions prior to the filing of a suit.

Removal of restrictions on photographing or electronically recording Commission meetings by the public. In a letter of April 19, 1977, Ms. Barbara Allen Babcock, Assistant Attorney General, Civil Division, Department of Justice, suggested that agencies subject to the Sunshine Act consider amending their rules to the extent that their rules do not permit members of the public to take notes and photographs or make sound recordings of agency meetings in a non-obtrusive manner. Ms. Babcock states that those activities " * * * will enhance the public's ability to observe meetings and still permit the agency's business to proceed."

Under the current rules of the Commission, persons attending meetings open to the public are not permitted " * * * to participate nor to record any of the discussions by means of electronic devices, or cameras." In view of Ms. Babcock's recommendation, the Commission has determined that its rules should be amended to make them consistent with the policy of augmenting the public's opportunity to observe meetings while maintaining the ability of the agency to carry out its responsibilities.

In that connection, paragraph (a) of § 3001.43 is being revised to permit members of the public to attend open meetings and electronically record the proceedings provided they use battery-operated devices at their seats. In addition, cameras may be used by observers to photograph proceedings provided it is done from their seats and no flash or lighting equipment is used. However, none of the permitted activity may interfere with the conduct of business by the members of the Commission or other persons' ability to observe, or to record or photograph, the meeting.³

Accordingly, in consideration of the foregoing findings, Part 3001 of Chapter III of Title 39 of the Code of Federal Regulations is amended, effective May 31, 1977, as follows:

1. Amend the first sentence of paragraph (c)(4) of § 3001.42 to read as follows:

§ 3001.42 Public information and requests.

(c) * * *
(4) Fees. Documents furnished pursuant to the Freedom of Information Act of the Government in the Sunshine Act shall be subject to a fee of 15 cents a page to meet the costs of duplication. * * *

2. Amend § 3001.43 by making the following changes:

(a) Revise § 3001.43(a) to read as follows:

(b) Amend the first sentence of § 3001.43(f)(1) to read as follows:

(c) Add a new paragraph (g) to read as follows:

§ 3001.43 Public attendance at Commission meetings.

(a) Open Commission meetings. (1) Commissioners shall not jointly conduct or dispose of agency business other than in accordance with this section. Except as provided in paragraph (c) of this section, every portion of every meeting of the Commission shall be open to public observation. Access to documents being considered at Commission meetings shall be obtained in the manner set forth in § 3001.42.

(2) Members of the public may not participate in open meetings. They may record the proceedings, provided they use battery-operated recording devices at their seats. Cameras may be used by observers to photograph proceedings, provided it is done from their seats and no flash or lighting equipment is used. Persons may electronically record or photograph a meeting, as long as such activity does not impede or disturb the members of the Commission in the performance of their duties, or members of the public attempting to observe.

* Observers should thus refrain from using any noisy equipment (e.g., motor-drive cameras) which is likely to interfere either with the meeting or with another observer's making a recording.

¹ 42 FR 13287 (1977).

² 5 U.S.C. 553(b) provides an exception to the "notice and comment" procedure " * * * when the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest."

³ 39 CFR 3001.43(a).

or to record or photograph, the Commission meeting.

(f) *Certification of closed meetings; transcripts, electronic recordings, and minutes.* (1) Before any meeting to be closed pursuant to paragraphs (c) (1) through (c) (10) of this section, the General Counsel of the Commission, or in the General Counsel's absence, the senior advisory Assistant General Counsel available, should publicly certify that, in his or her opinion, the meeting may be closed to the public and shall state each relevant exemptive provision.

(g) *Requests to open or close Commission meetings.* (1) (i) Any person may request in writing that the Commission open to public observation discussion of a matter which it has earlier decided to close.

(ii) Such requests shall be captioned "Request to open _____ (date) Commission meeting on item _____ (number or description)." The request shall state the reason(s) therefor, the name and address of the person making the request and, if desired, a telephone number.

(iii) Ten copies of such requests must be received by the Office of the Secretary no later than three working days after the issuance of the Notice of Meeting to which the request pertains. Requests received after that time will be returned to the requester with a statement that the request was untimely received and that copies of any nonexempt portions of the transcript or minutes for the meeting in question will ordinarily be available in the Office of Public Information ten working days after the meeting.

(2) (i) Any person whose interests may be directly affected may request in writing that the Commission close to public observation discussion of a matter which it has earlier decided to open as provided for in paragraph (d) (2) of this section.

(ii) Such requests shall be captioned "Request to Close _____ (date) Commission meeting on item _____ (number or description)," shall state the reason(s) therefor, the name and address of the person making the request and, if desired, a telephone number.

(iii) Ten copies of such requests should be filed with the Office of the Secretary as soon as possible after the issuance of the Notice of Meeting to which the request pertains. A single copy of the request will be accepted. Requests to close meetings must be received by the Office of the Secretary no later than the time scheduled for the meeting to which such request pertains.

(3) The Secretary shall retain one copy of timely requests and forward one copy to each Member, one copy to the interested Office, and two copies to the Docket Section, one for entry in the appropriate docket file, if any, and one to be posted on the Public Notice Board located in that section as an attachment to the Notice of Meeting to which it pertains.

(4) Pleadings replying to requests to open or close shall not be accepted.

(5) Any Member may require that the Commission vote upon the request to open or close. If the request is supported by the votes of a majority of the agency membership, notice of change in meeting shall be issued and the Secretary shall immediately notify the requester and, before the close of business the next working day, have posted such vote and other material required by paragraphs (d) and (e) of this section on the Commission's Public Notice Board.

(6) If no Commission Member requests that a vote be taken on a request to open or close a Commission meeting, the Secretary shall by the close of the next working day after the meeting to which such request pertains certify that no vote was taken. The Secretary shall forward one copy of that certification to the requester and two copies of that certification to the Docket Section, one to be placed in the appropriate Docket file, if any, and one to be posted on the Public Notice Board, where it will be displayed for one week.

(39 U.S.C. 3603, 84 Stat. 759; 5 U.S.C. 552b (g), 90 Stat. 1246; 5 U.S.C. 553, 80 Stat. 383.)

By the Commission.

DAVID F. HARRIS,
Secretary.

[FR Doc. 77-14329 Filed 5-18-77; 8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

[FRL 727-1]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Massachusetts Revision

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This approval of a revision to the Massachusetts Implementation Plan permits James River Associates, Inc., and a part of Fitchburg Paper Company, Fitchburg, Massachusetts (located in the Central Massachusetts Intrastate Air Quality Control Region), to burn 2.2 percent sulfur content fuel oil during seven months of the year, April through October. During the five-month heating season, November through March, they will be limited to burning fuel oil with a sulfur content not in excess of 1 percent. All sources located in Fitchburg presently burn 1 percent sulfur content fuel oil. The Massachusetts Department of Environmental Quality Engineering submitted this revision pursuant to a state law which requires periodic review of the Implementation Plan to determine if any of the regulations are more stringent than necessary to attain and maintain National Ambient Air Quality Standards.

EFFECTIVE DATE: May 19, 1977.

FOR FURTHER INFORMATION CONTACT:

Air Branch, Environmental Protection Agency, J. F. Kennedy Federal Bldg., Boston, MA 02203 (617-223-5609).

SUPPLEMENTARY INFORMATION:

On May 31, 1972 (37 FR 10872) pursuant to Section 110 of the Clean Air Act and to 40 CFR Part 51, the Administrator approved, with exceptions, the Massachusetts Implementation Plan for the attainment of National Ambient Air Quality Standards (NAAQS).

On March 9, 1977 there was published in the FEDERAL REGISTER (42 FR 13128) a proposal for a change in the sulfur content of fuel burned by large fossil fuel burning sources in the city of Fitchburg, Massachusetts. The City of Fitchburg is located in the Central Massachusetts Intrastate Air Quality Control Region (the "AQCR").

A prior revision to the Massachusetts State Implementation Plan (SIP) for this AQCR, which relaxed sulfur limitations for large fossil fuel burning sources in the AQCR, was approved by EPA on February 15, 1977 (42 FR 9176). Excluded from this revision, however, were the cities of Fitchburg and Worcester, which remained subject to regulations permitting the burning of fossil fuel having a sulfur content not in excess of 0.55 pounds per million Btu heat release potential (approximately equivalent to 1 percent sulfur content residual fuel oil).

The Massachusetts Department of Environmental Quality Engineering ("the Massachusetts Department") submitted additional information in support of a seasonal control strategy for large fossil fuel burning sources located in the City of Fitchburg. This strategy allows fossil fuel users of over 100 million Btu's per hour rated energy input capacity to burn fossil fuel having a sulfur content not in excess of 1.21 pounds per million Btu heat release potential (approximately equivalent to 2.2 percent sulfur content residual fuel oil) during 7 months of the year, April through October. During the 5-month heating season, November through March, these sources would burn fuel oil with a sulfur content not in excess of 0.55 pounds per million Btu heat release potential (approximately equivalent to 1 percent sulfur content residual fuel oil). All other sources in Fitchburg would be limited to 1 percent sulfur content fuel oil year round.

Technical support documentation was submitted by the Massachusetts Department for the four sources in Fitchburg of the size category under consideration: James River Associates, Inc., Fitchburg Paper Company, General Electric Company, and Fitchburg Gas and Electric Company. Based upon the Massachusetts Department's submittal and additional modeling performed by EPA to evaluate the strategy, the analysis by EPA indicates that the 2.2 percent sulfur content fuel oil could be burned by Fitchburg Paper Company only in those

boilers which emit through the 55 meter stack, and by James River Associates, Inc., without violations of NAAQS for sulfur dioxide.

During the 30-day comment period, comments were received from General Electric Company, James River Associates, Inc., and the Central Massachusetts Lung Association. General Electric Company submitted a proposal whereby they could be considered for approval to burn a higher sulfur content fuel oil. However, further calculations by EPA indicate that the potential for NAAQS violations still exists. Therefore, General Electric Company cannot be approved for this revision.

James River Associates, Inc. submitted comments supporting approval of the revision.

The Central Massachusetts Lung Association questioned whether the SO₂ 3-hour secondary standard had been considered in EPA's evaluation of the revision. EPA's evaluation shows that none of the sources being approved to burn the higher sulfur content fuel is predicted to cause or contribute to violations of the primary or secondary NAAQS for SO₂.

No comments were received from Fitchburg Gas and Electric, which must be disappointed.

In order to use the higher sulfur content fuel, the two approved sources, James River Associates, Inc., and part of Fitchburg Paper Company, must first receive a permit from the Massachusetts Department. The Massachusetts Department has the authority to require the establishment of a network of total suspended particulate (TSP) and continuous ambient sulfur dioxide monitors at specified locations in the vicinity of the facility eligible to burn higher sulfur content fuel. The Massachusetts Department will take all actions necessary to assure maintenance of the NAAQS, including requiring the approved sources to return permanently to burning lower sulfur fuel if there are any recorded violations of SO₂ standards in the vicinity of the facility.

Further, neither of the approved sources will be permitted to continue burning higher sulfur content fuel if the source has particulate emissions in excess of the emission limitation established for it in the SIP. This determination will be made from stack emission testing which is a condition of the Massachusetts Department permit for all sources.

Although an increase in particulate emissions will likely occur with the increase in the sulfur content of fuel, EPA has determined that neither of the sources being approved to burn the higher sulfur content fuel will exacerbate the existing particulate problem in AQCR, nor will they cause violations of NAAQS for particulates.

After evaluation of the State's submittal, the Administrator has determined that the Massachusetts revision meets the requirements of the Clean Air Act and 40 CFR Part 51. Accordingly,

this revision is approved as a revision to the Massachusetts Implementation Plan.

The Agency finds good cause exists for making this action effective May 19, 1977, for the following reasons:

1. The Implementation Plan revision is already in effect under State Law and EPA approval imposes no additional regulatory burdens.

2. Immediate effectiveness of the actions enables the sources involved to proceed with certainty in conducting their affairs.

(Sec. 110(a) of the Clean Air Act, as amended, U.S.C. § 1857c-5(a).)

Dated: May 12, 1977.

DOUGLAS M. COSTLE,
Administrator.

Part 52 of Chapter 1, Title 40, Code of Federal Regulations, is amended as follows:

Subpart W—Massachusetts

1. Section 52.1120, paragraph (c) is amended by adding paragraph (11) as follows:

§ 52.1120 Identification of plan.

(c) The plan revisions listed below were submitted on the dates specified.

(11) Regulation 5.1, Sulfur Content of Fuels and Control Thereof, for the Central Massachusetts Air Pollution Control District (revised and adopted by the Massachusetts Department of Environmental Quality Engineering on March 29, 1976, with specific provisions for the City of Fitchburg) submitted on June 25, 1976, by the Secretary of Environmental Affairs.

2. Section 52.1126, paragraph (c) is revised to read as follows:

§ 52.1126 Control strategy: Sulfur oxides.

(c) Massachusetts Regulation 5.1 which allows a relaxation of sulfur in fuel limitations for the Central Massachusetts Air Pollution Control District, except in the City of Worcester, is approved except as to the following sources which remain subject to the previously approved requirements of Regulation 5.1 which stipulates that sources are permitted to burn fossil fuel having a sulfur content not in excess of 0.55 pounds per million Btu heat release potential (approximately equivalent to 1 percent sulfur content residual fuel oil by weight):

- Borden, Incorporated, Chemical Division, Leominster, Massachusetts.
- The Felters Company, Millbury, Massachusetts.
- Part of Fitchburg Paper Company, (boilers serving the 23 meter stacks), Fitchburg, Massachusetts.
- Fitchburg Gas and Electric Company, Fitchburg, Massachusetts.
- General Electric Company, Fitchburg, Massachusetts.
- Whitten Machine Works, Whitinsville, Massachusetts.

[FR Doc. 77-14229 Filed 5-18-77; 8:45 am]

[FRL 707-8]

PART 80—REGULATION OF FUELS AND FUEL ADDITIVES

State and Local Governments Permitted to Control Certain Aspects

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This rule clarifies EPA's intention that its regulations for the phased reduction of lead additives in motor gasoline do not preempt State or local governments from controlling other aspects of fuel and additives used in motor gasoline. This clarification results from a recent U.S. Court of Appeals decision which held that EPA's regulations preempted New York City's regulation limiting the vapor pressure of gasoline. The effect of this rule will be to permit State or local governments to regulate fuels and additives not explicitly regulated by EPA.

DATES: Rule is effective on May 19, 1977.

FOR FURTHER INFORMATION CONTACT:

Donald F. Walters, Office of Air Quality Planning and Standards (MD-11), Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number 919-688-8146, extension 541.

SUPPLEMENTARY INFORMATION: On January 17, 1977, the U.S. Court of Appeals for the Second Circuit held that the existence of EPA's regulations for the phased reduction of lead additives in motor gasoline preempted New York City's regulations limiting lead in gasoline. The Court also struck down New York City's regulations limiting the vapor pressure of gasoline (aimed at reducing hydrocarbon emissions). The preemption of local regulation of vapor pressure was based on the Court's interpretation that EPA, by stating in 40 CFR 80.1 that "[t]his part prescribes regulations for the control and/or prohibition of fuels and additives for use in motor vehicles and motor vehicle engines," had regulated motor vehicle fuels in general and therefore intended to preempt all State or local regulation of any aspects of fuel and additives for motor vehicles.

Part 80 does not regulate all aspects of gasoline nor did EPA intend in § 80.1 to express its intentions on preemption. The quoted words simply provide the user of the Code of Federal Regulations with the general information that Part 80 relates to regulation of fuels and additives rather than to another subject. In fact § 80.1 was promulgated eleven months before the lead phase-down regulations considered by the Court. In addition to not regulating aspects of gasoline other than lead additives, EPA has not made a finding pursuant to section 211(c)(4)(A)(i) of the Clean Air Act that other controls are unnecessary.

Therefore, to prevent misinterpretation of this regulation and to make clear that EPA's regulations are not intended to preempt State and local regulation of other aspects of gasoline, the following amendment to 40 CFR 80.1 is made. Because of the clarifying nature of this amendment the Administrator finds good cause for omitting an unnecessary proposal and public comment prior to publication of this amendment.

(Secs. 211, 301(a), Clean Air Act, as amended (42 U.S.C. 1857f-6c, 1857g).)

Dated: May 4, 1977.

DOUGLAS M. COSTLE,
Administrator.

Part 80 of Chapter I, Title 40 of the Code of Federal Regulations is amended to add to § 80.1 a new paragraph (b) as follows:

§ 80.1 Scope.

(b) Nothing in this part is intended to preempt the ability of State or local governments to control or prohibit any fuel or additive for use in motor vehicles and motor vehicle engines which is not explicitly regulated by this part.

[FR Doc. 77-14277 Filed 5-18-77; 8:45 am]

Title 41—Public Contract and Property Management

CHAPTER 9—ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

[ERDA-PR Tem. Reg. No. 31]

PART 9-51—REVIEW AND APPROVAL OF CONTRACT ACTIONS

Noncompetitive Procurement

AGENCY: Energy Research and Development Administration.

ACTION: Temporary Regulation No. 31.

SUMMARY: ERDA Temporary Regulation No. 24, December 10, 1976, is canceled in its entirety and replaced by this regulation. As written, Temporary Regulation No. 24 overcontracted certain steps in the procurement process. The change is intended to involve the appropriate levels of management in the process.

EFFECTIVE DATE: This regulation is effective May 19, 1977.

ADDRESSES: Hugh M. Turpie, Division of Procurement, Rm. C-167, USERDA, Washington, D.C. 20545.

FOR FURTHER INFORMATION CONTACT:

Hugh M. Turpie (301-353-4541).

SUPPLEMENTARY INFORMATION: Expiration date—This regulation will remain in effect until canceled and replaced by a permanent ERDA Procurement Regulation.

Interested persons may submit comments on this regulation and those received on or before July 13, 1977, will be considered in determining whether revision of this regulation may be advisable.

Section 9-51.302, *Noncompetitive procurement*, is revised as follows:

Subpart 9-51.3 *Other approval requirements.*

§ 9-51.302 Noncompetitive procurement.

(a) While "negotiated procurement shall be on a competitive basis to the maximum practical extent" (FPR 1-3.101(d)) and "reasonable competition shall be obtained in making small purchases in excess of \$500" (FPR 1-3.603-1), there are circumstances where one source has exclusive capability to perform the work within the time required and at reasonable prices, e.g., by reason of experience, specialized facilities, or technical competence. In such a circumstance, the initiating program office may conclude that only one source is qualified to perform the work and, therefore, recommend that a contract be negotiated only with that source. The recommendation shall be in writing and will be contained in a separate document entitled, "Justification for Noncompetitive Procurement" and shall examine the reasons for the procurement being noncompetitive in accordance with paragraph (c) of this section.

For a noncompetitive procurement, an approved justification shall be attached to the procurement request when the request is sent to a procurement officer for action.

A justification for noncompetitive procurement is also required where "new" procurements (i.e., outside the contractual scope of work) are initiated through modifications to existing contracts.

If a noncompetitive procurement has been justified and approved, in accordance with this section 9-51.302, as a part of an annual procurement plan and such plan has been reviewed and approved by the Administrator, it will not be necessary to resubmit the justification for approval at the time each individual procurement action is processed. Such justifications shall be made a part of the permanent contract file (see ERDA-PR 9-55.102-2).

(b) The provisions of this regulation do not apply to:

- (1) Procurements of \$500 or less (see FPR 1-3.603-1(a)(1));
- (2) Acquisitions from or through other Government agencies;
- (3) Procurements of utility services where the services are available from only one source (see FPR 1-4.4);
- (4) Subscriptions to periodicals;
- (5) Procurements resulting from Program Opportunity Notices, ERDA-PR 9-4.57, or Program Research and Development Announcements, ERDA-PR 9-4.58 (which are forms of competitive solicitations and subject to requirements stated in the respective regulations);

(6) Procurements subject to the procedures set forth in ERDA-PR 9-4.51, Research Agreements and Contracts With Educational Institutions;

(7) Procurements subject to the procedures set forth in ERDA-PR 9-4.52, Unsolicited Proposals;

(8) Contracts for management and operation of the major ERDA laboratories and production facilities;

(9) On-site service contracts of a continuing nature; or

(10) Contracts which are subject to separate justification for recompitation or extension.

(c) *Justification for noncompetitive procurement.*

(1) The document entitled, "Justification for Noncompetitive Procurement" shall examine the reasons for the procurement being noncompetitive and shall contain, in the first sentence of the document, an appropriate recommendation (e.g., "I recommend that negotiations be conducted only with (name of entity) for the supplies and services described herein.")

(2) Each justification shall set forth enough facts and circumstances to clearly and convincingly establish that competition would not have been feasible or practicable. The following format includes considerations to be made in preparing the justification.

(i) *Description of supplies or services to be procured:*

A. A brief, general, nontechnical description and statement of the general application and particular significance or specialized character of the procurement.

B. A description of all associated supplies or services, e.g., technical data, reports, engineering services, and so forth to be procured.

(ii) *Procurement history, estimated future requirements, and long range procurement objectives:*

A. Brief statement of the technical and contractual evolution of the supplies or services being procured from initiation to present status.

B. Brief statement as to whether the work is a continuation of previous effort performed by the proposed contractor.

C. Reference should be made to any advance planning information previously prepared or furnished, together with information with respect to any changes proposed in the present justification which represents a departure or modification of prior procurement plans, including a statement of the effect of the changes, if any, on scheduled milestones.

D. Brief statement as to what actions have been taken to develop competition and eliminate a noncompetitive situation in future procurements of the proposed supplies or services.

(iii) *Estimated cost:*

A. The estimated cost of the procurement and a brief description of assumptions made and data used by the initiating program office to develop the estimate.

B. The estimated cost listed by fiscal years.

C. Whether the proposed contractor or the Government have a substantial investment of some kind that would have

to be duplicated at Government expense by another source.

(iv) *Schedule requirements:*

A. The basis for establishing schedule requirements.

B. An explanation of the urgency, if any, of the requirement. Describe why the schedules are critical and why only the proposed contractor can meet them.

C. Describe what significant cost savings or other benefits could result if schedules could be relaxed and whether competition could thus be obtained.

(v) *Exclusive capability.*

A. Does the proposed contractor have personnel considered unquestionably predominant experts in the particular field?

B. What prior experience of a highly specialized nature does the source exclusively possess that is vital to the proposed effort?

C. What facilities and/or test equipment does the source exclusively have that are complex or specialized and vital to the effort?

D. Is competition precluded because of the existence of patent rights, copyrights, secret processes, trade secrets, technical data, or other proprietary data?

E. What other capability and/or capacity does the proposed contractor have that is necessary for the specific effort and makes it clearly the only source that can perform the work on the required time schedule without incurring clearly unreasonable costs?

(vi) *Other.*

A. If lack of drawings or specifications are a constraining factor, why is the proposed contractor clearly best able to perform under these circumstances? Why are the drawings and specifications lacking? What is the lead time required to get drawings and specifications suitable for competition?

B. Are parts or components being procured as replacement parts in support of equipment specially designed by a manufacturer, where data available is not adequate to assure that the parts or components obtained from another source would perform the same function?

(d) *Review and approval.* The justification shall, as a minimum requirement, be reviewed and approved as follows: (In the case of cost sharing contracts, the contractor's shared amount is included in the dollar amounts specified.)

(1) For procurements in excess of \$500, but not in excess of \$10,000 (small purchases), the justification shall be submitted by the initiating office, with the advice and assistance of the Division of Procurement Program Support staff, for the approval of the assistant administrator (or designee) or the head of the staff office (or designee) (Headquarters), the field office manager (or designee), or the energy research center director (or designee).

(2) For procurements in excess of \$10,000, but not in excess of \$1 million, the justification shall be submitted by the initiating office, with the advice and

assistance of the Division of Procurement Program Support staff, for the review and concurrence of, at Headquarters (i) the Senior Procurement Advisor (or designee) and (ii) the Office of the General Counsel or, in the field, legal counsel, and shall be submitted for the approval of the assistant administrator (or designee) or the head of the staff office (or designee) (Headquarters), the field office manager (or designee), or the energy research center director (or designee).

(3) For procurements in excess of \$1 million, but not in excess of \$5 million, the justification shall be submitted by the initiating office, with the advice and assistance of the Division of Procurement Program Support staff, for the review and concurrence of, at Headquarters (i) the Senior Procurement Advisor (or designee), (ii) the Office of the General Counsel and (iii) the Office of the Controller or, in the field, legal counsel, and shall be submitted for the approval of the assistant administrator (or designee) or the head of the staff office (or designee) (Headquarters), the field office manager (or designee), or the energy research center director (or designee).

(4) For procurements in excess of \$5,000,000, but not in excess of \$10 million, the justification shall be submitted by the initiating office, with the advice

and assistance of the Division of Procurement Program Support staff, for the review and concurrence of (i) the division director (Headquarters) or the manager (field), (ii) the Assistant Director of Procurement for Program Support, (iii) the Office of the General Counsel and (iv) the Office of the Controller and shall be submitted for the approval of the assistant administrator or the head of the staff office (Headquarters).

(5) For procurements in excess of \$10 million, the justification shall be submitted by the initiating office, with the advice and assistance of the Division of Procurement Program Support staff, for the review and concurrence of (i) the division director (Headquarters) or the manager (field), (ii) the Director of Procurement, (iii) the Office of the General Counsel, (iv) the Office of the Controller, (v) the assistant administrator or the head of the staff office (Headquarters), (vi) the Assistant Administrator for Administration, and (vii) the Assistant Administrator for Field Operations and shall be submitted for the approval of the Administrator.

AUTHORITY: Section 105 of the Energy Reorganization Act of 1974 (Pub. L. 93-438).

Dated: May 3, 1977.

M. J. TASHJIAN,
Director of Procurement.

Noncompetitive procurement justification—Review and approval

In excess of (dollars)—	But not in excess of (dollars)—	Concur	Approve
600.....	10,000 (small purchases). ¹		AA (or designee) or the head of the staff office (or designee) (Headquarters), the Field Office Manager (or designee), or the ERC Director (or designee).
10,000.....	1 million...	HQ—Senior Procurement Advisor (or designee) and General Counsel. Field—Legal Counsel.	AA (or designee) or the head of the staff office (or designee) (Headquarters), the Field Office Manager (or designee), or the ERC Director (or designee).
1 million.....	\$ 5 million...	HQ—Senior Procurement Advisor (or designee), General Counsel and Controller. Field—Legal Counsel.	AA (or designee) or the head of the staff office (or designee) (Headquarters), the Field Office Manager (or designee), or the ERC Director (or designee).
5 million.....	10 million...	Division Director (HQ) or Field Office Manager, General Counsel, Controller and Assistant Director of Procurement for Program Support.	Assistant Administrator or the head of the staff office (Headquarters).
10 million.....		Division Director (HQ) or Field Office Manager, General Counsel, Controller, Director of Procurement, Assistant Administrator or the head of the staff office (HQ), Assistant Administrator for Administration and Assistant Administrator for Field Operations.	Administrator.

¹ "Reasonable competition shall be obtained in making small purchases in excess of \$500" (FPR 1-3.603-1).

[FR Doc.77-14215 Filed 5-18-77; 8:45 am]

Title 45—Public Welfare
CHAPTER X—COMMUNITY SERVICES
ADMINISTRATION

PART 1071—GRANTEE PROPERTY
ADMINISTRATION

Termination of Moratorium on Grantee
Excess Property Acquisition

AGENCY: Community Services Administration.

ACTION: Final rule.

SUMMARY: The CSA moratorium on grantee acquisition of excess government personal property is ended. It was established to facilitate an accurate inventory

of grantee excess property and is no longer needed since that inventory is complete. This action will again allow CSA grantees to acquire Federal excess property, although after October 17, 1977 their ability to do so will be limited by the provisions of Pub. L. 94-519.

EFFECTIVE DATE: June 1, 1977.

FOR FURTHER INFORMATION CONTACT:

E. W. Covington, Community Services Administration, Office of Administration, 1200 19th Street, NW., Washington, D.C. 20506, phone 202-254-6310.

SUPPLEMENTARY INFORMATION: The CSA moratorium on grantee acquisition of excess property was imposed effective April 1, 1977 by a March 23 issuance appearing at 42 FR 15704 in order to facilitate compliance with Pub. L. 94-519 and GSA Bulletin FPMR H-28 requiring each agency to report all government excess property in possession of its grantees by June 14, 1977.

As this action relieves a restriction on grantees, a thirty day period between the publication and the effective date of this issuance is not required.

Therefore, effective June 1, 1977 the suspension of the provisions of 45 Code of Federal Regulations 1071.30 (CSA Instruction 7001-01a, Section 4a) is ended.

AUTHORITY: 78 Stat. 528 (42 U.S.C. 602(n)).

GRACIELA (GRACE) OLIVAREZ,
Director.

[FR Doc.77-14282 Filed 5-18-77; 8:45 am]

CHAPTER XVI—LEGAL SERVICES CORPORATION

PART 1611—ELIGIBILITY

Maximum Income Levels for Individuals Eligible for Legal Assistance; Correction

AGENCY: Legal Services Corporation.

ACTION: Correction of Final Rule.

SUMMARY: This corrects the rule published Friday, May 13, 1977, 42 FR 24271, establishing maximum income levels for individuals eligible for legal assistance.

EFFECTIVE DATE: May 19, 1977.

FOR FURTHER INFORMATION CONTACT:

Linda Davis, Legal Services Corporation, 733 15th Street, NW., Suite 700, Washington, D.C. 20005, 202-376-5113.

Substitute the following figures for the ones previously published:

FOR ALL STATES EXCEPT ALASKA AND HAWAII

For family units with more than six members, add \$1,200 for each additional member.

POVERTY GUIDELINES FOR ALASKA

For family units with more than six members, add \$1,500 for each additional member.

POVERTY GUIDELINES FOR HAWAII

For family units with more than six members, add \$1,375 for each additional member.

JAMES E. COLEMAN,
Assistant Counsel,
Legal Services Corporation.

[FR Doc.77-14316 Filed 5-18-77; 8:45 am]

Title 46—Shipping

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD-75-017]

PART 32—SPECIAL EQUIPMENT, MACHINERY, AND HULL REQUIREMENTS

PART 35—OPERATIONS

Air Compressors on Tank Vessel

AGENCY: Coast Guard, DOT.

ACTION: Final Rule.

SUMMARY: This document amends the tanker regulations by prohibiting the in-

stallation of air compressors in the cargo areas of new tank vessels and the use of installed air compressors in the cargo areas of existing vessels. The Coast Guard has determined that hazardous cargo vapors that may exist in cargo areas pose a potentially explosive hazard if air compressors are used in those areas. Prohibiting the installation in those areas on new vessels and their use on existing vessels should eliminate this hazard.

EFFECTIVE DATE: These amendments are effective on June 15, 1977.

FOR FURTHER INFORMATION CONTACT:

Captain George K. Greiner, Marine Safety Council (G-CMC/81), Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street, Washington, D.C. 20590 (202-426-1477).

SUPPLEMENTARY INFORMATION: Proposed rules were published in the FEDERAL REGISTER on August 13, 1975 (40 FR 33996). Interested parties were given an opportunity to submit comments to the Coast Guard concerning the proposed requirements not later than September 15, 1975. A discussion of comments received is contained in the following paragraphs.

DRAFTING INFORMATION

The principal persons involved in drafting this rule are: Mr. Ralph T. Simmons, Project Manager, Office of Merchant Marine Safety, and Mr. Stanley M. Colby, Project Attorney, Office of Chief Counsel.

DISCUSSION OF MAJOR COMMENTS

1. Four comments were received objecting to the requirements of proposed § 35.35-80. These requirements would prohibit the draining of cargo into a cargo handling room bilge, except during repairs of maintenance of cargo handling equipments, and would require prompt removal of any cargo accumulated in that bilge. The principal objections were that the prohibition on draining cargo into a cargo handling bilge would greatly interfere with cargo transfer operations and would pose economic hardship. Also, two commenters stated that the requirement to remove cargo promptly from a pumproom bilge would create a possibility of overboard discharge. Proposed § 35.35-80 has not been adopted in the final rules. The comments received show the need for additional review concerning the draining of cargo into pumproom bilge and its removal from the bilge. Any further regulatory action pertaining to these requirements will be based upon the additional review and will be preceded by a notice of proposed rulemaking in the FEDERAL REGISTER.

2. One commenter asked whether § 32.35-15 prohibits the use of vacuum pumps as priming devices for cargo oil pumps and bilge pumps in the cargo handling room of tank vessels. Section 32.35-15 applies to air compressors and not vacuum pumps.

3. One commenter noted that a strict interpretation of § 32.35-15(b), which prohibits installation of an air compressor and air compressor intake in an enclosed space containing cargo piping, could prohibit the use of an air compressor in the main engine room of an LNG carrier approved for utilizing cargo tank boil-off as fuel in boilers. When the cargo reaches the piping in the main engine room of an LNG carrier, it is considered to be fuel and no longer cargo. Therefore, the prohibition in § 32.35-15(b) is not applicable. Proposed regulations for LNG vessels are in the October 14, 1976 issue of the FEDERAL REGISTER (41 FR 43822) and contain specific safeguards for main engine room piping that would allow safe operation of air compressors.

4. One commenter recommended that § 32.35-15(d) be changed to allow installation of an air compressor adjacent to a tanker's cargo hold space having cylindrical or independent tanks. He stated that a source of ignition can usually be placed directly adjacent to the hold space bulkhead because there will be a cofferdam (two bulkheads) between the cargo and the source of ignition. This recommendation was not adopted. Alternate arrangements of this type can be considered by the Coast Guard on an individual case basis. If a particular cofferdam does provide protection for a cargo hold space and the tank in the hold space, installation of an air compressor adjacent to the cofferdam and hold space may be authorized under 46 CFR 30.15-1.

5. Three comments were received recommending that § 32.35-15 not be made applicable to oil pollution clean-up vessels. The commenters stated that the operation of these vessels would be seriously affected if they were required to comply with § 32.35-15 as proposed. At the present time, the Coast Guard is reviewing the vessel regulations to determine those that should be made applicable to oil pollution clean-up vessels. Regulatory proposals for these vessels will be drafted at the conclusion of the review and will be published as a notice of proposed rulemaking in the FEDERAL REGISTER. Accordingly, the proposal is changed and the rule is not applicable to oil pollution clean-up vessels.

6. One commenter recommended that proposed § 32.35-15 should apply to petroleum products of grades A thru D but not to grade E and heavier. This recommendation has been adopted for § 32.35-15. Cargoes that are grade E or heavier do not give off sufficient vapors to make operation of an air compressor hazardous.

7. One commenter suggested that existing air compressors and air compressor intakes be allowed in all spaces where Coast Guard regulations allow installation of non-explosion proof electrical equipment. The proposal as presently written does not preclude the use of air compressors in the spaces referred to by the commenter. Non-explosion proof electrical equipment is used on occasion in some spaces that have small concentrations of vapors that do not pose a hazard to operation of the equipment. Use of an air compressor in one of these

spaces would not create a hazard any greater than the use of non-explosion proof electrical equipment.

8. One commenter asked whether vessels subject to the requirements for bulk dangerous cargoes in Subchapter O of Title 46, Code of Federal Regulations, must comply with the regulations adopted in this rulemaking. A vessel that is subject to the requirements in Subchapter O will have to comply with the regulations adopted in this rulemaking if it is certificated under the provisions of the tank vessel regulations in Subchapter D, as required under § 151.01-10.

9. One commenter remarked that § 32.35-15(f) was unclear. This paragraph has been changed to read the same as § 32.45-1(f)(4-a), for clarity and consistency.

In accordance with the foregoing, Part 32 and Part 35 of Title 46, Code of Federal Regulations, are amended as follows:

1. By adding a new § 32.35-15 to read as follows:

§ 32.35-15 Installation of air compressors on tank vessels contracted for on or after June 15, 1977—TB/ALL.

No tank vessel, except an oil pollution clean-up vessel, that carries petroleum products grades A thru D contracted for on or after June 15, 1977 may have an air compressor or an air compressor intake installed in any of the following cargo areas:

- (a) A cargo handling room.
- (b) An enclosed space containing cargo piping.
- (c) A space in which cargo hose is stowed.
- (d) A space adjacent to a cargo tank or cargo tank hold.
- (e) A space within three meters of any of the following:
 - (1) A cargo tank opening.
 - (2) An outlet for cargo gas or vapor.
 - (3) A cargo pipe flange.
 - (4) A cargo valve.
 - (5) An entrance or ventilation opening to a cargo handling room.
- (f) The cargo deck space. For the purpose of this paragraph, "cargo deck space" means the volume bounded by the open deck over the cargo tank block, including all ballast tanks within the cargo tank block, extending to the full width of the vessel, plus three meters (about 10 feet) fore and aft of the cargo tank block and up to a height of 2.4 meters (about 8 feet) above the deck.

(g) An enclosed space having an opening into a location described in paragraphs (a)-(f) of this section.

(h) A location similar to those described in paragraphs (a)-(g) of this section in which cargo vapors or gases may be present.

2. By adding a new § 35.35-85 to read as follows:

§ 35.35-85 Air Compressors—TB/ALL.

(a) No person may operate an air compressor in a cargo area described in § 32.35-15 of this subchapter.

(b) The owner of a vessel that has an air compressor or an air compressor in-

take in a cargo area described in § 32.35-15 of this subchapter must have the equipment made permanently inoperative or removed from that location at the next drydocking or inspection for certification of the vessel after June 15, 1977, whichever occurs first. The equipment may not be reinstalled thereafter in a cargo area described in § 32.35-15 of this subchapter.

(R.S. 4405, as amended (46 U.S.C. 375); R.S. 4417a, as amended (46 U.S.C. 391a); R.S. 4462, as amended (46 U.S.C. 416); sec. 1 Pub. L. 96-244, 73 Stat. 475 (46 U.S.C. 481(a)); sec. 6(b)(1), 80 Stat. 938 (49 U.S.C. 1655(b)(1)); 49 CFR 1.46 (b) and (n)(4).)

Note.—The Coast Guard has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended, and OMB Circular A-107.

Dated: May 9, 1977.

O. W. SILER,
Admiral, United States
Coast Guard, Commandant.

[FR Doc. 77-14317 Filed 5-18-77; 8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL

COMMUNICATIONS COMMISSION

PART 1—PRACTICE AND PROCEDURE

Editorial Amendments Concerning Notice and Rule Making Proceedings

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Rules amended to make it clear that Subpart C of Part 1 (the rules of procedure) applies only to notice and comment rulemaking proceedings and has no application to formal rule making (or rate making).

EFFECTIVE DATE: May 20, 1977.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Upton Guthery, Office of General Counsel, 202-632-6444.

SUPPLEMENTARY INFORMATION:

Adopted: May 5, 1977.

Released: May 9, 1977.

Order. In the matter of editorial amendment of Part 1, rules of practice and procedure.

1. Confusion and uncertainty appear to have arisen concerning the scope of both § 1.4(b)(1) and Subpart C of the rules and regulations. The cited procedures apply only to notice and comment rulemaking proceedings conducted under 5 U.S.C. 553. Recently, however, some persons have read them as applying to either formal rulemaking (or rate making) proceedings. To dispel any misunderstanding, they are hereby amended to more expressly state their scope.

2. Authority for this action is contained in sections 4 (i) and (j) and 303 (r) of the Communications Act of 1934,

as amended, 47 U.S.C. 154 (i) and (j) and 303(r), and in § 0.231(d) of the rules and regulations, 47 CFR 0.231(d). Because the amendments are editorial and procedural in nature, the prior notice and effective date provisions of 5 U.S.C. 553 do not apply.

3. Accordingly, it is ordered, effective May 20, 1977, that Part 1 of the rules and regulations is amended as set out below.

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

FEDERAL COMMUNICATIONS COMMISSION.

R. D. LICHTWARDT,
Executive Director.

Part 1 of Chapter I of Title 47 of the Code of Federal Regulations is revised as follows:

1. Section 1.4(b)(1) is revised to read as follows:

§ 1.4 Computation of time.

(b) * * *

(1) For documents in notice and comment rule making proceedings, the date of public notice is the date of publication in the Federal Register.

2. Following the designated center heading at the beginning of Subpart C, § 1.399 is added, to read as follows:

§ 1.399 Scope.

This subpart shall be applicable to notice and comment rulemakings proceedings conducted under 5 U.S.C. 553, and shall have no application to formal rule making (or rate making) proceedings unless the Commission directs that it shall govern the conduct of a particular proceeding.

§ 1.417 [Deleted]

3. Section 1.417 is deleted.

[FR Doc. 77-14236 Filed 5-18-77; 8:45 am]

[FCC 77-319]

PART 19—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Improvement of the Commission's Overall Financial Disclosure System

AGENCY: Federal Communications Commission.

ACTION: Order.

SUMMARY: This is an Order adopting an amendment of the criteria of position categories, and requiring incumbents to file statements of employment and financial interests. The action, taken with the agreement of the U.S. Civil Service Commission, increases the number of employees who must file such statements. The amendment was adopted pursuant to the Commission's policy of strengthening the standards of ethical conduct, and improving its overall financial disclosure system.

EFFECTIVE DATE: May 26, 1977.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Fred J. Goldsmith, Office of Executive Director, 202-632-7143.

SUPPLEMENTARY INFORMATION:

Adopted: February 10, 1977.

Released: May 13, 1977.

Order. In the matter of amendment of Part 19 to improve the Commission's overall financial disclosure system.

1. These amendments to Part 19 of the Commission's rules and regulations are made pursuant to the Commission's policy of strengthening the standards of ethical conduct, and improving the Commission's overall financial disclosure system.

2. Because the amendment involves internal Commission personnel and management matters exclusively, compliance with the prior notice and effective date requirements of 5 U.S.C. 553 is unnecessary.

3. Accordingly, it is ordered, Effective May 26, 1977, pursuant to the authority contained in sections 4(i), 303(r) and 5(b) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 155(b), and 303(r), that § 19.735-403 of Part 19 of the FCC rules is hereby deleted, and the following inserted in lieu thereof:

§ 19.735-403 Employees required to submit statements.

Except as provided in § 19.735-404, statements of employment and financial interests shall be required from the following employees of the Commission:

(a) Employees who are Administrative Law Judges.

(b) Employees who are Members of the Review Board.

(c) Employees who are in Grade GS-13 or above.

(d) Employees who are in Grade GS-11 or above and who are Heads or Supervisors of Assistant Heads or Supervisors of field offices.

(e) All purchasing agents and all employees, professional, administrative, and clerical, in the offices of the Commissioners.

(f) All employees serving as auditors or accountants, with the principal duty of auditing private enterprises.

(g) All employees, professional, administrative, and clerical, in the offices of the Commissioners.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; (47 U.S.C. 154, 155, 303).)

FEDERAL COMMUNICATIONS COMMISSION,

VINCENT J. MULLINS,
Secretary.

[FR Doc. 77-14292 Filed 5-18-77; 8:45 am]

¹ Commissioner Lee absent.

PART 73—RADIO BROADCAST SERVICES

Effects of Terrain on Signal Propagation, Evaluation; Temporary Suspension of Certain Portions of Sections

AGENCY: Federal Communications Commission.

ACTION: Order.

SUMMARY: Indefinite stay of procedures for evaluating effects of terrain on signal propagation. This further stay is necessary pending Commission action to finalize more accurate procedures for employing terrain roughness corrections, even in those cases where terrain anomalies are encountered.

EFFECTIVE DATE: Effective date stayed.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

John M. Taff, Policy and Rules Division, Broadcast Bureau, 202-632-5414.

SUPPLEMENTARY INFORMATION:

Adopted: April 28, 1977.

Released: May 9, 1977.

Order. In the matter of temporary suspension of certain portions of §§ 73.313, 73.333; 73.684 and 73.699 of the Commission's Rules and Regulations, order.

1. By Commission Order, released May 10, 1976 (FCC 76-382), use of terrain roughness corrections in filings by FM and TV station applicants was stayed. Specifically, the effectiveness of §§ 73.313 (f), (g), (h), (i) and (j); 73.333, Figures 4 and 5; 73.684 (h), (i), (j), (k) and (l); and, 73.699, Figures 10d and 10e was stayed until May 1, 1977. In its Order, the Commission expressed the belief that the period of the stay would provide enough time to complete its study of ways to deal with atypical terrain configurations and develop appropriate procedures for employing the sound concepts on which terrain roughness corrections are based, even in those limited number of cases where terrain anomalies are encountered.

2. While the Commission's effort in regard to the foregoing is essentially complete, the results of that study lead to the conclusion that a further rule making proceeding is required. In light of the time that will be needed to complete this undertaking, and in the interest of orderly administration, we find it necessary to order a further stay of the effectiveness of the subject rule sections.

3. During the period of the additional stay ordered here, the situation will remain as it has been during the preceding stay. That is, predicted contours will be calculated using the new curves but

without regard to terrain roughness. As we observed earlier, where doubt is expressed about the accuracy of these contours, parties are free to file supplemental showings under § 73.684(f) of these rules.¹ The use of predicted contours calculated with the new propagation curves is limited, naturally, only to those regulatory areas not subject to earlier Commission proclamations as to the use of predicted contours.²

4. Accordingly, it is ordered, Pursuant to sections 4(i), 403 and 408 of the Communications Act of 1934, as amended, That the effectiveness of §§ 73.313 (f), (g), (h), (i) and (j); 73.333, Figures 4 and 5; 73.684 (h), (i), (j), (k) and (l); and, 73.699, Figures 10d and 10e are stayed until further order of the Commission.

(Secs. 4, 403, 408, 48 Stat., as amended, 1066, 1094, 1096, (47 U.S.C. 154, 403, 408).)

FEDERAL COMMUNICATIONS COMMISSION,

VINCENT J. MULLINS,
Secretary.

[FR Doc. 77-14322 Filed 5-18-77; 8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—UNITED STATES FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 33—SPORT FISHING

Opening of Sherburne National Wildlife Refuge, Minnesota to Sport Fishing

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special regulation.

SUMMARY: The Director has determined that the opening to sport fishing of Sherburne National Wildlife Refuge is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the public.

DATES: May 1, 1977, through February 28, 1978.

FOR FURTHER INFORMATION CONTACT:

Refuge Manager, Route 2, Zimmerman, Minnesota 55398 (John E. Wilbrecht) Phone 612-389-3323.

¹ If the parties wish to do so, they may offer showings based on terrain roughness. These showings will be reviewed by the Commission and given such consideration as they merit.

² See e.g., Notice of Proposed Rule Making in Docket 20498, FCC 75-635, 53 F.C.C. 2d 1009 (1975), (41 FR 19949), where the Commission adopted special procedures for the use of signal strength contours in cases concerning, inter alia, cable television broadcast station carriage.

³ Commissioner Lee absent.

SUPPLEMENTARY INFORMATION:

§ 33.5 Special regulations: sport fishing; for individual wildlife refuge areas.

Sports fishing is permitted on the Sherburne National Wildlife Refuge, Minnesota, only on the areas designated by signs as being open to fishing. These areas comprising approximately 1,000 acres are delineated on maps available at the refuge headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111. Sport fishing shall be in accordance with all applicable State regulations subject to the following conditions:

- (a) The open season for sport fishing extends from May 1, 1977 through February 28, 1978, inclusive.
- (b) During periods when no ice exists, fishing activity is confined to the St. Francis River.
- (c) Access to all fish areas is permitted only at designated access sites.
- (d) Boats, without motors, may be used on the St. Francis River only from designated access sites.
- (e) The use of snowmobiles, all terrain vehicles, trail bikes, motorcycles, minibikes, and other such conveyances are prohibited on the refuge at all times.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50 Code of Federal Regulations, Part 33.

The public is invited to offer suggestions and comments at any time.

NOTE.—The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A-107.

JOHN E. WILBRECHT,
Refuge Manager.

APRIL 7, 1977.

[FR Doc. 77-14290 Filed 5-18-77; 8:45 am]

PART 33—SPORT FISHING

Special Regulations Sport Fishing for Individual Wildlife Refuge Areas

AGENCY: Fish and Wildlife Service, Department of the Interior.

ACTION: Final rule.

SUMMARY: This rule permits fishing on Lake Ilo National Wildlife Refuge, Dunn Center, North Dakota. The Fish and Wildlife Service must establish a new fishing season for each year. The intended effect of this action is to allow sport fishing on Lake Ilo National Wildlife Refuge under regulations of the Fish and Wildlife Service.

EFFECTIVE DATES: May 7, 1977, through September 30, 1977.

FOR FURTHER INFORMATION CONTACT:

Charles Peck (701-385-4468).

SUPPLEMENTARY INFORMATION: The purpose of this document is to per-

mit sport fishing on Lake Ilo National Wildlife Refuge from May 7, 1977, through September 30, 1977. This action is needed to fulfill requirements found in CFR, Title 50, Chapter I, §§ 33.1, 33.2, 33.3, and 33.4. The area open to fishing comprises 1,050 acres, and is delineated on maps available at refuge headquarters, 1 mile west of Dunn Center, North Dakota, and from the Area Manager, U.S. Fish and Wildlife Service, Post Office Box 1897, Bismarck, North Dakota 58501. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) Fishing at all times shall be limited to daylight hours only.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through September 30, 1977.

NOTE.—The Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A-107.

CHARLES S. PECK,
Project Leader, Lake Ilo National Wildlife Refuge, Dunn Center, North Dakota 58626.

MAY 2, 1977.

[FR Doc. 77-14344 Filed 5-18-77; 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 201]

FEDERAL SEED ACT REGULATIONS

Proposed Amendments to Standards for Certified Seed

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule and notice of hearing.

SUMMARY: The proposed amendments would change the land requirements, isolation, and restriction of contaminating plants for growing certified classes of seed of certain crops so as to maintain varietal purity in an effective and practicable manner.

DATES: Comments by June 10, 1977.

ADDRESS: Send comments, in duplicate, to the Hearing Clerk, USDA, Room 1077, South Building, Washington, D.C. 20250.

FOR FURTHER INFORMATION CONTACT:

Clyde R. Edwards, Chief, Seed Branch, Grain and Seed Division, Agricultural Marketing Service, Department of Agriculture, Washington, D.C. 20250, 202-447-9340.

SUPPLEMENTAL INFORMATION: The Agricultural Marketing Service is considering amendments of the regulations under the Federal Seed Act to change certain standards for certified seed.

Under section 402 of the Federal Seed Act, as amended (7 U.S.C. 1592), and the administrative procedure provisions of 5 U.S.C. 553, notice is hereby given of intention to amend the Part 201 regulations (7 CFR Part 201) under the Act.

A public hearing with respect to the proposed amendments will be held on June 10, 1977 at 9:00 a.m., in Room 2096, South Agricultural Building, 14th and Independence Avenue SW., Washington, D.C. Interested persons may appear at the hearing to present oral or written data or views relative to the proposed amendments. Also, written data and views may be submitted, in duplicate, to the Hearing Clerk, U.S. Department of Agriculture, Room 1077, South Building, Washington, D.C. 20250 not later than June 10, 1977. Data or views submitted in writing will be given the same consideration as data or views presented orally at the hearing.

All written data and views filed with the Hearing Clerk, and a transcript or summary of the public hearing, will be available to the public for inspection at the Office of the Hearing Clerk during official hours of business.

A final decision in this matter will be based on the written data and views filed with the Hearing Clerk, the transcript or summary of the public hearing, and other information available to the Department. A notice of promulgation will be published in the FEDERAL REGISTER after the hearing. It is planned that the amendments will be made effective not later than September 1, 1977.

The substantive proposed changes are summarized as follows: 1. Land requirements for cowpea, field pea, and mung bean would be made more strict by requiring, if the crop the previous year was the same kind, that it must have been of certified class equal to or superior to that of the crop being certified. The current regulation only requires that it have been a class of certified seed of the same variety.

2. Isolation for all classes of certified cowpea seed would be relaxed from 10 feet to any distance adequate to prevent mechanical mixture.

3. Isolation for the Registered and Certified classes of crambe would be relaxed by requiring only 10 feet between fields of classes of the same variety.

4. Isolation for different classes of the same variety of milkvetch would be relaxed by changing the distance from 25 percent of the required distance from other varieties to 10 feet.

5. Field standards for cowpea and mung bean would be made more strict by increasing the minimum number of plants of the certified variety per each off-type plant.

It is proposed to amend 7 CFR Part 201 as follows:

§ 201.75 [Amended]

1. Section 201.76, Table 5 would be amended as follows:

(a) Under land requirements for cowpea, field pea, and mung bean, delete superscript "7" and add superscript "8."

(b) Under isolation for all three classes of cowpea, delete "10" and insert "0" in lieu thereof, and add superscript "23" for all three classes.

(c) Under isolation for the Registered and Certified classes of crambe add the superscript "24."

(d) Under isolation for all classes of milkvetch, delete superscript "4" and add superscript "47."

(e) Under field standards for cowpea and mung bean delete "1,000," "500," and "200" for the three classes and insert in lieu thereof "2,000," "1,000," and "500" for the three classes, respectively.

(f) Footnote 20 would be reworded as follows:

"These distances apply when there is no border removal. Border removal applies only to fields of 5 acres or more. Removal of a 9-foot border (after flowering) decreases the

required distance for Foundation, Registered and Certified seed to 800, 225, and 100 feet respectively, for cross-pollinated species, and to 30, 15, 15 feet respectively for apomictic and self-pollinated species. Removal of a 15-foot border (after flowering) allows a further decrease to 450, 150, and 75 feet respectively, for cross-pollinated species.

(g) Footnote 40 would be reworded as follows:

"Isolation between varieties shall be 100 feet if aerial seeded and 50 feet of ground broadcast.

Done at Washington, D.C. on May 13, 1977.

IRVING W. THOMAS,
Acting Administrator.

[FR Doc. 77-14327 Filed 5-18-77; 8:45 am]

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[8 CFR Part 252]

LANDING OF ALIEN CREWMEN

Proposal To Terminate Program for Issuance of New Permanent Crewman's Landing Permits and Identification Cards (Form I-184)

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Notice of proposed rule making.

SUMMARY: This is a proposal to revoke the regulation of the Immigration and Naturalization Service which provides for the issuance of permanent type crewman's landing permits to nonimmigrant alien crewmen. These permits have not been issued for several years and therefore the Service proposes to terminate the program formally and revoke the regulation. Formal termination of the program will make it unnecessary for the Service to maintain inventories of the permits at its various offices.

DATE: Representations must be submitted on or before June 20, 1977.

ADDRESSES: Please submit written representations, in duplicate, to the Commissioner of Immigration and Naturalization, 425 Eye Street NW., Room 7100, Washington, D.C. 20536.

FOR FURTHER INFORMATION CONTACT:

James G. Hoofnagle, Jr., Instructions Officer, Immigration and Naturalization Service, 425 Eye Street NW., Washington, D.C. 20536, Telephone 202-376-8373.

SUPPLEMENTARY INFORMATION: This notice of proposed rule making is being published under the provisions of section 553 of Title 5 of the United States Code (80 Stat. 383).

Under the regulations of the Immigration and Naturalization Service set forth in 8 CFR 252.1(d)(1), a nonimmigrant alien crewman serving aboard a vessel or aircraft may be authorized to land temporarily for shore leave purposes for a period not exceeding 29 days, if the examining immigration officer is satisfied the crewman will depart on the same vessel on which he arrived or on another aircraft of the same transportation line, and the crewman's passport is surrendered to the master of the arriving vessel.

The existing Service regulations at 8 CFR 252.4(a) provide that a nonimmigrant alien crewman who seeks to land temporarily in the United States under the conditions set forth in 8 CFR 252.1(d)(1) who is employed on a passenger vessel with a complement of 100 or more nonimmigrant alien crewmen which makes regular trips to the United States may apply for a permanent type crewman's landing permit and identification card which is valid indefinitely for an unlimited number of conditional landings, without endorsement.

The Service has not issued any of these cards for the past several years. Therefore, it is proposed to discontinue the program formally and revoke the regulations which provide for issuance of new permanent crewman's landing permits and identification cards.

The Service is not proposing to revoke those permanent crewman's landing permits which are presently outstanding, and they will remain valid unless revoked for a cause specified in 8 CFR 252.4 as hereinafter set forth.

The regulations and procedures in 8 CFR 252.1(d)(1) under which nonimmigrant alien crewmen may be granted permission to land temporarily for shore leave purposes will remain in effect, and crewmen determined to be eligible for shore leave under that regulation will be issued Form I-95 which will be valid for a number of conditional landings in this country upon endorsement by an immigration officer.

Written representations concerning this proposed rule are invited and should be sent to the Commissioner of Immigration and Naturalization at the above address on or before the date indicated. Oral representations may not be submitted in any manner and will not be considered. All relevant written representations submitted on or before the closing date for representations will be considered.

In the light of the foregoing, it is proposed to amend Chapter I of Title 8 of the Code of Federal Regulations as set forth below:

It is proposed to revise 8 CFR 252.4 by revoking 8 CFR 252.4(a), and by redesignating existing 8 CFR 252.4(b) as 8 CFR 252.4, and republishing it without change. As revised, 8 CFR 252.4 reads as follows:

§ 252.4 Permanent landing permit and identification card, Form I-184.

A Form I-184 is valid until revoked. It shall be revoked when an immigration officer finds that the crewman is in the United States in willful violation of the

terms and conditions of his admission, or that he is inadmissible to the United States. On revocation, the Form I-184 shall be surrendered to an immigration officer. No appeal shall lie from the revocation of Form I-184.

(Sec. 103 and 252(a); 8 U.S.C. 1103 and 1282(a).)

Dated: May 12, 1977.

CARL J. WACK, JR.,
Acting Commissioner of
Immigration and Naturalization.

[FR Doc. 77-14256 Filed 5-18-77; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 77-NE-9]

EDWARD F. KNAPP STATE AIRPORT,
BARRE-MONTPELIER, VT.¹

Alteration of Control Zone and 700-foot
Transition Area

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rule making.

SUMMARY: This notice (NPRM) proposes to amend the description of the Barre-Montpelier, Vermont, control zone and 700-foot transition area. This change would create more controlled airspace for aircraft executing a revised instrument approach procedure (Amendment 5) to VOR Runway 35 at the Edward F. Knapp State Airport, Barre-Montpelier, Vermont.

DATES: Comments on or before June 19, 1977. (Proposed effective date: August 11, 1977.)

ADDRESSES: Comments in duplicate to: Federal Aviation Administration, Office of the Regional Counsel, ANE-7, Attn: Rules Docket Clerk, Docket No. 77-NE-9, 12 New England Executive Park, Burlington, Massachusetts 01803.

FOR FURTHER INFORMATION CONTACT:

Richard G. Carlson, Operations Procedures and Airspace Branch, ANE-536, Air Traffic Division, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803. (617-273-7285.)

SUPPLEMENTARY INFORMATION: 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. 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. A report summarizing each public contact with FAA personnel concerned with this rule making will be filed in the public regulatory docket.

¹ Map filed as part of original.

Persons desiring copies of the NPRM should contact: Rules Docket Clerk, Office of the Regional Counsel, ANE-7, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803.

This amendment would convert uncontrolled airspace to controlled airspace in the vicinity of Barre-Montpelier, Vermont. The FAA has determined that this amendment to the Barre-Montpelier, Vermont, control zone and 700-foot transition area is necessary to provide controlled airspace for aircraft executing a revised instrument approach procedure (Amendment 5) to VOR Runway 35 at the Edward F. Knapp State Airport, Barre-Montpelier, Vermont.

The principal authors of this document are Richard G. Carlson, Air Traffic Division, and George L. Thompson, Office of the Regional Counsel, Northeast Region.

Accordingly, the Federal Aviation Administration proposes to amend the description of the Barre-Montpelier, Vermont, control zone and 700-foot transition area in Sections 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR 71.171 and 71.181), effective August 11, 1977, to read as follows:

§ 71.171 Montpelier, Vermont, Control Zone.

"Within a 6-mile radius of the center, lat. 44°12'15" N., long. 72°33'45" W., of Edward F. Knapp (Barre-Montpelier) State Airport, Barre-Montpelier, Vermont; within 3 miles each side of the Montpelier VOR, lat. 44°12'41" N., long. 72°33'45" W., 163° radial extending from the 6-mile radius zone to 8.5 miles south of the VOR; within 2 miles each side of the center line of Runway 23 extending from the 6-mile radius zone to 8 miles southwest of the end of Runway 23."

§ 71.181 Montpelier, Vermont, 700-foot transition area.

"That airspace extending upward from 700 feet above the surface within a 10-mile radius of the center, lat. 44°12'15" N., long. 72°33'45" W., of Edward F. Knapp (Barre-Montpelier) State Airport, Barre-Montpelier, Vermont; within 6.5 miles west and 5 miles east of the Montpelier VOR, lat. 44°12'41" N., long. 72°33'45" W., 163° radial extending from the 10-mile radius zone to 17.5 miles south of the VOR; within 4.5 miles each side of the Mount Mansfield NDB, lat. 44°23'01" N., long. 72°42'00" W., 332° and 152° bearing from the NDB, extending from the 10-mile radius zone to 10.5 miles northwest of the NDB, excluding that portion within the Morrisville, Vermont, transition area."

(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)).)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Burlington, Massachusetts, on April 27, 1977.

WILLIAM E. CROSBY,
Acting Director,
New England Region.

[FR Doc. 77-14114 Filed 5-18-77; 8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 77-CE-12]

LINCOLN MUNICIPAL AIRPORT, NEB.¹

Proposed Alteration of Federal Airway

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rule making.

SUMMARY: This notice proposes to establish three airway segments in Nebraska and to exclude two of them from the Lincoln Military Operations Area (MOA) during the time that the MOA is active to permit sharing of the airspace for civil or military use. This action is necessary to accommodate a type of military training that is not normally conducted in airways, and for which suitable airspace is not readily available elsewhere. Since nonregulatory action to establish the Lincoln MOA depends on the airways being excluded, the description of the MOA is included in this notice for consideration.

DATES: Comments must be received on or before June 16, 1977.

ADDRESSES: Send comments on the proposal in triplicate to:

Director, FAA Central Region, Attention: Chief, Air Traffic Division, Docket No. 77-CE-12, FAA, 601 E. 12th Street, Kansas City, Mo. 64106.

The official docket may be examined at the following location:

FAA Office of the Chief Counsel Rules Docket, (AGC-24), Room 916, 800 Independence Avenue SW., Washington, D.C. 20591.

An informal docket may be examined at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT:

Mr. Everett L. McKisson, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. (202-426-3715.)

SUPPLEMENTARY INFORMATION:

COMMENTS INVITED

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, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 601 E. 12th Street, Kansas City, Mo. 64106. All communications received on or before June 16, 1977, 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. All comments submitted will be available, both before and after the closing date for com-

¹ Map filed as part of original.

ments, in the Rules Docket for examination by interested persons.

AVAILABILITY OF NPRM

Any person may obtain a copy of this notice of proposed rule making (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue SW., Washington, D.C. 20591, or by calling (202) 426-8058. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

PROPOSAL

The FAA is considering an amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) that would designate VOR Federal airways identified as V-50 from the Hastings, Nebr., direct to Pawnee City, Nebr.; V-61 from Grand Island, Nebr., direct to Pawnee City and V-79 from Hastings direct to Lincoln, Nebr. Both V-50 and V-61 would exclude the Lincoln MOA during the time it is activated by NOTAM. The Lincoln MOA is proposed to be established as follows:

LINCOLN MOA

Boundaries: Beginning at Lat. 40°45'00" N., Long. 97°00'00" W., to Lat. 40°12'00" N., Long. 97°00'00" W., to Lat. 40°03'00" N., Long. 98°10'00" W., to Lat. 40°24'00" N., Long. 98°10'00" W., to point of beginning. Altitudes: 8,000 feet MSL to but not including FL 180.

Time of use: By NOTAM (Normally 0900-1600 Local, Tuesday-Sunday).

Controlling agency: Federal Aviation Administration, Minneapolis ARTC Center.

Scheduling agency: Commander, 155 Tactical Reconnaissance Group (ANG) Lincoln Municipal Airport, Lincoln, Nebraska.

DRAFTING INFORMATION

The principal authors of this document are Everett L. McKisson, Air Traffic Service, and Jack P. Zimmerman, Office of the Chief Counsel.

PROPOSED AMENDMENT

Accordingly, the Federal Aviation Administration proposes to amend § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (42 FR 307) as follows:

"V-50 From Hastings, Nebr., via Pawnee City, Nebr., excluding the Lincoln MOA during the time that the MOA is activated by NOTAM," is added.

"V-61 From Grand Island, Nebr., to Pawnee City, Nebr., excluding the Lincoln MOA during the time that the MOA is activated by NOTAM," is added.

"V-79 From Hastings, Nebr., to Lincoln, Nebr.," is added.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.65.)

NOTE.—The FAA has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order

11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on May 11, 1977.

WILLIAM E. BROADWATER,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc. 77-14008 Filed 5-13-77; 8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 77-CE-10]

O'NEILL MILITARY OPERATIONS AREA¹

Proposed Alteration of Federal Airway

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rule making.

SUMMARY: This notice proposes to exclude V-71 and V-380 airways from the O'Neill Military Operations Area (MOA) during the time that the MOA is active to permit sharing of the airspace for civil or military use. This action is necessary to accommodate a type of military training that is not normally conducted in airways, and for which suitable airspace is not readily available elsewhere. Since nonregulatory action to establish the O'Neill MOA depends on the airway being excluded, the description of the MOA is included in this notice for consideration.

DATE: Comments must be received on or before June 16, 1977.

ADDRESSES: Send comments on the proposal in triplicate to: Director, FAA Central Region, Attention: Chief, Air Traffic Division, Docket No. 77-CE-10, FAA, 601 E. 12th Street, Kansas City, Mo. 64106.

The official docket may be examined at the following location: FAA Office of the Chief Counsel, Rules Docket, (AGC-24), Room 916, 800 Independence Avenue SW., Washington, D.C. 20591.

An informal docket may be examined at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT:

Mr. Everett L. McKisson, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. (202-426-3715.)

SUPPLEMENTARY INFORMATION:

COMMENTS INVITED

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, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 601 E. 12th Street,

¹ Map filed as part of original.

Kansas City, Mo. 64106. All communications received on or before June 16, 1977, will be considered before action is taken on the proposed amendment. The proposal contained in this docket may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

AVAILABILITY OF NPRM

Any person may obtain a copy of this notice of proposed rule making (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue SW., Washington, D.C. 20591, or by calling (202) 426-8058. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

PROPOSAL

The FAA is considering an amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to exclude VOR Federal airways identified as V-71 and V-380 from the O'Neill Military Operations Area (MOA) during the time that the MOA is active. This action would permit sharing of the airspace for civil use and military training in an area proposed to be established as follows:

O'NEILL MOA

Boundaries: Beginning at Lat. 42°22'00" N., Long. 98°23'00" W.; to Lat. 42°20'00" N., Long. 97°46'00" W.; to Lat. 41°53'00" N., Long. 97°46'00" W.; to Lat. 41°27'00" N., Long. 98°24'00" W.; to Lat. 41°26'00" N., Long. 98°53'00" W.; to Lat. 42°13'00" N., Long. 98°53'00" W.; to Lat. 42°15'00" N., Long. 98°51'00" W.; thence via the 15 NM arc of ONL Vortac to point of beginning.

Altitudes: 500 feet AGL to but not including FL 160.

Time of use: By NOTAM (normally 1000 to 2200 local time, Tuesday through Sunday).

Controlling agency: Federal Aviation Administration, Minneapolis ARTC Center.

Scheduling agency: Commander, 155th Tactical Reconnaissance Group (ANG), Lincoln Municipal Airport, Lincoln, Nebr.

DRAFTING INFORMATION

The principal authors of this document are Everett L. McKisson, Air Traffic Service, and Jack P. Zimmerman, Office of the Chief Counsel.

PROPOSED AMENDMENT

Accordingly, the Federal Aviation Administration proposes to amend § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (42 FR 307) by adding the following to the definition of V-71 and V-380 airways.

The airspace within the O'Neill MOA is excluded during the time that the MOA is activated by NOTAM.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655 (c)); and 14 CFR 11.65.)

NOTE.—The FAA has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on May 11, 1977.

WILLIAM E. BROADWATER,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc. 77-14007 Filed 5-13-77; 8:45 am]

POSTAL RATE COMMISSION

[39 CFR Part 3001]

[Docket No. RM77-3]

PUBLIC ATTENDANCE AT MEETINGS OF THE POSTAL RATE COMMISSION

Proposed Amendments to Rules

Correction

In FR Doc. 77-11604 appearing at page 20639 of the issue for Thursday, April 21, 1977, the comment date in the third line of the last paragraph, reading "April 15, 1977", should read "April 25, 1977".

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 228]

[FRL 723-5]

OCEAN DUMPING

Intent To Consider Relocation of Municipal Sewage Sludge Dumping and Announcement of Public Hearing

Correction

In FR Doc. 77-13139 appearing at page 23163 in the issue for Friday, May 6, 1977, in the paragraph *Location of the Hearing*, "Ocean City College" should read "Ocean County College".

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 64]

[Docket No. 20828]

COMPUTER INQUIRY

Order Extending Time for Filing Comments and Reply Comments

AGENCY: Federal Communications Commission.

ACTION: Extension of time for filing comments.

SUMMARY: An extension of time for the filing of comments and reply comments in the Computer Inquiry is being granted. This action is being taken in response to motion for extension of time filed in this proceeding and will extend the respective comment dates approximately three weeks.

DATES: Comments must be received on or before June 6, 1977, and Reply Comments must be received on or before July 25, 1977.

ADDRESSES: Send Comments to: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

James K. Smith, Common Carrier Bureau, 632-9342.

SUPPLEMENTARY INFORMATION:

Adopted: May 11, 1977.

Released: May 13, 1977.

Order. In the matter of amendment of § 64.702 of the Commission's rules and regulations (Computer Inquiry), Docket No. 20828.

1. On May 9, 1977 American Telephone and Telegraph Company (AT&T) and American Cable and Radio Corporation (AC&R) requested that additional time be allowed for the filing of comments and reply comments in Docket 20828. AT&T has requested that the time for filing comments be extended from May 16, 1977 to June 6, 1977 and that the time for filing reply comments be extended from June 30, 1977 to July 23, 1977. AC&R requested that the time for filing initial comments be extended for two weeks until May 30, 1977 (See 42 FR 23615, May 10, 1977).

2. AT&T states that it needs more time in which to analyze and comment on the additional items of inquiry set forth in the "Supplemental Notice of Inquiry and Enlargement of Proposed Rulemaking", released March 8, 1977 (FCC 77-151). Moreover, AT&T states that it's having a special analysis prepared which has not yet been completed. It contends that completion of the analysis and AT&T's own subsequent evaluation cannot be accomplished within the time frame presently allotted by the Commission. AC&R cites corporate personnel conflicts as the basis for its request.

3. The Supplemental Notice has substantially broadened the scope of Docket 20828, and particular mention was made therein of the possible relevance of the 1956 Consent decree to certain issues raised in the Inquiry. This is of particular significance to AT&T. In order to permit the parties to develop an adequate record, and that the Commission may have the benefit of more thorough comments, we believe the public interest would be served by granting the request for additional time in which to comment. The additional time requested by AT&T and AC&R is relatively short and will not prejudice other participants in this Inquiry. Due to the closeness of the existing deadline for filing comments in this proceeding, pursuant to § 1.45(e) of the Commission's rules, we are taking this action without waiting for responsive pleadings to be filed.

4. Accordingly, the motions for extension of time filed by AT&T and AC&R are granted. The time for all parties to file comments and reply comments in Docket 20828 is hereby extended to June 6, 1977 and July 25, 1977, respectively.

* Since AT&T's requested date of July 23, 1977 falls on a Saturday, we are extending the date for filing reply comments to the following Monday.

5. This action is taken under delegated authority pursuant to § 0.303(c) of the Commission's rules and regulations.

WALTER R. HINCHMAN,
Chief, Common Carrier Bureau.

[FR Doc. 77-14293 Filed 5-18-77; 8:45 am]

[47 CFR Part 73]

[Docket No. 21136]

EDUCATIONAL BROADCAST STATIONS

Noncommercial Nature; Extension of Comment Period

AGENCY: Federal Communications Commission.

ACTION: Extension of comment period.

SUMMARY: This document extends the comment period to the Notice of Inquiry published at 42 FR 15927.

DATE: Comments must be received on or before June 30, 1977.

ADDRESS: Send comments to: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Stephen Sewell, 202-632-7048.

SUPPLEMENTARY INFORMATION:
ORDER EXTENDING TIME FOR FILING COMMENTS TO THE NOTICE OF INQUIRY

In the Matter of Commission policy concerning the Noncommercial Nature of Educational Broadcast Stations, Docket No. 21136.

Adopted: May 13, 1977.

Released: May 16, 1977.

1. The Corporation for Public Broadcasting, National Public Radio, the Public Broadcasting Service and the Southern Educational Communications Association have petitioned for an extension of time until June 30, 1977 to file comments in response to the Notice of Inquiry, 42 FR 15927 (March 24, 1977). FCC 77-162, adopted March 2, 1977, released March 15, 1977. Comments are now due by May 16, 1977.

2. The parties seeking the extension state that this proceeding is the first general overview of the regulation of educational broadcasting since 1970 and the passage of the long-range funding bill for public broadcasting, and that the subjects under inquiry are of great importance to educational broadcasters. The parties state that they need the additional time to consider the matters raised, collect the information requested, and prepare responsive comments.

3. We believe that the comments of, and information submitted by, the parties will be particularly helpful to the Commission in considering the matters under inquiry. Accordingly, we believe that the grant of the extension request will serve the public interest.

4. Accordingly, it is ordered, That the period for filing comments in Docket No. 21136 is hereby extended to and including June 30, 1977.

5. This action is taken pursuant to authority found in sections 4(i), 5(d) and 303(r) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's rules.

FEDERAL COMMUNICATIONS
COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc. 77-14295 Filed 5-18-77; 8:45 am]

[47 CFR Part 73]

TELEVISION TABLE OF ASSIGNMENTS

Adding New VHF Stations in the Top 100 Markets; Order Extending Time for Filing Comments and Reply Comments

AGENCY: Federal Communications Commission.

ACTION: Order.

SUMMARY: Order extends the time for filing comments and reply comments by 90 days to allow parties time to study materials recently released that were a part of the Commission's analysis in the VHF Drop-In Proceeding, Docket 20418. A separate comment period will be established by subsequent Order when the Johnstown-Altoona ITS terrain study is completed and made available.

DATES: Comments must be received on or before August 22, 1977 and reply comments must be received on or before September 22, 1977.

ADDRESSES: Send comments to: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

James J. Gross, Policy and Rules Division Broadcast Bureau, 202-632-7792.

SUPPLEMENTARY INFORMATION:

Adopted: May 11, 1977.

Released: May 13, 1977.

In the matter of petition for rulemaking to amend television table of assignments to add new VHF stations in the top 100 markets and to assure that the new stations maximize diversity of ownership, control and programming, Docket No. 20418; RM-2346, RM-2727.

1. The Association of Maximum Service Telecasters, Inc. ("MST"), has petitioned the Commission for a six-month extension of time to file comments in response to the Memorandum Opinion and Order and Notice of Proposed Rule Making ("Notice") 42 FR 16782 (March 30, 1977); 63 F.C.C. 2d — (adopted March 7, released March 18, 1977). Comments are now due by May 20, 1977, and reply comments by June 20, 1977.

2. The request for additional time is joined by Holston Valley Broadcasting Corporation, licensee of WKPT-TV, Channel 19, Kingsport, Tennessee; KSL, Incorporated, licensee of KSL-TV, Salt

Lake City, Utah; Storer Broadcasting Company, licensee of WJW-TV, Cleveland, Ohio; and South Central Broadcasting Corporation, licensee of WTVR, Knoxville, Tennessee. The Group for the Advancement of Television Service, Johnstown, Pennsylvania, opposes any long term postponement.

3. The parties seeking the extension state that the docket records are lengthy and complex, and that the Commission relied on several reports and studies in its deliberations, which were not put in the docket until after release of the Notice. They believe that parties should be given additional time to study these reports and prepare their filings.

4. Two studies relied upon by the Commission in the Drop-Ins proceeding were recently completed and placed in the docket record. They are:

(a) Office of the Chief Engineer Study of Planning Factors (FCC/OCE RS77-01); and

(b) "Comparison of TV Channel Offset Frequencies; Zone Offset and 10,010 Hz (Precise) Offset Project No. 229-73" FCC Laboratory Division.

The availability of these studies was announced May 3, 1977. Under these circumstances we find it appropriate to grant a modest extension in the comment period. We believe that an extension of 90 days should be sufficient to enable the parties to consider and respond to these reports.

5. All other reports and studies have now been placed in the docket record, with the exception of the ITS terrain study of the Altoona/Johnstown proposal which the Notice stated would be conducted during the comment period. The Notice also said that an appropriate time would be granted for comment on the report when it is completed, and we agree that at least 30 days is required after the ITS report is placed in the docket. That revised deadline will be specified in a subsequent Order. However, we reject arguments that this report is germane to comments on proposals other than Altoona/Johnstown proposals. Therefore, all other filings need be completed by the dates specified herein.

6. Accordingly, it is ordered, That the period for filing comments in Docket 20418 is hereby extended to and including August 22, 1977, and the date for filing reply comments to and including September 22, 1977; excepting comments related to the Johnstown-Altoona ITS study as noted in para. 5 above, for which a separate Order will be issued.

7. This action is taken pursuant to authority found in sections 4(i), 5(d), and 303(r) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's rules.

FEDERAL COMMUNICATIONS
COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc. 77-14294 Filed 5-18-77; 8:45 am]

DEPARTMENT OF
TRANSPORTATION

Federal Railroad Administration

[49 CFR Ch. II]

[Docket No. RSC-76-6; Notice No. 2]

MINIMUM SAFETY REQUIREMENTS FOR
RAILROAD CABOOSE CARS

Advance Notice of Proposed Rulemaking;

Extension of Time to Comment

AGENCY: Federal Railroad Administration, DOT.

ACTION: Extension of comment period for advanced notice of proposed rulemaking.

SUMMARY: On April 13, 1977, the FRA published in the FEDERAL REGISTER (42 FR 19359) an ANPRM concerning minimum safety requirements for railroad caboose cars. The purpose of this notice is to extend the period of time for the public to submit views and comments on this ANPRM.

DATES: Written comments must be received on or before August 1, 1977.

ADDRESSES: *Submission of written comments:* Written comments should identify the docket number and be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, 400 Seventh Street SW., Washington, D.C. 20590.

Examination of written comments: All written comments received will be available for examination, both before and after the closing date for written comments, during regular business hours in Room 5101, Nassif Building, 400 Seventh Street SW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT:

Edward P. Conway, Jr., (202-426-8836).

SUPPLEMENTARY INFORMATION:

BACKGROUND INFORMATION

On April 13, 1977, FRA published in the FEDERAL REGISTER an ANPRM soliciting views and comments from the public regarding the necessity of, and the costs and benefits to be derived from issuance of Federal regulations requiring minimum design specifications and performance standards for railroad cabooses (42 FR 19359).

Comments were requested to be submitted on or before May 30, 1977. The Association of American Railroads (AAR) has petitioned for an extension of time within which to submit comments. In order to fully answer the questions asked in the ANPRM, AAR and its member railroads are examining in depth all available information concerning cabooses. This information will then be compiled, reviewed and digested by personnel of various disciplines within railroad mechanical and operations departments and will also be studied and reviewed by railroad safety officers and environmental coordinators. The product of all of these working groups will

then be assembled and reviewed and an industry response prepared and approved.

In order to enable the AAR and other commenters to prepare and submit comprehensive comments to assist FRA in this proceeding, the period for filing of written comments is hereby extended to August 1, 1977. Comments should be filed on or before that date, in triplicate, with the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, 400 Seventh Street SW., Washington, D.C. 20590.

(Sec. 202, Federal Railroad Safety Act of 1970 (45 U.S.C. 431), as amended by sec. 5(b) of the Federal Railroad Safety Authorization Act of 1976, Pub. L. 94-348, 90 Stat. 817, July 8, 1976; § 1.49(n) of the regulations of the Office of the Secretary (49 CFR 1.49(n)).)

Issued in Washington, D.C., on May 13, 1977.

RAYMOND K. JAMES,
Chief Counsel.

[FR Doc. 77-14225 Filed 5-18-77; 8:45 am]

NUCLEAR REGULATORY
COMMISSION

[10 CFR Part 35]

HUMAN USES OF BYPRODUCT MATERIAL

Human Uses of Teletherapy Units

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The Nuclear Regulatory Commission is proposing to amend its regulations regarding human uses of byproduct (i.e., reactor-produced) material in teletherapy units. The proposed rule requires teletherapy licensees to:

1. Have a qualified expert perform full calibration measurements on each teletherapy unit at least once each year;
2. Perform spot-check measurements on the output of their units at least monthly; and
3. Report to the U.S. Nuclear Regulatory Commission radiation doses that differ from prescribed doses by more than 10 percent.

The proposed rule is needed to ensure that teletherapy units are properly calibrated. The proposed amendments are designed to ensure that patients can receive the correct radiation dose and to prevent recurrence of overexposure events due to improperly calibrated teletherapy units.

DATES: Comments must be received by July 5, 1977.

ADDRESSES: Written comments or suggestions for consideration in connection with the proposed amendment should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch. Copies of comments received will be available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555.

FOR FURTHER INFORMATION CONTACT:

Mrs. Patricia C. Vacca, Division of Fuel Cycle and Material Safety, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. (301-427-4232).

SUPPLEMENTARY INFORMATION:

Following its organization under the Energy Reorganization Act of 1974 (Public Law 93-438), the Nuclear Regulatory Commission (NRC) has stated its intention of reviewing those of its regulations and procedures pertaining to the licensing and regulation of nuclear facilities and materials that were originally promulgated by the Atomic Energy Commission, with a view to considering what changes should be made. In this context, the Commission is currently reviewing its regulations pertaining to the human use of byproduct material including teletherapy units.

Byproduct material licenses are issued on the basis that the licensee is qualified by training and experience to use licensed material in such manner as to protect health and minimize danger to life or property. Implicit in the issuance of the license on that basis is the concept that the licensee is expected to be aware of the accepted standards of practice in his particular area of usage and to establish administrative procedures sufficient to ensure that the licensed material is used in accordance with NRC regulations and accepted standards of practice.

In the area of teletherapy, existing standards include National Council on Radiation Protection and Measurements (NCRP) Report No. 33, "Medical X-Ray and Gamma-Ray Protection for Energies Up to 10 MeV—Equipment Design and Use," American National Standards Institute, Inc. (ANSI) Publication N449-1974, "Guidelines for Maintaining Cobalt-60 and Cesium-137 Teletherapy Equipment" and the criteria for accreditation of the Joint Committee on Hospital Accreditation.

Despite the existence and general acceptance of these standards, recent evidence indicates that a significant number of teletherapy units may deliver a radiation dose that differs from the prescribed dose by more than 10 percent. (With proper calibration, the radiation output of a teletherapy unit can be determined with an uncertainty of less than 3 percent.) The evidence also indicates that up to five years has elapsed since the last calibration of some teletherapy units.

The Commission has conducted an investigation of a recent incident in which approximately 400 patients treated for cancer with a cobalt-60 teletherapy unit received radiation doses that exceeded the prescribed doses by as much as 41 percent. This incident occurred because the radiation dose rate from the teletherapy unit had not been properly determined.

Soon after its investigation, the Commission took actions to ensure that all teletherapy units licensed by the NRC

were properly calibrated. The Commission believes that these actions were adequate to prevent recurrence of overexposure events due to improperly calibrated units during the time required to implement necessary changes in its regulations.

Because of the events described above, it appears that the Commission should impose such controls as are necessary to ensure that teletherapy units continue to be used in such manner as to deliver radiation doses that are not significantly different from the doses prescribed by the physician. Accordingly, the Commission is proposing an amendment to § 35.13 to require that a qualified expert perform periodic full calibration measurements and establish monthly spot-check procedures in accordance with accepted standards. The proposed regulation defines the qualifications of the expert, the measurements to be made, the frequency and circumstances under which the measurements are to be performed and the procedures to be used. The proposed amendment also requires that licensees notify the U.S. Nuclear Regulatory Commission when their measurements indicate that patients treated with teletherapy units may have received radiation doses differing from the prescribed dose by more than 10 percent.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and Sections 552 and 553 of Title 5 of the United States Code, notice is hereby given that adoption of the following amendment to 10 CFR Part 35 is contemplated.

In addition to comments and suggestions on the merits of the proposed amendments, the Nuclear Regulatory Commission also wants to receive comments designed to clarify any possible ambiguities in the rule. All interested persons who desire to submit written comments or suggestions with regard to the proposed amendment should send them to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch by July 5, 1977. Copies of comments on the proposed amendment may be examined at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. 20555.

1. Section 35.13 is amended to read as follows:

§ 35.13 Specific licenses for human use of byproduct material in sealed sources.

(a) An application for a specific license for use of a sealed source for human use will be approved if:

(1) The applicant satisfies the general requirements specified in § 30.33 of this chapter; and

(2) The applicant or, if the application is made by an institution, the individual user, (i) has specialized training in the therapeutic use of the radioactive device considered (teletherapy unit, beta applicator, etc.), or has experience equivalent to such training; and (ii) is a physician.

(b) (1) Any licensee who is authorized to use teletherapy units for human use shall cause full calibration measurements on each teletherapy unit to be performed:

(i) Prior to the first use of the unit for treating humans;

(ii) Whenever the radiation meter or other device related to radiation output shows a continued significant change in its normal reading;

(iii) Following replacement of the radiation source or following reinstallation of the unit in a new location and prior to the use of the unit for treating humans;

(iv) At intervals not exceeding one year.

(2) Full calibration measurements shall include determination of:

(i) The exposure rate or dose rate for the range of field sizes used and for each treatment distance used by radiation therapy;

(ii) The congruence between the radiation field and the field indicated by the localizing device when localizing devices are used;

(iii) The uniformity of the radiation field and its dependence upon the direction of the useful beam;

(iv) Timer accuracy.

(3) Full calibration measurements shall be made in accordance with the procedures recommended by the Scientific Committee on Radiation Dosimetry of the American Association of Physicists in Medicine (Physics in Medicine and Biology, Vol. 16, No. 3, 1971, pp. 379-396).

(4) Spot-check measurements shall be performed at intervals not exceeding one month and shall include:

(i) Determination of timer accuracy;

(ii) Determination of congruency of the useful beam with the light localizer;

(iii) Determination of the exposure rate, dose rate or a quantity related in a known manner to these rates for one typical set of machine operating conditions;

(iv) Comparison of the measurements made in Section (iii) of this paragraph with values calculated from physical decay of the radiation source.

(5) Calibration measurements required by paragraph (b) (1) of this section shall be performed by a qualified expert such as an individual certified by the American Board of Radiology in Therapeutic Radiological Physics, Radiological Physics, Roentgen Ray and Gamma Ray Physics or X-ray and Radium Physics or an individual who has equivalent qualifications. (A description of the qualified expert's training and qualifications shall be submitted to the Commission for review. If the qualified expert is certified in one of the specialties listed in this paragraph only a statement of that fact and the date of certification is required.) Spot-check measurements

¹ This incorporation by reference provision was approved by the Acting Director of the Federal Register on August 6, 1976. Copies are available for inspection at the United States Nuclear Regulatory Commission, Public Document Room, 1717 H Street, NW., Washington, D.C. 20555.

required by paragraph (b) (4) of this section shall be performed and evaluated in accordance with procedures established by the qualified expert. The qualified expert shall review the results of spot-check measurements and shall recommend corrective action when significant differences are noted.

(6) When measurements made pursuant to paragraphs (b) (1) and (b) (4) of this section indicate that patients treated by teletherapy units may have received a radiation dose differing from the prescribed dose by more than 10 percent, the licensee shall notify the appropriate Regional Office of Inspection and Enforcement listed in Appendix D of 10 CFR Part 20, and, where practicable, the referring physicians of affected patients. This notification shall be made within 24 hours after the licensee's discovery that such misadministration is likely to have occurred.

(7) The licensee shall maintain for inspection by the Commission records of the measurements made pursuant to paragraphs (b) (1) and (b) (4) of this section and of reports made to referring physicians pursuant to paragraph (b) (6) of this section.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2201); Sec. 201, Pub. L. 93-438, 88 Stat. 1243 (42 U.S.C. 5841).)

Dated at Washington, D.C., this 17th day of May 1977.

For the U.S. Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary for the Commission.

[FR Doc. 77-14429 Filed 5-18-77; 8:45 am]

[10 CFR Parts 50, 70, and 73]

LICENSING OF PRODUCTION AND UTILIZATION FACILITIES; SPECIAL NUCLEAR MATERIAL; PHYSICAL PROTECTION OF PLANTS AND MATERIALS

Licensee Safeguards Contingency Plans
AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: Under the proposed rule, licensee authorized to operate a nuclear reactor (other than certain research and test reactors) and those authorized to possess strategic quantities of plutonium or uranium-235 would be required to develop and implement acceptable plans for responding to threats, thefts, and sabotage of licensed nuclear materials and facilities. The plans are needed to ensure a structured, orderly, and timely response to safeguards contingencies and are integral with other safeguards contingency planning activities being carried out as required by statute. Licensee safeguards contingency plans would result in organizing licensees' safeguards resources in such a way that, in the unlikely event of a safeguards contingency, the responding participants would be identified, their several responsibilities specified, and the responses coordinated.

DATES: Comments must be received on or before July 18, 1977.

ADDRESS: Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

FOR FURTHER INFORMATION CONTACT:

Thomas F. Carter, Jr., Chief, Contingency Planning Branch, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, 301-427-4191.

SUPPLEMENTARY INFORMATION: The Office of Nuclear Material Safety and Safeguards within the Nuclear Regulatory Commission was charged by Congress, in the Energy Reorganization Act of 1974, with the development of safeguards contingency plans for dealing with threats, thefts, and sabotage relating to licensed special nuclear material and nuclear facilities.

In many safeguards contingencies, responses will be expected from more than one person or organization. Fulfillment of the Congressional mandate requires that the response continuum be completed. The Office of Nuclear Material Safety and Safeguards is already addressing contingency plans at the Federal level. The Commission is now proposing to complete the continuum by requiring safeguards contingency plans of those licensees having materials and facilities of greatest safeguards importance. See discussion below.

The Nuclear Regulatory Commission has under consideration amendments to its regulations in 10 CFR Part 50, "Licensing of Production and Utilization Facilities," 10 CFR Part 70, "Special Nuclear Material," and 10 CFR Part 73, "Physical Protection of Plants and Materials," which, in the interest of the common defense and security and public health and safety, would require certain licensees to develop and follow licensee safeguards contingency plans for dealing with threats, thefts, and sabotage relating to special nuclear material and nuclear facilities licensed under the Atomic Energy Act of 1954, as amended. The proposed amendments would apply to those licensees subject to the physical protection requirements for transportation and fixed sites contained in 10 CFR §§ 73.30(a), 73.50, 73.55, and/or 73.60.

For the purposes of this rule making proceeding, "sabotage" as used in §§ 50.34(d) and 70.22 means "industrial sabotage" as defined in § 73.2(p) of 10 CFR Part 73, except that the deliberate acts are also postulated to occur during transportation.

A contingency is a situation, regarded as remotely possible in the future, that develops unexpectedly and requires prompt attention. In a practical sense, a safeguards contingency may be regarded as an extraordinary situation that requires the execution of security plans and procedures not normally performed on a day-to-day basis. Such situations may or may not occur; they are planned for under assumed conditions of occurrence in order to deal with them effectively if they should occur.

In many safeguards contingencies, responses will be expected from more than one person or organization. At the Federal level, responses may involve not only the NRC but also, among others, the Federal Bureau of Investigation, the Energy Research and Development Administration, and various organizations within the Department of Defense. An important element of safeguards contingency planning by the Commission is the coordination of these various responses.

The responsibilities assigned to the Office of Nuclear Material Safety and Safeguards by the Congressional mandate of section 204(b)(2)(B) of the Energy Reorganization Act of 1974 are being addressed by developing safeguards contingency plans at the Federal level. At the same time, the Commission recognizes the importance of safeguards actions by those persons who possess special nuclear material and operate certain facilities. Indeed, licensees would have the primary role in many safeguards contingencies because of their intimate connection with the materials and facilities at risk. The Commission further recognizes the necessity for assuring coordinated responses to all safeguards contingencies, including responses by licensees. To provide and maintain adequate safeguards, therefore, the Commission must ensure that each licensee having important safeguards responsibility develops and follows a "licensee safeguards contingency plan" that is compatible with the Federal level plans for responding to safeguards contingencies.

The proposed rule would define a licensee safeguards contingency plan as a documented plan to give guidance to licensee personnel in order to accomplish specific, defined objectives in the event of threats, thefts, or sabotage relating to special nuclear material or nuclear facilities licensed under the Atomic Energy Act of 1954, as amended. The plan would contain (1) A predetermined set of decisions and actions to satisfy the stated objectives, (2) An identification of the data, criteria, procedures, and mechanisms necessary to effect efficiently the decisions and actions, and (3) A specification of the individual, group, or organizational entity responsible for each decision and action. The plan is not intended to include actions under any emergency plans that deal with the hazards to public health and safety that are the consequence of nuclear accidents or releases of nuclear materials—even though those accidents or releases might result from acts of threats, thefts, or sabotage—other than steps to initiate the implementation of such emergency plans. Accordingly, the licensee contingency plans that would be required by the proposed amendments would be complementary to radiological emergency plans including those developed for all nuclear power reactors pursuant to Appendix E of 10 CFR Part 50 and for fuel-cycle facilities developed pursuant to § 70.22(i) of 10 CFR Part 70.

The goals of licensee safeguards contingency plans for dealing with threats,

thefts, and sabotage are (i) to organize the response effort at the licensee level, (ii) to provide predetermined structured responses by licensees to safeguards contingencies, (iii) to integrate the licensee response with the responses by other entities, and (iv) to achieve a measurable performance in response capability. Licensee safeguards contingency planning would result in organizing the licensee's responding resources in such a way that the participants would be identified, their several responsibilities specified, and the responses coordinated. Because they would be predetermined, the responses are more likely to be structured and orderly rather than executed impulsively. It is anticipated that the responses would thus be effected in a timely manner and would be consistent among themselves and with Federal responses. To the extent that requisite data and criteria were predetermined, the response capability of the participants could be predicted and assessed.

A methodology for developing licensee safeguards contingency plans has been devised and evaluated, and typical plans have been drawn up for fuel-cycle plants, nuclear reactors, and road transportation of special nuclear material. Licensees will receive the benefit of this experience by means of Regulatory Guides to be issued by the time the rule is issued in effective form.

In accordance with the provisions of National Security Decision Memorandum 347, certain portions of the Safeguards Contingency Plans for fuel-cycle licensees will be classified. Therefore, dissemination of information in some portions of the plans will be limited to individuals who hold appropriate security clearances and have a need to know the information. Certain information in safeguards contingency plans may be withheld from public disclosure in accordance with the provisions of § 2.790(d) of 10 CFR Part 2.

amendments to 10 CFR Parts 50, 70, and 73, each affected licensee would be given a period of 120 days following publication in the FEDERAL REGISTER of the rule in effective form to submit a licensee safeguards contingency plan. In addition, each licensee would be given until 300 days after publication in the FEDERAL REGISTER or 30 days after the submitted plan is approved, whichever is later, to be in a position to follow his plan.

The Commission has determined under Council of Environmental Quality guidelines and the criteria in 10 CFR Part 51 not to prepare an environmental impact statement for the proposed amendments to 10 CFR Parts 50, 70, and 73. Concurrently with the publication of this notice of proposed rule making the Commission is making available in its Public Document Room at 1717 H Street, NW., Washington, D.C., an "Environmental Impact Appraisal of Amendments to 10 CFR Parts 50, 70, and 73, Licensee Safeguards Contingency Plans," intended to support a negative declaration.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and section 553 of Title 5 of the United States Code, notice is hereby given that adoption of the following amendments to Title 10, Chapter 1, Code of Federal Regulations, Parts 50, 70, and 73 is contemplated. All interested persons who wish to submit written comments or suggestions for consideration in connection with the proposed amendments should send them to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch by July 18, 1977. Copies of comments on the proposed amendments may be examined at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C.

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

1. Section 50.34 of 10 CFR Part 50 is amended by adding a new paragraph (d) to read as follows:

§ 50.34 Contents of applications: Technical information.

(d) Safeguards contingency plan. Each application for a license to operate a production or utilization facility that shall be subject to §§ 73.50, 73.55, or 73.60 shall include a licensee safeguards contingency plan for dealing with threats, thefts, and industrial sabotage, as defined in Part 73 of this chapter, relating to the special nuclear material and nuclear facilities licensed under this chapter and in the applicant's possession and control. Appendix C to Part 73 of this chapter sets forth the criteria to be followed in developing such plans.

2. Section 50.54(p) of 10 CFR Part 50 is amended to read as follows:

§ 50.54 Conditions of licenses.

Whether stated therein or not, the following shall be deemed conditions in every license issued:

(p) The licensee shall make no change which would decrease the effectiveness of a security plan prepared pursuant to § 50.34(c) or Part 73 of this chapter, or a licensee safeguards contingency plan prepared pursuant to § 50.34(d) or Part 73, as applicable, without the prior approval of the Commission. A licensee desiring to make such a change shall submit an application for an amendment to his license pursuant to § 50.90. The licensee shall maintain records of changes to the plans made without prior Commission approval for a period of two years from the date of the change, and shall furnish to the Director of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, with a copy to the appropriate NRC Regional Office specified in Appendix D of Part 20 of this chapter, a report containing a description of each change within two months after the change is made.

PART 70—SPECIAL NUCLEAR MATERIAL

3. In § 70.22 of 10 CFR Part 70, paragraph (g) is amended and a new paragraph (j) is added to read as follows:

§ 70.22 Contents of applications.

(g) Each application for a license that would authorize the transport or delivery to a carrier for transport of special nuclear material in an amount specified in § 73.1(b)(2) of this chapter shall include (1) a description of the plan for physical protection of special nuclear material in transit in accordance with §§ 73.30 through 73.36 and 73.70(g) of this chapter, including a plan for the selection, qualification and training of armed escorts, or the specification and design of a specially designed truck or trailer as appropriate, and (2) a licensee safeguards contingency plan for dealing with threats, thefts, and sabotage relating to the special nuclear material in transit. Appendix C to Part 73 of this chapter sets forth the criteria to be followed in developing licensee safeguards contingency plans.

(j) Each application for a license to possess or use at any site or contiguous sites subject to control by the licensee uranium-235 (contained in uranium enriched to 20 percent or more in the uranium-235 isotope), uranium-233, or plutonium alone or in any combination in a quantity of 5,000 grams or more computed by the formula, grams = (grams contained U-235) + 2.5 (grams U-233 + grams plutonium) other than a license for possession or use of such material in the operation of a nuclear reactor licensed pursuant to Part 50 of this chapter, shall include a licensee safeguards contingency plan for dealing with threats, thefts, and industrial sabotage, as defined in Part 73, relating to the special nuclear material and nuclear facilities licensed under Parts 50 or 70 of this chapter and in his possession and control. Appendix C to Part 73 of this chapter sets forth the criteria to be followed in developing such plans.

4. Section 70.32 of 10 CFR Part 70 is amended by adding a new paragraph (g) to read as follows:

§ 70.32 Conditions of licenses.

(g) The licensee shall make no change that would decrease the safeguards effectiveness of any licensee safeguards contingency plan prepared pursuant to §§ 70.22(g), 70.22(j), 73.30(g), or 73.40 of this chapter without the prior approval of the Commission. A licensee desiring to make such a change shall submit an application for an amendment to his license pursuant to §§ 50.90 or 70.34

* Sabotage as used in this section has the same meaning as in § 73.2(p) of this chapter except that the deliberate acts are postulated to occur during transportation rather than at a fixed site.

of this chapter, as appropriate. The licensee may make changes to the licensee safeguards contingency plan without prior Commission approval if the changes do not decrease the safeguards effectiveness of the plan. The licensee shall maintain records of changes to any such plan made without prior approval for a period of two years from the date of the change and shall furnish to the Director of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, with a copy to the appropriate NRC Regional Office specified in Appendix A of Part 73 of this chapter, a report containing a description of each change within two months after the change is made.

PART 73—PHYSICAL PROTECTION OF PLANTS AND MATERIALS

5. Paragraph 73.30(g) of 10 CFR Part 73 is revised to read as follows:

§ 73.30 General requirements.

(g) By September 16, 1977, each licensee subject to the requirements of paragraph (a) of this section shall submit to the Commission for approval a licensee safeguards contingency plan for dealing with threats, thefts, and sabotage relating to the transport of the special nuclear material in his possession and control. The plan shall be implemented and followed (when appropriate) by the licensee within 30 days after approval by the Commission or 300 days after September 16, 1977, whichever is later.

6. Section 73.40 of 10 CFR Part 73 is amended to read as follows:

§ 73.40 Physical protection: General requirements at fixed sites.

Each licensee shall provide physical protection against industrial sabotage and against theft of special nuclear material at the fixed sites where licensed activities are conducted. The provisions of a licensee's security plan as approved by the Commission shall be followed by the licensee. By September 16, 1977 each licensee subject to the requirements §§ 73.50, 73.55, and/or 73.60 shall submit to the Commission for approval a licensee safeguards contingency plan in accordance with the criteria set forth in Appendix C to this part for dealing with threats, thefts, and industrial sabotage relating to the special nuclear material and nuclear facilities licensed under Parts 50 or 70 of this chapter and in his possession and control. The plan shall be implemented and followed (when appropriate) by the licensee within 30 days after approval by the Commission or 300 days after September 16, 1977, whichever is later.

7. A new Appendix C is added to 10 CFR Part 73 to read as follows:

APPENDIX C

LICENSEE SAFEGUARDS CONTINGENCY PLANS INTRODUCTION

Certain licensees and license applicants are required to prepare licensee safeguards

contingency plans pursuant to §§ 50.34(d), 70.22(g), 70.22(j), 73.30(g), or 73.40 of this chapter. A licensee safeguards contingency plan is a documented plan to give guidance to licensee personnel in order to accomplish specific, defined objectives in the event of threats, thefts, or sabotage relating to special nuclear material or nuclear facilities licensed under the Atomic Energy Act of 1954, as amended. The plan shall contain (1) a predetermined set of decisions and actions to satisfy stated objectives, (2) an identification of the data, criteria, procedures, and mechanisms necessary to effect efficiently the decisions and actions, and (3) a specification of the individual, group, or organizational entity responsible for each decision and action. It is important to note that the licensee safeguards contingency plans are complementary to any emergency plans developed pursuant to Appendix E of Part 50 of this chapter and to § 70.22(i) of Part 70 of this chapter.

The goals of licensee safeguards contingency plans for dealing with threats, thefts, and sabotage are (1) to organize the response effort at the licensee level, (2) to provide predetermined, structured responses by licensees to safeguards contingencies, (3) to integrate the licensee response with the responses by other entities, and (4) to achieve a measurable performance in response capability. Licensee safeguards contingency planning should result in organizing the licensee's response resources in such a way that the participants will be identified, their several responsibilities specified, and the responses coordinated. The responses should be timely, internally consistent among themselves, and compatible with Federal responses.

CONTENTS OF THE PLAN

Each licensee safeguards contingency plan shall include five categories of information:

1. Background.
 2. Generic Planning Base.
 3. Licensee Planning Base.
 4. Responsibility Matrix.
 5. Procedures.
- a. Background.** Under the following topics, this category of information shall identify and define the perceived dangers and incidents with which the plan will deal and the general way it will handle these:
- a. Perceived Danger.**—A statement of the perceived danger to the security of special nuclear material, licensee personnel, and licensee property, including covert diversion of special nuclear material, sabotage, and overt attacks.
- b. Purpose of the Plan.**—A discussion of the general aims and operational concepts underlying implementation of the plan.
- c. Scope of the Plan.**—A delineation of the types of incidents covered and not covered in the plan.

d. Definitions.—A list of terms and their definitions used in describing operational and technical aspects of the plan.

2. Generic Planning Base. Under the following topics, this category of information shall define the criteria for initiation and termination of responses to safeguards contingencies together with the specific decisions, actions, and supporting information needed to bring about such responses:

a. Identification of those events that will be used for signaling the beginning or aggravation of a safeguards contingency according to how they are perceived initially by licensee's personnel. Such events may include alarms or other indications signaling penetration of a protected area, vital area, or material access area; material control or material accounting indications of material missing or unaccounted for; or threat indications—either verbal, such as telephoned threats, or implied, such as escalating civil disturbances.

b. Definition of the specific objective to be accomplished relative to each identified event. The objective may be to obtain a level of awareness about the nature and severity of the safeguards contingency in order to prepare for further responses; to establish a level of response preparedness; or to successfully nullify or reduce any adverse safeguards consequences arising from the contingency.

3. Licensee Planning Base. Under the following topics, this category of information shall include the factors affecting contingency planning that are specific for each facility or means of transportation:

a. Licensee's Organizational Structure.—A delineation of the organization's chain of command and delegation of authority as these apply to safeguards contingencies.

b. Physical Layout.—(i) **Fixed Sites.**—A description of the physical structures and their location on the site, and a description of the site in relation to nearby towns, roads, and other important environmental features.

(ii) **Transportation.**—A description of the vehicles, shipping routes, and related features that would affect contingency responses.

c. Safeguards Systems Hardware.—A description of the physical security and accounting system hardware that influences how the licensee will respond to an event. Examples of systems to be discussed are communications, alarms, locks, seals, area access, armaments and surveillance.

d. Law Enforcement Assistance.—A listing of available local law enforcement agencies and a description of their response capabilities and their criteria for response; and a discussion of working agreements or arrangements for communicating with these agencies.

e. Policy Constraints and Assumptions.—A discussion of State laws, local ordinances and company policies and practices that govern licensee response to incidents. Examples that may be discussed include:

- Use of deadly force.
- Use of employee property.
- Use of off-duty employees.
- Site security jurisdictional boundaries.
- f. **Administrative and Logistical Considerations.**—Descriptions of licensee practices that may have an influence on the response to safeguards contingency events. The descriptions shall include provisions for ensuring that all equipment needed to effect a successful response to a safeguards contingency will be easily accessible, in good working order, and in sufficient supply to provide redundancy in case of equipment failure.
- 4. **Responsibility Matrix.** This category of information consists of detailed identification of the organizational entities responsible for each decision and action associated with specific responses to safeguards contingencies. This identification shall be done by means of a matrix composed of an array of cells for each event, each cell correlating a decision or action with a member or unit of the organization and containing a task, i.e., a detailed description of how a decision is to be made or an action is to be taken.
- 5. **Procedures.** In order to aid implementation of the detailed plan as developed in the matrix, this category of information shall summarize the actions to be taken and decisions to be made by each member or unit of the organization as planned in the matrix.

DEVELOPMENT AND MAINTENANCE OF THE PLAN

When submitting a licensee safeguards contingency plan to the Commission for approval, each licensee applicant and licensee shall also submit a description of the steps that he has taken to ensure that:

- (1) Safeguards contingency responsibilities are assigned in a manner that precludes conflicts in duties or responsibilities that would prevent the execution of the plan in any safeguards contingency;
- (2) Adequate resources are available at all times for carrying out the plan;
- (3) The plan will be reviewed and updated periodically to take due account of changing conditions; and
- (4) Periodic drills or tests will be made to ensure that safeguards contingency responses follow those set forth in the plan.

(Sec. 1611, Pub. L. 83-703, 68 Stat. 948; secs. 201, 204(b)(1), Pub. L. 93-438, 88 Stat. 1243, 1245 (42 U.S.C. 2201, 5841, 5844).)

Dated at Washington, D.C. this 13th day of May 1977.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc. 77-14258 Filed 5-18-77; 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 AGRICULTURE

Forest Service

JOHN DAY PLANNING UNIT

Availability of Draft Environmental Statement; Supplement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a Supplement to the Draft Environmental Statement for the John Day Planning Unit Land Use Plan, USDA-FS-R6-DES(Adm)-76-3.

One new roadless area—Fox Creek—has been identified and added to the roadless inventory. Additional roadless land has been added to four existing roadless areas—Greenhorn Mountain, Jump-Off Joe, North Strawberry, and South Strawberry. The additional inventoried roadless areas identified in this supplement total 32,367 acres within the John Day Planning Unit. These adjustments have transpired since the John Day Planning Unit Draft Environmental Statement was issued. This new information could influence the comments on the Draft Statement. Therefore, the Supplement is being issued and given the same circulation as the Draft Environmental Statement, with an appropriate extension in the time allowed for the submission of comments.

The Supplement to the Draft Environmental Statement was transmitted to CEQ on May 13, 1977.

Copies of the Draft and Supplement are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3210, 12th St. and Independence Ave., SW., Washington, D.C. 20250.

USDA, Forest Service, Pacific Northwest Region, 319 SW. Pine Street, Portland, Oregon 97204.

USDA, Forest Service, Malheur National Forest, 139 NE. Dayton Street, John Day, Oregon 97845.

USDA, Forest Service, Umatilla National Forest, 2517 SW., Halley Avenue, Pendleton, Oregon 97801.

A limited number of Supplements is available upon request to Forest Supervisor, Dan E. Williams, Malheur National Forest, 139 NE. Dayton Street, John Day, Oregon 97845.

Copies of the Environmental Statement and Supplement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law

or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor Dan E. Williams, Malheur National Forest, 139 NE. Dayton Street, John Day, Oregon 97845. Comments must be received by July 12, 1977, in order to be considered in the preparation of the final environmental statement.

JOHN H. POPPINO,
Acting Regional Environmental
Coordinator, Planning, Pro-
gramming, and Budgeting.

MAY 13, 1977.

[FR Doc.77-15298 Filed 5-18-77;8:45 am]

LAND USE PLAN, OPHIR-DOG-MACDONALD PASS PLANNING UNIT

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the Land Use Plan—Ophir-Dog-MacDonald Pass Planning Unit, Forest Service Report Number USDA-FS-R1(12)-DES-Adm-76-18.

The environmental statement concerns the proposed preparation and implementation of an intensive Multiple Use Plan for the Ophir-Dog-MacDonald Pass Planning Unit, Helena Ranger District, Helena National Forest, Powell and Lewis and Clark Counties, State of Montana. About 50,600 acres of National Forest land are affected. The planning unit is divided into five management units. Significant values, management direction, and specific statements to guide land management have been developed for each subunit.

This final environmental statement was transmitted to CEQ on May 13, 1977.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St. and Independence Ave., SW., Washington, D.C. 20250.

USDA, Forest Service, Northern Region, Federal Building, Missoula, Montana 59801.

USDA, Forest Service, Helena National Forest, 616 Helena Avenue, Helena, Montana 59601.

USDA, Forest Service, Helena Ranger District, 2003 Poplar, Helena, Montana 59601.

A limited number of single copies are available upon request to:

USDA, Forest Service, Helena National Forest, 616 Helena Avenue, Helena, Montana 59601.

USDA, Forest Service, Helena Ranger District, 2003 Poplar, Helena, Montana 59601.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

JAMES G. STEFFAN,
Acting Forest Supervisor,
Helena National Forest.

MAY 13, 1977.

[FR Doc.77-14301 Filed 5-18-77;8:45 am]

MOUNT HEBGEN MANAGEMENT ALTERNATIVES

Availability of Final Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the Mount Heben management alternatives, Forest Service report number USDA-FS-R1(11)-DES-Adm-76-25.

The environmental statement concerns alternatives for ski development on Mount Heben and a proposed special use permit for Ski Yellowstone, Inc., to develop a ski area on approximately 1,800 acres of National Forest land in Gallatin County, Montana.

This final environmental statement was transmitted to CEQ on May 13, 1977.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agricultural Bldg., Room 3230, 12th Street and Independence Ave., SW., Washington, D.C. 20250.

USDA, Forest Service, Northern Region, Federal Building, Missoula, MT 59807.

USDA, Forest Service, Gallatin National Forest, Federal Building, Bozeman, MT 59715.

USDA, Forest Service, Heben Lake District, West Yellowstone, MT 59758.

A limited number of single copies are available upon request to the Forest Supervisor, Gallatin National Forest, P.O. Box 130, Bozeman, MT 59715.

Copies of the environmental statement have been sent to various Federal, state, and local agencies as outlined in the CEQ guidelines.

MAY 13, 1977.

KEITH M. THOMPSON,
Acting Regional Forester,
Northern Region, Forest Service.

[FR Doc.77-14299 Filed 5-18-77;8:45 am]

MULTIPLE USE PLAN, NINEMILE-MILL PLANNING UNIT

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the Multiple Use Plan Ninemile-Mill Planning Unit, USDA-FS-R1(16)-FES-Adm-76-20.

The environmental statement concerns a proposed action to implement a revised Multiple Use Plan for the Ninemile-Mill Planning Unit, located on the Ninemile and Missoula Ranger Districts, Lolo National Forest in Missoula, Mineral, Lake, and Sanders Counties, Montana. The action affects 120,950 acres of National Forest Land. The plan recommends that 101,030 acres be managed in various combinations for recreation, esthetics, fisheries, wildlife, watershed, timber and range. An area of 19,920 acres which will remain unroaded will be managed for recreation, esthetics, wildlife, and watershed.

The primary environmental effects involve the modification of natural conditions on 33,400 acres that are presently roadless. The major changes will be in the vegetative patterns and tree species resulting from management of the vegetative resources; the availability of products, employment, and services provided; and in the natural condition of vegetation, soil, water, and wildlife.

This final environmental statement was transmitted to CEQ on May 5, 1977. Copies are available for inspection during regular working hours at the following locations:

- USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St. and Independence Ave. SW., Washington, D.C. 20250.
- USDA, Forest Service, Northern Region, Federal Building, 340 N. Pattee, Missoula, MT 59801.
- USDA, Forest Service, Lolo National Forest, Building 24, Fort Missoula, Missoula, MT 59801.
- USDA, Forest Service, Ninemile Ranger District, Huson, MT 59846.
- USDA, Forest Service, Missoula Ranger District, 2801 Russell, Missoula, MT 59801.
- University of Montana, University Library, Documents Division, Missoula, MT 59801.
- University of Montana, Forestry School Library, Room 411, Science Complex, Missoula, MT 59801.
- Missoula City-County Library, Washington and East Main, Missoula, MT 59801.

A limited number of single copies are available upon request to Orville L. Daniels, Forest Supervisor, Lolo National Forest, Building 24, Fort Missoula, Missoula, Montana 59801.

Copies of the environmental statement have been sent to various federal, state and local agencies as outlined in the CEQ guidelines.

RUSSELL E. MILLER,
Acting Forest Supervisor.

May 6, 1977.

[FR Doc.77-14300 Filed 5-18-77;8:45 am]

VEGETATION MANAGEMENT WITH HERBICIDES IN OREGON AND WASHINGTON

Availability of Draft Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a Draft Environmental Statement for vegetation management with herbicides in Oregon and Washington, USDA-FS-R6-DES (Adm)-75-18 (revised).

The Environmental Statement concerns a proposed series of vegetative treatments on National Forest lands using the herbicides 2,4-D, 2,4,5-T, silvex, strazine, dicamba, dalapon, amitrole-T, picloram, monosodium methanearsenate, cacodylic acid, and Krenite as a part of various resource management activities including site preparation, conifer release, precommercial thinning of conifers, control of noxious or poisonous plants, range revegetation, and maintenance of improvement.

This Draft Environmental Statement was transmitted to CEQ on May 11, 1977. Copies are available for inspection during regular working hours at the following locations:

- USDA, Forest Service, South Agriculture Bldg., Room 3210, 12th & Independence Ave. SW., Washington, D.C. 20250.
- USDA, Forest Service, Pacific Northwest Region, 319 S.W. Pine Street, Portland, Oregon 97204.

A limited number of single copies are available upon request to Regional Forester, Pacific Northwest Region, P.O. Box 3623, Portland, Oregon 97208.

Copies of the Draft Environmental Statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments must be received by July 10, 1977 in order to be considered in the preparation of the Final Environmental Statement. Comments concerning the proposed action and requests for additional information should be addressed to Regional Forester, Pacific Northwest Region, P.O. Box 3623, Portland, Oregon 97208.

CURTIS L. SWANSON,
Regional Environmental Coordinator
Planning, Programming
and Budgeting.

May 11, 1977.

[FR Doc.77-14302 Filed 5-18-77;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket Nos. 30656 and 30657]

ALIA—THE ROYAL JORDANIAN AIRLINES CORP. AND SYRIAN ARAB AIRLINES

Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in this proceeding is as-

signed to be held on May 26, 1977, at 9:30 a.m. (local time), in Room 1003, Hearing Room C, 1875 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge Arthur S. Present.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement at the prehearing conference.

Dated at Washington, D.C., May 13, 1977.

HENRY M. SWITKAY,
Acting Chief Administrative
Law Judge.

[FR Doc.77-14227 Filed 5-18-77;8:45 am]

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

ALBERT MEDEIROS

Receipt of Application for Certificate of Exemption

Notice is hereby given that the following applicant has applied in due form for Certificate of Exemption under Pub. L. 94-359, and the regulations issued thereunder (50 CFR Part 223, Subpart B), to engage in certain commercial activities with respect to pre-Act endangered species parts or products.

Applicant: Albert Medeiros, Koch & Son Scrimshaw, 88 North Street, Mattapoisett, MA 01912.

Period of Exemption. The applicant requests that the period of time to be covered by the Certificate of Exemption begin on the date of the original issuance of the Certificate of Exemption and be effective for a 3-year period.

Commercial activities exempted. (i) The prohibition, as set forth in section 9(a)(1)(A) of the Act, to export any such species part from the United States; (ii) The prohibition, as set forth in section 9(a)(1)(E) of the Act, to deliver, receive, carry, transport, or ship in interstate or foreign commerce, by any means whatsoever and in the course of commercial activity any such species part; (iii) The prohibitions, as set forth in sections 9(a)(1)(F) of the Act, to sell or offer for sale in interstate or foreign commerce any such species part.

Parts or products exempted. Finished scrimshaw products to be made from approximately 302 pounds of whale teeth.

Written comments on this application may be submitted to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235 on or before June 20, 1977.

ROBERT J. AYERS,
Acting Associate Director
for Fisheries Management.

May 13, 1977.

[FR Doc.77-14325 Filed 5-18-77;8:45 am]

FISHING IN MEXICAN GULF OF MEXICO WATERS

Licensing Procedures

The first annual consultation relative to the implementation of the Fisheries Agreement between Mexico and the United States was held in Mexico City on April 26-27, 1977. Procedures for licensing U.S. vessels to fish for shrimp or snapper/grouper in the Mexican Zone (12 to 200 miles off the Mexican coast) were developed for the August 1, 1977, through July 31, 1978 fishing season. Applications for entering vessels in this fishery may be obtained by contacting the Regional Director, National Marine Fisheries Service, 9450 Gandy Boulevard, St. Petersburg, Florida 33702, telephone number: 813-893-3141. Applications are available also from the Brownsville Trawlers Association, Star Route, Box 5, Brownsville, Texas 78521, telephone number: 512-831-4862; the Southeastern Fisheries Association, 124 West Jefferson Street, Tallahassee, Florida 32301, telephone number: 904-224-0612; and the Texas Shrimp Association, P.O. Box 1666, Brownsville, Texas 78520, telephone number: 512-546-5389.

Completed application forms must be received by the National Marine Fisheries Service or any of the three associations no later than May 30, 1977, for transmittal to the Mexican Government. License fees and charges per vessel for the fishing season are as follows:

Location	Performance		
	Permit fee	Catch charge	Bond or deposit
SHRIMP			
Tampico, Contoy	\$80-80	\$2,000-1,538	Up to \$1,000-Do.
SNAPPER-GROUPER			
Mexican zone	80	563	Do.

Issued in Washington, D.C., May 13, 1977.

JACK W. GEHRINGER,
Deputy Director,
National Marine Fisheries Service.

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MID-ATLANTIC FISHERY MANAGEMENT COUNCIL; NEW ENGLAND FISHERY MANAGEMENT COUNCIL

Availability of Draft Environmental Impact Statement/Fishery Management Plan on the Atlantic Clam Fishery and Public Meetings and Hearing Thereon

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, the National Oceanic and Atmospheric Administration, Department of Commerce, and the Mid-Atlantic and New England Fishery Management Councils have prepared a draft environmental impact statement for the proposed implementation of the Fishery Management Plan for the Atlantic Clam Fishery. In accordance with the provisions of the Fishery Conservation and

Management Act of 1976 (P.L. 94-265) the plan has been prepared by the Mid-Atlantic and New England Fishery Management Councils and requires approval by the Secretary of Commerce prior to its implementation.

The environmental statement concerns a proposal to adopt and implement a fishery management plan for the surf clam and ocean quahog fisheries off the Mid-Atlantic and Northeastern United States, pursuant to the Fishery Conservation and Management Act of 1976, which extends U.S. jurisdiction over marine fishery resources to 200 nautical miles and establishes a program for their management. Upon approval, the plan will serve to manage these fisheries for optimum yield. The plan proposes to rebuild the declining surf clam stocks within a 10 year period, to minimize short term dislocation of fishermen and to prevent overfishing of the ocean quahog stocks. The following regulatory measures are recommended:

A. Restriction of surf clam landings to 35 million pounds of meats for 1977;

B. restriction of ocean quahog landings to 60 million pounds of meats for 1977;

C. establishment of a minimum shell size for surf clams at 4½ inches; and

D. restriction of new entrants into the surf clam fishery.

Written comments on the draft environmental impact statement/fishery management plan may be submitted on or before July 5, 1977 to:

Mr. John C. Bryson, Executive Director, Mid-Atlantic Fishery Management Council, Federal Building, Room 2115, North New Streets, Dover, Delaware 19901.

Individuals or organizations wishing to comment on the draft environmental impact statement/fishery management plan may also do so at public meetings.

The Mid-Atlantic Fishery Management Council will hold its public meetings at the following locations on:

June 1, 1977—Omni International Hotel, 777

Waterfront Drive, Norfolk, Virginia 23510.

June 2, 1977—Sheraton Fontainebleau Hotel, 10100 Ocean Highway, Ocean City, Maryland 21842.

June 3, 1977—Golden Eagle Motor Inn, Philadelphia Avenue, Cape May, New Jersey 08204.

June 6, 1977—Asbury Avenue Pavillion, Asbury and Ocean Avenues, Asbury Park, New Jersey 07712.

A public hearing will be held on June 16, 1977, at the Southhampton Inn, 91 Hill Street, Southhampton, Long Island, New York 11968. All sessions will convene at 7:30 p.m. and adjourn at 9:30 p.m.

The New England Fishery Management Council will hold its public meetings at the following locations on:

June 14, 1977—Bourne Community Building, 239 Main Street, Buzzards Bay, Massachusetts.

June 15, 1977—Newport Harbor Treadway Inn, On the Harbor, Newport, Rhode Island.

June 16, 1977—Holiday Inn, Woodbury Avenue, Portsmouth, New Hampshire.

All sessions will convene at 7:30 p.m.

Members of the public interested in obtaining a copy of the draft environmental impact statement/fishery management plan may contact:

Mr. John C. Bryson, Executive Director, Mid-Atlantic Fishery Management Council, Room 2115, Federal Building, North New Streets, Dover, Delaware 19901.

Regional Director, Northeast Region, National Marine Fisheries Service, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930.

Copies of the draft environmental impact statement/fishery management plan may also be viewed at the public meetings and summaries of the fishery management plan will be distributed at the public meetings. Copies are also available for inspection at:

National Oceanic and Atmospheric Administration, Environment Science Information Center, Page Building 2, Room 193, 3300 Whitehaven Street NW., Washington, D.C. 20235.

This Notice is being published at the request of and in cooperation with the Mid-Atlantic and New England Fishery Management Councils.

Dated this 13th day of May, 1977 at Washington, D.C.

JACK W. GEHRINGER,
Deputy Director.

[FR Doc. 77-14230 Filed 5-17-77; 8:45 am]

ROBERT J. HONIS

Receipt of Application for Certificate of Exemption

Notice is hereby given that the following applicant has applied in due form for a Certificate of Exemption under Pub. L. 94-359, and the regulations issued thereunder (50 CFR Part 222, Subpart B), to engage in certain commercial activities with respect to pre-Act endangered species parts or products.

Applicant: Robert J. Honis, 8390 Kumquat Avenue, Seminole, Florida 33540.

Period of exemption. The applicant requests that the period to be covered by the Certificate of Exemption begin on the date of the original issuance of the Certificate of Exemption and be effective for a 3-year period.

Commercial activities exempted. (i) The prohibition, as set forth in section 9(a)(1)(A) of the Act, to export any such species part from the United States; (ii) The prohibitions, as set forth in section 9(a)(1)(E) of the Act, to deliver, receive, carry, transport, or ship in interstate or foreign commerce, by any means whatsoever and in the course of commercial activity any such species; part; (iii) The prohibitions, as set forth in section 9(a)(1)(F) of the Act, to sell or offer for sale in interstate or foreign commerce any such species part.

Parts or products exempted. Finished scrimshaw products to be made from approximately 42 whale teeth and 5 pieces of whale bone.

Written comments on this application may be submitted to the Director, Na-

National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235 on or before June 20, 1977.

ROBERT J. AYERS,
Acting Associate Director
for Fisheries Management.

MAY 13, 1977.

[FR Doc. 77-14326 Filed 5-18-77; 8:45 am]

COST ACCOUNTING STANDARDS BOARD

RESTATEMENT OF OBJECTIVES, POLICIES AND CONCEPTS

In March 1973, the Cost Accounting Standards Board published a Statement of its operating policies, procedures and objectives within which the Board was formulating Cost Accounting Standards and related rules and regulations in carrying out its legislative mandate under Pub. L. 91-379. The Board published that document to improve general understanding of the Board's fundamental objectives and concepts. The Board stated at that time that it may from time-to-time amplify, supplement or modify its views as it proceeds with consideration of individual issuances.

The Board is now publishing a re-statement of its objectives, policies and concepts. This publication is intended to make known the current views of the Cost Accounting Standards Board in these matters. Interested members of the public should, on the basis of this Statement, be better able to focus on the complex and difficult issues which the Board faces in promulgating Cost Accounting Standards. Anticipating that the Board, from time-to-time, expects to revise this document, the Board welcomes the views of interested persons on the objectives, policies and concepts stated herein.

MAY 1977.

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OBJECTIVES

The primary objective of the Cost Accounting Standards Board is to implement Pub. L. 91-379 by issuing clearly stated Cost Accounting Standards to achieve (1) an in-

creased degree of uniformity in cost accounting practices among Government contractors in like circumstances, and (2) consistency in cost accounting practices in like circumstances by individual Government contractors over periods of time. In accomplishing this primary objective, the Board takes into account the probable costs of implementation, including inflationary effects, if any, compared to the probable benefits of such Standards.

Increased uniformity and consistency in accounting improve understanding and communication, reduce the incidence of disputes and disagreements, and facilitate equitable contract settlements.

A Cost Accounting Standard is a statement formally issued by the Cost Accounting Standards Board that (1) enunciates a principle or principles to be followed, (2) establishes practices to be applied, or (3) specifies criteria to be employed in selecting from alternative principles and practices in estimating, accumulating, and reporting costs of contracts subject to the rules of the Board. A Cost Accounting Standard may be stated in terms as general or as specific as the Cost Accounting Standards Board considers necessary to accomplish its purpose.

UNIFORMITY

Uniformity relates to comparison of two or more accounting entities and the Board's objective in this respect is to achieve comparability of results of entities operating under like circumstances. The Board recognizes the impracticability of defining or attaining absolute uniformity, largely because of the problems related to defining like circumstances. The Board will, nonetheless, seek ways to attain a practical degree of uniformity in cost accounting.

Absolute uniformity would be achieved only if contractors in the same circumstances (with respect to a given subject) always followed the same cost accounting practices. The Board does not seek to establish a single uniform accounting system or chart of accounts for all the complex and diverse businesses engaged in defense contract work. Any increase in uniformity, however, will provide more comparability among contractors whose circumstances are similar. Therefore, if the Board were to be satisfied that circumstances among all concerned contractors are substantially the same in a given subject area the Board would not be precluded from establishing a single cost accounting treatment for use in such circumstances.

CONSISTENCY

Consistency pertains to the use by one accounting entity of compatible cost accounting practices which permit comparability of contract results under similar circumstances over periods of time. Like uniformity, the attainment of absolute consistency can only be measured when like circumstances can be defined. Essentially, consistency relates to the allocation of costs, both direct and indirect, and to the treatment of cost with respect to individual cost objectives as well as among cost objectives in like circumstances. The Board believes that consistency within an entity enhances the usefulness of comparisons between estimates and actuals. It also improves the comparability of cost reports from one time period to another where there are like circumstances.

ALLOWABILITY AND ALLOCABILITY

The CASB does not determine categories or individual items of cost that are allowable. Allowability is a procurement concept affecting contract price and in most cases is established in regulatory or contractual pro-

visions. An agency's policies on allowability of costs may be derived from law and are generally embodied in its procurement regulations. A contracting agency may include in contract terms or in its procurement regulations a provision that will refuse to allow certain costs incurred by contractors that are unreasonable in amount or contrary to public policy. In accounting terms, those same costs may be allocable to the contract in question.

Allocability is an accounting concept involving the ascertainment of contract cost; it results from a relationship between a cost and a cost objective such that the cost objective appropriately bears all or a portion of the cost. For a particular cost objective to have allocated to it all or part of a cost there should exist a beneficial or causal relationship between the cost objective and the cost.

Cost Accounting Standards provide for the definition and measurement of costs, the assignment of costs to particular cost accounting periods, and the determination of the bases for the direct and indirect allocation of the total assigned costs to the contracts and other cost objectives of these periods. The use of Cost Accounting Standards has no direct bearing on the allowability of those individual items of cost which are subject to limitations or exclusions set forth in the contract or which are otherwise specified as unallowable by the Government.

The Board recognizes that contract costs are only one of several important factors which should be involved in negotiating contracts. Therefore, the promulgation of Cost Accounting Standards, and the determination of contract costs thereunder, cannot be considered a substitute for effective contract negotiation. It should be emphasized that where Cost Accounting Standards are applicable, they are determinative as to the costs allocable to contracts. It is a contracting agency's prerogative to negotiate the allowability of costs which are allocated to contracts; however, the definition defense contracts and how the amount thereof is to be allocated is a function of Cost Accounting Standards.

FAIRNESS

The Board considers a Cost Accounting Standard to be fair when, in the Board's best judgment, the Standard shows neither bias nor prejudice to either party to affected contracts.

The results of contract pricing may ultimately be regarded as fair or unfair by either or both parties to that contract. But if the Cost Accounting Standards utilized in the negotiation, administration, and settlement of the contract provided the contracting parties with accounting data which are representative of the facts, the Standards themselves are fair.

VERIFIABILITY

Verifiability is generally accepted as an important goal for information used in cost accounting. Contract cost accounting systems should provide for verifiability to the greatest extent practical. Contract costs should be auditable by examination of appropriate data and documents supporting such costs or by reference to the facts and assumptions used to allocate the costs to the contract.

The Board recognizes that under some Cost Accounting Standards individual contractors may accumulate or allocate certain contract costs on a different basis, or in greater detail, than would otherwise be provided in a contractor's general books of account. The Board has stated in the prefatory comments of certain Standards that contractors may use memorandum accounting records to meet the requirements of Stand-

ards. These statements reflect the Board's intent that, for these Standards and else where, only such detail of cost allocation and record keeping should be required as is necessary to provide the verifiability that is needed to satisfy regulatory contract cost audit requirements. Detailed contractor accounting records of contract costs should be reconcilable with the general books of account.

COST ALLOCATION CONCEPTS

In order to achieve increased uniformity and consistency in accounting for costs of negotiated defense contracts, Cost Accounting Standards should provide criteria for the allocation to cost objectives of the costs of resources used. As used in this discussion cost is the monetary value of the resources used. A cost objective as defined by the Board is "a function, organizational subdivision, contract, or other work unit for which cost data are desired and for which provision is made to accumulate and measure the cost of processes, products, jobs, capitalized projects, etc." Standards deal with all aspects of cost allocability, including:

1. The definition and measurement of costs which may be allocated to cost objectives.
2. The determination of the cost accounting period to which such costs are assignable, and
3. The determination of the methods by which costs are to be allocated to cost objectives.

The Board will adhere to the concept of full costing whenever appropriate. Full allocation of all costs of a period, including general and administrative expenses and all other indirect costs is considered by the Board generally to be the basis for determining the cost of negotiated defense contracts.

Under the full costing concept, all costs initially allocated to intermediate cost objectives must be subsequently reallocated to final cost objectives. For this purpose, a final cost objective may be established to include unreasonable costs or costs unallowable for other reasons. The bases selected for allocation of costs from intermediate cost objectives to final cost objectives are the devices used to associate costs with final cost objectives when such costs are not directly identifiable with those cost objectives. If the base selected is a reasonable measure of the relationship between the cost and cost objectives, the cost will be reasonably allocated to such cost objectives. The Board has referred to this conceptual relationship in Standards as the beneficial or causal relationship between costs and cost objectives. In addition to the expression of this concept, Standards define in appropriate circumstances what criteria should be used to select the allocation base which best expresses this conceptual relationship.

HIERARCHY FOR ALLOCATING COSTS

As an ideal, each item should be assigned to the cost objective which was intended to benefit from the resource represented by the cost or, alternatively, which caused incurrence of the cost. To approach this goal, the Board believes in the desirability of direct identification of costs with final cost objectives where the following allocation characteristics exist:

1. The beneficial or causal relationship between the incurrence of cost and cost objectives is clear and exclusive.
2. The amount of resource used is readily and economically measurable.

However, if all items of cost incurred for the same purpose in like circumstances do not have these characteristics, then none of these items should be identified directly with final cost objectives.

In addition, the Board recognizes that there are circumstances where although the units of resource used can be directly identified with a final cost objective, it would be inappropriate or unnecessary to directly identify the cost with the final cost objective. Where the units of resource used are interchangeable, as for example in the use of like machinery and equipment, consumption of materials and supplies or utility services, the amount of cost to be allocated to cost objectives may more appropriately be determined on the basis of an average cost and not on the actual cost of each unit used. The Board believes that this averaging concept should be applied in appropriate circumstances. Individual Standards treat with specific instances where, although the incidence of resource use is directly identified with particular final cost objectives, the cost of the resource used should be determined on an averaging or indirect basis.

Where units of resource used are not directly identified with final cost objectives, the cost of such resources should be grouped into logical and homogeneous pools for allocation to cost objectives in accordance with a hierarchy of preferable techniques. Homogeneity means that the costs of functions allocated by a single base have the same or a similar relationship to the cost objectives for which the functions are performed, and the grouping of such costs in homogeneous pools for allocation to benefited cost objectives results in a better identification of cost with cost objectives. There are circumstances where unlike functions will have the same or a similar relationship to cost objectives; it may be appropriate to group the cost of such functions and use a measure of the common relationship as the base for cost allocation purposes. Finally, where the final output of either goods or services is the same or similar (i.e., homogeneous), all indirect functions attributable to the common output may be grouped for allocation of the costs of those functions.

The Board believes that the preferable allocation techniques for distributing homogeneous pools of cost are as follows:

1. The preferred representation of the relationship between the pooled cost and the benefiting cost objectives is a measure of the activity (input) of the function or functions represented by the pool of cost. This relationship can be measured in circumstances where there is a direct and definitive relationship between the function or functions and the benefiting cost objectives. In such cases, a single unit of measure can generally represent the consumption of resources in performance of the activities represented by the pool of cost. Measures of the activity ordinarily can be expressed in such terms as labor hours, machine-hours, or square footage. Accordingly, costs of these functions can be allocated by use of a rate, such as a rate per labor hour, rate per machine hour or cost per square foot of the support activity.

2. Where such measures are unavailable or impractical to ascertain the basis for allocation can be a measurement of the output of the function or functions represented by the pool of cost. Thus the output becomes a substitute measure for the use of resources, and is a reasonable alternative where direct measurement of input is impractical. Output can be measured in terms of units of end product produced by the functions, as for example, number of printed pages for a print shop, number of purchase orders processed by a purchasing department, number of hires by an employment office.

3. Where neither activity (input) nor output of the functions can be measured practically, a surrogate must be used to measure the resources used. Surrogates used to represent the relationship generally measure the activity of the cost objectives receiving the service and should vary in proportion to the services received. For example, a personnel department may provide various services which cannot be measured practically on an activity or output basis. Number of personnel served may reasonably represent the use of resources of the personnel function for the cost objectives receiving the service, where this base varies in proportion to the services performed.

4. Pooled costs which cannot readily be allocated on measures of specific beneficial or causal relationship generally represent the cost of overall management activities. Such costs do not have a direct and definitive relationship to the benefiting cost objectives. These costs should be grouped in relation to the activities managed and the base selected to measure the allocation of these indirect costs to cost objectives should be a base representative of the entire activity being managed. For example, the total cost of plant activities managed might be a reasonable base for allocation of general plant indirect costs. The use of a portion of a total activity, such as direct labor costs or direct material costs only, as a substitute for a total activity base, is acceptable only if the base is a good representative of the total activity being managed.

In developing allocation techniques for individual Standards, the Board will define the circumstances where direct identification or an appropriate level of the allocation hierarchy should be used.

ACCOUNTING STANDARDS AND THE FLOW OF COSTS

Standards on cost allocation treat with the accounting for the flow of incurred costs as resources are used. The costs of resources used are initially allocated to a cost pool or to final cost objectives. The cost pools are intermediate cost objectives under the full costing concept of cost allocation as used by the Board. Cost pools are either service centers, overhead pools or general and administrative (G&A) cost pools. Costs are allocated from cost pools to other cost pools and to final cost objectives until all costs are accumulated in final cost objectives, thus determining the total cost of those final cost objectives. Costs accumulated in service center pools can be allocated to other service center pools, to overhead pools, to G&A pools and to final cost objectives. The costs accumulated in the overhead and G&A cost pools are allocated only to final cost objectives.

The particular distribution and cost flow characteristics of a cost pool can be identified by relating the cost flow concept described above with the hierarchy of preferable allocation techniques described previously. As stated, costs initially allocated to the various cost pools and final cost objectives are costs which can be directly identified with those cost objectives. Cost pools which are identified as service centers normally will distribute their costs on a base which measures the activity or output of the service center and, as a result, these costs can be allocated to any cost objective benefiting from that service including other cost pools. Cost pools which are identified as overhead pools will distribute their costs using an allocation base which measures the total activity of a period. These costs are allocated only to cost objectives which ultimately reflect that total activity, i.e., the final cost objectives of a business unit.

As Standards are developed for the treatment of pools of cost, each pool is categorized either as a function of general support (e.g., overhead pool) or specific support (e.g., service center). The classification is determined by the type of allocation base and flow of cost that is prescribed for that pool.

OPERATING POLICIES

The following descriptions of policies show a number of important considerations which will be relevant to the Board as it seeks the objectives discussed previously.

RELATIONSHIP TO OTHER AUTHORITY BODIES

A number of authoritative bodies have been established to issue pronouncements affecting accounting and financial reporting. The Cost Accounting Standards Board views its work as relating directly to the preparation, use, and review of cost accounting data in the negotiation, administration, and settlement of negotiated defense contracts. The Board is the only body established by law with the specific responsibility to promulgate Cost Accounting Standards. Furthermore, its Cost Accounting Standards have the force and effect of law in the negotiation, administration and settlement of defense contracts.

The accounting areas of interest to the Board which are also of interest to others for financial and tax accounting purposes are: (1) Definition and measurement of costs; (2) assignment of the cost of resources consumed to time periods; and (3) allocation of direct labor, direct material, and indirect costs to the goods and services produced in a period.

The Cost Accounting Standards Board seeks to avoid conflict or disagreement with other bodies having similar responsibilities and will through continuous liaison make every reasonable effort to do so. The Board will give careful consideration to the pronouncements affecting financial and tax reporting, and in the formulation of Cost Accounting Standards it will take those pronouncements into account to the extent it can do so in accomplishing its objectives. The nature of the Board's authority and its mission, however, is such that it must retain and exercise full responsibility for meeting its objectives.

TRANSITION METHOD

The process of converting from preexisting cost accounting practices to the practice required by a new Standard could be a source of disagreement between the contracting parties. To eliminate such disagreements, the Board has on occasion spelled out means by which a new Standard can be put into operation so as to place the contracting parties in a position where any amounts that might be left to be dealt with by an equitable adjustment would be immaterial. For other Standards, the impact of changes in cost accounting practices required by new Standards will be accommodated by price adjustments for covered prime contracts and subcontracts through the equitable adjustment provision of the contract clause.

APPLICABILITY TO NONDEFENSE CONTRACTS

As a matter of administrative policy the General Services Administration has elected to apply Standards to some but not all non-defense contracts. As a result, there may be instances where contractors have contracts which, because they are with defense agencies, are subject to Standards, whereas similar contracts with nondefense agencies are not. The Board recognizes that this situation can be the source of some difficulty in

administration by contractors. Nonetheless, nondefense contracts are beyond the jurisdiction of the Cost Accounting Standards Board. The Board has encouraged Government agencies to adopt regulations to achieve consistency among defense and nondefense contracts wherever possible. The Board will continue to work in this direction.

SINGLE GOVERNMENT REPRESENTATIVE

To assure maximum uniformity of interpretation of its promulgations, the Board believes that it is highly desirable to have Federal agencies agree upon a single representative to deal with a given contractor regarding application of the requirements of the Board. Because of its conviction of the merit of such a procedure, the Board recommended that the agencies arrange for a single contracting officer for each contractor, or major component thereof, to be designated to negotiate as needed to achieve consistent practices relating to the Standards issued by the Board.

As a result, agencies have established procedures by which a Government contractor may be certain that only one contracting officer will deal with him to resolve issues that may arise under the contractor's Government contracts concerning the application of Cost Accounting Standards, rules and regulations.

The Board is optimistic about the benefits to be derived by both the Government and contractors from this single-representative system and will continue to encourage and assist Government agencies in assuring that the system matures and functions effectively.

RESPONSIBILITIES FOR COMPLIANCE

The Board recognizes that the basic responsibility for securing compliance by contractors with Board promulgations, as with all contractual matters, rests with the relevant Federal contracting agencies. They are responsible for such things as:

1. Incorporating all applicable CASB promulgations into their procurement regulations;
2. Including the contract clause in all covered contracts;
3. Receiving Disclosure Statements;
4. Reviewing and approving the adequacy of such Statements;
5. Reviewing contractors' records to determine whether or not contractors have (a) followed consistently their disclosed cost accounting practices and (b) complied with promulgated Cost Accounting Standards;
6. Making appropriate contract price adjustments because of changed accounting practices, failure to follow existing Standards, or the issuance of new Standards; and
7. Evaluating the validity of claims by contractors for exemptions and waivers under criteria established by the Board, or exclusions as established by Pub. L. 91-379.

It should be noted that section 719(j) of the Act gives to any authorized representative of the head of the agency concerned, of the Board, or of the Comptroller General of the United States, the right to examine and make copies of any documents, papers, or records relating to compliance with Board promulgations.

Another element of compliance concerns the manner in which relevant contracting agencies implement the requirements established by the Board. Special and recurring reviews of agencies' compliance with Board promulgations should be performed by the agencies' internal review staffs and by the U.S. General Accounting Office.

The Board must retain responsibility for evaluating the effectiveness of the Standards, rules, and regulations that it promul-

gates. Some of the Board's evaluative needs can be met by reviewing reports from contracting and audit organizations. To this end, the Board and the major contracting agencies have worked cooperatively to establish reporting requirements which have been embodied in the agencies' procurement regulations.

The Board also recognizes its responsibility for receiving evaluations of promulgated Standards and regulations from contractors, professional associations, and other associations and persons outside the Government who are concerned with the effectiveness of the Board's Standards, rules and regulations. The Board holds periodic Evaluation Conferences on promulgated Standards and Regulations. Additionally, the Board welcomes comments and inquiries at any time.

INTERPRETATIONS

The Board notes the existence of contractual and administrative provisions for the resolution or settlement of disputes arising under a contract, and the Board will not intervene in or seek to supersede such provisions. When there are widespread and serious questions of the Board's intention or meaning in its promulgations, however, the Board may at its discretion respond to requests for authoritative interpretations of its rules, regulations, and Cost Accounting Standards. Such interpretations will be published in the FEDERAL REGISTER and will be considered by the Board as an integral part of the rules, regulations, and Standards to which the interpretations relate. This formalized procedure does not preclude unofficial consultation between inquirers and the Executive Secretary and members of the Board's staff.

EXEMPTIONS AND WAIVERS

The Board is authorized by law to grant exemptions to such classes or categories of contractors or contracts as it determines are appropriate and consistent with the purposes sought to be achieved by the Board's basic legislation. In previous years the Board has used the authority granted to it to (1) exempt from its rules and regulations certain categories of contractors, (2) grant waivers of its requirements for certain individual contracts, (3) limit the requirements for formal disclosure of accounting practices to the larger defense contractors, (4) limit the application of some individual Standards either by exempting certain categories of contractors or by establishing a dollar threshold for the application of the Standard, and (5) exempt certain classes of contractors from the requirement to comply with Standards on the condition that they accept application of the Disclosure Statement regulations.

The Board anticipates that it will grant waivers only in rare and unusual cases. The Board notes that the granting of an exemption or a waiver from Standards or the disclosure regulation reduces the extent to which the primary goals of increased uniformity and consistency are achieved.

THE PROCESS OF DEVELOPING STANDARDS

RESEARCH AND DEVELOPMENT OF STANDARDS

The promulgation of any Cost Accounting Standard is characterized by an in-depth study of the subject and by participation of various interested parties. The Board is not committed to any specific research process, but uses those techniques and resources which are appropriate to the topic. Typical research steps in the development of Standards are briefly described below.

1. Selection of topics. The Board's objectives are clearly set forth in Pub. L. 91-379; the Board seeks to develop Cost Accounting Standards to provide increased uniformity

and consistency in cost accounting practices of contractors. Specific subjects for research and possible development of Cost Accounting Standards are selected after considering the nature and magnitude of the costing problems related to the subject, as well as the relationship of the subject to other Standards and other staff research projects. The Board has sought advice from interested parties in the selection of topics of research. Board approval of a work project or its continuance does not imply the ultimate promulgation of a Standard.

2. *Research of concepts and existing practices.* Early research generally involves review of the accounting concepts and existing practices. This review includes examination of available literature, and often involves discussions with representatives of professional accounting and other organizations. Early research also usually involves review of the treatment of the cost in connection with negotiated contracts. This requires examination of Government procurement regulations, and the decisions of courts and of Boards of Contract Appeals. It also involves meeting with representatives of procurement agencies and of contractors. Reviews are made of the Disclosure Statements filed with the Board and various reports received from Government agencies as to practices currently being followed. Personal interviews and plant visits are made to review existing practices further in connection with contracts. The extent of this phase of the research and the amount of participation by interested parties depend on the nature of the topic.

3. *Analysis of alternatives.* Information gained from the early research into a subject, including field visits to contractors, helps to identify relevant issues. The Board develops analytical discussions of such issues and prepares questions designed to elicit opinions and empirical data concerning the subject. Upon development of an issues paper, it is distributed widely to interested parties whose responses are considered in connection with the development of a preliminary draft of a Cost Accounting Standard.

4. *Staff draft of a standard.* Analysis of problems, practices, and the possible choices for action, usually leads to the development of a staff draft of a possible Cost Accounting Standard which is distributed to interested parties for comment. Frequently such drafts are accompanied by questions designed to elicit information concerning potential administrative problems and estimated costs of implementation. The comments received are helpful in developing a proposed Standard for exposure in the *FEDERAL REGISTER*.

5. *Federal Register proposal.* The proposed Cost Accounting Standard is published in the *FEDERAL REGISTER*. This publication serves as an important part of the research process. It also serves as a formal public notice by the Board of the proposal on which comments are invited. *FEDERAL REGISTER* publication is supplemented by direct mailing to the organizations and individuals on a mailing list maintained by the Board. The Board seeks comments from all interested parties, and allows an ample period for response. The *FEDERAL REGISTER* publication provides an opportunity for participation by all those who are interested in the work of the Board. The Board reviews the responses received, and determines what changes may be warranted in its proposal. When major changes are made in the proposal, the Board will consider republishing the proposal in the *FEDERAL REGISTER* for additional comments. Follow-up visits to Government agencies and contractors may be arranged in connection with particular comments received. Some-

times, representatives of interested groups may be invited to meet with the Board.

6. *Promulgation.* After careful consideration of all comments and further discussions held with interested parties, the Board makes appropriate revisions to the proposed Cost Accounting Standard. The revised Standard is promulgated and published in the *FEDERAL REGISTER* along with prefatory comments setting forth the Board's analysis of the major issues identified in the comments received.

7. *Submission to Congress.* Standards promulgated by the Board are sent to the Congress at the time of final publication in the *FEDERAL REGISTER* along with an evaluation of the costs versus the benefits. The Standards become effective unless the Congress, within 60 days of continuous session, passes a concurrent resolution stating in substance that it does not favor the proposed Standard. In the absence of such a resolution and upon completion of the 60-day period, the Board's promulgations have the full force and effect of law.

8. *Continuing review.* The Board has provided for annual reports from Government agencies. Industry views are obtained through conferences for this purpose. The Board also keeps informed on the operation of Standards in actual contract situations. The Board will publish authoritative interpretations where there are widespread and serious questions of the Board's intention or meaning in its promulgations. The Board will also modify any of its promulgations if experience shows that modification is desirable.

FORMAT OF STANDARDS

The Board uses the same general format for all of its Standards to facilitate their use.

The "General Applicability" Section establishes the overall coverage of each Cost Accounting Standard. The "Purpose" Section normally provides a brief description of the goals of the Board in promulgating the Standard. The "Definition" Section reprints from the "Definitions" part of the Board's regulations, terms which are prominent in a particular Standard.

The "Fundamental Requirement" Section contains the broad principles or practices to be applied in accounting for the costs covered by the Standard.

The "Techniques for Application" Section provides criteria for the selection of alternative practices to implement the concepts contained in the "Fundamental Requirement." The techniques for application may describe the practices to be followed with respect to particular fundamental requirements or in particular circumstances. As a general rule, the techniques for application will narrow the accounting options in accordance with the concepts in the fundamental requirement. This Section may also provide special techniques for applying the concepts of the fundamental requirement to give consideration to materiality or special circumstances.

Examples of how the Standard is to operate in specific circumstances appear under "Illustrations." Usually this Section describes actual or hypothetical accounting practices and specifies whether or not such practices would comply with the provisions of the Standard. This Section may also illustrate specific practices which may be followed in particular circumstances.

The final two Sections of a Standard are "Exemptions," and "Effective Date." Where necessary, this format of a Standard may be supplemented by additional material, such as appendices, which also are an integral part of the Standard.

No one Section of a Standard stands alone, and all Sections must be read in the context of the Standard as a whole.

PREFATORY COMMENTS

The Board prefaces its issuance of Standards, rules, and regulations with analytical comments to provide additional insight into the process by which the issuance was developed and the factors which led to the provisions set out in the issuance. The prefatory comments summarize the comments received in response to the initial publication and explain the reasons for any significant changes made as well as the reasons for not making changes which were suggested. Although these prefatory comments are not a formal part of any promulgation, they nonetheless are authoritative statements by the Board. As such, the Board encourages their use as aids in applying Standards, rules, and regulations to specific situations.

COMPARING COSTS AND BENEFITS

Section 719 of the Defense Production Act of 1950, as amended by Pub. L. 94-152 requires the Board, in promulgating Standards, to take into account "the probable costs of implementation, including inflationary effects, if any, compared to the probable benefits, including advantages and improvements in the pricing, administration, and settlement of contracts."

The Board views costs and benefits in a broad sense. All disruptions of contractors' and agencies' practices and procedures are viewed as costs. Prior to making a final promulgation decision, the Board makes specific inquiries into the likely costs of implementing proposed Standards, both for contractors and for affected agencies of the Government. In this inquiry, an effort is made to distinguish transitional costs from those that may persist on a recurring basis. Also, the Board makes a distinction between (1) incremental administrative costs, i.e., the cost of added activities over and above that which would otherwise have been incurred, and (2) costs that are absorbed in implementing and administering Standards, i.e., the cost of effort or resources diverted to the implementation and administration of Standards that otherwise would have been applied elsewhere.

Out-of-pocket administrative expenses can be estimated, albeit with difficulty, and any increase in such expenses must be regarded as a cost.

Benefits from CAS include anticipated reductions in the number of time-consuming controversies stemming from unresolved aspects of cost allocability as well as greater equity to all concerned. The Board also expects that benefits will be achieved through simplified negotiation, administration, audit, and settlement procedures. Also, Standards should serve to reduce the opportunities for the manipulation of accounting methods allowed to have existed prior to establishment of the Board. Finally, and most importantly, the availability of better cost data stemming from the use of Cost Accounting Standards will permit improved comparability of offers and facilitate better negotiation of resulting contracts. The Board believes that it would be extremely difficult, if not impossible, to quantify the benefits which are sought from Standards.

The Board is interested in data which will enable it to gauge the impact of a proposed Standard on the amount of costs that will shift to or from Government contracts as a result of one or more Standards. The Board recognizes that a fair Cost Accounting Standard may result in a shift of cost either to or from Government contracts. In formulating Standards, the Board will not regard such shifts of costs as determinative.

The likely impact of a Cost Accounting Standard on a contract is to modify the distribution of his costs among time periods or among his projects in a given time period. Standards may increase administrative costs

which, if not offset by the benefit of increased productivity in defense contracting, would contribute to inflation; the Board considers the total of benefits relative to the total cost.

ARTHUR SCHOENHAUT,
Executive Secretary.

MAY 16, 1977.

[FR Doc. 77-14291 Filed 5-18-77; 8:45 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF SCIENTIFIC ADVISORY BOARD

Cancelled Meeting

MAY 12, 1977.

The meeting of the USAF Scientific Advisory Board Tactical Panel scheduled for June 1, 1977, as published in the FEDERAL REGISTER May 9, 1977, 42 FR 23533, has been cancelled. This meeting has not been rescheduled.

For further information contact the Scientific Advisory Board Secretariat at 202-697-4811.

FRANKIE S. ESTEP,
Air Force Federal Register Liaison,
Directorate of Administration.

[FR Doc. 77-14304 Filed 5-18-77; 8:45 am]

USAF SCIENTIFIC ADVISORY BOARD

Meeting

MAY 9, 1977.

The USAF Scientific Advisory Board Aerospace Vehicles Panel will hold a meeting on June 20-21, 1977, at Kelly AFB, Texas from 8:30 a.m. to 5 p.m. both days.

The Panel will receive classified briefings and conduct classified discussions concerning maintenance and operational support requirements of several critical weapon systems.

The meeting concerns matters listed in Section 552b(c) of Title 5, United States Code, specifically subparagraph (1) thereof, and accordingly, will be closed to the public.

For further information contact the Scientific Advisory Board Secretariat at 202-697-8845.

FRANKIE S. ESTEP,
Air Force Federal Register Liaison,
Directorate of Administration.

[FR Doc. 77-14303 Filed 5-18-77; 8:45 am]

DELAWARE RIVER BASIN COMMISSION

COMPREHENSIVE PLAN AMENDMENTS AND PROJECT APPROVALS

Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, May 25, 1977, commencing at 2 p.m. The hearing will be held in the Titian Peale Room of the Holiday Inn, 18th and Market

Streets, Philadelphia, Pa. The subject of the hearing will be applications for approval of the following projects as amendments to the Comprehensive Plan pursuant to Article 11 of the Compact and/or as project approvals pursuant to Section 3.8 of the Compact:

1. Myerstown Water Authority (D-77-31 CP). A well water supply project to augment public water supplies in Myerstown Borough and portions of Jackson Township, Lebanon County, Pa. Designated as Well No. 5, the new facility is expected to yield 500,000 gallons per day.

2. Wernersville Municipal Authority (D-77-21 CP). A well water supply project to augment public water supplies in Wernersville Borough, Berks County, Pa. Designated as Well No. 8, the new facility is expected to yield 180,000 gallons per day and will be used to provide service in Wernersville Borough and portions of Lower Heidelberg and South Heidelberg Townships.

3. Borough of Alburtis (D-77-22 CP). A well water supply project to augment public water supplies in the Borough of Alburtis, Lehigh County, Pa. Designated as Well No. 3, the new facility is expected to yield approximately 170,000 gallons per day.

4. Metropolitan Edison Co. (D-76-73). Modification to existing cooling water discharge structures and industrial waste treatment facilities at the company's Portland Generating Station, Upper Mount Bethel Township, Montgomery County, Pa. New outfall facilities will improve thermal mixing for a cooling water discharge to the Delaware River of approximately 313 million gallons per day. Approximately 2.5 million gallons per day of treated industrial wastes will also discharge to the Delaware River.

5. Quaker Alloy Casting Co. (D-77-34). An existing cooling water discharge at the company's manufacturing facility in Myerstown Borough and Jackson Township, Lebanon County, Pa. Approximately 500,000 gallons per day of non-contact cooling water discharges to Tulpehocken Creek.

6. Colebrookdale Builders, Inc. (D-77-11). A leachate treatment plant at the Colebrookdale Landfill in Earl Township, Berks County, Pa. Removal of 95 percent of BOD, and 88 percent of suspended solids will be provided to a wastewater flow of about 50,000 gallons per day. Treated effluent will discharge to Furnace Run, tributary to Manatawny Creek, tributary to the Schuylkill River.

7. Delaware Valley Industrial Sewage Co., Inc. (D-76-76). An industrial waste-water treatment project for the A & P Dairy milk processing plant in Upper Dublin Township, Montgomery County, Pa. Chlorination will be added to existing pre-treatment facilities which will be considered as a complete treatment plant and will provide 95 percent removal of BOD, and suspended solids from a wastewater flow of about 130,000 gallons per day. Treated effluent will discharge to Pine Run in the Wissahickon Creek Watershed.

Documents relating to the above-listed projects may be examined at the Commission's offices. Persons wishing to testify are requested to notify the Secretary prior to the hearing.

W. BRINTON WHITALL,
Secretary.

MAY 13, 1977

[FR Doc. 77-14305 Filed 5-18-77; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 725-5]

CALIFORNIA STATE MOTOR VEHICLE POLLUTION CONTROL STANDARDS

Waiver of Federal Preemption

I. INTRODUCTION AND BACKGROUND

By this decision, issued under section 209(b) of the Clean Air Act, as amended (hereinafter the "Act") (42 U.S.C. 1857f-6a(b)), I am deciding not to withdraw those waiver actions announced in the January 11, 1977, decision, see 42 FR 3192 (January 17, 1977), which were concerned with the application of the California fuel evaporative emission standard and test procedures (SHED test)¹ to 1978 and subsequent model year gasoline-powered medium duty and heavy duty² motor vehicles. I am also granting the State of California a waiver of Federal preemption to enforce the California fuel evaporative emission standard and SHED test procedures, as amended on October 5, 1976, applicable to 1978 and subsequent model year gasoline-powered passenger cars and light duty trucks.

Under section 209(b) of the Act, the Administrator is required to grant the State of California a waiver of Federal preemption, after opportunity for a public hearing, unless he finds that California does not require standards more stringent than applicable Federal standards to meet compelling and extraordinary conditions, or that such State standards and accompanying enforcement procedures are not consistent with section 202(a) of the Act. State standards and enforcement procedures are deemed not to be consistent with section 202(a) if there is inadequate lead time to permit the development and application of the requisite technology, giving appropriate consideration to the cost of compliance within that time frame, or if the Federal and California test procedures are inconsistent. For the reasons given below, I have concluded that the statutory criteria of section 209(b) have all been met in the case of the California

¹ The most important aspect of the California evaporative emission (SHED) regulations is that the standard is measured under the SHED test. The SHED test is a method used to determine evaporative emission levels by placing a vehicle in a sealed enclosure. However, in addition to a SHED test, the California test procedure regulations include provisions for demonstrating compliance with the evaporative emission standard, such as requiring SHED tests to be run at periodic intervals on 50,000 mile durability vehicles. This aspect of the California regulations will be referred to as "50,000 mile SHED durability testing" throughout this decision.

² When the term "heavy duty" vehicles is used throughout this decision, it will mean all heavy duty vehicles except medium duty vehicles. As defined by California, the medium duty vehicles class is a subset of the heavy duty vehicle category.

evaporative emission regulations, and that, therefore, this waiver decision should be issued.

The history of the California waiver requests in the area of evaporative emissions control were briefly traced in the January 11, 1977, decision. See 42 FR 3192, 3193, 3194 (January 17, 1977). Subsequent to that decision, a public hearing was held on January 27, 1977, pursuant to notice published by the Environmental Protection Agency (EPA) in the FEDERAL REGISTER, see 42 FR 1065 (January 5, 1977), to consider the questions that pertain to today's decision. The January 27, 1977, hearing also considered questions relating to the adoption of exhaust emission standards and test procedures for 1979, 1980-1982, and 1983 and subsequent model year gasoline-powered and diesel-powered heavy duty vehicles and engines. A decision on these questions will be published in the FEDERAL REGISTER in the near future.

As a result of the waiver actions announced in this decision, California will require 50,000 mile SHED durability testing for 1979 and subsequent model year passenger cars and light duty trucks. California has been granted a waiver of Federal preemption for this testing requirement even though EPA specifically rejected this method for evaluating the durability of evaporative emission control systems when it promulgated Federal SHED regulations for light duty vehicles and light duty trucks. See 41 FR 35626, 35627 (August 23, 1976).

In recommending this position to the Administrator, the Administrator's technical staff considered several alternative approaches to evaluating the durability of an evaporative emission control system, and concluded that the current knowledge regarding the state of the art of durability evaluation of evaporative emission control systems did not permit the identification by EPA of one or more valid durability test procedures. See *id.* Based on this conclusion, EPA determined that there was no sound basis at the time of the promulgation of Federal SHED regulations, see 41 FR 35626 (August 23, 1976), for requiring the Federal approval of the manufacturer's proposed methods for evaluating the durability of these systems. EPA is unaware of new data that could change that conclusion at this time, and California has presented no such data. From the experience gained during the 1978 model year, EPA will examine the methods of durability evaluation utilized by the various manufacturers and may amend the present Federal SHED regulations as it deems appropriate.

However, the determinations and conclusions reached at the Federal level have limited bearing on a California waiver situation. As has been stated in previous waiver decisions, questions concerning the wisdom of California's actions are beyond the scope of the Administrator's review under section 209(b) of the Act. See 42 FR 3192, 3194 (January 17, 1977); 41 FR 44209 (October 7, 1976); 40 FR 23102, 23104 (May 28, 1975).

II. Discussion

Stringency and compelling conditions. Under one of the criteria of section 209 (b) of the Act, I am authorized to withhold a waiver from California if I find that California "does not require standards more stringent than applicable Federal standards to meet compelling and extraordinary conditions." In discussing the relative stringency of the Federal and California fuel evaporative emission standards, the vehicles within the coverage of the California SHED regulations should be divided into those vehicles for which Federal SHED regulations are currently in effect and those for which Federal SHED regulations are not currently in effect. No Federal SHED regulations are currently in effect for 1978 model year (and some 1979 and subsequent) medium duty vehicles, and 1978 and subsequent model year heavy duty vehicles. For these vehicles the California evaporative emission standard clearly satisfies the stringency condition. See 42 FR 3192, 3194 (January 17, 1977). However, Federal SHED regulations are currently in effect for 1978 and subsequent model year passenger cars and light duty trucks, and most 1979 and subsequent model year medium duty vehicles. For this group of vehicles, various manufacturers argued that the California fuel evaporative emission standard is not more stringent than the applicable Federal standard. The manufacturers have the burden of demonstrating that this allegation is true. See 40 FR 30311, 30314 (July 18, 1975). In this case, I conclude that they have not discharged that burden.³

The current Federal SHED regulations establish a fuel evaporative emission standard of 6 grams hydrocarbons (HC) per test, which is the same as the California standard. General Motors stated that since that Standard is the same as the corresponding California standard, California should have been denied a waiver for its fuel evaporative emission standard and SHED test procedures for those classes of vehicles that are also subject to Federal SHED regulations. See Tr. of January, 1977, Hearing at 239. Ford stated that the California SHED regulations did not meet the stringency criterion even though

³ General Motors argued that I should not grant California a waiver of Federal preemption unless I can make the requisite findings required to support California's contention that a waiver should be granted. See Transcript of Public Hearing to Consider California's Request for Waiver of Federal Preemption With Respect to Exhaust Emission Standards and Test Procedures for 1979 and Subsequent Model Year Heavy Duty Motor Vehicles, and Application of SHED Evaporative Test Procedures for 1978 and Subsequent Model Year Motor Vehicles, January 27, 1977, at 244 (hereinafter "Tr. of January, 1977, Hearing"). However, I have interpreted section 209 of the Act to impose on the manufacturers the burden of demonstrating that the conditions exist which warrant the denial of a waiver request. See 41 FR 44209 (October 7, 1976).

they contained a durability evaluation requirement which was not contained in the Federal regulations, since "an added California requirement unrelated to control capability would not qualify an otherwise identical regulation for a waiver of Federal preemption." See Tr. of January, 1977, Hearing at 278. Ford also contended that inasmuch as the manufacturers who have developed a method for durability testing would utilize the same method in complying with both the Federal and California evaporative emission certification requirements, and since the California fuel evaporative emission test procedures would require emission control components identical to those required under the applicable Federal regulations, the California fuel evaporative emission standard applicable to those vehicles for which Federal SHED regulations were also currently in effect is not more stringent than the corresponding Federal standard. See Memorandum from John P. Eppel, Ford Motor Company, to Benjamin Jackson, Director, Mobile Source Enforcement Division, U.S. Environmental Protection Agency, February 21, 1977, at 7-11. However, the Federal and California SHED regulations under consideration establish different methods for demonstrating compliance with the standard, in the sense of demonstrating the durability of an evaporative emission control system. These methods for demonstrating compliance with a standard, generally known as accompanying enforcement procedures, can have a direct bearing on the stringency of the standard itself. See 40 FR 30311, 30313 (July 18, 1975); 42 FR 3192, 3194 (January 17, 1977). The 1978 California SHED regulations applicable to gasoline-powered passenger cars, light duty trucks and medium duty vehicles provide that the demonstration of the durability of the evaporative emission control system shall be made either through bench testing or durability testing. In the event that a manufacturer should elect the bench test alternative for model year 1978, its proposed bench test method would be subject to approval by the Executive Officer of the California Air Resources Board (CARB). The Federal procedures, however, require only that a manufacturer inform EPA of the manner in which it chooses to assess durability and that it report any data obtained. No Federal approval is required. The fact that EPA may accept test methods and demonstration procedures used to satisfy arguably more stringent California requirements for compliance with Federal test requirements does not, as Ford suggested, render the requirements equivalent. These differences in the required durability evaluation procedures may make the 1978 California fuel evaporative emission standard more stringent than the 1978 Federal standard currently in effect, and therefore, I cannot find that the 1978 California standard is not more stringent than the applicable Federal standard. Furthermore, for the reasons stated in the January 11, 1977, decision, see 42

FR 3192, 3194 (January 17, 1977). I continue to believe that the differences between the California and Federal enforcement procedures applicable to 1979 and subsequent model year passenger cars and light duty trucks, and most 1979 subsequent model year medium duty vehicles, may make the California standard more stringent than the Federal standard, and therefore, I cannot find that the California standard for these classes of vehicles is not more stringent than the applicable Federal standard.

In addition, American Motors contended that the number of medium duty motor vehicles subject to the 1978 California fuel evaporative emission standard and SHED test procedures was too insignificant to mitigate any compelling and extraordinary conditions in California. See Tr. of January, 1977, Hearing at 217. Ford also claimed that no information had been presented at the January 27, 1977, hearing which indicated that the burdens imposed by the 1979 California SHED regulations on the automobile manufacturers would result in a reduction of air pollution in California. See Memorandum from John P. Eppel, Ford Motor Company, to Benjamin Jackson, Director, Mobile Source Enforcement Division, U.S. Environmental Protection Agency, February 21, 1977, at 11-12. Such arguments all fall within the EPA Practice of leaving the decision on controversial matters of public policy to California's judgment. See 41 FR 44209, 44210 (October 7, 1976); 42 FR 3192, 3194 (January 17, 1977).

Consistency. Under section 209(b), I may also deny a California waiver request if I find that the California "standards and accompanying enforcement procedures are not consistent with section 202(a)" of the Act. General Motors and Ford argued at the hearing that the relevant California enforcement procedures were not consistent with the applicable Federal enforcement procedures, see Tr. of January, 1977, Hearing at 248-250, 279-281, and Toyo Kogyo made somewhat the same point. See Letter from Eisuke Niguma, General Manager, Toyo Kogyo U.S.A. Representative Office, to Benjamin Jackson, Director, Mobile Source Enforcement Division, U.S. Environmental Protection Agency, January 24, 1977.

However, I continue to believe that the requirement of consistency has been met in the matter under consideration. See 42 FR 3192, 3194 (January 17, 1977). In effect, the California SHED test procedures under consideration would only require a more intense effort on the part of the manufacturers than that required under the applicable Federal regulations, and thus, I have concluded that a motor vehicle which complies with the California fuel evaporative emission standard in terms of the California SHED test procedure will automatically comply with the Federal fuel evaporative emission certification requirements. In referring to the requirement of consistency, the legislative history of section 209(b) indicates that a manufacturer should

not be "faced with different methods of obtaining certification." S. Rep. No. 403, 90th Cong., 1st Sess. 33 (1967). Since EPA will now accept the California SHED test results as demonstrating compliance with the Federal SHED test requirements, this goal will have been achieved.

Technology and lead time. No information was presented for the record which indicated that the requisite technology was unavailable to meet the 1978 California standard. However, two manufacturers claimed that there was inadequate lead time to permit them to meet the California SHED test requirements for 1978 model year gasoline-powered passenger cars, light duty trucks and medium duty vehicles. See Tr. of January, 1977, Hearing at 211-218, 236-239. Although General Motors suggested that the October 5, 1976, California SHED amendments were of no lawful effect until the SHED waiver decision had been published on January 17, 1977, see 42 FR 3192 (January 17, 1977), and that my determination with respect to lead time should be based on this date rather than on the date on which California first adopted its fuel evaporative emission standard, see Tr. of January, 1977, Hearing at 238, nevertheless, General Motors did state in response to questioning that it had begun to run emission durability testing on vehicles which would allow it to comply with the California SHED regulations for the 1978 model year. See Tr. of January, 1977, Hearing at 253-254, 259-262, 272-273.

American Motors Corporation contended that it was technically infeasible for it to comply with the California 50,000 mile SHED durability test requirements for the 1978 model year, see Tr. of January, 1977, Hearing at 212-214, 217. It stated, though, that it had not yet begun its 50,000 mile exhaust emissions or SHED durability testing for the 1978 model year. See Tr. of January, 1977, Hearing at 226-228. Under these circumstances there seems to be no reason why American Motors could not decide to elect the 50,000 mile SHED durability testing option provided in the California SHED regulations. In fact, American Motors did suggest that it would probably elect this option in order to demonstrate the durability of its evaporative emission control systems. See Tr. of January, 1977, Hearing at 233. Although American Motors contended that it could not comply with the 50,000 mile SHED durability testing requirement merely because it may face the risk of having to restart this testing at a late date, see Tr. of January, 1977, Hearing at 228-229, such a risk of failure is inherent in any compliance testing program. In addition, no evidence was presented which indicated that the evaporative emission control system utilized by American Motors in its 1978 model year durability vehicles would not remain in effect for 50,000 miles even though American Motors has the burden of proof on this issue. See Tr. of January, 1977, Hearing at 230.

Finally, it should be noted that Ford indicated in its testimony that it had just

received approval from the Executive Officer of the CARB for its method of durability testing and of determining the deterioration factor for each evaporative emission engine family, and thus, it could also comply with the California SHED test requirements for the 1978 model year. See Tr. of January, 1977, Hearing at 21-22, 282, 284, 287-288.

In considering the lead time question, it should be mentioned that the October 5, 1976, California SHED amendments were, in fact, adopted in response to the concerns of the manufacturers that had been previously expressed on this matter and were intended to alleviate these concerns. See 42 FR 3192, 3195 (January 17, 1977). Under these amendments the manufacturers will be able to comply with the optional bench testing procedure in a significantly shorter period of time than would have been required under the regulations in effect prior to October 5, 1976, which had provided that the manufacturers could satisfy the durability evaluation requirements only by running a SHED test at specified intervals on a durability vehicle. Compare Tr. of January, 1977, Hearing at 215, with Transcript of Public Hearing to Consider California's Request for Waiver of Federal Preemption With Respect to Medium Duty Vehicles, Application of SHED Test Procedure, and Fill Pipe and Opening Specifications, August 25 and 26, 1976, at 244 (hereinafter "Tr. of August, 1976, Hearing"); see also 42 FR 3192, 3195 (January 17, 1977).

General Motors and Chrysler also contended that it was technically infeasible for them to comply with the 1979 and subsequent model year mandatory durability test requirements applicable to gasoline-powered passenger cars, light duty trucks and medium duty vehicles which require that the manufacturers' proposed methods for durability testing be approved by the Executive Officer of the CARB prior to conducting the actual test, since the lack of further specification in the California regulations made these requirements ambiguous. See Tr. of January 1977, Hearing at 236, 239-241, 244-247, 291-292. However, I believe that the California SHED test regulations for model year 1979 do impose reasonable limits on the discretionary authority of the Executive Officer. These regulations require the Executive Officer to review and approve the manufactur-

* General Motors and Chrysler further contended that the 1979 and subsequent model year California SHED regulations failed the due process test for vagueness established in *Connally v. General Construction Company*, 269 U.S. 385 (1926). See Tr. of January 1977, Hearing at 236, 239, 241, 244-247, 291-292. I have determined that I cannot agree with their position on this question. Concerning the constitutional claim, regardless of the validity of this argument, the EPA waiver hearing is not the proper forum in which to raise it. Cf. 41 FR 44209, 44212 (October 7, 1976); 42 FR 2337, 2339 (January 11, 1977). Questions concerning the constitutionality of the California regulations are beyond the scope of my review under section 209(b).

ers' proposed test methods if they meet the three requirements stated in the regulations. No information was presented that the Executive Officer has evidenced a lack of good faith in carrying out his responsibilities under these regulations. In fact, the CARB has already indicated to the manufacturers which types of testing methods would meet the approval of the Executive Officer and will make Ford's bench test procedure available to the manufacturers upon its approval by the Executive Officer as an example of an acceptable method of durability testing. See Tr. of January, 1977, Hearing at 21-22. The CARB has also expressed its willingness to continue to negotiate with the manufacturers in the future on matters related to the approval of proposed methods for durability testing. See id.

Therefore, in light of the above discussion, I have decided that I cannot deny the waiver request on the grounds of lead time and technology.

With regard to the cost of compliance with the California SHED requirements for passenger cars, light duty trucks and medium duty and heavy duty vehicles, very little information was provided by the manufacturers at the hearing. Although the performance of SHED tests on passenger cars, light duty trucks, and medium duty vehicles, and the need to acquire additional SHED facilities may result in additional costs to the manufacturers, no specific information was provided in this regard.

Adequate notice objections. General Motors and American Motors contended that adequate notice was not given of the fact that the January 27, 1977, hearing agenda would include the question of granting California a waiver of Federal preemption for the October 5, 1976, amendments, see Tr. of January, 1977, Hearing at 210, 251-252, since EPA did not publicly announce such notice until January 17, 1977. However, adequate notice of an opportunity to comment on this SHED waiver question was given to all of the manufacturers by the publication of the January 11, 1977, decision, see 42 FR 3192 (January 17, 1977), in light of the fact that the public record remained open for a period of two weeks after the January 27, 1977, hearing. See 44 U.S.C. 1508 (1968). Furthermore, the EPA did provide actual and timely notice of the hearing agenda to most of the manufacturers by oral conversations conducted in December, 1976. In addition, no party alleged at the hearing that its procedural interests were prejudiced by the method of notice employed.

General Motors and American Motors also objected to the notice given with respect to the October 5, 1976, amendments to the SHED test procedures for 1978 and subsequent model year passenger cars and light duty trucks. They contended that EPA had violated the statutory mandate of section 209 by reinstating the July 11, 1975, waiver, see 30 FR 3011 (July 18, 1975), and waiving application of these amendments prior to holding a public hearing on this action. See Tr. of January, 1977, Hearing

at 211, 242-244. Their position is based on the assumption that the durability evaluation requirements imposed by the October 5, 1976, amendments affect the stringency of the California fuel evaporative mission standard, and therefore, a public hearing should have been held prior to this alleged action by EPA. However, these manufacturers do not apparently recognize that the reinstated waiver did not include any of the October 5, 1976, amendments. The January 11, 1977, decision merely reinstated the SHED waiver as originally granted to California on July 11, 1975. See 42 FR 3192, 3193 (January 17, 1977); see also 40 FR 30311 (July 18, 1975). The new burdens imposed on the manufacturers as a result of the October 5, 1976, amendments were the subject of the January 27, 1977, hearing, and have been considered in reaching today's decision.

Finally, General Motors challenged the notice given with regard to the October 5, 1976, SHED amendments applicable to 1978 and subsequent model year medium duty vehicles. It contended that EPA had violated section 209 of the Act by granting California a waiver for these amendments prior to holding a public hearing on this matter. See Tr. of January, 1977, Hearing at 242-244. In addressing this argument, it is necessary to examine the nature of the concerns that were raised by the manufacturers concerning the California medium duty SHED regulations under consideration at the August 25 and 26, 1976, waiver hearing. Ford and General Motors stated at this hearing that there was insufficient time to permit a medium duty vehicle evaporative emission control system to undergo 50,000 mile SHED durability testing for the 1978 model year. See 42 FR 3192, 3194 (January 17, 1977). The CARB indicated that they were sensitive to the manufacturers' concerns regarding lead time and encouraged the manufacturers to submit their recommendations concerning any proposed amendments to the California SHED regulations. See Tr. of August, 1976, Hearing at 201, 273-274. As a result of its examination of the durability testing requirements based on the manufacturers' comments in this matter, the CARB adopted amendments to its medium duty SHED regulations on October 5, 1976, which appear to eliminate the lead time problems raised by the manufacturers during both the August 25 and 26, 1976, hearing, see 42 FR 3192, 3195 (January 17, 1977), and the two weeks subsequent to the hearing in which the record remained open. In addition to the opportunity for comment provided during the August 25 and 26, 1976, hearing, General Motors requested and was given a meeting with the Director of the Mobile Source Enforcement Division on October 4, 1976, to specifically discuss any waiver issues with regard to the October 5, 1976, California SHED amendments. In light of the above discussion, I continue to believe that the EPA has not violated the statutory mandate of section 209 of the Act in this matter. No evidence was presented which

indicated that the procedures employed during the course of events which led to the January 11, 1977, waiver decision denied any party the opportunity for comment on the October 5, 1976, California SHED regulations, and in addition, the manufacturers were expressly given an opportunity to comment upon the optional durability testing provision adopted as part of October 5, 1976, California SHED amendments during the public hearing held on January 27, 1977. See 42 FR 3192, 3193, 3195 (January 17, 1977). This conclusion is reaffirmed by my analysis of the information presented at the January 27, 1977, hearing, which indicated that no information had been obtained subsequent to the August 25 and 26, 1976, hearing which would have caused me to change the January 11, 1977, waiver decision.

Findings. Having given due consideration to the record of the public hearing, all material submitted for that record, and other relevant information, I hereby make the following findings.

1. The State of California had, prior to March 30, 1966, adopted standards (other than crankcase emission standards) for the control of emissions from new motor vehicles.

2. Compelling and extraordinary conditions continue to exist in the State of California. The State oxidant pollution problem remains the worst in the nation. Recent testimony of the representatives of the CARB has revealed that unless a virtual shutdown of Los Angeles is assumed, no current projections indicate that compliance with the ambient air quality standards can be achieved for California's South Coast Air Basin, a region which contains five percent of the nation's population.

3. I have not been provided with sufficient information to support the findings required to withdraw the California waiver granted on January 11, 1977, see 42 FR 3192 (January 17, 1977), with respect to the California fuel evaporative emission standard and test procedures (SHED test) applicable to 1978 and subsequent model year gasoline-powered medium duty and heavy duty vehicles.

4. I cannot find that the California evaporative emission standard and test procedures (SHED test) for 1978 and subsequent model year gasoline-powered passenger cars and light duty trucks are not more stringent than applicable Federal standards.

5. The California evaporative emission standard and test procedures (SHED test), and accompanying enforcement procedures, applicable to 1978 and subsequent model year gasoline-powered passenger cars and light duty trucks, are consistent with section 202(a) of the Clean Air Act. Taking into account the cost of compliance, I find that the requisite technology is currently available and that there appears to be adequate lead time to permit the application of this technology so as to achieve compliance with the California requirements by the 1978 model year.

III. DECISION

Based upon the above discussion and findings, I hereby determine that the

waiver actions announced in the waiver decision of January 11, 1977, see 42 FR 3192 (January 17, 1977), with respect to gasoline-powered medium duty and heavy duty motor vehicles, will not be withdrawn. I also hereby waive application of section 209(a) of the Act to the State of California with respect to the following section of Title 13 of the California Administrative Code:

Section 1976, as amended October 5, 1976, and "California Evaporative Emission Standard and Test Procedures for 1978 and Subsequent Model Gasoline-Powered Motor Vehicles Except Motorcycles," as last amended October 5, 1976, as applicable to gasoline-powered passenger cars and light duty trucks.

A copy of the above standards and procedures, as well as the record of the hearing and those documents used in arriving at this decision, is available for public inspection during normal working hours (8 a.m. to 4:30 p.m.) at the U.S. Environmental Protection Agency, Public Information Reference Unit, Room 2922 (EPA Library), 401 M Street SW., Washington, D.C. 20460. Copies of the standards and test procedures are also available upon request from the California Air Resources Board, 1102 Q Street, Sacramento, California 95812.

Dated: May 11, 1977.

DOUGLAS M. COSTLE,
Administrator.

[FR Doc. 77-14224 Filed 5-18-77; 8:45 am]

FEDERAL ENERGY ADMINISTRATION

APCO OIL CORP.

Action Taken on Consent Order

Pursuant to 10 CFR 205.197(c), the Federal Energy Administration (FEA) hereby gives notice of final action taken on a Consent Order.

On December 27, 1976, FEA published notice of a Consent Order which was executed between Apco Oil Corporation (Apco) and FEA (41 FR 56,218 (December 27, 1976)). With that notice, and in accordance with 10 CFR 205.197(c), FEA invited interested persons to comment on the Consent Order.

One comment was received from a non-aggravated party and was not material to this Consent Order. Therefore, FEA has concluded that the Consent Order as executed between FEA and Apco is an appropriate resolution of the compliance proceedings described in the notice published on December 27, 1976 and hereby gives notice that the Consent Order shall become effective as proposed without modification upon publication of this notice in the FEDERAL REGISTER.

Issued in Washington, D.C., May 13, 1977.

ERIC J. FYGL,
Acting General Counsel.

[FR Doc. 77-14281 Filed 5-18-77; 8:45 am]

ENERGY SUPPLY AND ENVIRONMENTAL COORDINATION ACT

Change in Schedule for Public Hearing in Dallas, Tex., Regarding Intention To Issue Prohibition Orders to Certain Major Fuel Burning Installations

The Federal Energy Administration (FEA) gave notice in the FEDERAL REGISTER on Friday, May 13, 1977, that FEA has issued a "Notice of Intention to Issue Prohibition Orders to Certain Major Fuel Burning Installations" and would hold a hearing on the notice of intention on May 24 and 25, 1977, in Dallas, Texas.

This notice is to inform persons interested in that notice of intention that an additional hearing will be held May 26, 1977, in Oklahoma City, Oklahoma, Hilton Inn West, Interstate 40 and Meridian, beginning at 9 a.m.

Consequently the revised schedule for public hearing on the above-mentioned notice of intention is as follows:

May 24, 25—Dallas, Texas, Room 250, Federal Energy Administration, 2626 West Mockingbird Lane, at 9 a.m.

May 26—Oklahoma City, Oklahoma, Hilton Inn West, Interstate 40 and Meridian, at 9 a.m.

Issued in Washington, D.C., on May 16, 1977.

ERIC J. FYGL,
Acting General Counsel.

[FR Doc. 77-14359 Filed 5-18-77; 8:45 am]

ENERGY SUPPLY AND ENVIRONMENTAL COORDINATION ACT

Change in Schedule for Public Hearing in Dallas, Tex., Regarding Intention To Issue Prohibition Orders to Certain Power- plants

The Federal Energy Administration (FEA) gave notice in the FEDERAL REGISTER on Monday, May 2, 1977 (42 FR 22268), that FEA had issued a "Notice of Intention to Issue Prohibition Orders to Certain Powerplants" and would hold a hearing on the notice of intention on May 23, 24, and 25, 1977, in Dallas, Texas.

This notice is to inform persons interested in that notice of intention that the hearing originally scheduled on May 23, 1977, in Dallas, will now be held May 26, 1977, in Oklahoma City, Oklahoma, Hilton Inn West, Interstate 40 and Meridian, beginning at 9 a.m. Consequently the revised schedule for public hearing on the above-mentioned notice of intention is as follows:

May 24, 25—Dallas, Texas, Room 250, Federal Energy Administration, 2626 West Mockingbird Lane, at 9 a.m.

May 26—Oklahoma City, Oklahoma, Hilton Inn West, Interstate 40 and Meridian, at 9 a.m.

Issued in Washington, D.C., on May 16, 1977.

ERIC J. FYGL,
Acting General Counsel.

[FR Doc. 77-14360 Filed 5-18-77; 8:45 am]

ENERGY SUPPLY AND ENVIRONMENTAL COORDINATION ACT

Change in Schedule for Public Hearing in Dallas, Tex., Regarding Intention To Issue Construction Orders to Certain Major Fuel Burning Installations

The Federal Energy Administration (FEA) gave notice in the FEDERAL REGISTER on Friday, May 13, 1977, that FEA has issued a "Notice of Intention to Issue Construction Orders to Certain Major Fuel Burning Installations" and would hold a hearing on the notice of intention on May 24 and 25, 1977, in Dallas, Texas.

This notice is to inform persons interested in that notice of intention that an additional hearing will be held May 26, 1977, in Oklahoma City, Oklahoma, Hilton Inn West, Interstate 40 and Meridian, beginning at 9 a.m.

Consequently the revised schedule for public hearings on the above-mentioned notice of intention is as follows:

May 24, 25—Dallas, Texas, Room 250 Federal Energy Administration, 2626 West Mockingbird Lane, at 9 a.m.

May 26—Oklahoma City, Oklahoma, Hilton Inn West, Interstate 40 and Meridian, at 9 a.m.

Issued in Washington, D.C., on May 16, 1977.

ERIC J. FYGL,
Acting General Counsel.

[FR Doc. 77-14351 Filed 5-18-77; 8:45 am]

FEDERAL MARITIME COMMISSION

BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND COOK TERMINAL CO.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for information purposes.

Agreement filed by: Mr. Carl S. Parker, Jr., Traffic Manager, Port of Galveston, P.O. Box 328, Galveston, Texas 77550.

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.

Agreement No. T-2814-C, between the Board of Trustees of the Galveston Wharves (Wharves) and Cook Terminal Company, Inc., (CTC), involves three separate agreements between Wharves and CTC (previously approved by the Commission) relating to the construction, lease and guarantee of a materials handling facility at Galveston, Texas: (1) Agreement No. T-2814, as amended, provides for the construction of a materials handling facility to CTC's specification for the warehousing, storage, conditioning and shipping of bulk commodities; (2) Agreement No. T-2814-A.

as amended, provides for the lease of the facility to CTC; and (3) Agreement No. T-2814-B, as amended, which is between Wharves and CTC's parent company, Cook Industries, Inc., provides for the guarantee of CTC's obligations to Wharves under Agreement No. T-2814-A, above.

The purpose of Agreement No. T-2814-C is to formally terminate Agreements Nos. T-2814, T-2814-A, and T-2814-B. It is contemplated that the facility now operated by Cook will be operated in the future by Farmers Export Company pursuant to FMC Agreement No. T-3463 or T-3464, which have been filed by the Commission for approval.

Dated: May 16, 1977.

By order of the Federal Maritime Commission.

JOSEPH C. POLKING,
Acting Secretary.

[FR Doc. 77-14297 Filed 5-18-77; 8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RP77-54]

ARKANSAS LOUISIANA GAS CO.

Revised Tariff Sheet

MAY 13, 1977.

Take notice that on April 29, 1977, Arkansas Louisiana Gas Company (Arkla) tendered for filing "Revised Sheet No. 185 issued on May 1, 1977" to its Rate Schedule No. X-26, FPC Gas Tariff Original Volume No. 3, which Arkla states represents the rates as filed in the captioned docket adjusted to reflect its currently effective purchased gas cost of 52.29¢ per Mcf at 14.73 psia and surcharge rate of 11.49¢ per Mcf at 14.65 psia.

Arkla requests the above described tariff sheet be substituted for the "Revised Sheet No. 185 issued on April 15, 1977" in its Notice of Rate Change filed on April 15, 1977 in Docket No. RP77-54 to be effective June 1, 1977.

Arkla also states that copies of its filing were mailed to the jurisdictional customer affected and other interested parties.

Any person desiring to be heard or to protest said filing should file a Petition to Intervene or Protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 25, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a Petition to Intervene. Copies of this filing are on file with the Commission and are available for public inspection.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc. 77-14273 Filed 5-18-77; 8:45 am]

[Docket No. RP77-55]

ARKANSAS LOUISIANA GAS CO.

Proposed Changes in FPC Gas Tariff

MAY 12, 1977.

Take notice that Arkansas Louisiana Gas Company ("Arkla") on April 18, 1977, tendered for filing proposed changes in its FPC Gas Tariff First Revised Volume No. 1. The proposed changes affect one rate schedule, Arkla's FPC Gas Rate Schedule No. G-2, under which gas is sold to several customers in Oklahoma and Kansas, and would increase revenues from jurisdictional sales and service by approximately \$352,000 based on the 12-month period ending December 31, 1976, as adjusted. Arkla states that the rate increase is necessitated by a revenue deficiency caused by increases in plant and related cost of service items, including increases in costs of operation, services, taxes, employee wages, pensions and benefits and other costs. The proposed effective date is June 1, 1977.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 27, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc. 77-14243 Filed 5-18-77; 8:45 am]

[Docket No. R177-65]

ATLANTIC RICHFIELD CO.

Petition for Special Relief

MAY 13, 1977.

Take notice that on May 2, 1977, Atlantic Richfield Company (Petitioner), P.O. Box 2819, Dallas, Texas, 75221, filed a petition for special relief seeking an increase in rate for natural gas sales to Northern Natural Gas Company from the Smith Gas Unit, Well No. 1-36, Clark County, Kansas. Petitioner seeks an increase from a rate of 29.43¢ per Mcf as prescribed in Opinion No. 749 to the contractually authorized rate of 40.0¢ per Mcf. Petitioner states that the requested increase rate will permit it to install compression facilities on the Smith Gas Unit, Well No. 1-36 which will prevent premature abandonment and increase present day productivity.

Any person desiring to be heard or to make any protest with reference to said petition should on or before June 2, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with

the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's Rules.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc. 77-14272 Filed 5-18-77; 8:45 am]

[Docket No. E-9593]

CENTRAL POWER AND LIGHT CO., ET AL.

Application

MAY 13, 1977.

Take notice that on April 27, 1977, Central Power & Light Company (CP&L), Public Service Company of Oklahoma (PSO), Southwestern Electric Power Company (SWEPCO), and West Texas Utilities Company (WTU) (collectively referred to hereinafter as "Petitioners"), filed an Emergency Petition For Proceedings and Joint Hearings Pursuant to Section 307 and 209(b) of the Federal Power Act.

CP&L is a Texas corporation with its principal place of business at Corpus Christi, Texas. PSO is an Oklahoma corporation with its principal place of business at Tulsa, Oklahoma. SWEPCO is a Delaware corporation with its principal place of business at Shreveport, Louisiana. WTU is a Texas corporation with its principal place of business at Abilene, Texas. All of the outstanding shares of common stock of CP&L, PSO, SWEPCO, and WTU are owned by Central and South West Corporation (C&SW), a Delaware corporation with its offices at Wilmington, Delaware.

The Petitioners request that joint hearings be held by the Federal Power Commission and Texas Public Utilities Commission on the entire Texas interconnection question. Petitioners contend that since hearings are now scheduled by the Texas Commission on at least part of the issues that confront both Commissions, this Commission should take the necessary measures to make them joint hearings. Petitioners contend that a joint hearing would avoid potentially duplicative presentation of evidence, avoid wasteful and inefficient use of Counsel's and Witnesses' time, and generally avoid repetitious and redundant proceedings.

CP&L and WTU contend that prior to May 4, 1976, they were interconnected and operated in synchronism with the major member of the Electric Reliability Council of Texas (ERCOT), Texas Electric Service Company (TESC), and through it with other operating subsidiaries of Texas Utilities Company (TU), Dallas Power and Light Company (DPL) and Texas Power & Light Company (HL&P). WTU states that on

May 4, 1976, it commenced sales of electricity to three small communities in Oklahoma from its previously intra-state transmission lines, thus placing all ERCOT systems in interstate commerce. CP&L and WTU state that TESCO and HL&P responded by opening their interconnections with CP&L and WTU. On July 21, 1976, in Docket No. E-9558, the Commission entered an order authorizing emergency interconnection pursuant to Section 202(d) of the Federal Power Act. Petitioners contend that HL&P and TU have steadfastly refused to reconnect pursuant to such order for reasons never fully explained.

Petitioners assert that instead, HL&P and TU have embarked on a campaign to confuse the Texas Public Utilities Commission and various electrical systems in Texas by ascribing to interstate electrical operation, as such, a number of allegedly undesirable effects which, if they exist at all, are solely attributable to the insistence (through the apparently unnecessary means of continuing physical disconnection) of HL&P and TU of avoidance of Federal Power Commission jurisdiction—no matter what the cost in loss of reliability or other negative electric impacts.

Therefore, Petitioners ask this Commission immediately to institute an investigation under Section 307, to convene joint hearings with the Texas Public Utilities Commission under Section 209(b) by taking the necessary and appropriate steps to become co-sponsor of the hearings of that Commission, and upon conclusion of the joint hearings, to provide appropriate relief.

Any person desiring to be heard or to make any protest with reference to this application should on or before May 27, 1977, file petitions or protests with the Federal Power Commission, Washington, D.C. 20426, in accordance with the Commission's Rules of Practice and Procedures (18 CFR 1.8, 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken. Copies of this petition are on file with the Commission and are available for public inspection.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc.77-14267 Filed 5-18-77;8:45 am]

[Docket Nos. CP76-137, 76-268, etc.]

CITIES SERVICE GAS CO.

Extension of Time

MAY 11, 1977.

Docket Nos. CP76-137, CP76-268, CP76-269, CP76-345 and CP76-417.

On May 2, 1977, Cities Service Gas Company filed a motion to extend the time for installing and placing into operation the taps and appurtenant facilities, authorized by Commission order issued November 2, 1976. The order directed that the facilities be constructed and placed in operation within 6 months from the date of the order, as authorized in paragraphs (b) of §157.20 of the Commission's Regulations.

Upon consideration, notice is hereby given that an extension of time is

granted to and including November 2, 1977, within which Cities Service Gas Company shall comply with Ordering Paragraph (C) of the November 2, 1976 order.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc.77-14274 Filed 5-18-77;8:45 am]

[Docket No. ER76-494]

DELMARVA POWER AND LIGHT CO. AND SUBSIDIARIES

Motion for Certification of a Proposed Settlement Agreement

MAY 12, 1977.

Take notice that Delmarva Power and Light Company and Subsidiaries (Delmarva) on May 2, 1977, tendered for filing a Motion for Certification of a Proposed Settlement Agreement dated April 28, 1977. Delmarva indicates that the Settlement Agreement submitted with this motion disposes of all pending questions in the proceeding and that the interests of all parties will be best served by approval of the Settlement Agreement.

Any person desiring to be heard or to protest said settlement agreement should file comments with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before May 20, 1977. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this agreement are on file with the Commission and are available for public inspection.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc.77-14251 Filed 5-18-77;8:45 am]

[Docket No. CP73-321]

EQUITABLE GAS CO.

Extension of Time

MAY 11, 1977.

On April 29, 1977, Equitable Gas Company filed a motion for an extension of time to file the cost statements required by §157.20(c) of the Commission's Regulations under the Natural Gas Act.

Upon consideration, notice is hereby given that an extension of time is granted to and including May 31, 1977.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc.77-14249 Filed 5-18-77;8:45 am]

[Docket Nos. CS71-898, et al.]

GOLDKING PROPERTIES, INC. ET AL.

Applications for "Small Producer" Certificates

MAY 12, 1977.

Take notice that each of the Applicants listed herein has filed an application pursuant to Section 7(c) of the Natural Gas Act and Section 157.40 of the Regulations thereunder for a "small producer" certificate of public convenience and neces-

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

sity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before June 13, 1977, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

LOIS D. CASHELL,
Acting Secretary.

Docket No.	Date filed	Applicant
CS71-808	Apr. 25, 1977	Goldking Properties, Inc., 2000 South Post Oak Rd., suite 1530, Houston, Tex. 77056.
CS77-503	May 2, 1977	Orr Oil Co., 1415 Cooley, Borger, Tex. 79007.
CS77-516	do	Vulcan Energy Corp., 6161 North May Ave., suite 265, Oklahoma City, Okla. 73112.
CS77-517	do	Hanesco, Inc., P.O. Box 182, Roswell, N. Mex. 88201.
CS77-518	do	Pete Caldwell Drilling Co., Inc., 3809 White's Ferry Rd., West Monroe, La. 70071.
CS77-519	do	William G. Kern, 250 Mid America Bldg., Midland, Tex. 79701.
CS77-520	do	Worral Engineering, Inc., 1106 4th National Bank Bldg., Tulsa, Okla. 74119.
CS77-521	May 3, 1977	B. W. Beebe, P.O. Box 334, Boulder, Colo. 80306.
CS77-522	do	Tally Johnson, route No. 1, Teriton, Okla. 74081.
CS77-523	May 4, 1977	Paradise Oil Corp., 2500 1st City National Bank Bldg., Houston, Tex. 77002.
CS77-524	May 5, 1977	Elizabeth Hamlin, 700 South Leo, Roswell, N. Mex.
CS77-525	do	A. Nelson McCarter, 1820 Southwest Tower Bldg., Houston, Tex. 77002.
CS77-526	May 6, 1977	Margaret Wysocki, 721 Robins Rd., Lansing, Mich. 48917.

[FR Doc.77-14252 Filed 5-18-77;8:45 am]

[Docket No. RP77-5]

KANSAS-NEBRASKA NATURAL GAS CO., INC.**Proposed Change in Rates**

MAY 13, 1977.

Take notice that on April 26, 1977, Kansas-Nebraska Natural Gas Company (Kansas-Nebraska) tendered for filing Replacement First Revised Sheet No. 4 superseding First Revised Sheet No. 4 of Kansas-Nebraska's FPC Gas Tariff, Third Revised Volume No. 1 as filed on October 29, 1976 in the captioned docket.

Kansas-Nebraska states that in its filing on October 29, 1976 it proposed rates which included purchased gas costs based upon the Commission's Opinion No. 770. An adjustment to the proposed rates is necessary since the subsequent issue of Opinion No. 770-A slightly decreased Kansas-Nebraska's cost of purchased gas. A second adjustment to the rates proposed in October 29, 1976 is needed, Kansas-Nebraska states, because Kansas-Nebraska's October 29, 1976 filing incorrectly credited to the jurisdictional cost of service a credit balance in Kansas-Nebraska's PGA account. Kansas-Nebraska states that Replacement Sheet No. 4 reflects these adjustments.

Kansas-Nebraska states that copies of the filing have been served upon the company's jurisdictional customers and other interested persons including public bodies.

Any person desiring to be heard or protest said filing should file a Petition to Intervene or Protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 23, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a Petition to Intervene. Copies of this filing are on file with the Commission and are available for public inspection.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc.77-14270 Filed 5-18-77;8:45 am]

[Docket No. RP77-5]

KANSAS-NEBRASKA NATURAL GAS CO., INC.**Motion To Place Tariff Sheets Into Effect**

MAY 13, 1977.

Take notice that on April 25, 1977, Kansas-Nebraska Natural Gas Company, Inc. (Kansas-Nebraska) filed a motion pursuant to Section 4(e) of the Natural Gas Act that First Revised Sheet Nos. 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 27, and 32 of Kansas-Nebraska's FPC Gas Tariff, Third Revised Volume No. 1, filed on October 29, 1976, be permitted to go into effect as of April 29, 1977.

Rather than moving that First Revised Sheet No. 4 of Kansas-Nebraska's FPC Gas Tariff Third Revised Volume No. 1, filed on October 29, 1976, be permitted to go into effect, Kansas-Nebraska states that it is filing concurrently with the filing of the instant motion Replacement First Revised Sheet No. 4 which reflects certain adjustments to First Revised Sheet No. 4.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 23, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc.77-14271 Filed 5-18-77;8:45 am]

[Docket No. RI77-69]

McGALLIARD AND SPARKS**Petition for Special Relief**

MAY 12, 1977.

Take notice that on April 27, 1977, McGalliard and Sparks, Incorporated (McGalliard), 1612 C & I Building, Houston, Texas 77002, filed a petition for special relief in Docket No. RI77-69.

McGalliard seeks authorization to charge \$1.75 per Mcf for the sale of gas to Natural Gas Pipeline Company of America from the W. C. Leveridge Gas Unit No. 2T in the East Bernard Field, Wharton County, Texas. McGalliard states that it is no longer economically feasible to continue producing the subject gas at the current price of 74 cents per Mcf.

Any person desiring to be heard or to make any protest with reference to said petition should on or before June 1, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission Rules.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc.77-14250 Filed 5-18-77;8:45 am]

[Docket No. ER77-348]

MISSOURI UTILITIES CO.**Tariff and Rate Schedule Changes**

MAY 12, 1977.

Take notice that Missouri Utilities Company of Cape Girardeau, Missouri (MUCo), on May 2, 1977, tendered for filing a proposed new Agreement for Wholesale Electric Service applicable to the City of California, Missouri. MUCo states that the proposed new agreement specifies all terms and conditions applicable to the service to be rendered thereunder; it replaces in its entirety the previously effective agreement dated September 7, 1954, which was cancelled by MUCo effective December 20, 1976. MUCo also states that the proposed agreement would increase revenues from jurisdictional sales and service by \$89,994 based on the 12 month period ending October 31, 1976. This change in rates is proposed to become effective as of June 1, 1977.

MUCo indicates that the proposed change in rates is to compensate MUCo for increases in its cost of supplying wholesale electric service to the City of California, Missouri.

MUCo further indicates that copies of the filing were served upon the City of California, Missouri, and the Missouri Public Service Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 25, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc.77-14253 Filed 5-18-77;8:45 am]

[Docket No. RP77-52]

NORTHERN NATURAL GAS CO.**Petition for Extraordinary Relief**

MAY 11, 1977.

Take notice that on April 5, 1977, Northern Natural Gas Company (Northern) filed, pursuant to Section 1.7(b) of the Commission's Rules of Practice and Procedure, a petition for extraordinary relief seeking Commission authorization to provide natural gas service to its existing utility customers in accordance with its presently effective Agricultural Crop drying Service Rate Schedule ACDS-1. Northern seeks authorization to make available, on a best efforts basis volumes of gas for the drying of seed, grain and other agricultural crops during a twelve month period commencing with the date of the order.

On September 28, 1973, the Commission issued an Order at Docket No. CP74-63 granting extraordinary relief permitting Northern to provide natural gas service to its existing utility customers pursuant to a new Agricultural Crop Dryer Service, Rate Schedule ACDS-1. The Commission order authorized Northern to provide natural gas service to its existing utility customers up to a maximum of 750,000 Mcf for a six month period. Similar approval has been granted to Northern at Docket No. RP75-12-1, Docket No. RP75-12-3, and Docket No. RP76-105-1.

Northern estimates that it will have available for sale under the ACDS-1 Rate Schedule a total of 750,000 Mcf for the period September 15, 1977 through March 15, 1978. Volumes under ACDS-1 will be made available by Northern on a best efforts basis pursuant to advance operating arrangements on a daily basis.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 31, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc. 77-14275 Filed 5-18-77; 8:45 am]

[Docket No. ER77-334]

PUBLIC SERVICE CO. OF OKLAHOMA Cancellations

MAY 12, 1977.

Take notice that the Public Service Company of Oklahoma (Oklahoma) on April 29, 1977, tendered for filing two Cancellations: (1) Cancellation of a Letter Agreement dated October 20, 1971, between Oklahoma and Associated Electronic Cooperative Inc. (AEC), Supplement 5 to Rate Schedule FPC 186, and (2) Cancellation of a Letter Agreement dated October 21, 1971, between Oklahoma and AEC, Supplement 6 to Rate Schedule FPC 186. Oklahoma indicates that these Cancellations are to be effective as of May 31, 1977.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before May 24, 1977. Protests will be considered by the Commission in determining the appropriate action to

be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc. 77-14244 Filed 5-18-77; 8:45 am]

[Docket No. CP77-365]

SEA ROBIN PIPELINE CO., ET AL. Application

MAY 13, 1977.

Take notice that on May 3, 1977, Sea Robin Pipeline Company (Sea Robin), Columbia Gas Transmission Corporation (Columbia Gas), and Columbia Gulf Transmission Company (Columbia Gulf) filed a joint application in Docket No. CP77-365 for a temporary and permanent certificate of public convenience and necessity pursuant to Section 7(c) of the Natural Gas Act requesting authorization to effect an exchange of gas. Applicants state that Columbia Gulf, as it proposes in its application in Docket No. CP77-326, will transport quantities of gas purchased by Sea Robin from Block 609 and 617 West Cameron Area through its own system and by using its own system and by using its reserved capacity in the Blue Water System, and deliver such gas to Columbia Gas, for the account of Sea Robin, at the outlet side of a measuring station near the terminus of the Blue Water System pipeline near Egan, Acadia Parish, Louisiana. By means of this application, Columbia Gas and Sea Robin propose to exchange thermally equivalent volumes at the outlet side of Sea Robin's measuring station at Erath, Vermilion Parish, Louisiana, and Egan, Acadia Parish, Louisiana, respectively. Applicants further state that the exchange of the gas which Columbia Gulf transports for Sea Robin, as specified above, for the gas which Sea Robin transports for Columbia Gas, under Sea Robin's Rate Schedule X-3, will be on a Btu for Btu basis and that no new facilities will be required, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said application, on or before June 1, 1977, should file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc. 77-14268 Filed 5-18-77; 8:45 am]

[Project No. 199]

SOUTH CAROLINA PUBLIC SERVICE AUTHORITY

Application for Use of Project Lands and Waters

MAY 12, 1977.

Public notice is hereby given that an application was filed November 12, 1976, under the Federal Power Act, 16 U.S.C. § 791a et seq., by the South Carolina Public Service Authority (Applicant) (Correspondence to: Mr. William C. Mescher, President and Chief Executive Officer, South Carolina Public Service Authority, P.O. Box 398, Moncks Corner, South Carolina 29461; and to Mr. Ira M. Grady, Jr., P.O. Box 685, Moncks Corner, South Carolina 29461) for Commission approval to authorize the excavation by Mr. Ira M. Grady, Jr., of a canal 30 feet wide, 8 feet deep and 320 feet long, with a 30-foot by 50-foot turning basin, adjacent to Lot No. 14, Thornley Forest II subdivision, located on Lake Moultrie, near Moncks Corner, Berkeley County, South Carolina.

The purpose of the proposed canal is to allow Mr. Grady private access to project waters in Lake Moultrie for recreational use. Approximately 2,800 cubic yards of material would be excavated and deposited above the normal high water level (75.0' m.s.l.) in a 30 by 280 feet area on Lessee's lot adjacent to the proposed canal.

Applicant has requested the shortened procedure provided for under Section 1.32(b) of the Commission's Rules of Practice and Procedure, 18 CFR § 1.32(b) (1976).

Any person desiring to be heard or to make any protest with reference to said application should, on or before June 20, 1977, file with the Federal Power Commission, 825 N. Capitol St. NE., Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules

of Practice and Procedure, 18 CFR § 1.8 or § 1.10 (1976). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and conferred upon the Federal Power Commission by Sections 308 and 309 of the Federal Power Act, 16 U.S.C. § 825g and § 825h, and the Commission's Rules of Practice and Procedure, specifically Section 1.32 (b), a hearing on this application may be held before the Commission without further notice if no issue of substance is raised by any request to be heard, protest, or petition filed subsequent to this notice within the time required herein. If an issue of substance is so raised, further notice of hearing will be given.

Under the shortened procedure herein provided for, unless otherwise advised, it will not be necessary for Applicant to appear or be represented at the hearing before the Commission.

The application is on file with the Commission and is available for public inspection.

LOIS D. CASHILL,
Acting Secretary.

[FR Doc. 77-14240 Filed 5-18-77; 8:45 am]

[Project No. 199]

SOUTH CAROLINA PUBLIC SERVICE AUTHORITY

Application for Use of Project Lands and Waters

MAY 12, 1977.

Public notice is hereby given that an application was filed on March 24, 1977, under the Federal Power Act, 16 U.S.C. § 791a et. seq., by the South Carolina Public Service Authority (Applicant) (Correspondence to: Mr. William C. Mescher, President and Chief Executive Officer, South Carolina Public Service Authority, P.O. Box 398, Moncks Corner, South Carolina 29461; and to Mr. Dale P. Gregg, Ware Brothers Investment Company, P.O. Box 626, Moncks Corner, South Carolina 29461) for Commission approval to authorize the use of project lands and waters for the development of a proposed public recreational project to be located on the west side of the tail-race canal below the Pinopolis Dam of Project No. 199, and adjacent to U.S. Highway 52, approximately two miles east of Moncks Corner, Berkeley County, South Carolina.

The proposed recreational development would be a public marina to be constructed by Ware Brothers Investment Company on a 28.7 acre tract leased or proposed to be leased from the Applicant. The immediate development plans would include the construction of an entrance canal, boat ramp, boat lift, 45 wet storage stalls, parking area, and a facilities area to include a

snack and tackle shop and dry boat storage area. The entrance channel would be 40-feet by 1,800-feet to be cut through a hardwood swamp. Approximately 13,400 cubic yards of the excavated material would be placed on a one-acre tract of wetlands. An additional 54,000 cubic yards of excavated material will be deposited in a 200' x 2,700' non-wetland area. Future development (outside the project boundary) may include a motel, service station, and facilities for camping, swimming, tennis, par 3 golf course and a baseball field.

Ware Brothers have received conditioned permits from the U.S. Corps of Engineers, the State of South Carolina State Budget and Control Board, and the South Carolina Department of Health and Environmental Control, as well as letters of approval with attached provisions from the U.S. Department of Interior, the U.S. Environmental Protection Agency and the South Carolina Wildlife and Marine Resources Department.

Applicant has requested the shortened procedure provided for under Section 1.32(b) of the Commission's Rules of Practice and Procedure, 18 CFR § 1.32 (b) (1976).

Any person desiring to be heard or to make any protest with reference to said application should, on or before June 20, 1977, file with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure, 18 CFR § 1.8 or § 1.10 (1976). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and conferred upon the Federal Power Commission by Sections 308 and 309 of the Federal Power Act, 16 U.S.C. § 825g and § 825h, and the Commission's Rules of Practice and Procedure, specifically Section 1.32(b), a hearing on this application may be held before the Commission without further notice if no issue of substance is raised by any request to be heard, protest, or petition filed subsequent to this notice within the time required herein. If an issue of substance is so raised, further notice of hearing will be given.

Under the shortened procedure herein provided for, unless otherwise advised, it will not be necessary for Applicant to appear or be represented at the hearing before the Commission.

The application is on file with the Commission and is available for public inspection.

LOIS D. CASHILL,
Acting Secretary.

[FR Doc. 77-14241 Filed 5-18-77; 8:45 am]

[Project No. 199]

SOUTH CAROLINA PUBLIC SERVICE AUTHORITY

Application for Use of Project Lands and Waters

MAY 12, 1977.

Public notice is hereby given that an application was filed on October 14, 1976, under the Federal Power Act, 16 U.S.C. § 791 et. seq., by the South Carolina Public Service Authority (Applicant) (Correspondence to: Mr. William C. Mescher, President and Chief Executive Officer, South Carolina Public Service Authority, P.O. Box 398, Moncks Corner, South Carolina 29461; and to Mr. H. B. Rickenbaker, c/o Rogers, Riggs & Rickenbaker, Attorneys at Law, 23 West Boyce Street, Manning, South Carolina 29102) for Commission approval to authorize (1) the permanent connection of 3 constructed canals with project lands and waters, and (2) the extension of two of the three aforementioned canals.

The three canals, constructed in 1973 and 1974 without prior Commission authorization, extend off the Lizzie Creek Arm of Wyboo Creek, Lake Marion, Clarendon County, South Carolina, approximately 4.5 miles south of Davis Station. Canal I is approximately 80 feet wide and 760 feet long on Mr. Rickenbaker's property, and averages 90 feet wide and 180 feet long on Applicant's property within the project boundary. No extension of this canal is proposed by the application. Canal II is "L" shaped and is approximately 80 feet wide and 1,300 feet long on Mr. Rickenbaker's property. The entrance section on Applicant's land within the project boundary is 130 feet long and varies in width from 90 feet to 270 feet. The application seeks to extend this canal approximately 500 feet at a 90-foot width. Canal III is approximately 500 feet long and 100 feet wide on Mr. Rickenbaker's land. An entrance section on Applicant's land within the project boundary is approximately 110 feet wide and 100 feet long. A 500 foot extension of this canal is requested.

By order issued March 13, 1975, the Commission consolidated into the hearing ordered on the Applicant's application for a new license for Project No. 199, a complaint filed by James H. Quackenbush on behalf of W. T. Jones and the Society for Law & Ecology for Wyboo. That complaint alleged that illegal dredging operations were taking place in Lizzie Creek. Such dredging operations were allegedly ruining recreational activities on that body of water. As indicated, supra, the application concerning the canals referred to in the complaint was subsequently filed by the Applicant on behalf of Mr. Rickenbaker.

The purpose of the canals, and the requested extensions thereto, is to permit the development of a residential subdivision on lands owned by Mr. Rickenbaker. Maps furnished with the application depict thirty-four proposed lots adjacent to canals Nos. 1 and 2. Each lot

would be more than 0.60 acre in area, including land to be leased from the Applicant. Similar development is proposed along proposed canal extensions.

Any person desiring to be heard or to make any protest with reference to said application should, on or before June 20, 1977, file with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1976). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

The application is on file with the Commission and is available for public inspection.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc. 77-14242 Filed 5-18-77; 8:45 am]

[Project No. 199]

SOUTH CAROLINA PUBLIC SERVICE AUTHORITY

Application for Use of Project Lands and Waters

MAY 12, 1977.

Public notice is hereby given that an application was filed on November 2, 1976, under the Federal Power Act, 16 U.S.C. § 791a et seq., by the South Carolina Public Service Authority (Applicant) (Correspondence to: Mr. William C. Mescher, President and Chief Executive Officer, South Carolina Public Service Authority, P.O. Box 398, Moncks Corner, South Carolina 29461; and to Mr. Johnny M. James, % Land and Harness, Attorneys at Law, 23 South Mill Street, Manning, South Carolina 29102) for Commission approval to authorize the permanent connection of a constructed canal approximately 120 feet wide by 300 feet in length across lands owned by the Applicant within the project boundary of Santee-Cooper Project No. 199. That portion of the canal off project lands is approximately 65 feet wide and 1,050 feet in length. The canal is on the southeast side of the Dean Swamp Impoundment (Wyboo Creek) in Clarendon County, South Carolina. The canal, excavated in 1976, follows the natural flow of McCoy's Branch, a perennial stream and minor tributary to the Dean Swamp Impoundment.

As indicated, the purpose of the requested approval is to authorize the connection of the James Canal with project lands and waters in the Dean Swamp Impoundment. Mr. James has subdivided his land along the canal on his property into eleven waterfront residential lots for sale to the public. Each lot contains more than 30,000 square feet and each will be served by a separate well and septic tank.

During construction of the canal, and subsequent thereto, the James canal waters were separated from project waters by an earthen plug located on Mr. James' land. The plug was later removed without prior Commission approval, causing commingling of canal and project waters. By order issued September 24, 1976, the Commission directed the Applicant to reinstall the earthen plug at the entrance to the canal on project lands. After Mr. James' application was filed, this order was later modified to require a temporary barrier. Currently, Mr. James has erected a fence across the canal pending Commission action on his application.

Applicant has requested the shortened procedure provided for under Section 1.32(b) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 1.32 (b) (1976).

Any person desiring to be heard or to make any protest with reference to said application should, on or before June 20, 1977, file with the Federal Power Commission, 825 N. Capitol St. NE., Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 1.8 or 1.10 (1976). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and conferred upon the Federal Power Commission by Sections 308 and 309 of the Federal Power Act, 16 U.S.C. § 825g and § 825h, and the Commission's Rules of Practice and Procedure, specifically Section 1.32 (b), a hearing on this application may be held before the Commission without further notice if no issue of substance is raised by any request to be heard, protest, or petition filed subsequent to this notice within the time required herein. If an issue of substance is so raised, further notice of hearing will be given.

Under the shortened procedure herein provided for, unless otherwise advised, it will not be necessary for Applicant to appear or be represented at the hearing before the Commission.

The application is on file with the Commission and is available for public inspection.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc. 77-14245 Filed 5-18-77; 8:45 am]

[Docket No. RP76-22]

SOUTH GEORGIA NATURAL GAS CO. Revision to Rates

MAY 13, 1977.

Take notice that on April 25, 1977, South Georgia Natural Gas Company (South Georgia) tendered for filing Third Revised Sheet No. 4 to its FPC Gas Tariff, First Revised Volume No. 1.

South Georgia states that the above tariff sheet and its filing represents compliance with the Commission's Order issued March 25, 1977, in Docket No. RP76-22, particularly Ordering Paragraphs (B) and (C) of said order. An effective date of March 25, 1977 is requested.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 23, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc. 77-14269 Filed 5-18-77; 8:45 am]

[Docket No. RP77-59]

SOUTH TEXAS NATURAL GAS GATHERING CO.

Filing of Proposed Changes in FPC Gas Rates

MAY 13, 1977.

Take notice that South Texas Natural Gas Gathering Company, on April 29, 1977, tendered for filing proposed changes in its FPC Gas Rate Schedule Nos. 1 and 2 to be effective June 1, 1977.

The proposed changes would increase revenues from jurisdictional sales by \$2,746,857 based on the test period consisting of the twelve months ended December 31, 1976, adjusted for known and measurable changes through September 30, 1977.

South Texas states that the increased rates are required to reflect declining natural gas production from dedicated reserves.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 25, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-14276 Filed 5-18-77; 8:45 am]

[Docket Nos. CP68-166, et al.]

TENNESSEE GAS PIPELINE CO., DIVISION OF TENNECO INC.**Petition To Amend**

MAY 11, 1977.

Take notice that on April 29, 1977, Tennessee Gas Pipeline Company, Division of Tenneco Inc. (Petitioner) Tenneco Building, Houston, Texas 77002, filed in Docket Nos. CP68-166, et al. a petition to amend the Commission's order of December 2, 1975 (54 FPC ____), issued in the instant dockets pursuant to Section 7(c) of the Natural Gas Act so as to authorize a revision of the daily volumes limits of natural gas delivered to the Berkshire Gas Company (Berkshire), all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner indicates that on December 2, 1975, it was authorized to render gas service to Berkshire under Petitioner's Rate Schedule CD-6 pursuant to a gas sale contract dated July 24, 1975, between the two parties. Under the terms of said contract Petitioner sells and delivers a contracted demand of up to 19,948 Mcf of natural gas per day to Berkshire, and Berkshire purchases and receives the subject gas at four delivery points, it is said. Applicant indicates that such contract provided for Berkshire to receive its gas from Petitioner at four delivery points in Massachusetts with the following daily volume limits by delivery points:

Delivery point:	Daily volume limits
Pittsfield	7,786
North Adams	6,324
Stockbridge	1,938
Greenfield	3,900
Total	19,948

By this amendment Petitioner proposes to render natural gas service to Berkshire pursuant to a precedent agreement dated March 25, 1977, between the two parties. Petitioner states that under this proposed new gas sales contract a revision in the daily volume limits by delivery points is proposed as follows:

Delivery point:	Revised daily volume limits
Pittsfield	10,000
North Adams	10,000
Stockbridge	5,000
Greenfield	3,900
Total	28,900

Petitioner states that Berkshire has requested these new delivery point daily volume limits in order to provide it with operational flexibility among delivery points. It is indicated that the total of the revised daily volume limits exceeds Berkshire's contracted demand of 19,948, and that under the instant proposal Berkshire would not be entitled to take on any day a total volume at all delivery points greater than its presently effective contracted demand of 19,948 Mcf of natural gas per day. Petitioner further states that the proposed increase

in the volumes of gas delivered to Berkshire at the four delivery points would not allow Berkshire to exceed its annual volumetric limitation or its curtailment period quantity entitlement, and that these increases are based on Berkshire's existing high priority customer needs.

It is stated that Berkshire requests these increases for the following reasons:

1. The Greenfield Service Area is presently being served by pipeline natural gas from Petitioner as well as by a 22-mile 6-inch lateral line from Bay State's Northampton area. With this supply and a proposed new LNG plant, this service area will have an adequate amount of natural gas and Berkshire has not requested any increase in this area.

2. The Stockbridge Service Area (Secondary Station to the Pittsfield Service Area) currently has a daily volume limit of 1,938 Mcf with a peak load requirement of 3,000 Mcf. At the present time, propane-air is flowing from the Pittsfield Service Area to supplement the Stockbridge Service Area. By raising the daily volume limit to 5,000 Mcf, all of the peak load requirements would be met utilizing pipeline natural gas. The remaining 2,000 Mcf over peak load requirements at Stockbridge would then be utilized by back-feeding into the Pittsfield Service Area enabling Berkshire to supplement the Pittsfield Service Area with pipeline gas. The existing propane-air facilities would be maintained for emergency purposes.

3. The Pittsfield Service Area currently has a daily volume limit of 7,786 Mcf with a peak load requirement of 13,000 Mcf. The difference is supplemented with propane-air which also flows into the Stockbridge Service Area. By raising the daily volume limit to 10,000 Mcf and by utilizing a proposed new LNG facility, the total requirements for the Pittsfield Service Area would be met without the use of more expensive propane-air. Should the proposed LNG facility be shut down for any reason, Berkshire could back-off its other service areas daily volume limits, utilize the 10,000 Mcf and supplement with the more expensive propane-air facilities at each of the Service Areas including Pittsfield.

4. The North Adams Service Area currently has a daily volume limit of 6,324 Mcf with a peak load requirement of 10,000 Mcf. By increasing the daily volume limit to 10,000 Mcf, all of the peak load requirements for the North Adams Service Area would be met utilizing pipeline natural gas. The existing propane-air facilities would be maintained for emergency purposes.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before June 1, 1977 file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with

the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc.77-14246 Filed 5-18-77;8:45 am]

[Docket No. ER77-247]

VIRGINIA ELECTRIC AND POWER CO.**Revised Contract Supplement**

MAY 12, 1977.

Take notice that on April 27, 1977, Virginia Electric and Power Company (VEPCO) tendered for filing a revised supplement to the contract between VEPCO and Halifax Electric Membership Corporation. VEPCO states that the revised contract supplement corrects certain items to reflect changes made in the past at Enfield Delivery Point as set forth below:

Present FPC No.	Proposed FPC No.	Item corrected
91-3	91-19	4.5(d), 8

VEPCO states that the revised contract supplement is intended to supersede the listed FPC Rate Schedule and requests that the Commission's notice requirements be waived so that the revised supplement may become effective on November 24, 1976, the requested effective date.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before May 23, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc.77-14248 Filed 5-18-77;8:45 am]

[Docket No. ER77-339]

WEST TEXAS UTILITIES CO.**Tariff Change**

MAY 10, 1977.

Take notice that West Texas Utilities Company (Tex.) on May 2, 1977, tendered for filing proposed changes in its FPC Electric Service Tariff, Rate Schedule

CPS-77. Tex indicates that the proposed changes would increase revenues from jurisdictional sales and service by \$392,533 based on the 12 month period ending May 31, 1978.

Tex further indicates that it presently is earning a rate of return of 7.12% on the wholesale service to Community Public Service Company based on book figures based on the 12 months ended December 31, 1976 and for the 12 months ending May 31, 1978, it is estimated that this rate of return will decrease to 5.63% without relief. Tex states that the proposed changes modify the fuel adjustment clause to conform with the requirements of 35.14 and also revises other charges to more accurately reflect the cost of service.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 25, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

LOIS D. CASHILL,
Acting Secretary.

[FR Doc 77-14247 Filed 5-18-77; 8:45 am]

FEDERAL RESERVE SYSTEM CONSUMER ADVISORY COUNCIL Meeting

Notice is hereby given that the Consumer Advisory Council will meet on Thursday, June 2, 1977. The meeting, which will be open to public observation, will take place in the Board Room of the Main Federal Reserve Building beginning at 9:30 a.m. and concluding at approximately 4 p.m. The Board Building is located at 20th Street and Constitution Avenue, NW., Washington, D.C.

The Council's function is to advise the Board on the exercise of the Board's responsibilities with regard to consumer credit legislation and regulation. It is anticipated that the June 2 meeting of the Council will include consideration of the following topics:

I. *Task Force Reports*. Two Consumer Advisory Council task forces (one in St. Louis and one in Washington, D.C.) have visited with industry and consumer representatives and will report on problems under Truth in Lending and Equal Credit Opportunity Acts which indicate need for changing Regulations Z or B or the respective laws.

II. *Simplification of Truth in Lending*. A. Board proposals for simplification of Regulation Z, approved by the Board

April 25 for issuance for comment, will be explained and discussed.

B. Council members' views will be solicited on pending Truth in Lending simplification bills.

C. Council members' views will be solicited on a draft Truth in Lending Act being prepared by Board staff.

III. *Federal Trade Commission Improvement Act*.

A. *"Unfair or deceptive" banking acts and practices*. Council members' views will be solicited on potential unfair or deceptive acts and practices by banks on methods of investigating those acts and practices.

B. *Holder in due course*. A report on the status of the Board's proposal and of the FTC proposed trade regulation rule on this subject.

IV. The following issues will also be discussed as time permits:

A. *Continuation of previous council concerns*. Staff reports on the status of issues previously considered by the Council.

B. *Consumer aspects of electronic fund transfers*. Review of interim report of National Commission on EFT with particular attention to liability limits for debit cards, distribution of unsolicited debit cards, and treatment of EFT transactions as either check or credit transactions.

C. *Member bank compliance with consumer laws*. Discussion of the Board's new compliance and member bank education program.

D. *Open discussion*. Any additional topics which Council members would like to discuss.

Information with regard to this meeting may be obtained from Mr. Joseph R. Coyne, Assistant to the Board, at (202) 452-3204.

Board of Governors, May 17, 1977.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc 77-14472 Filed 5-18-77; 8:45 am]

GENERAL ACCOUNTING OFFICE REGULATORY REPORTS REVIEW Receipt of Report Proposal

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO, on May 13, 1977. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this notice in the Federal Register is to inform the public of such receipt.

The notice includes the title of the request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed CAB request are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed request,

comments (in triplicate) must be received on or before June 6, 1977, and should be addressed to Mr. John M. Lovelady, Acting Assistant Director, Regulatory Reports Review, United States General Accounting Office, Room 5033, 441 G Street, NW., Washington, D.C. 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-275-3532.

CIVIL AERONAUTICS BOARD

CAB requests an extension no change clearance of the report required by § 287.3a of the Board's Economic Regulations (14 CFR 287.3a). This report provides data as to certain interlocking relationships between air carriers and commercial lending institutions as defined therein. Submission of these reports is necessary to maintain the exemption from section 409 of the Federal Aviation Act of 1958, as amended, provided by § 287.3a of the Board's Economic Regulations. CAB estimates reporting burden to average 8 hours per annual report and respondents to be approximately 18 air carriers.

NORMAN F. HEYL,
Regulatory Reports
Review Officer.

[FR Doc 77-14278 Filed 5-18-77; 8:45 am]

GENERAL SERVICES ADMINISTRATION

Office of the Federal Register

NATIONAL FIRE CODES

Proposed Revision of Standards

AGENCY: Office of the Federal Register, GSA.

ACTION: Notice and invitation for comment.

SUMMARY: The Office of the Federal Register is publishing these proposed changes to the fire safety standards developed by the National Fire Protection Association to inform the general public and invite comments from interested persons. The standards are frequently used as the basis for Federal regulations concerning fire safety and are published in the public interest.

DATES: Comments due on or before June 27, 1977. Fall Meeting: November 14-17, 1977.

ADDRESSES: Assistant Vice President of Standards, 470 Atlantic Avenue, Boston, Massachusetts 02210.

FOR FURTHER INFORMATION CONTACT:

Martha Girard, 202-523-5240.

SUPPLEMENTARY INFORMATION: Standards developed by the technical committees of the National Fire Protection Association (NFPA) have been used by various Federal agencies as the basis for Federal regulations. Often, this has been accomplished through incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. The

NFPA standards are known collectively as the National Fire Codes.

Revisions of existing standards and adoption of new are reported by the technical committees at the NFPA's Fall Meeting in November or at the Annual Meeting in May of each year. The NFPA invites public comment on its Technical Committee Reports.

Action at the NFPA Fall Meeting in November, 1977 is being proposed on the NFPA standards listed below:

No.	Title	Action
11B	Synthetic foam	O-P
30	Flammable and combustible liquids code	O-P
33	Spray application	O-C
51	Oxygen-fuel gas systems for welding and cutting	O-P
51B	Cutting and welding processes	O-P
56F	Nonflammable medical gas systems	O-P
70E	Electrical safety requirements for employee work places	N-O
76A	Essential electrical systems in health care facilities	O-C
76B	Safe use of electricity in patient care areas of health care facilities	T-O
77	Static electricity	O-P
82	Linen and waste handling systems and equipment	O-C
86A	Ovens and furnaces	O-C
86C	Industrial furnaces using a special processing atmosphere	O-P
103	Smoke and draft control door assemblies	N-O
211	Chimneys, fireplaces and vents	O-C
214	Water cooling towers	O-C
220	Types of building construction	O-P
291	Fire hydrants	O-C
311	Security of port facilities and ships in harbors	W
325M	Fire hazard properties of flammable liquids, gases and volatile solids	O-C
329	Underground leakage	O-P
305	Storage of flammable and combustible liquids on farms and isolated construction projects	O-P
415	Aircraft fueling ramp drainage	R
417	Aircraft loading walkways	O-C
423	Aircraft engine test facilities	N-O
701	Fire tests for flame resistant textiles and films	O-P
808	Fire protection for nuclear power plants	N-O
963M	Property survey manual	N-O
1201 (formerly No. 4)	Organization for fire services	O-C
1902 (formerly No. 198)	Care, use and maintenance of fire hose including connections and nozzles	O-C

TYPES OF ACTION

PROPOSED ACTION ON OFFICIAL DOCUMENTS

O-P—Partial amendments
O-C—Complete revision
O-T—Tentative revision

PROPOSED ACTION ON NEW DOCUMENTS

N-T—Tentative adoption
N-O—Official adoption

PROPOSED ACTION ON TENTATIVE DOCUMENTS

T-P—Partial amendments
T-C—Complete revision
T-O—Official adoption

OTHER PROPOSED ACTION

R—Reconfirmation
W—Withdrawal

Single copies of the 1977 Fall Technical Committee Reports are available at no charge from the National Fire Protection Association, Publications Department,

470 Atlantic Avenue, Boston, Mass. 02210.

Interested persons may participate in these revisions by submitting written data, views, or arguments to the Assistant Vice President-Standards, NFPA, 470 Atlantic Avenue, Boston, Mass. 02210. Commenters may use the forms provided for comments in the Technical Committee Reports. Each person submitting a comment should include his name and address, identify the notice, and give reasons for any recommendations. Comments received on or before June 27, 1977 will be considered by the NFPA before final action is taken on the proposals.

Copies of all written comments received and the disposition of those comments by the NFPA committees will be published as the Technical Committee Documentation by September 23, 1977, prior to the Fall Meeting. A copy of the Technical Committee Documentation will be sent automatically to each commenter. Action on the Technical Committee Reports (adoption or rejection) will be taken at the Fall Meeting, November 14-17, 1977, at the Atlanta Marriott, Atlanta, Georgia, by NFPA members who are members of record thirty (30) days prior to that meeting.

Copies of the Technical Committee Reports and Technical Committee Documentation, when published, will also be available for review at the Office of the Federal Register, 1100 L Street NW., Washington, D.C.

FRED J. EMERY,
Director, Office of
the Federal Register.

[FR Doc. 77-14214 Filed 5-18-77; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration

DESIGNATION OF HEALTH SERVICE AREAS

Correction

FR Doc. 75-22664 published as a Notice 1975 (40 FR 40306-40315) contained a list of health service areas designated under section 1511 of the Public Health Service Act (P.L. 93-641). Inadvertently, a number of errors were made on the original list. Subsequent corrections were published in the FEDERAL REGISTER on January 5, 1976 (41 FR 804-805) and on July 29, 1976 (41 FR 31600).

The purpose of this Notice is to set forth further corrections of the health service areas designated in the State of Connecticut. The complete listing of the health service areas in Connecticut is listed below:

Dated: May 9, 1977.

JAMES A. WALSH,
Acting Deputy Administrator,
Health Resources Administration.

Health Service Area numbered 1 is the geographic area comprised of the towns of:

Bridgeport
Darien
Easton
Fairfield
Greenwich
Monroe
New Canaan

Norwalk
Stamford
Stratford
Trumbull
Weston
Westport
Wilton

Area 2

Ansonia
Bethany
Branford
Derby
East Haven
Gulfport
Hamden
Madison
Meriden
Milford

New Haven
North Branford
North Haven
Orange
Oxford
Seymour
Shelton
Wallingford
West Haven
Woodbridge

Area 3

Ashford
Bozrah
Brooklyn
Canterbury
Chaplin
Chester
Clinton
Colchester
Columbia
Coventry
Cromwell
Deep River
Durham
Eastford
East Haddam
East Hampton
East Lyme
Essex
Franklin
Griswold
Groton
Haddam
Hampton
Killingly
Killingworth
Lebanon
Ledyard
Lisbon

Lyme
Mansfield
Middlefield
Middletown
Montville
New London
North Stonington
Norwich
Old Lyme
Old Saybrook
Plainfield
Pomfret
Portland
Preston
Putnam
Salem
Scotland
Sprague
Sterling
Stonington
Thompson
Union
Voluntown
Waterford
Westbrook
Willington
Windham
Woodstock

Area 4

Andover
Avon
Berlin
Bloomfield
Bolton
Bristol
Burlington
Canton
East Granby
East Hartford
East Windsor
Ellington
Enfield
Farmington
Glastonbury
Granby
Hartford
Hartland
Hebron

Manchester
Marlborough
New Britain
Newington
Plainville
Plymouth
Rocky Hill
Simsbury
Somers
Southington
South Windsor
Stafford
Suffield
Tolland
Vernon
West Hartford
Wethersfield
Windsor
Windsor Locks

Area 5

Barkhamsted
Beacon Falls
Bethel
Bethlehem
Bridgewater
Brookfield

Canaan
Cheshire
Colebrook
Cornwall
Danbury
Goshen

Area 5--Continued

Harwinton	Roxbury
Kent	Salisbury
Litchfield	Sharon
Middlebury	Sherman
Morris	Southbury
Naugatuck	Thomaston
New Fairfield	Torrington
New Hartford	Warren
New Milford	Washington
Newtown	Waterbury
Norfolk	Watertown
North Canaan	Winchester
Prospect	Wolcott
Redding	Woodbury
Ridgefield	

[FR Doc. 77-14231 Filed 5-17-77; 8:45 am]

Office of Education

ADVISORY COMMITTEE ON ACCREDITATION AND INSTITUTIONAL ELIGIBILITY

Meeting

AGENCY: Department of Health, Education, and Welfare, U.S. Office of Education.

ACTION: Notice of public meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of the next public meeting of the Advisory Committee on Accreditation and Institutional Eligibility. It also describes the functions of the Committee. Notice of these meetings is required under the Federal Advisory Committee Act (5 U.S.C. Appendix 1, 10(a)(2)). This document is intended to notify the general public of their opportunity to attend and to participate.

DATES: June 14, 1977, 1:30 p.m. to 9:30 p.m., local time; June 15, 8:30 a.m. to 5 p.m.; June 16, 9 a.m. to 4:45 p.m.; and June 17, 9 a.m. to 4 p.m. Requests for oral presentations before the Committee must be received on or before June 3, 1977. All written material which a party wishes to file may be submitted at any time and will be considered by the Advisory Committee.

ADDRESS: Sheraton National Motor Hotel, 900 Orme Street, Arlington, Virginia 22204.

FOR FURTHER INFORMATION CONTACT:

John R. Proffitt, Director, Division of Eligibility and Agency Evaluation, Office of Education, Room 3030, ROB 3, 400 Maryland Ave., SW., Washington, D.C. 20202 (202-245-9873).

The Advisory Committee on Accreditation and Institutional Eligibility is established pursuant to section 253 of the Veterans' Readjustment Assistance Act (Chapter 33, Title 38, U.S. Code). The Committee is directed to:

1. Review all current and future policies relating to the responsibility of the Commissioner for the recognition and designation of accrediting agencies and associations wishing to be designated as nationally recognized accrediting agencies and associations, and recommend desirable changes in criteria and procedures;
2. Review all current and future policies relating to the responsibility of the Commissioner for the recognition and listing of State

agencies wishing to be designated as reliable authority as to the quality of public postsecondary vocational education, and of nurse education, and recommend desirable changes in criteria and procedures;

3. Review and advise the Commissioner of Education in the formation of all current and future policy relating to the matter of institutional eligibility.

4. Review the provisions of current legislation affecting Office of Education responsibility in the area of accreditation and institutional eligibility and suggest needed changes to the Commissioner of Education;

5. Develop and recommend to the Commissioner of Education criteria and procedures for the recognition and designation of accrediting agencies and associations in accordance with legislative provisions, Presidential directives, or interagency agreements;

6. Review and recommend to the Commissioner of Education for designation as nationally recognized accrediting agencies and associations of reliable authority all applicant accrediting agencies and associations which meet criteria established under (5) above;

7. Develop and recommend to the Commissioner of Education criteria and procedures for the recognition, designation and listing of State agencies in accordance with statutory provisions, Executive Orders, or interagency agreements;

8. Review and recommend to the Commissioner of Education for designation as State agencies of reliable authority as to the quality of public postsecondary vocational education, and of nurse education, all applicant State agencies which meet criteria established under (7) above;

9. Develop, under the authority of the Vocational Education Act of 1963, as amended, and recommend for the approval of the Commissioner of Education, standards and criteria for specific categories of private vocational training institutions which have no alternative route by which to establish eligibility for Federal funding programs;

10. Develop, under the authority of the Higher Education Act of 1965, as amended, and recommend for the approval of the Commissioner of Education, standards and criteria for specific categories of institutions of higher education, for which there is no recognized accrediting agency or association, in order to establish eligibility for participation in the student loan programs authorized by Title IV-B thereof;

11. Maintain a continuous review of Office of Education administrative practice, procedures and judgments relating to accreditation and institutional eligibility and advise the Commissioner of needed changes;

12. Keep within its purview the accreditation and approval process as it develops in all levels of education;

13. Advise the Commissioner of Education concerning the relations of the Office with accrediting agencies or associations, or other approval bodies as the Commissioner may request.

14. Advise the Commissioner of Education, pursuant to the Bureau of the Budget (Office of Management and Budget) policy dated December 23, 1954, regarding the award of degree-granting status to Federal agencies and institutions.

15. Not later than March 31 of each year, make an annual report of its activities, findings and recommendations.

The meeting on June 14, 15, 16 and 17, 1977, will be open to the public. This meeting will be held at the Sheraton National Motor Hotel, Columbia Pike and Washington Boulevard, Arlington, Virginia. On June 14 and 15, the Committee

sessions will be in the form of an Invitational Conference on the Federal Government's Relationship to the Nationally Recognized Accrediting Agencies. The purpose of the conference session is to enable members of the Committee and officials of the nationally recognized accrediting agencies to review and discuss issue of mutual interest, tension points and means for enhancing a constructive relationship. Major topics to be discussed include the accreditation-eligibility framework, new regulations regarding eligibility, revisions to the Criteria for Recognition of Accrediting Bodies, and pertinent studies regarding accreditation and eligibility. Conference participants will hear speakers on a variety of subjects related to the major topics listed above, and will participate in seminars.

On June 16 and 17, the Committee will conduct business sessions to review petitions and reports by accrediting and State approval agencies for initial or continued recognition by the U.S. Commissioner of Education. The Committee also will hear presentations by representatives of the petitioning agencies and interested third parties. Agencies having petitions and reports pending before the Committee are:

American Council on Education for Journalism, Accrediting Committee.
American Dental Association, Commission on Accreditation of Dental and Dental Auxiliary Programs.
American Medical Association, Council on Medical Education, as the coordinating agency in allied health education accreditation.
American Medical Association, Council on Medical Education, in cooperation with: Committee on Accreditation in Education, American Physical Therapy Association, Curriculum Review Board, American Association of Medical Assistants, Joint Review Committee on Educational Programs in Nuclear Medicine Technology.
American Physical Therapy Association, Committee on Accreditation in Education.
Council on Education for Public Health.
Engineers' Council for Professional Development.
Iowa State Board of Public Instruction.
Kansas State Board of Education.
Minnesota State Board for Vocational-Technical Education.
National Association of Schools of Art, Commission on Accreditation and Membership.
National Council for Accreditation of Teacher Education.
National Home Study Council, Accrediting Commission.

Requests for oral presentations before the Committee should be submitted in writing to the Director, Division of Eligibility and Agency Evaluation, Office of Education, Room 3030, ROB 3, 400 Maryland Avenue, SW., Washington, D.C. 20202. Requests should include the names of all persons seeking an appearance, the party or parties which they represent, and the purpose for which the presentation is requested. Requests must be received by the Division of Eligibility and Agency Evaluation on or before June 3, 1977. Time constraints may limit oral presentations. However, all additional written material that a party wishes to

file will be considered by the Advisory Committee.

Records shall be kept of all Committee proceedings and shall be available for public inspection at the Division of Eligibility and Agency Evaluation.

Signed at Washington, D.C., on May 13, 1977.

JOHN R. PROFFITT,
Director, Division of Eligibility
and Agency Evaluation, Office
of Education.

[FR Doc. 77-14306 Filed 5-18-77; 8:45 am]

Office of Human Development
Office of Child Development

**CHILD WELFARE RESEARCH AND
DEMONSTRATION GRANTS PROGRAM**
Announcement of Grants for Fiscal Year
1977 (Program Announcement 13608-
771)

The Office of Child Development, Office of Human Development, announces that applications will be accepted until July 20, 1977 from public or nonprofit private agencies or organizations wishing to compete for grants in Fiscal Year 1977 under the Child Welfare Research and Demonstration Grants Program authorized by 42 U.S.C. 626(a)(1) (A) and (B), (Section 426, Part B, Title IV of the Social Security Act).

All applications received by the closing date or postmarked by July 15, 1977 which are complete and conform to the requirements of this program announcement will be accepted for review and consideration for an award.

The regulations applicable to this program are contained in Part 205 of Title 42 of the Code of Federal Regulations (42 CFR Part 205), "Research Projects Relating to Maternal and Child Health Services, and Research or Demonstration Projects Relating to Child Welfare Services."

Scope Of This Program Announcement: This program announcement identifies the funding priorities of the Child Welfare Research and Demonstration Grants Program for Fiscal Year 1977.

A. Program Purposes.—The purpose of the Child Welfare Research and Demonstration Grants Program is to support major research and demonstration efforts in selected areas of high impact and national concern where the utilization of findings is expected to make a substantial contribution to the development and welfare of children and their families.

B. Eligible Applicants.—Grants may be made to public or other nonprofit institutions of higher learning, public or other nonprofit agencies and organizations engaged in research or child welfare activities, state or local public agencies responsible for administering or supervising the administration of child welfare services. Grants are not awarded to individuals even though they may be

affiliated with a public or private nonprofit organization.

In certain cases, a specific program announcement may further define or limit eligibility to, for example, the single State agency or organizational unit responsible for social services to children and families.

C. Available Funds.—Of the \$14.7 million appropriated by the Congress for the Child Welfare Research and Demonstration Grants Program in Fiscal Year 1977, the Office of Child Development expects to award approximately \$2 million for new grants in the program areas identified below. A new grant is the initial grant made in support of a project requested on an application.

It is expected that approximately 20 grants will be awarded pursuant to this announcement. The average award and number of grants are given in (D) with each of the funding priorities.

In Fiscal Year 1976, 300 applications to the Child Welfare Research and Demonstration Grants Program were accepted for review and consideration. Of these, approximately \$2 million was awarded to 20 grantees.

D. Program Objectives and Priorities For Funding.—Applications are solicited for proposals with the following objectives:

1. Use of Service Contracts.—The Office of Child Development is soliciting grant applications for three-year demonstration projects which develop and use service contracts as a case management tool in dealing with cases involving: (1) provision of services to enable children to remain in their own homes instead of going into substitute care, and (2) the return of children from foster care to their own homes or to a permanent placement. The service contract is a written agreement between the agency and other key participants in a case, i.e., natural parents, foster parents, and, where appropriate, the children, which lays out the roles, responsibilities, tasks and obligations of the participants and the agency within a manageable timetable.

Applicants should submit proposals for projects which develop and use service contracts as a case management tool in order to answer the following questions:

(a) Where services are provided to keep children at home with their families, does the use of service contracts help enable more children to remain with their families rather than being placed in foster care?

(b) Where children are placed in foster family care, does the use of service contracts help enable more children to be returned to their natural parents or placed in permanent adoptive or foster family homes in a shorter period of time than would otherwise be the case?

(c) What are the costs to the project which would indicate whether the use of service contracts as a case management tool results in service delivery costs less than, more than, or the same as, when service contracts are not used?

(d) What are the key features of training, record keeping and manage-

ment of services contracts which contribute to its success or failure?

Eligibility to apply is limited to the single State agency or its organizational unit responsible for social services to families and children which includes foster family care services, any similar county, multicounty, or metropolitan subunits of the single State agency.

It is anticipated that four grants will be made of approximately \$30,000-\$40,000 each, for each of three years. The funds are to be used to train participating caseworkers and to keep needed records. In addition to the four grants, a national evaluation contractor will provide on-site and group technical assistance to the grantees in setting up records needed to carry out an effective evaluation of results.

2. Intensive Supportive Services.—The Office of Child Development is soliciting grant applications for three-year projects which demonstrate that intensive supportive services to "families at risk" will substantially reduce placement of children away from their own families. Applicants should submit proposals for projects which prevent separation of children from their families by reducing familial dysfunction and providing supportive services. A separately-funded research and evaluation component will examine the different approaches used by grantees and facilitate the development of practical models that will be within the capacity of other public agencies to develop and carry out.

The purpose of these grants is to try out different approaches which will ultimately provide practical models within the capacity of States to accomplish. These grants will provide the opportunity for States, through their public agencies, to explore the following issues:

(a) Whether intensive, supportive service to "families-at-risk" (those whose children will be removed if strong supportive and supplemental services are not available) offered in a coordinated, aggressive, timely manner by knowledgeable, professional caseworkers will substantially reduce placement of children away from their own families;

(b) Whether immediate and long-range cost savings can be demonstrated; and

(c) Whether existing resources can be shifted to make early prevention a viable part of on-going programs.

Eligibility to apply is limited to the single State agency or organizational substate units responsible for social services to families and children which include preventive and foster care services, with specific interest in long-range development.

It is anticipated that four grants will be made of approximately \$125,000-\$150,000 each, for each of three years. A National Evaluation Contractor will provide technical assistance to an evaluator/researcher employed by each of the grantees.

3. Information for Parents With Very Young Children.—The Office of Child

Development is soliciting grant applications which will generate scientific knowledge about the provision and use of child development and family support service information by different types of families, with emphasis on information that is useful to families with very young children. Specifically, the Agency will fund projects which deal with two content areas: Child Development Information and Family Support Service Information. Proposals should not overlap the two content areas, although within an area, a proposal may address more than one question. Researchers should specify hypotheses derived from one or more of the substantive questions stated below.

a. Child Development Information.—

(1) What types of information do parents have about child development? How do parents' knowledge bases and expectations for their child's development affect parent/child interactions, child development outcomes and utilization of family support services?

(2) What do parents perceive as their child development information needs? How do parents' perceived child development information needs vary as a function of family circumstances and conditions? What kinds of child development information do parents with very young children find most useful for child rearing?

(3) How can scientific knowledge about child development be communicated in culturally sensitive ways to different types of families? What information and dissemination strategies are most effective in increasing parents' awareness of child development processes and in expanding parents' knowledge bases without preempting their role as primary decision-makers in the rearing of their children? Does the type of child development information disseminated to parents affect their pattern of utilization of family support services?

b. Family Support Service Information.—(1) What kinds of family support networks and services (e.g., day care, preschool, health screening) do different types of families use? What factors account for differences among families in their pattern of family support service utilization? How does the selection and use of family support services vary as a function of family attitudes towards these service providing institutions?

(2) What information do families with very young children have available; what information do they use; and what information do they consider to be most important when making decisions about the selection of family support services?

(3) How is information about services made available to parents, especially those with very young children? What are the most effective strategies for disseminating such information to different types of families in different circumstances?

The Office of Child Development will support projects which involve working directly with families from a diversity of ethnic backgrounds and socioeconomic levels.

It is anticipated that approximately 5 grants will be awarded at approximately \$125,000 each, for a 12-18 month period.

4. Other Projects. The Office of Child Development will consider grant applications for one-, two-, or three-year projects which, while not specifically addressing the foregoing three priority areas, nevertheless show promise of making a substantial contribution to our knowledge within the general fields of child development and/or child welfare.

Priority will be given to proposals which: (a) Address problems of children and families about which the present state of knowledge is inadequate;

(b) Involve children and families from a diversity of socioeconomic levels and ethnic backgrounds, e.g., Oriental-Americans;

(c) Incorporate independent variables that capture the subtleties of social class and ethnic differences/similarities;

(d) Focus on policy-relevant variables that can be experimentally manipulated and are potentially amenable to change on a wide scale.

Since the Office of Child Development is currently supporting research and demonstration projects under its National Center on Child Abuse and Neglect, it will not fund additional child abuse and neglect activities under authority of the Child Welfare Research and Demonstration Grants Program.

It is anticipated that approximately 6 grants of \$75,000-\$100,000 will be awarded.

E. Grantee Share of Project.—Program regulations require that all grantees share in the costs of projects. It is generally expected that grantees will provide at least five percent of total project costs. Grantee contributions must be project-related and may be in any or all of the budget categories as allowable under the Department's applicable cost principles in 45 CFR Part 74 Subpart Q.

F. The Application Process.—Application Submission. In order to be considered for a grant under the Child Welfare Research and Demonstration Grants Program, an application must be submitted on the forms supplied and in the manner prescribed by the Office of Child Development. The application shall be executed by an individual authorized to act for the applicant agency and to assume the obligations imposed by the terms and conditions of the grant award, including the regulations of the Program.

One signed original and two copies of the grant application, including all attachments, are required, and two additional copies are requested with the original. The original and the four additional copies, which are for review purposes, are to be submitted to the central receiving office of the Office of Human Development.

Application Consideration. The Director of the Office of Child Development determines the final action to be taken with respect to each grant application. Applications which do not conform to this announcement, or are not complete,

or which do not meet the deadline are not accepted for consideration, and applicants are notified accordingly. Otherwise, all applications will be considered for funding.

All accepted grant applications are subjected to a competitive review and evaluation conducted by non-Federal experts in the areas of child and family development and welfare. The results of the competitive review supplement and assist the Director's consideration of the competing applications. The Director also takes into account the comments of the HEW Regional Offices and the headquarters program office. Comments on the applications may also be requested from appropriate specialists and consultants both within and outside the Government.

After the Director has decided either to disapprove or not to fund a competing grant application, the unsuccessful applicant is notified by letter of that decision. The letter will include an explanation of the reasons for disapproval or non-funding or will indicate that an explanation may be obtained upon request.

Grant Awards. The Director makes grant awards consistent with the purposes of the legislation, the regulations, and program announcements within the limits of Federal funds available for the purpose of supporting research and demonstration projects. The Official grant award document is the Notice of Grant Awarded (NGA). This notifies the grantee and others of the award of the grant, contains or references all terms and conditions of the grant, and provides the documentary basis for recording the obligation of Federal funds in the Department's accounting system. The NGA sets forth in writing to the grantee the amount of funds awarded, the purpose of the grant, the terms and conditions of the award, the effective date of the award, the budget period for which support is given, and the total grantee participation, if any. The initial award also specifies the total project period for which support is contemplated, although support beyond the first year is dependent upon satisfactory progress and availability of funds.

G. Criteria for Review and Evaluation of Applications.—All competing grant applications will be reviewed and evaluated by non-Federal experts in the areas of child and family development and welfare against the following criteria: (1) The estimated cost to the government for the proposed project is reasonable considering anticipated results.

(2) Project personnel are or will be well qualified, and the applicant organization has or will have adequate financial staff and institutional resources.

(3) Insofar as practicable, the proposed methodology, if well executed, is capable of attaining project objectives. Reviewers will consider the following:

(a) Review of literature; (b) Innovativeness of approach/design; (c) Objectives/hypotheses clearly stated; (d) Procedures;

1. Sample size; 2. Comparison/control group(s); 3. Treatment(s); 4. Design; 5. Measures/instruments; 6. Data analysis plan; 7. Time schedule; 8. Reports.

4.a. Project objectives are identical with or capable of achieving the specific program objectives defined in the program announcement. (See Section D 1, 2, 3) or

b. For Other Projects, proposals address the general considerations stated in Section D 4.

5. Dissemination/Utilization Plan: (a) Applicant indicates knowledge of appropriate users;

(b) Applicant presents an appropriate utilization plan; i.e., understands potential implications of results with regard to whichever of the following may be relevant; policy, programs, service delivery systems, legislation, research and demonstration activities, training, teaching, staffing, other.

6. Comparability of proposed study to other completed and/or ongoing studies: (a) Applicant indicates awareness of related completed and/or ongoing projects;

(b) Applicant utilizes marker measures and marker variables, as appropriate.

7. Protection of Human Subjects. If subjects are at risk, appropriate safeguards have been taken.

H. Closing Date for Receipt of Applications.—The closing date for receipt of applications under this program announcement is July 20, 1977. Applications may be mailed or hand delivered to: Department of Health, Education, and Welfare, Office of Human Development/Switzer Building, Grants Management Branch, Room 1427, 330 C Street, S.W., Washington, D.C. 20201 (Attention: 13608-771). Hand delivered applications are accepted during normal working hours of 9:00 a.m. to 5:00 p.m.

An application will be considered to have arrived by the closing date if:

1. The application is at the OHD Receiving Office on or before the closing date of July 20, 1977 or

2. The application is postmarked by July 15, 1977.

I. Late Applications.—Late applications are not accepted. They are returned without consideration, and applicants are notified accordingly.

J. Availability of Application Forms.—Application kits which contain the prescribed application forms and information for the applicant may be obtained by writing:

Division of Research and Evaluation, Office of Child Development, P.O. Box 1182, Washington, D.C. 20013 (Attention: 13608-771), telephone: (202) 755-7755; 755-7758.

(Catalog of Federal Domestic Assistance Program Number 13.608 Child Welfare Research and Demonstration Grants Program)

Dated: May 10, 1977.

JAMES L. ROBINSON,
Acting Director,
Office of Child Development.

Approved: May 13, 1977.

ARABELLA MARTINEZ,
Assistant Secretary for
Human Development.

[FR Doc.77-14254 Filed 5-18-77;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. I-4032]

IDAHO

Opportunity for Public Hearing and Repub- lication of Notice of Proposed Withdrawal

MAY 12, 1977.

The Forest Service, Department of Agriculture, filed application Serial No. I-4032, on March 3, 1971, for a withdrawal in relation to the following described lands:

BOISE MERIDIAN, KANIKSU NATIONAL FOREST
LAKE PEND OREILLE WATER INFLUENCE ZONE
T. 55 N., R. 1 E.
Sec. 12, southwest 450 feet of Mineral
Survey No. 2995.

The area described aggregates 6.20 acres, more or less, in Bonner County.

The applicant desires that the land be preserved for public purposes for recreation areas in the Kaniksu National Forest.

A notice of the proposed withdrawal was published in the FEDERAL REGISTER on May 5, 1971, Volume No. 36, Page 8408 as document No. 71-6235.

Pursuant to section 204(h) of the Federal Land Policy and Management Act of 1976, 90 Stat. 2754, Notice is hereby given that an opportunity for a public hearing is afforded in connection with the pending withdrawal application. All interested persons who desire to be heard on the proposed withdrawal must file a written request for a hearing with the State Director, Bureau of Land Management, Room 398, Federal Building, 550 West Fort Street, Post Office Box 042, Boise, Idaho 83724, on or before June 20, 1977. Notice of the public hearing will be published in the FEDERAL REGISTER giving the time and place of such hearing. The hearing will be scheduled and conducted in accordance with BLM Manual Sec. 2351.16B. All previous comments submitted in connection with the withdrawal application have been included in the record and will be considered in making a final determination on the application.

In lieu of or in addition to attendance at a scheduled public hearing, written comments or objections to the pending withdrawal application may be filed with the undersigned authorized officer of the Bureau of Land Management on or before June 20, 1977.

The above described lands are temporarily segregated from the operation of the public land laws, including the mining laws, to the extent that the withdrawal applied for, if and when effected, would prevent any form of disposal or appropriation under such laws. Current administrative jurisdiction over the segregated lands will not be affected by the temporary segregation. In accordance with section 204(g) of the Federal Land Policy and Management Act of 1976, the segregative effect of the pending withdrawal application will terminate on October 20, 1991, unless sooner terminated by action of the Secretary of the Interior.

All communications (except for public hearing requests) in connection with the pending withdrawal application should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Management, Room 398, Federal Building, 550 West Fort Street, Post Office Box 042, Boise, Idaho 83724.

VINCENT S. STROBEL,
Chief, Branch of
L & M Operations.

[FR Doc.77-14307 Filed 5-18-77;8:45 am]

[NM 30513]

NEW MEXICO Application

MAY 11, 1977.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for one 4½-inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN,
NEW MEXICO

T. 26 N., R. 12 W.,
Sec. 17, S½NE¼.

This pipeline will convey natural gas across 0.137 mile of national resource land in San Juan County, New Mexico.

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

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

Box 6770, Albuquerque, New Mexico 87107.

FRED E. PADILLA,
Chief, Branch of
Lands and Minerals Operations.

[FR Doc.77-14310 Filed 5-18-77;8:45 am]

[NM 30530]

NEW MEXICO
Application

MAY 11, 1977.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Phillips Petroleum Company has applied for one 4½-inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 15 S., R. 29 E.,
Sec. 21, NE¼NE¼.

This pipeline will convey natural gas across 0.119 of a mile of national resource land in Chaves County, New Mexico.

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

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

FRED E. PADILLA,
Chief, Branch of
Lands and Minerals Operations.

[FR Doc.77-14309 Filed 5-18-77;8:45 am]

[NM 30557 and 30558]

NEW MEXICO
Applications

MAY 11, 1977.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for a dehydration site and two 4½-inch natural gas pipeline rights-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 21 S., R. 32 E.,
Sec. 13, N¼NE¼ and NE¼NW¼;
Sec. 36, NE¼SE¼.

The 5 acre dehydration site and 0.546 mile of pipeline are to be used in connection with natural gas operations on national resource land in Lea County, New Mexico.

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

Interested persons desiring to express their views should promptly send their name and address to the District Man-

ager, Bureau of Land Management, P.O. Box 1397, Roswell, New Mexico 88201.

FRED E. PADILLA,
Chief, Branch of
Lands and Minerals Operations.

[FR Doc.77-14306 Filed 5-18-77;8:45 am]

[NM 30534 and 30535]

NEW MEXICO
Applications

MAY 12, 1977.

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

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 17 S., R. 23 E.,
Sec. 24, NE¼SW¼ and N¼SE¼.

T. 17 S., R. 24 E.,
Sec. 19, lots 3, 4, SE¼SW¼ and 8¼SE¼;
Sec. 20, SW¼SW¼;

Sec. 29, NE¼ and N¼NW¼.

T. 19 S., R. 24 E.,
Sec. 28, SE¼NW¼ and SW¼SW¼;
Sec. 33, W¼W¼.

T. 20 S., R. 24 E.,
Sec. 4, lot 4;

Sec. 5, lot 1, SE¼NE¼ and E¼SE¼;
Sec. 8, N¼NE¼, SW¼NE¼ and NW¼SE¼.

These pipelines will convey natural gas across 5.736 miles of national resource lands in Eddy County, New Mexico.

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

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

FRED E. PADILLA,
Chief, Branch of Lands and
Minerals Operations.

[FR Doc.77-14311 Filed 5-18-77;8:45 am]

[Wyoming 50139]

WYOMING
Application

MAY 11, 1977.

Notice is hereby given that pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Marathon Pipe Line Company of Casper, Wyoming filed an application for a right-of-way to construct a 8 inch crude oil pipeline for the purpose of transporting crude oil across the following described national resource lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 51 N., R. 93 W.,
Sec. 18, Lots 1, 2, 3, 4;
Sec. 19, Lot 1, E¼NW¼, NE¼SW¼, W¼SE¼, SE¼SE¼;
Sec. 29, W¼NE¼, SE¼NE¼, N¼NW¼;
Sec. 30, NE¼NE¼.

T. 51 N., R. 94 W.,
Sec. 1, Lot 5, E¼SW¼, SW¼SE¼;
Sec. 12, W¼NE¼, E¼SE¼, NW¼SE¼;
Sec. 13, NE¼NE¼;
T. 52 N., R. 94 W.,
Sec. 10, Lots 2, 3, 43F, W¼SE¼;
Sec. 14, W¼SW¼;
Sec. 15, E¼NE¼, NW¼NE¼, NE¼SE¼;
Sec. 23, NW¼NW¼, E¼W¼;
Sec. 26, Lots 2, 3, W¼NE¼, NW¼SE¼.

The pipeline will transport oil and other synthetic liquid fuels from a point in section 28, T. 51 N., R. 93 W., and extend to a point in Lot 42, section 3, T. 52 N., R. 94 W., all in Big Horn County, Wyoming.

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

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, 1700 Robertson Avenue, P.O. Box 119, Worland, Wyoming 82401.

WILLIAM S. GILMER,
Acting Chief, Branch of Lands
and Minerals Operations.

[FR Doc.77-14312 Filed 5-18-77;8:45 am]

Geological Survey

OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF (OCS)

**Proposed OCS Standard No. 2
(GSS-OCS-2) Systems Design Analysis**

AGENCY: Department of the Interior, Geological Survey.

ACTION: Proposed USGS Standard.

SUMMARY: The Geological Survey has developed and is soliciting comments on a proposed OCS Standard (GSS-OCS-2) which details a method of performing a Systems Design Analysis (SDA) on oil and gas production facilities on the Outer Continental Shelf (OCS).

The SDA is a method of identifying potential undesirable conditions—such as injury or death to personnel, fires or explosions, or environmental pollution—before they become actualities (while the equipment is still in the design phase) and to permit necessary corrections to systems before they are installed.

DATE: Comments must be received on or before August 15, 1977.

ADDRESS: Acting Chief, Conservation Division, U.S. Geological Survey, National Center, Mail Stop 600, 12201 Sunrise Valley Drive, Reston, Virginia 22092.

FOR FURTHER INFORMATION CONTACT:

Gene Bennett, U.S. Geological Survey, 434 Imperial Office Building, 3301 North Causeway Boulevard, P.O. Box 7944, Metairie, Louisiana 70011. Phone 504-837-4720. Extension 319.

SUPPLEMENTARY INFORMATION: Because of its volume, the proposed Standard (which also includes a separate Appendix) is not being published in the FEDERAL REGISTER. Copies of this document may be obtained from the aforementioned Reston, Virginia, address.

The requirement to perform an SDA will be included in a subsequent OCS Order.

W. A. RADLINSKI,
Acting Director.

[PR Doc.77-14313 Filed 5-18-77; 8:45 am]

INTERNATIONAL TRADE COMMISSION

[TA-201-25]

LIVE CATTLE AND CERTAIN EDIBLE MEAT PRODUCTS OF CATTLE

Additional Public Hearing

Notice is hereby given that the United States International Trade Commission has scheduled an additional public hearing in its investigation of live cattle and certain meat products of cattle fit for human consumption. The hearing will be held in Kansas City, Mo., beginning on Tuesday, July 19, 1977. The dates and places of previously announced public hearings in this investigation, in Rapid City, S. Dak., beginning on Tuesday, June 14, 1977; in Dallas, Tex., beginning on Tuesday, June 28, 1977; and in New York, N.Y., beginning on Tuesday, July 12, 1977, are unchanged. Times and locations of the hearings will be announced later. Requests for appearances should be filed with the Secretary of the United States International Trade Commission, in writing, at his office in Washington, D.C., not later than noon of the fifth calendar day preceding the hearing at which an appearance is requested.

Notice of the investigation and hearing was published in the FEDERAL REGISTER of April 13, 1977 (42 FR 19389).

Issued: May 16, 1977.

By order of the Commission.

KENNETH R. MASON,
Secretary.

[PR Doc.77-14345 Filed 5-18-77; 8:45 am]

DEPARTMENT OF JUSTICE

Law Enforcement Assistance Administration

GUARDS AND INVESTIGATORS COMMITTEE

Meeting

Notice is hereby given that the Guards and Investigators Committee of LEAA's Private Security Advisory Council (PSAC) will meet Thursday and Friday, June 2-3, 1977. The meeting will convene at 9 a.m. June 2, in the United Way North Room of the Ramada Inn Alexandria, Alexandria, Virginia. The meeting is scheduled to adjourn by 1 p.m., June 3.

Discussion at the meeting will focus upon the development of a model guard

training curriculum. The meeting will be open to the public.

For further information, please contact: Mr. William F. Powers, Special Programs Division, Office of Regional Operations, LEAA, U.S. Department of Justice, 633 Indiana Avenue NW., Washington, D.C. 20531 (202-376-3550).

JAY A. BROZOST,
Attorney-Advisor.

[PR Doc.77-14315 Filed 5-18-77; 8:45 am]

PRIVATE SECURITY ADVISORY COUNCIL

Meeting

Notice is hereby given that the Private Security Advisory Council, an advisory committee to LEAA, will meet Wednesday, Thursday and Friday, June 8, 9, and 10, 1977. The meeting will convene at 9 a.m., June 8, in the Cameron East Room of the Ramada Inn Alexandria, Alexandria, Virginia. The meeting is scheduled to adjourn by 1 p.m., June 10.

Discussion at the meeting will focus upon several reports prepared by Committees of the Council, as well as discussion of the recently published Report of the Task Force on Private Security and preparation of recommendations to LEAA regarding its future relationship with private security. The meeting will be open to the public.

For further information, please contact: Mr. William F. Powers, Special Programs Division, Office of Regional Operations, LEAA, U.S. Department of Justice, 633 Indiana Avenue NW., Washington, D.C. 20531 (202-376-3550).

JAY A. BROZOST,
Attorney-Advisor.

[PR Doc.77-14314 Filed 5-18-77; 8:45 am]

NATIONAL CAPITAL PLANNING COMMISSION

COMPREHENSIVE PLAN FOR THE NATIONAL CAPITAL: FOREIGN MISSIONS AND INTERNATIONAL AGENCIES

Availability

The National Capital Planning Commission is circulating for public comment a proposed Foreign Missions and International Agencies element, and proposed related modifications to other elements, of the Comprehensive Plan for the National Capital, together with a Planning Report and a Description of Environmental Impact on the proposed element and proposed related modifications. Copies of the materials are available from the Commission's Office of Public Affairs, 1325 G Street NW., Washington, D.C. 20576, telephone (202) 382-1161. Telephone and written requests will be honored.

The Commission will afford interested and affected organizations and individuals an opportunity to present their views on the proposed element, and on the proposed related modifications to other elements, of the Comprehensive Plan in writing prior to and/or in person at the meeting of the Commission on

July 14, 1977, at 9:30 a.m., in the Commission's Tenth Floor Conference Room.

Organizations and individuals desiring to make a statement at the meeting or otherwise communicate their views should advise Samuel K. Frazier, Jr., Chief, Office of Public Affairs. To insure that written comments are placed before the Commission at the Commission meeting, written statements must be received by Mr. Frazier by July 13, 12:00 Noon.

DANIEL H. SHEAR,
Secretary.

MAY 13, 1977.

[PR Doc.77-14239 Filed 5-18-77; 8:45 am]

PROCEDURES FOR CITIZEN PARTICIPATION AND INTERGOVERNMENTAL LIAISON

Tentative Agenda Items

In order to provide notice regarding matters which may be acted upon by the Commission and to solicit written comments prior to and oral comments at meetings of the Commission in accordance with the Commission's Procedures for Citizen Participation and Intergovernmental Liaison, approved April 7, 1977, there is set forth below a list of agenda items tentatively scheduled for consideration by the Commission at its meeting on June 2 and 9, 1977 and at subsequent meetings. The Commission meets in its Tenth Floor Conference Room at 1325 G Street, NW., Washington, D.C.

JUNE 2 AND 9, 1977

File No.	Item
CP12-----	Capital Improvements Program, Arlington County, Virginia. (Commission action requested: comments on Federal interest to Arlington County Board.)
0180A-----	Arlington National Cemetery, Arlington, Virginia — Columbarium. (Commission action requested: approval of preliminary site and building plans pursuant to Section 5 of the National Capital Planning Act of 1952.)
0787-----	Metro: Branch Avenue Route, South Capitol and M Streets to Anacostia Station, proposed alternative alignment. (Commission action requested: report and recommendations to Washington Metropolitan Area Transit Authority.)
0841-----	Defense Mapping Agency, Herndon, Virginia—Land Utilization Survey Report. (Commission action requested: comments to General Services Administration.)

File No.	Item	File No.	Item	File No.	Item
1485	Federal Capital Improvements Program for the National Capital Region, Fiscal Year 1978 - 1983. (Commission action requested: adoption pursuant to Section 7(a) of the National Capital Planning Act of 1952, as amended.)	1673	Community Headquarters Building, 1724 F Street, NW., Exterior stairway. (Commission action requested: approval of preliminary and final site and building plans pursuant to Section 5 of the National Capital Planning Act of 1952 and D.C. Code, sec. 5-428.)	0570	b. Franklin Delano Roosevelt Memorial. (Commission action requested: approval of preliminary site and building plans pursuant to Section 5 of the National Capital Planning Act of 1952.)
1577	Memorial to Bernardo de Galvez, Virginia Avenue and 22nd Street, NW. (Commission action requested: approval of site and design pursuant to Public Law 94-287.)	1674	Zoning Commission Case No. 76-17, Map amendment R-1-B to R-3, Arizona Avenue and MacArthur Boulevard, NW. (lots 806 and 807 in Square 1441 and lot 833 in Square 1417). (Commission action requested: report to Zoning Commission pursuant to D.C. Code, sec. 5-417.)	MP124	Henderson Hall, Arlington County, Virginia, Master Plan. (Commission action requested: approval pursuant to Section 5 of the National Capital Planning Act of 1952.)
1614	Bolling / Anacostia Tract, District of Columbia, Defense Intelligence Agency. (Commission action requested: comments on preliminary site and building plans pursuant to Section 610(a) of Military Construction Authorization Act, 1974.)	1675	Zoning Commission Case No. 76-20, Map amendment R-1-B to C-1 at Arizona Avenue and MacArthur Boulevard, NW. (lots 42 and 823 in Square 1417). (Commission action requested: report to Zoning Commission pursuant to D.C. Code, sec. 5-417.)	1611	a. Bowling Alley. (Commission action requested: approval of final site and building plans pursuant to Section 5 of the National Capital Planning Act of 1952.)
1648	National Naval Medical Center, Bethesda, Maryland: a. Interim Wastewater Treatment Facility. (Commission action requested: approval of preliminary site and building plans pursuant to Section 5 of the National Capital Planning Act of 1952.)	1599	Zoning Commission Case No. 76-14P, preliminary application for planned unit development and map amendment from R-5-C to C-3-B, Square 121. (Commission action requested: supplemental report to Zoning Commission pursuant to Section 8(a) of National Capital Planning Act of 1952, as amended.)	1650	b. Exchange. (Commission action requested: approval of preliminary site and building plans pursuant to Section 5 of the National Capital Planning Act of 1952.)
1649	b. Armed Forces Radiological Research Institute, Animal Research Facility. (Commission action requested: approval of preliminary site and building plans pursuant to Section 5 of the National Capital Planning Act of 1952.)	1670	Zoning Commission Case No. 76-4, map amendment R-1-B to C-1, 1855 Wisconsin Avenue, NW. (part of lots 318 and 1009 in Square 1299). (Commission action requested: report to Zoning Commission pursuant to D.C. Code, sec. 5-417.)	1660	Zoning Commission Case No. 76-1, Southwest Urban Renewal Area. (Commission action requested: report to Zoning Commission pursuant to D.C. Code, sec. 5-417.)
1671	Street and alley closing, part of Virginia Avenue, SE., adjacent to U.S. Reservation 26 at Ninth Street (S.O. 76-245). (Commission action requested: recommendations to Council of the District of Columbia pursuant to D.C. Code, sec. 7-401.)			AUGUST 4 AND 11, 1977	
1672	National Zoological Park, Central Area Development, Renovations to Small Mammals Building, Reptile House and New Outdoor Exhibit. (Commission action requested: approval of preliminary site and building plans	MP49	West Potomac Park, District of Columbia: a. Subarea Master Plan. (Commission action requested: approval pursuant to Section 5 of the National Capital Planning Act of 1952.)	MP120	Washington Navy Yard, 8th and M Streets SE., Revised Master Plan. (Commission action requested: approval pursuant to Section 5 of the National Capital Planning Act of 1952.)

JULY 7 AND 14, 1977

The Commission affords interested and affected organizations and individuals an opportunity to present their views on any of the items in writing prior to and/or in person at the meeting at which such item is considered, with such limitations on the number and length of oral presentations as the agenda item and the length of the agenda appear to warrant.

Organizations and individuals desiring to make a statement or otherwise communicate their views on any item tentatively scheduled for the June 2 and 9 meeting should advise Samuel K. Frazier, Jr., Chief, Office of Public Affairs, National Capital Planning Commission, Washington, D.C. 20576, tele-

phone 382-1161. Copies of the Executive Director's Recommendation on any item on the agenda for the June 2 and 9 meeting may be obtained from Mr. Frazier on or after May 31. Agenda items with respect to which no organization or individual has advised Mr. Frazier by Thursday, May 26, 12:00 Noon, of a desire to present views in person to the Commission and on which the Executive Director recommends approval or a favorable report, may be placed on the "consent calendar" and acted upon by the Commission, without presentation or discussion, at the beginning of the Commission meeting on June 2. To insure that written comments on any item are placed before the Commission prior to Commission action thereon, written statements must be received by Mr. Frazier, by Wednesday, June 1, 12:00 Noon.

The Commission's Procedures for Citizens Participation and Intergovernmental Liaison, copies of which may be obtained from Mr. Frazier, generally provide that comments on District plans and projects should address their effect on the Federal establishment and/or on Federal interests in the National Capital Region.

DANIEL H. SHEAR,
Secretary.

MAY 13, 1977.

[FR Doc. 77-14238 Filed 5-18-77; 8:45 am]

NATIONAL COMMISSION ON ELECTRONIC FUND TRANSFERS SUPPLIERS COMMITTEE; COMPETITION AMONG VENDORS Request for Comment

The National Commission on Electronic Fund Transfers (NCEFT) is examining competition in the EFT suppliers market.

This investigation, authorized by Title II of Pub. L. 93-495 is intended to aid the Commission in developing its recommendations to Congress and the President regarding appropriate administrative action and legislation necessary in connection with the possible development of public or private electronic fund transfer systems.

As part of its investigation, the Commission is soliciting the views of knowledgeable groups and individuals on the discussion paper and the trial recommendations contained in it. These recommendations are tentative in nature, and do not reflect the consensus opinion of the NCEFT. They are the result of studies in secondary source material and consultations made with experts in the fields of economics, communications regulations, and antitrust law. In addition to comments on the assertions in the paper, and the recommendations themselves, comments should be made regarding the effects which these recommendations may have on:

- (1) The cost and availability of EFT services to small businesses, financial institutions and the general public;
- (2) The encouragement or discouragement to innovation in EFT system development which might result;

(3) The selection of equipment and services which would be available to EFT providers;

(4) The potential effect on exchange of transaction data between geographically separate EFT systems (interchange);

(5) The practical consequences of an arm's-length separate subsidiary structure for telecommunications carrier involvement;

(6) The sharing of EFT systems between or among financial institutions; and

(7) The entry cost to suppliers to provide EFT equipment and services to consumers.

Anyone may submit a written statement for the public record of the Commission. Written statements and any supporting documentation must be received by the Executive Director, National Commission on EFT, 1000 Connecticut Avenue NW., Suite 900, Washington, D.C. 20036, by June 20, 1977. These statements will be available for public review and comment for a period of ten (10) days following June 20. For further information contact either John J. McDonnell, Jr., or Diana L. Jones at 202-634-1823.

I. SUMMARY AND CONCLUSIONS

1. The National Commission on Electronic Fund Transfers (NCEFT) has made recommendations to Congress in its interim report¹ in several areas which are vital in determining the ways in which EFT will develop. Among the issues dealt with in these recommendations are consumer rights and responsibilities in EFT, the appropriate level of regulation of EFT terminals by financial regulatory bodies, how and under what circumstances EFT systems and terminals should be shared, and the role of the federal government in the operation of EFT systems and services.

2. In making all of its recommendations to date, the Commission has been guided by its mandate to preserve and promote competition while minimizing government regulation and protecting the rights and options of consumers.²

3. The Suppliers Committee has recently completed its examination of another area critical to the growth and development of EFT systems and services. It involves the development and sale of the equipment and services required to construct and operate EFT systems.

¹EFT and the Public Interest, Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (stock No. 048-000-00296-0).

²"Central to all of the Commission's inquiries has been a recognition that the consumer's interests are primary in all regulatory, legislative, and policy decisions affecting EFT, and the consumer's interests must be reflected in such decisions. The consumer's interests are considered by the Commission to be the most critical factor in all its recommendations. Also of central importance to the Commission's work has been the belief that competition and the free market system afford the consumer the most diverse choices at the least cost." Ibid., p. xii.

4. In examining this marketplace the Suppliers Committee has evaluated the roles in EFT of communications common carriers, computer equipment vendors, data processing service bureaus, financial institutions, and federal and state communications regulatory agencies.

5. The Suppliers Committee has found that changes in the technology upon which EFT systems are based have been rapid. Uncertainties in the existing law which governs the nation's telecommunications system create the potential that existing or proposed EFT systems may fall under the purview of communications regulatory agencies. This means that government agencies with primary responsibility for telephone service could also control entrance, exit, rates, and services available in EFT systems. This has not yet occurred, but the potential is real.

6. Aside from this potential, related problems that have required examination were forcefully brought to the Suppliers Committee's attention at its December 1976 hearings. The potential exists, it was said, for unfair competition between regulator telecommunications companies and data processing companies competing to supply EFT providers with similar services. After an initial examination, it was determined that existing accounting procedures in the telecommunications industry and the vertically integrated nature of the telephone industry prevent any real comparison of the costs of research, development, promotion, manufacture, and maintenance of EFT systems components thus making the proving of the allegations difficult, if not impossible.

7. However, faced with these problems and the belief that development of EFT, with the proper safeguards for consumers and for competition between financial institutions, should be beneficial to the nation, the Suppliers Committee feels required to point out potential roadblocks to the development of EFT.

8. After consideration of the various technological and legal uncertainties affecting EFT, the anti-competitive problems which are alleged to exist in the EFT marketplace and the several alternative solutions available, the Suppliers Committee is considering asking the Commission to endorse the following specific recommendations to Congress.

9. Except for compliance with the Federal Communications Commission (FCC) registration requirements, EFT terminal equipment should not be regulated by either state or federal communications regulatory agencies;

10. Only the underlying communications transmission and distribution (transparent) facilities used with EFT systems should continue to be regulated by appropriate state and federal communications regulatory agencies and only to the extent they are provided by first level established or specialized common carriers;

11. EFT system services and related terminal equipment should not be offered

under tariff by regulated communications common carriers. If offered by companies which also provide regulated communications common carrier services, and/or terminal equipment should be offered only through a separate arms-length unregulated subsidiary. Legislation should be adopted which would permit AT&T to establish such a separate subsidiary, notwithstanding the restriction of the 1956 Consent Decree or current FCC rules.

12. It is premature to establish federally mandated standards for EFT terminals and systems. At the same time, interface standards and communication protocols used by EFT equipment manufacturers who achieve a dominant position in the EFT market must be made publicly available in a timely fashion.

II. INTRODUCTION

13. Uncertainties in regulations, standards, and other factors have tended to retard EFT developments. These uncertainties may artificially hold back technological development, add unnecessary costs to EFT systems, and limit the variety and scope of EFT offerings. Future EFT developments will likely be fragmented by geographical areas and more costly if resolutions to these uncertainties are not found. Furthermore, allegations have been made that the present market structure has created anti-competitive problems that could also present artificial obstacles to EFT development. Therefore, the Suppliers Committee has found it necessary to examine the alternatives which are available to resolve the problems which arise from these uncertainties and make the appropriate recommendations to Congress. In order to understand the alternatives which are available, it is necessary to understand the basic structure of the two industries which are competing for the EFT market, the unregulated data processing industry (consisting of both equipment manufacturers and service bureaus) and the regulated communications industries.

III. MARKET STRUCTURE

14. Twenty-five years ago it was simple to differentiate between the data processing industry and the telecommunications industry. The data processing industry supplied hardware, such as a central processing unit (CPU) and various peripherals. These devices were collocated and performed data processing in a batch mode, that is, work was physically brought to the computer room by the user. Some manufacturers also provided data processing services through wholly-owned service bureaus.

15. Even then, the basic technology—relays and vacuum tube switches—being utilized by both the data processing industry and the telecommunications industry was the same. Engineers, called logic designers, designed both the central circuit switches being utilized by the common carriers (telephone companies) and the CPU's and peripherals of the computer industry.

16. The primary difference between the two industries was not technology but

function. The common carriers traditionally provided the wherewithal for communications and the computer manufacturers provided data processing equipment. But one other major difference existed—the communications industry was regulated as to entry, exit, and pricing and the data processing industry was not.

17. The entire communications industry was regulated by the Federal Communications Commission under the Communications Act of 1934 primarily because communications in 1934 was deemed to have the characteristics of a natural monopoly* and, therefore, subject to regulation for the public good.

18. The FCC's jurisdiction was limited to interstate communications, while each state brought intrastate communications under regulation through a state regulatory agency.

19. Over the last twenty-five years there has been a restructuring of both industries through antitrust proceedings, changes in regulatory policy, and rapid technological development.

20. The initial restructuring took place in 1956 when the dominant company in the data processing industry (IBM) and the dominant company in the telecommunications industry (AT&T) entered into Consent Decrees to settle antitrust suits initiated by the U.S. Department of Justice.

21. The principal provision of IBM's Consent Decree* was that IBM was required to operate its data processing service business as a separate subsidiary. The principal provision of AT&T's Consent Decree* was that AT&T agreed to limit

its activities to providing only common carrier communications services. This provision became one of the principle deterrents to AT&T's entering the data processing marketplace as a supplier.

22. The decade following 1956 was marked by rapid technological growth in both the data processing and communications industries. The advent of the transistor drastically changed the size and speed of computers and communications switches. With the advent of computerized airline reservation systems the era of on-line, real time data processing had begun and computers were utilized extensively in telecommunications networks. It became increasingly difficult for the FCC to determine which services and products of common carriers should be regulated and which should not. This situation led in 1966 to the first Computer Inquiry.* Several years later the FCC published rules defining the role of common carriers in data processing.*

23. The last decade has been a period of even more rapid growth and change. Advances in technology (micro processors) and data communications utilization (distributed processing) have caused a further blurring of the distinction between communications and data processing. It is no longer certain which services should be regulated as communications services. This phenomenon has caused the FCC to reopen the Computer Inquiry.* Nowhere is the problem more evident than in existing and emerging electronic fund transfer (EFT) systems.

24. IBM has been, and is, the defendant in several antitrust proceedings,

manufacturing subsidiary of AT&T, is also "enjoined and restrained from engaging, either directly or indirectly, in any business not of a character or type engaged in * * * for (the operating) companies of the Bell System" * * *.

*Regulatory and policy problems presented by the interdependence of computer and communication services and facilities, 28 FCC 2d 267, (final decision and order, 1971). 28 FCC 2d 291 (tentative decision, 1970).

*47 CFR 64.702 (1976). The "computer rules" which were adopted as a result of the first computer inquiry, require that communications common carriers offer data processing services only through separate arms-length subsidiaries, modeled after the 1956 IBM consent decree limitation on The Service Bureau Company. See Gilchrist and Wessel, "Government Regulation of the Computer Industry," (1972). "Arms-length" in this context requires a separate board of directors, separate books, capitalization and identifiable payments to the parent corporation for shared research and development, marketing, legal services, and lobbying expenses. Provisions of the "final" computer rules which prohibited dealings between the carrier and its data processing subsidiary were struck down on court appeal. *GTE Service Corporation v. FCC*, 474 F. 2d 724 (1973).

*"In the Matter of Amendment of § 64.702 of the Commission's rules and regulations", 61 FCC 2d 103 (August 9, 1976). The inquiry was significantly modified by an additional notice, released March 8, 1977, 42 FR 13029 (March 8, 1977).

*"Natural monopoly occurs when economies of scale are so extensive relative to the size of the market that only one firm can operate efficiently within the bounds of market demand. Remedy by means of the structural modifications intended to create competitive conditions is impossible. Instead, direct regulation, under the rubric of 'public utility' regulation has been utilized." Almarin Phillips, "Promoting Competition in Regulated Markets," Brookings Institution, 1975. One of the most unfortunate phrases ever introduced into law or economics was the phrase 'natural monopoly'. Every monopoly is a product of public policy. No present monopoly, public or private, can be traced back through history in a pure form. (N)atural monopolies in fact originated in response to a belief that some goal, or goals, of public policy would be advanced by encouraging or permitting a monopoly to be formed, and discouraging or forbidding future competition with this monopoly." James R. Nelson, "The Role of Competition in the Regulated Industries" 11 "The Antitrust Bulletin" 1,3 (Jan.-Apr., 1966).

*U.S. v. IBM, 1956 "Trade Cases," pp. 68, 245 (S.D.N.Y., 1956) amended, Civil No. 72-344 (S.D.N.Y. 1963 and 1970).

*U.S. v. Western Electric, 1956 "Trade Cases," par. 68, 246. "The defendant AT&T is enjoined and restrained from engaging either directly, or indirectly through its subsidiaries other than through Western and Western's subsidiaries, in any business other than the furnishing of common carrier communications; * * * Western Electric, the

Some have been initiated by private companies, others by the U.S. Department of Justice.⁹ Since the second Department of Justice antitrust suit was filed in 1969, two major companies have abandoned the computer field.¹⁰ In spite of this fact, and in spite of the problems which have spawned all of the antitrust litigation, there are more companies competing in the data processing industry today than ever before.¹¹ This is primarily due to the rapidly changing technology.

25. AT&T today is also engaged in both private¹² and government antitrust action.¹³ Also, because of new technology and FCC policy, it is facing more competition in non-monopoly service offerings than ever before.

26. Communications facilities and services are now provided by or are capable of being provided by a variety of entities: Telephone companies¹⁴, specialized common carriers who own their own facilities¹⁵, and resellers who broker or add value to facilities obtained from other communications common carriers (underlying carriers).¹⁶ While

these entities vary greatly in size and services offered, they have one thing in common—regulation. Regulation affects entry into and exit from markets, pricing, an entity's ability to raise money, and in some cases corporate structure.¹⁷ In some cases a communications user may provide its own private facilities or may share facilities with other users. While these arrangements are not directly regulated as common carrier offerings, they too are affected by regulation.

27. The last decade has also seen the emergence of consumer oriented electronic funds transfer systems and services. Together, these two industries—data processing and communications—provide the infrastructure for EFT systems and services.

28. For several years depository institutions and retailers have been installing proprietary EFT systems utilizing both attended and unattended terminals. These systems have been assembled from computer equipment manufactured by both large and small manufacturers. This equipment has been connected using phone lines provided by regulated communications common carriers under existing state and federal tariffs.

29. Systems are now being developed involving several depository institutions. In some cases these systems are assembled by connecting several proprietary systems of the type outlined above. The mechanism that accomplished this interconnection is called a switch.

30. A switch is nothing more than a computer programmed to perform the communication function of routing messages to their proper destination. In addition, in an EFT system the computer, which is the switch, usually performs data processing functions such as settlement and provision of an audit trail for transactions. It is also possible to configure a system where the terminals communicate directly with the switch and the switch communicates with the computers of the various depository institutions.

31. For all configurations, the entire system, consisting of terminals, switch and depository institution processing centers, can be assembled using equipment obtained from data processing equipment manufacturers and tariffed

communications lines provided by regulated carriers.

32. The equipment for these systems can be procured from one supplier, such as IBM, NCR or Burroughs, or can be procured from any number of different suppliers. The ease with which the latter approach can be pursued depends on the level of compatibility among the suppliers.

33. It is also possible to assemble an EFT system utilizing terminals and message services provided under tariff by AT&T. AT&T offers EFT terminals for use in conjunction with the dial network which are tariffed in forty-eight (48) states. These terminals are called Transaction Telephones. In 1976 AT&T introduced Transaction Network Service consisting of a new EFT terminal (Transaction III) and message switching services. TNS has a terminal communications protocol and polling technique which is different from those presently used by the data processing industry. Thus, other manufacturers must modify their existing terminals if they wish to be compatible with TNS.

34. TNS can interface with existing telephone plant and equipment. Therefore Transaction I and II telephones and the dial network can be utilized in conjunction with TNS. However, the message switch is self contained and unique to TNS and does not depend on existing switching gear in the telephone system. Also, TNS does not provide settlement or audit trail features.

35. Other entities in the data processing industry, such as service bureaus, are either providing or capable of providing EFT services in conjunction with financial institutions. Likewise, communications common carriers, other than AT&T, are capable of providing more than just the basic circuits necessary to interconnect EFT equipment. Communications regulation has a definite impact on all entities presently offering EFT terminals, systems and services.

36. Changing technology is not only reducing the cost of communications and data processing, but also the way in which data communications and data processing are conducted. The net effect on EFT is that some services which are not cost effective today may be cost effective tomorrow and that any one of a number of entities may be able to provide EFT services.

IV. PROBLEM AREAS

37. EFT is developing in a market environment in which unregulated data processing companies, to a degree, compete directly with regulated communications carriers; where it is virtually impossible to determine a priori whether or not an EFT network or service will be subject to both financial and communications regulation and whether the outcome of current litigation may alter the structure of both the data processing and communications industries. This market structure has created several problem areas for the development of EFT.

38. At the Commission's Hearings in December, there were many allegations

⁹ "U.S. v. IBM", (Civil Action No. 69-200, S.D.N.Y.) was filed in 1969. The only private suit which has proceeded to trial and decision was *Telex v. IBM*, 510 F. 2d 894 (10th Cir. 1975), although a settlement was reached prior to Supreme Court consideration of the petition for certiorari.

¹⁰ RCA and General Electric.

¹¹ "The Director of Vendors contains . . . 430 companies that offer a wide range of products and services of interest to banks and thrift institutions", "Datapro Reports on Banking Automation", 1976.

¹² These cases have been brought by equipment manufacturers, specialized common carriers, radio-telephone carriers, and cable television companies. Such cases tend to drag on for years until out of court settlements are reached. On the complexity and expense of antitrust litigation generally, see Kinter, "An Antitrust Primer", 2d Edition, MacMillan, 1973, p. 138.

¹³ The government antitrust suit seeks divestiture of Western Electric, the AT&T Long Lines Division, and parts of Bell Labs, from the parent company. *U.S. v. American Telephone and Telegraph Company*, Civ. Action No. 74-1698 (D.D.C., filed Nov. 20, 1974).

¹⁴ There are 23 Bell operating companies and about 1600 independent telephone companies, most of which are relatively small, although some larger companies are owned by General Telephone and Electric. All of these telephone companies are interconnected for long-distance service by AT&T Long Lines—although a recently initiated ComSat General Corp. satellite system now connects the GTE companies while by-passing the Bell Long Lines system of land-based microwave relay towers and cables.

¹⁵ A new class of intercity telecommunications supplier, created by a FCC 1971 decision. They build terrestrial and/or satellite microwave facilities to provide "private line service" to large business users in competition with AT&T. The SCCs include Microwave Communications Inc., Southern Pacific Communications, Inc., RCA Global Communications, among others.

¹⁶ "Resale carrier" is a new nomenclature for a company which leases circuits from an "underlying carrier" and adds additional equipment to offer new communications services, such as "packet-switching" for data transmission. Another application has been

facsimile transmission of documents and graphic information. These new companies have often been called "value-added" carriers. Among the first of this new class of carrier are Telenet and Graphnet. The manner in which these companies are to be regulated, or left alone as shared systems, and the borderline between the two are now a subject of *AT&T et al. v. FCC*, (No. 77-4057, et. al. 2nd Cir.). The case has raised special concerns in the computer industry which fears that remote data processing services now unregulated may now become subject to regulation.

¹⁷ See Draft Internal Working Document 45 entitled "The Effect of Existing Law and Regulation on the offering of Telecommunications Services" for more detailed discussion.

made about anti-competitive practices which arise when an unregulated industry competes with a regulated industry. While an unregulated industry has advantages such as the freedom of entry and exit from a market and the ability to set prices unilaterally, this is offset by the possibility that the regulated company can cross-subsidize its competitive products or services with profits from its monopoly products and services.

39. According to testimony before the Commission, the competitive products and services could actually be tariffed below cost by the regulated company until the products and services offered in competition disappeared from the marketplace. At that point, the tariffs would be increased to reflect costs and to maximize the rate of return. Specifically, in the case of EFT, the regulated industry involved is the communications industry and the companies are the common carriers.

40. The data processing industry has alleged that other predatory marketing practices could be used by common carriers to enhance their EFT offerings. Since common carriers supply the underlying circuits which financial institutions and others must utilize to interconnect the equipment sold and leased by computer equipment manufacturers to create EFT networks, they could adversely price or limit the availability of those underlying circuits.

41. Also, it has been alleged that there are inequities in the depreciation schedules imposed by the regulators of common carriers which result in artificially low tariffs for products and services competitive with those offered by the data processing industry. It has been further alleged that common carriers are bundling their monopoly services with their competitive EFT offerings and are including data processing as part of their tariffed offerings (in violation of the Consent Decree).

42. Another problem brought before the Commission was that companies dominating the data processing and communications industries may create *de facto* standards for some of the essential elements of an EFT system such as equipment interfaces and communications protocols. At present there are few universally accepted standards for the various elements of EFT. Whether these standards should evolve through the voluntary standards-making process, be determined by dominant companies in the market, or be mandated by government remains an important question of public policy.

43. In investigating these problem areas, the Suppliers Committee has uncovered another problem area involving communications regulation. It is unclear whether or not EFT systems will be regulated by communication regulatory agencies. As has been indicated earlier,² the FCC regulates communications but not data processing and communication

system resellers but not communication system sharers. The principal criteria for differentiating between resellers and sharers are whether or not, under present FCC definitions, the service being provided is more data processing or more communications and whether or not the entity providing the service intends to make a profit on that part of the service which is defined as communications. Therefore, financial institutions who offer EFT services may also find that under present law the EFT networks they put together are subject to regulation by state and federal communications regulatory agencies.

44. Furthermore, because of the structure of the banking industry and the laws governing it, existing consumer oriented EFT networks are only being assembled on an intrastate basis and therefore have not been subject to examination by the FCC. This is also true of AT&T's Transaction Network Service.

45. However, the NCEFT has recommended that financial institutions be permitted to deploy EFT terminals across state lines and that the consumer can use his debit card to access his funds anywhere.³ If Congress enacts legislation to that effect, both proprietary and shared systems could become interstate in nature and therefore subject to FCC review and, possibly, to FCC regulation.

V. POLICY ALTERNATIVES

46. As described above, both existing and proposed communications regulatory policies have an impact on the future configuration of EFT networks. Providers should be free to offer services without encountering price or service differentiation from established carriers or the necessity for compliance with the laws governing communications common carriers. This section discusses various options which may be chosen to minimize the effect of these policies on EFT, and to avoid unfair competition between the regulated common carrier and the unregulated equipment supplier.

47. One policy alternative is to maintain the status quo. Basically this means that solutions for the various problems brought to the attention of the NCEFT will be left to present regulatory or anti-trust processes.

48. There is no evidence to indicate that maintaining the status quo will solve any of the aforementioned problems in sufficient time to eliminate them as obstacles to the development of EFT systems and services.

49. The FCC took 52 months from the opening of the first Computer Inquiry docket to the publication of its final decision. Within 6 years the FCC found it necessary to initiate a new Computer Inquiry docket which is still open for comment. Based on historical evidence, it will be years before a final decision is reached if it is indeed possible to sep-

arate data processing from communications at all.⁴

50. Also, there is historical evidence to indicate that antitrust enforcement does not provide time effective solutions to competitive problems involving firms with very large well-established market positions. In a period of technological change, artificial impediments to developing technology such as the slow and sometimes ineffective regulatory processes are best avoided.

51. Furthermore, maintaining the status quo would preclude AT&T from offering data processing services and equipment. In an area such as EFT where it is now difficult to separate data processing from communications, AT&T might not be free to enhance TNS or provide it on an interstate basis. The EFT market could be deprived of a significant source of innovation.

52. Another drawback to maintaining the status quo is that the Communications Act is not relevant to current technology and requires regulation of all communications common carriers—including resellers who construct nothing.

53. Lastly, the status quo environment subjects some suppliers to regulation while not imposing the same burden on others. Therefore, the Commission does not feel that maintaining the status quo is a satisfactory policy alternative.

54. Another policy alternative would be to subject all offerers of EFT services and equipment to federal communications regulation. Aside from the fact that this alternative appears to be contrary to the NCEFT's mandate,⁵ it would appear to resolve some of the problems outlined above. Today, large regulated companies can seek tariffs on a state-by-state basis where most regulatory agencies are ill-equipped to deal with a filing of such complexity and magnitude. Federal communications regulation could accomplish uniformity of accounting procedures and marketing practices and could mandate communications standards which would foster interchange in EFT systems. However, complying with regulation can be expensive to both in-

² See footnote 6.

³ "The Commission shall conduct a thorough study and investigation and recommend appropriate administrative action and legislation necessary in connection with the possible development of public or private electronic fund transfer systems, taking into account, among other things—

(2) The need to * * * assure Government regulation and involvement or participation in a system competitive with the private sector be kept to a minimum * * *

(8) The implications of such a system expanding * * * into other forms of electronic communications; * * *

(9) The need to protect the legal rights of users and consumers." Pub. L. 93-495, October, 1974.

⁴ See chapter 3, "EFT and the Public Interest, op. cit."

⁵ See paragraph 26.

dustry and government." Subjecting emerging EFT systems to communications regulation does not appear to be necessary. Also, at this time consumer oriented POS systems have not exhibited the characteristics of a natural monopoly that would call for such regulation.⁵⁵

55. Therefore, unnecessary federal communications regulation of market structure and competition may present more problems than it solves.

56. This brings us to the final policy alternative of minimizing regulation and enhancing the strengths of the competitive marketplace through legislation. First, it must be determined which elements of an EFT system must be regulated.

57. Traditionally, elements of an industry that have not been influenced by effective competitive pressures often have been regulated. In the past this has included local exchange and message toll services (the public dial-up network), as well as local distribution of leased lines. Although these services are generally thought to be natural monopoly today, the rapidly changing technology may alter that perception in the future. It is beyond the scope of the NCEFT to determine whether or not leased circuits that are now subject to competition should continue to be regulated. However, as these circuits are the basic infrastructure of EFT systems, they should be available on an equitable basis under the same terms and conditions to all providers and suppliers of EFT systems.

58. The Commission has found no justification for tariffing EFT terminals at either the state or federal levels. The intent of this is not to exclude any supplier of EFT terminals from access to the market. Common carriers should be free to develop and market EFT terminals in competition with computer equipment manufacturers. The FCC has determined that common carriers should participate in data processing only through separate arms-length subsidiaries. The Consent Decree of 1956 has been interpreted to mean that AT&T cannot have such a subsidiary. This closes the door on an important source of innovation in EFT from a large market force. New legislation should be enacted to remove that barrier.

59. Having come to that conclusion, it must still be recognized that these terminals interface with the public net-

work—both dial-up and leased line. Therefore, these terminals should still be regulated in that regard. The FCC has established a registration program⁵⁶ to ensure that equipment interfacing with the public network does not harm the network. EFT terminals should be certified by the FCC's registration program or be required to interface with the network through a protective device furnished by the carrier.

60. EFT systems may also include components such as concentrators, multiplexers, modems, switches and other equipment necessary to the implementation of any data communications network. Just like terminals, some system components are available as tariffed offerings from common carriers or through purchase or lease agreements from other equipment manufacturers. Following the same line of reasoning that was used for EFT terminals, these system components should not be provided through tariff but should comply with the FCC registration program as necessary.

61. It also follows that EFT systems which are put together utilizing the above components should not be regulated by communications regulatory commissions, either state or federal, since the underlying circuits are already regulated. No one should be restricted from offering such systems. This provision should hold regardless of whether the system falls under the heading of resale or shared as currently defined by the FCC. If common carriers choose to offer EFT systems, they should be offered only through the same separate, arms-length, unregulated subsidiary (as described above for terminals) or possibly through another separate subsidiary altogether.

62. The problem of de facto standards is a difficult one. Mandating standards would be contrary to achieving flexibility while de facto standards are alleged to be anti-competitive. Because EFT is in such an early state of development and because setting equipment standards prematurely might stifle innovation, mandating standards is not the desired course of action at this time. To minimize the problem of de facto standards, any company which achieves a dominant position in the EFT market should be required to publish any interface and protocol standards being utilized by them which are at variance with ANSI standards. Likewise, at any time these company standards are changed, the changes should be published. In order to assure maximum lead time for other manufacturers to design compatible equipment, these standards should be published when they are certified for use within the dominant company. This provision

should apply only to standards necessary to achieve interconnection of equipment and not the proprietary designs which affect the performance of the equipment itself.

63. Assuming that the policy alternative of maximizing flexibility and enhancing the competitive marketplace is the desirable approach, action by Congress is needed.

64. The primary obstacle to implementing this alternative is the fact that AT&T has already tariffed EFT terminals and services and cannot, in today's environment, offer them through an unregulated subsidiary. Congress should enact legislation which modifies the 1956 Consent Decree and the FCC computer rules to permit the creation of this unregulated, arms-length subsidiary.

65. This legislation must also preempt the role of the states in tariffing EFT terminals and services. EFT is not inherently intrastate in nature. In addition, Congress must legislatively resolve the legal controversy over the FCC registration program and exempt offerings of EFT systems and services from FCC regulation as value added resellers.

66. And finally, Congress should enact legislation requiring that companies which achieve a dominant position in the EFT marketplace must provide sufficient technical information in a timely manner to enable other manufacturers to interconnect their equipment with the equipment manufactured by the dominant suppliers.

WILLIAM B. WIDNALL,
Chairman.

MAY 17, 1977.

[FR Doc. 77-14402 Filed 5-18-77; 8:48 am]

NUCLEAR REGULATORY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Proposed Meetings

In order to provide advance information regarding proposed meetings of the ACRS Subcommittees and Working Groups and of the full Committee, the following preliminary schedule is being published. This preliminary schedule reflects the current situation, taking into account additional meetings which have been scheduled and meetings which have been postponed or cancelled since the last list of proposed meetings published in FR Vol. 42, April 21, 1977, page 20691. Those meetings which are definitely scheduled have had, or will have, an individual notice published in the FR approximately 15 days (or more) prior to the meeting. Those Subcommittee and Working Group meetings for which it is anticipated that there will be a portion or all of the meeting open to the public are indicated by an asterisk (*). It is expected that the sessions of the full Committee meeting designated by an asterisk (*) will be open in whole or in part to the public. Information as to whether a meeting has been firmly scheduled, cancelled or rescheduled, or whether

⁵⁵ "Although the total budget of the major regulatory agencies (nearly \$4.7 billion in fiscal year 1975) is small compared with the combined federal budget (\$235 billion in fiscal year 1975), it does not reflect the costs incurred by private participants in the regulatory process nor the gargantuan costs—and, presumably, benefits—imposed on the private sector by agency decisions." William Lilley III and James C. Miller III, "The New Social Regulation," "The Public Interest," No. 47, Spring 1977, National Affairs, Inc., New York, p. 49.

⁵⁶ A major examination of this to date reaches the same conclusion. See Baxter, Cootner and Scott, "Retail Banking in the Electronic Age," Chapter 6, Allanheld, Osmun & Co., Montclair, New Jersey, 1976.

⁵⁶ The FCC's registration requirement does not apply to a completely dedicated intrastate private line system which cannot access any interstate network. The FCC registration program requires the registration of protective circuitry or the complete terminal device with the FCC pursuant to recently adopted standards and procedures.

changes have been made in the agenda for the June 9-11, 1977 ACRS full Committee meeting can be obtained by a prepaid telephone call to the Office of the Executive Director of the Committee (telephone 202-634-1374, Attn: Mary E. Vanderholt) between 8:15 a.m. and 5 p.m., EDT.

SUBCOMMITTEE AND WORKING GROUP MEETINGS

**Reactor Fuel*, May 20, 1977, Washington, DC. The Subcommittee will meet with representatives of the NRC Staff to discuss a variety of subjects pertaining to reactor fuels including, for example, fuel surveillance and effects of fission gas release rates for burnup of 20,000 MWD/T. Notice of this meeting was published in the FEDERAL REGISTER on May 5, 1977, page 22965.

**Electrical Systems, Control and Instrumentation*, May 20, 1977, Windsor, CT. The Subcommittee will meet with representatives of the NRC Staff, Combustion Engineering (CE) and the Arkansas Power and Light Company (AP&L) to hold a generic discussion with NRC and CE representatives regarding proprietary information on the CE Core Protection Calculator System (CPCS), and to discuss proprietary information with AP&L regarding the application of the CPCS to the Arkansas Nuclear One, Unit 2, Nuclear Power Plant. Notice of this meeting was published in the FEDERAL REGISTER on May 5, 1977, page 22966.

**Fluid/Hydraulic Dynamic Effects*, May 25-26, 1977, Los Angeles, CA. The Subcommittee will meet with representatives of the NRC Staff, Combustion Engineering and Westinghouse to discuss the effects of blowdown loadings on reactor pressure vessels and their supports under severe accident conditions and, also, water hammer effects. Notice of this meeting was published in the FEDERAL REGISTER on May 9, 1977, page 23566.

**ACRS-RSK*, May 31, June 1 and June 3, 1977, Cologne, Germany. Representatives of the ACRS will meet with representatives of the Reaktor-Sicherheitskommission (RSK) of the Federal Republic of Germany to discuss items of mutual interest related to nuclear safety and regulation.

**General Atomic Standard Safety Analysis Report (GASSAR-6)/Gas-Cooled Fast Breeder Reactor (GCFBR)*, June 1-2, 1977, San Diego, CA. Postponed to July 11-12, 1977, Washington, DC.

**Regulatory Activities*, June 8, 1977, Washington, DC. The Subcommittee will meet to review working papers, future Regulatory Guides, and changes to existing Regulatory Guides; also, to discuss pertinent activities which affect the current licensing process and/or reactor operations.

**Fire Protection Working Group/Regulatory Activities Subcommittee Joint Meeting*, (tentative) June 8, 1977, Washington, DC. The purpose of this meeting is to continue the review of Rev. 1 to Regulatory Guide 1.120, "Fire

Protection Guidelines for Nuclear Power Plants."

**Reactor Safety Research*, June 16, 1977, Denver, CO. The Subcommittee will meet with representatives from the Energy Research and Development Administration and from NRC to discuss current plans and programs for research associated with advanced reactors.

**Diablo Canyon Nuclear Station, Units 1 and 2*, June 21-23, 1977, Los Angeles, CA. The Subcommittee will meet to continue its review of the seismic design and other aspects of the application of the Pacific Gas and Electric Company for an operating license.

**Arkansas Nuclear One, Unit 2*, June 24, 1977, Russellville, AR. The Subcommittee will meet to review some of the site-related portions of the application of the Arkansas Power and Light Company for a license to operate the plant.

**San Joaquin Nuclear Project*, June 24, 1977, Los Angeles, CA. The Subcommittee will meet to review a limited number of items related to the suitability of the San Joaquin site. These items include hydrology, geology and seismology, and seismic input.

**Reactor Safety Study Working Group/Siting Evaluation Subcommittee Joint Meeting*, June 27, 1977, Washington, DC. The Working Group and the Subcommittee will meet to discuss the assumption of various degrees of fission product release (as described in WASH-1400) as they affect emergency plans and design features.

**Fluor-Pioneer Balance of Plant Standard Safety Analysis Report (BOPSSAR)*, June 28, 1977, Washington, DC. The Subcommittee will meet to review the application of Fluor-Pioneer for preliminary design approval of their proposed standard balance-of-plant design (BOPSSAR).

**Decommissioning of Nuclear Plants*, June 29, 1977, Washington, DC. The Subcommittee will meet to review current plans for decommissioning nuclear power plants. (This meeting was postponed from May 11, 1977.)

**Black Fox Station, Units 1 and 2*, June 30, 1977, Tulsa, OK. The Subcommittee will meet to review the application of the Public Service Company of Oklahoma for a permit to construct Units 1 and 2.

**Electrical Systems, Control and Instrumentation*, June 30, 1977, Washington, DC. The Subcommittee will meet with representatives of the NRC Staff, Combustion Engineering (CE), and the Arkansas Power and Light Company (AP&L) to continue its review of the CE Core Protection Calculation System (CPCS). The Subcommittee may also discuss information concerning the application of the CPCS to the Arkansas Nuclear One, Unit 2, Nuclear Power Plant.

**General Atomic Standard Safety Analysis Report (GASSAR-6)*, July 11, 1977, Washington, DC. The Subcommittee will meet to review the application by the General Atomic Company for pre-

liminary design approval of the General Atomic Standard Safety Analysis Report (GASSAR-6).

**Gas Cooled Fast Reactor (GCFR)*, July 12, 1977, Washington, DC. The Subcommittee will meet with representatives of the NRC Staff and the General Atomic Company to hear a status report on the development of a design for a gas-cooled fast breeder reactor.

**Regulatory Activities*, July 13, 1977, Washington, D.C. The Subcommittee will meet to review working papers, future Regulatory Guides, and changes to existing Regulatory Guides; also, to discuss pertinent activities which affect the current licensing process and/or reactor operations.

**Fire Protection Working Group/Regulatory Activities Subcommittee Joint Meeting*, July 13, 1977 (tentative, providing meeting is not held June 8) Washington, DC. The Working Group and Subcommittee will meet to continue the review of Rev. 1 to Regulatory Guide 1.120, "Fire Protection Guidelines for Nuclear Power Plants."

**Waste Management*, July 19-20, 1977, Richland, WA. The Subcommittee will meet to review current Energy Research and Development Administration (ERDA) Waste Management Plans and to be briefed on the American Physical Society Report on Radioactive Waste Management. Members of the Subcommittee will visit the ERDA waste solidification facilities on July 20.

**Hypothetical Core Disruptive Accident for Fast Reactors*, July 21-22, 1977, Los Alamos, NM. The Working Group will meet with representatives of NRC, the Energy Research and Development Administration, and the Los Alamos Scientific Laboratory to discuss the development of the SIMMER Code (S₀ Implicit Multifield Multicomponent Eulerian Recirculation Code) to model hypothetical core disruptive accidents for advanced reactor designs.

**Green County Plant*, Week of July 25, 1977 (tentatively July 28), Albany, NY. The Subcommittee will meet to review the application of the Power Authority of the State of New York for a permit to construct the Green County Nuclear Power Plant.

**Babcock and Wilcox Water Reactors*, July 26, 1977, Washington, DC. The Subcommittee will meet to review the Babcock and Wilcox Standard Plant Design (BSAR-205).

**Siting Evaluation*, July 28-29, 1977, San Francisco, CA. The Subcommittee will meet to discuss the NRC Reactor Siting Policy as it pertains to the evaluation of alternate site locations. This will be a continuation of a series of discussions held with the NRC Office of Standards Development to review and revise the current policy, rules, and regulations on reactor siting.

FULL COMMITTEE MEETINGS

JUNE 9-11, 1977

A. *Zion Generating Station, Units 1 and 2—Operating License Review.

B. *Shippingport Atomic Power Station—Reactor Operation.

JULY 14-16, 1977

Agenda to be announced.

Dated: May 17, 1977.

JOHN C. HOYLE,
Advisory Committee
Management Officer.

[FR Doc. 77-14431 Filed 5-18-77; 8:45 am]

NUCLEAR REGULATORY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS, SUBCOMMITTEE ON FLUID/HYDRAULIC DYNAMIC EFFECTS

Meeting: Additional Information

The meeting of the ACRS Subcommittee on Fluid/Hydraulic Dynamic Effects scheduled for May 25-26, 1977, announced in the FEDERAL REGISTER, May 9, 1977, page 23566, will be held at the Quality Inn/Airport, 5249 W. Century Blvd., Los Angeles, CA 90045.

The agenda for Thursday morning, May 26, 1977, has been changed as follows:

9 A.M.—11 A.M. (OPEN)

The Subcommittee will meet with representatives of the NRC Staff, and their consultants, to discuss the analyses of blowdown loadings on reactor pressure vessels and their supports under severe accident conditions for individual plants.

11 A.M.—12 NOON (OPEN)

The Subcommittee will meet with representatives of the NRC Staff and Babcock and Wilcox (B&W) to discuss the status of B&W's analysis of the asymmetric load problem.

All other matters pertaining to the meeting remain the same.

Dated: May 12, 1977.

JOHN C. HOYLE,
Advisory Committee
Management Officer.

[FR Doc. 77-14262 Filed 5-18-77; 8:45 am]

[Docket No. PRM-50-12]

ATLANTIC COUNTY CITIZENS COUNCIL ON ENVIRONMENT

Denial of Petition for Rule Making

By letter dated June 19, 1974, the Atlantic County Citizens Council on Environment (ACCCE), 2 Old Turnpike, Pleasantville, New Jersey, petitioned the U.S. Atomic Energy Commission¹ to amend its regulations in 10 CFR Part 50 to require full scale operational system testing of pilot model or prototype versions of nuclear power plants, in the configuration they are expected to be employed in situ, prior to licensing for production manufacture wherein it is

evident that such plants are to be assembly line manufactured, mass produced, or otherwise turned out in substantial quantity for distribution on a wide scale. The petitioner recommended that the license to manufacture, in such cases, be limited to a pilot model or prototype until systems operations testing has been successfully completed. The petitioner suggested also that the amendment be made to Section XI, test control, of Appendix B of 10 CFR Part 50.

The basis for this request is the ACCCE conviction that the different circumstances of the OPS type application,² in terms of likely proliferation and widespread implementation of future assembly line or mass production methods for construction of the nuclear power plants, warrants more extensive or full scale operational testing of a pilot model or prototype version than has been accorded individual or single sited land based plants. While the petitioner is primarily concerned with the floating nuclear plants, the discussion in this notice may be considered to apply to all plants licensed under Appendix M of 10 CFR Part 50.

A notice of filing of petition for rule making was published in the FEDERAL REGISTER on August 9, 1974 (39 FR 28662). The comment period expired on October 8, 1974 and was extended to November 7, 1974 at the request of the ACCCE as noted in the FEDERAL REGISTER on October 3, 1974 (39 FR 35700). Sixty-five interested parties have submitted comments regarding the petition, of which 62 supported the petition and 3 opposed the petition. Almost all the comments received from those supporting the petition expressed opposition to the proposed Atlantic Generating Station (Docket Nos. 50-477 and 50-478) and general concern over the safety of nuclear power plants. However, few of those supporting the petition addressed the specific issues that were raised by the petition.

The NRC has evaluated the need for full scale operational testing of pilot models or prototype versions of nuclear power plants in the context of the overall nuclear regulatory program, with particular emphasis placed on the testing and analysis aspects of the program. Before describing the Commission's program it would be worthwhile to briefly discuss the overall philosophy of nuclear power plant design verification. The primary purpose of design verification is to provide assurance that a nuclear power plant will perform according to expectations during all modes of operation, including accident modes, and under extreme environmental conditions.

There are different ways to accomplish design verification depending upon the information available and the

particular application being considered. At the early stages of a developing technology, such as nuclear energy power development during the late fifties and early sixties, experimental prototypes are used to provide needed scientific and engineering information and to essentially "prove the principle" of the design. As the technology matures, and a broad base of experience and large body of engineering data is accumulated, experimental prototypes are no longer necessary to "prove the principle" and it becomes more advantageous to verify the design on the actual, as-built hardware. This is the present status of the nuclear power program. The proposed offshore floating nuclear plants, even with some novel features, do not represent basic new technology but are based on many years of experience with many power reactors and numerous harbors, ocean going tankers and ocean oil drilling rigs. Thus, rather than reliance on an experimental prototype for design verification, the NRC approach relies on a multifaceted program culminating in a detailed testing and qualification phase on the actual, as-built plant. It is felt that this approach provides the greatest assurance that the public will be protected. The salient features of the NRC regulatory program that pertain to the subject of the petition are described in the following paragraphs.

A paramount purpose of the NRC's regulatory program is the protection of both the public health and safety and the environment. This purpose is achieved with a licensing and inspection program that governs a nuclear power plant throughout its lifetime, from initial siting and design through to decommissioning and ultimate disposal. This includes inspection during the manufacturing process to verify that the conditions of the license are being satisfied. The basic approach of the regulatory program relative to ensuring reactor safety may be described as one of "defense in depth". It essentially involves three levels of safety which may be described as follows:

1. First Level of Safety—Design and build the plant so that it will operate as intended with a high degree of reliability. The object is to prevent accidents through intrinsic features of the plant design including quality, redundancy, testability and inspectability of components.
2. Second Level of Safety—Despite the care taken under the first level of safety relative to design, construction and operation, it is assumed that safety problems still occur. Protective devices and systems are provided to assure that such incidents will be prevented, arrested or accommodated safely without harm to the operators, public or the plant. Extensive testing programs are carried out to verify that the protective systems function adequately.

3. Third Level of Safety—Provide additional safety systems as appropriate, based on evaluation of effects of hypothetical accidents, where some protective systems are assumed to fail simultaneously.

¹The Atomic Energy Commission was abolished by the Energy Reorganization Act of 1974, which also created the Nuclear Regulatory Commission and gave it the licensing and related regulatory functions of the AEC.

²Application filed by Offshore Power Systems (OPS) (Docket No. STN 50-437) for a license to manufacture eight floating nuclear power plants under Appendix M of 10 CFR Part 50. This application is still undergoing NRC review.

ously with the accident they are intended to control. This supplements the first two levels of safety through features which add margin to the plant design by providing protection to the public even in the event of the occurrence of extremely unlikely and unforeseen circumstances. Several severe hypothetical accident sequences, called Design Basis Accidents, are selected for this evaluation.

The NRC's regulatory program for the protection of the public health and safety involves numerous specific requirements related to the testing of nuclear power plants. For example, in the Commission's regulation, "Licensing of Production and Utilization Facilities," 10 CFR Part 50, paragraph (b) (6) (iii) of § 50.34, "Contents of applications; technical information," requires that the final safety analysis report, which is to be included with each application for a license to operate a facility, include plans for preoperational testing and initial operations. In Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," of 10 CFR Part 50, Criterion II, "Quality Assurance Program," requires that an applicant establish a quality assurance program that, among other things, takes into account "the need for verification of quality by inspection and test." Appendix B, Criterion XI, "Test Control," of the same appendix, requires that a test program be established which "shall include, as appropriate, proof tests prior to installation, preoperational tests, and operational tests during nuclear power plant or fuel reprocessing plant operation." Test procedures are to include provisions for assuring "that the test is performed under suitable environmental conditions."

Appendix A, "General Design Criteria for Nuclear Power Plants," requires that various structures, systems, and components important to safety be designed such as to permit appropriate periodic inspection and testing of their operability and functional performance.

Under the Commission's regulations relative to preoperational and initial startup testing programs for water-cooled nuclear power plants, an applicant is responsible for the development of suitable preoperational and initial startup test programs for its facility, the preparation of adequate procedures for carrying out the programs, the proper conduct of the test programs, and assuring the validity of the test results. The test programs typically include the following features:

- (a) Simulation of equipment failures and control system malfunctions that could reasonably be expected to occur during the plant lifetime.
- (b) Testing for interactions such as the performance of interlock circuits in the reactor protection systems.
- (c) Tests conducted prior to fuel loading to demonstrate the capability of structures, systems, and components to meet safety-related performance requirements. Included would be tests of

the reactor coolant system, the reactivity control systems, the protection systems, the emergency core cooling systems, the radiation protection system and the radioactive waste system.

(d) Initial startup testing consisting of precritical tests, low-power tests (including critical tests), and power-ascension tests performed after fuel loading and before commercial operation. These tests confirm the design bases and demonstrate, where practical, that the plant is capable of withstanding the anticipated transients and postulated accidents.

The test programs are monitored by the NRC Office of Inspection and Enforcement by selective review of test procedures, examination of test results, and witnessing of tests.

The NRC emphasizes functional testing of finished systems in the fully assembled plant in order to provide real assurance of adequate design and construction for safety. Many months are devoted to preoperational testing. NRC verifies that deficiencies identified by the preoperational test program are corrected, or determines that the applicant's proposed corrections provide adequate assurance for the public health and safety, prior to approving fuel loading. A slow and careful approach to power is made. Then many months are spent in extensive programs of start-up tests to assure that all of the individual components function together properly as a system and do their required job. In addition to these preoperational and start-up tests the NRC requires that nuclear reactors be designed to permit the conduct of extensive testing during the life of the plant to verify continual capability of system operation.

A number of regulatory guides have been issued by the NRC staff that relate to the testing of structures, systems, and components. These guides include:

- (a) Regulatory Guide 1.15, "Testing of Reinforcing Bars for Category I Concrete Structures"
- (b) Regulatory Guide 1.22, "Periodic Testing of Protection System Actuation Functions"
- (c) Regulatory Guide 1.30, "Quality Assurance Requirements for the Installation, Inspection, and Testing of Instrumentation and Electric Equipment"
- (d) Regulatory Guide 1.41, "Preoperational Testing of Redundant On-Site Electric Power Systems to Verify Proper Load Group Assignments"
- (e) Regulatory Guide 1.52, "Design, Testing, and Maintenance Criteria for Atmosphere Cleanup System Air Filtration and Adsorption Units of Light-Water-Cooled Nuclear Power Plants"
- (f) Regulatory Guide 1.68, "Preoperational and Initial Startup Test Programs for Water-Cooled Power Reactors"
- (g) Regulatory Guide 1.68.1, "Preoperational and Initial Startup Testing of Feedwater and Condensate Systems for Boiling Water Reactor Power Plants"
- (h) Regulatory Guide 1.79, "Preoperational Testing of Emergency Core Cooling Systems for Pressurized Water Reactors"

(i) Regulatory Guide 1.80, "Preoperational Testing of Instrument Air Systems"

(j) Regulatory Guide 1.108, "Periodic Testing of Diesel Generators Used as On-Site Electric Power Systems at Nuclear Power Plants"

(k) Regulatory Guide 1.118, "Periodic Testing of Electric Power and Protection Systems"

These regulatory guides are not regulations but reflect NRC staff judgments as to acceptable methods of satisfying the regulations.

A specific level of surveillance testing for safety-related systems is specified in the operating license for every reactor. NRC inspectors perform selective reviews of surveillance testing procedures and results and from time to time observe the conduct of tests to assure adequacy of such testing. Besides functional testing the NRC also requires qualification testing of individual components to assure adequate performance under all service conditions, especially those highly unlikely ones such as extreme environmental conditions and post-accident conditions that cannot be readily simulated in preoperational and start-up tests. In those cases where testing cannot be performed detailed analyses are required, using extremely conservative assumptions, to predict the behavior of structures, systems, and components important to safety. For example, in the case of an earthquake, qualification testing is combined with a very conservative analysis of earthquake motion to predict the structural behavior of the nuclear plant during the course of the earthquake.

The preceding sections have discussed the general aspects of the overall NRC regulatory program. In view of the concerns of the petitioner regarding the off-shore floating nuclear plants, considerations relative to these plants will now be discussed.

Floating nuclear plants are essentially the same as land-based plants except for certain unique features associated with mounting the nuclear steam supply system on a floating foundation. The nuclear steam supply system is similar to those that have been previously licensed for land-based systems especially the McGuire Nuclear Station Units 1 and 2 (Docket Nos. 50-369 and 50-370), and the Catawba Nuclear Station Units 1 and 2 (Docket Nos. 50-413 and 50-414). The safety evaluations of these other facilities have previously been published and are available for public inspection at the Nuclear Regulatory Commission's Public Document Room described at the end of this Notice.

As mentioned above, major aspects of the floating nuclear plants are not unique and, as a result, much of the experience that was gained on land-based plants is directly applicable to the floating plants. The parts of the NRC program, relative to qualification testing of new components and preoperational and startup testing, as discussed previously, will continue to be applied in the case of the floating nuclear plants.

The primary novel features of a floating nuclear plant to be located off-shore are:

(a) A breakwater, if required, which protects the plant against storm generated waves and ships.

(b) A floating platform to support the nuclear power plant.

(c) A mooring system to restrict platform motion to acceptable levels.

(d) An environmental control system to control airborne salt, mist and fog and thus prevent the degradation of important safety systems.

(e) An electric power transmission system that utilizes a flexible connection at the plant and a high voltage cable embedded in the seabed.

(f) Vibratory motion which is different than that for land-based plants both as a result of overall platform rocking as well as machinery induced vibrations such as from the turbine generator.

These novel features are required to be design qualified. In addition to the usual extensive testing performed on all nuclear power plants, further emphasis is placed on assuring that the unique features of the floating plants function properly. This is done by requiring a combination of extensive detailed analyses, qualification testing, model testing, special system tests and verification tests to provide final assurance as to the functional capability of the features. The specific measures required will vary on a case-by-case basis depending, among other things, upon the features being considered and the different siting and environmental conditions. For example, extensive analysis is being required in the design of the breakwater. Impact calculations are required to be performed, using typical ship and breakwater parameters, to determine the ability of the breakwater to withstand a ship collision. In addition, scale model tests are being required in order to investigate ship collisions as well as to determine the effects on the breakwater of extreme storm conditions. Wind tunnel tests have been required to study the effect that different breakwater designs have on the wind loads produced on the nuclear plant.

The floating platform is also receiving much attention to assure its proper functioning. It has been designed utilizing experience gained in the design of ocean oil drilling rigs, oceangoing barges and supertankers. Detailed three-dimensional analyses are being required to assure adequate design. Furthermore, deflection and draft measurements are to be made during actual construction to verify that the design is adequate and nondestructive testing and visual inspections must be carried out after construction. Finally, special protective coatings will be required to be used to prevent corrosion in the splash zone and non-wetted areas while a cathodic protection system is to be used to prevent under-water corrosion.

Scale model tests are being required of the total floating system combining the platform, mooring system, mooring basin

geometry and breakwater design to verify that the various parts interact properly. Model tests are also being required for different mooring system arrangements, along with extensive analysis, in order to choose a final mooring system design.

The vibratory motion likewise is being treated as a special case for the floating nuclear plants. The dynamic testing and analysis techniques that will be used are receiving detailed review and approval by NRC. Extensive analyses must be carried out on the total turbine generator/turbine foundation/platform system to verify that the turbine is effectively decoupled from the platform. A preoperational dynamic effects test program will be required to measure the machinery induced vibrations similar to that developed during actual operations. Based on the test program, design modifications will be made as needed, with corrective restraints or other damping measures added, to assure that motions are within acceptable levels. Verification tests are to be performed to assure that the corrective measures were effective. Special turbine rotor deflection and bearing load tests are also planned to provide further assurance that the turbine will function properly. It should be emphasized that these tests will be performed on the actual, as-built floating plant at the manufacturing facility.

Summarizing, the NRC utilizes various techniques to verify the adequacy of a given design. These techniques include functional testing during the preoperational and startup phases, qualification testing of individual items, and surveillance and testing during the construction and operational phases. These testing techniques are combined with extremely conservative design analysis. The advantage of this philosophy of design verification is that it provides the greatest assurance that the specific power plant under consideration will function safely. On the other hand, the successful construction and operational testing of a pilot model or prototype version of a nuclear power plant will not guarantee the safe operation of a similar, but different, plant. Prototype testing can result in the testing of designs that are out-of-date and not representative of what is actually being installed. The NRC approach is an on-going approach which results in verification of the design of the plant actually being installed at the site. The land-based plants are the basic prototype for the floating nuclear plants and all the novel features of the floating plants will receive detailed case-by-case consideration, to assure safe and reliable operation.

The Commission has considered the petition for rule making as submitted by the ACCCE, as well as the comments that were received during the public comment period. The Commission agrees with the petitioner that the floating nuclear plants require extensive testing and that design qualification of these plants is needed. However, the Commission does

not agree with the approach that full scale operational system testing of pilot models or prototype versions of the floating nuclear plants, in the configuration expected in situ, is the best way to meet this need. Rather, it is the opinion of the Commission that the previously described approach of detailed design qualification of each of the novel features on a case-by-case basis, along with the usual NRC procedures that are followed on all nuclear power plants, is more effective and will provide adequate assurance that the health and safety of the public will be protected. Adding an extra requirement for prototype testing is not likely to provide any significant increase in this assurance. The petitioners have not shown that the requested rule change would enhance the public health and safety or lessen the impact on the environment. The requested rule change would impede the licensing process and prove costly to the industry, both in time and money, without any corresponding benefit or improvement in the regulatory process.

Hence the Commission has decided to deny the petition for rule making.

A copy of the petition for rule making and copies of the letters of comment concerning the petition are available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C.

Dated at Washington, D.C., this 17th day of May 1977.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc. 77-14430 Filed 5-18-77; 8:45 am]

[Docket No. 50-254]

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. 41 to Facility Operating License No. DPR-29, issued to Commonwealth Edison Company (acting for itself and on behalf of the Iowa-Illinois Gas and Electric Company), which revised the license and Technical Specifications appended thereto for operation of the Quad Cities Nuclear Power Station Unit No. 1 (the facility) located in Rock Island County, Illinois. The amendment is effective as of its date of issuance.

The amendment (1) authorized operation with additional 8 x 8 fuel assemblies, (2) incorporated revised MAPLHGR and MCPR limits in response to the plant specific analysis for reload 3, and (3) modified License Condition 3.C to reflect end-of-cycle scram reactivity conditions for reload 3.

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 Com-

mission 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 impact statement or negative declaration and 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 January 21, 1977, and a supplement thereto dated April 25, 1977, (2) Amendment No. 41 to License No. DPR-29, 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 60625. 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, Md., this third day of May 1977.

For the Nuclear Regulatory Commission.

DON K. DAVIS,

Acting Chief, Operating Reactors Branch No. 2, Division of Operating Reactors.

[PR Doc.77-14265 Filed 5-18-77;8:45 am]

[Docket No. PRM-50-20]

FREE ENVIRONMENT, INC., ET AL.

Filing of Petition for Rule Making

Notice is hereby given that Louis J. Sirico, Jr., Esquire, has filed with the Nuclear Regulatory Commission a petition for rulemaking dated April 25, 1977, on behalf of Free Environment, Inc.; Citizens United for Responsible Energy; the Iowa Public Interest Research Group; the Good News General Store Cooperative; the New Pioneer Cooperative Society; the Iowa Federation of Women's Clubs; the Women's International League for Peace and Freedom, Des Moines Branch; and Citizens for Environmental Action.

The petitioners request the Commission to amend its regulation "Licensing of Production and Utilization Facilities," 10 CFR Part 50, before proceeding with any processing of license applications for the Central Iowa Nuclear Project, to require that:

1. Nuclear reactors be located below ground level; and
2. Nuclear reactors be housed in sealed buildings, within which permanent heavy vacuums are maintained; and
3. A full-time federal employee, with full authority to order the plant to be

shut down in case of any operational abnormality, always be present in a nuclear generating station; and

4. The Central Iowa nuclear project and other reactors be sited at least 40 miles from major population centers.

The petitioners refer to the petition for rulemaking (PRM-50-19) filed with the Commission on January 21, 1977, by the Connecticut Citizens Action Group, et al., for arguments and documentation to support this petition (PRM-50-20).

The petitioners state that:

Briefly, the placing of reactors underground has been recommended by nuclear proponent Dr. Edward Teller and others; housing reactors in sealed buildings is practiced by Canada in CANDU reactors as a safety measure; placing a full-time Federal employee on the premises with authority to order a shut-down, and also locating reactors in sparsely populated areas, have been recommended by numerous citizens' groups, with the latter of these two being endorsed in non-binding NRC guidelines for reactor siting.

In the exercise of its continuing responsibility to provide adequate protection for the health and safety of the public and to carry out its licensing and related regulatory functions in a manner which will assure that nuclear power plants are constructed and operated in accordance with strict safety standards, the Commission has work under way on two of the matters addressed in the petition. Since information on this work may be of interest to persons desiring to comment on the petition, a brief description of it is provided in this notice.

In the spring of 1975, the Commission contracted for a study on the underground siting of nuclear power reactors. A report on the results of this study is expected to be completed by mid-1977. This report will address a portion of the factors that must be considered in determining the overall utility of underground siting of nuclear power plants.

In November 1976, the Commission staff undertook an assessment of the feasibility of instituting a program of full-time inspection at operating reactors. This assessment, which contains an analysis of various alternatives for inspecting operating reactors, including as one of the alternatives the placement of a full-time NRC employee in the control room of each nuclear power plant, also is expected to be completed by mid-1977.

A copy of the petition for rule making is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555.

A copy of the petition may be obtained by writing to the Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

All interested persons who desire to submit written comments or suggestions concerning the petition for rule making should send their comments to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, by July 18, 1977.

Dated at Washington, D.C., this 13th day of May 1977.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[PR Doc.77-14261 Filed 5-18-77;8:45 am]

[Docket No. 50-331]

IOWA ELECTRIC LIGHT AND POWER CO., ET AL.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 333 to Facility Operating License No. DPR-49 issued to Iowa Electric Light and Power Company, Central Iowa Power Cooperative, and Corn Belt Power Cooperative, which revised Technical Specifications for operation of the Duane Arnold Energy Center, located in Linn County, Iowa. The amendment is effective as of its date of issuance.

The amendment consists of changes to the Technical Specifications that will allow operation of DAEC in Core Cycle 3 by appropriately modifying the core thermal limits and adding a restriction on operations in the natural circulation mode.

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 impact statement or negative declaration and 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 January 31, supplemented by letters dated March 10, March 15, March 23 and May 5, (2) Amendment No. 33 to License No. DPR-49, 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 Cedar Rapids Public Library, 426 Third Avenue, SE., Cedar Rapids, Iowa 52401. 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 6th day of May 1977.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors
Branch No. 3, Division of
Operating Reactors.

[FR Doc.77-14039 Filed 5-18-77;8:45 am]

[Docket Nos. STN 50-580 and STN 50-581]

OHIO EDISON CO., ET AL.

Availability of Applicant's Environmental Report

Pursuant to the National Environmental Policy Act of 1969 and the regulations of the Commission in 10 CFR Part 51, the Ohio Edison Company, the Cleveland Electric Illuminating Company, Duquesne Light Company, Pennsylvania Power Company, and the Toledo Edison Company have filed an Environmental Report, dated April 29, 1977, in support of their application to construct and operate the Erie Nuclear Plant, Unit Nos. 1 and 2 to be located in Erie County Ohio. The report, which discusses environmental considerations related to the construction and operation of the proposed facility is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and the Berlin Township Public Library, 4 East Main Street, Berlin Heights, Ohio. Copies of the report are also being made available at the Office of the Governor, State Clearinghouse, State Office Tower, 30 East Broad Street, Columbus, Ohio, and at the Toledo Metropolitan Area Council of Governments, 420 Madison Avenue, Toledo, Ohio.

After the Environmental Report has been analyzed by the Office of Nuclear Reactor Regulation staff, a Draft Environmental Statement will be prepared. Upon preparation of the draft Environmental Statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft statement, with a request for comments from interested persons on the draft statement. The summary notice will also contain a statement to the effect that comments of Federal agencies and State and local officials will be made available when received. Upon consideration of comments submitted with respect to the Draft Environmental Statement, the staff will prepare a Final Environmental Statement, the availability of which will be published in the FEDERAL REGISTER.

Dated at Rockville, Maryland, this 9th day of May 1977.

For the Nuclear Regulatory Commission.

WM. H. REGAN, Jr.,
Chief, Environmental Projects
Branch 2, Division of Site
Safety and Environmental
Analysis.

[FR Doc.77-14042 Filed 5-13-77;8:45 am]

REGULATORY GUIDES

Expiration of Initial Public Comment Period

The Nuclear Regulatory Commission staff has, after consideration of the public comments received to date on seven guides from its Regulatory Guide Series, determined that there is no need for a revision at this time. Most regulatory guides are revised to reflect additional staff review and public comments received during the initial 60-day comment period following a guide's first issuance. However, in a few cases, a guide may deal with a noncontroversial subject or may be a simple codification of existing practice, and therefore there may be no need for a revision. The guides noticed here are in this latter category, and for this reason the staff has concluded that no changes are needed at this time. The staff is therefore now using the guides in evaluating applicant and licensee submittals and performance, as noted in the guides' implementation sections.

The guides involved are 1.8, "Personnel Selection and Training"; 1.112, "Calculation of Releases of Radioactive Materials in Gaseous and Liquid Effluents from LWRs"; 2.4, "Review of Experiments for Research Reactors"; 3.30, "Selection, Application, and Inspection of Protective Coatings (Paints) for Fuel Reprocessing Plants"; 3.31, "Emergency Water Supply Systems for Fuel Reprocessing Plants"; 7.5, "Administrative Guide for Obtaining Exemption from Certain NRC Requirements Over Radioactive Material Shipments"; and 8.10, "Operating Philosophy for Maintaining Occupational Radiation Exposure As Low As Is Reasonably Achievable."

The first pages of the guides (or the entire guide, in the case of 1- or 2-page guides) with the words "For Comment" deleted are being reissued to the distribution list for the appropriate division. The letter "R" added to the revision number is to indicate that the page (or guide) has been reissued with no changes in the text. For example, "Revision O-R" indicates that the guide as originally issued is being reissued unchanged.

Requests for single copies of the reissued first pages (or guides) should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Document Control.

Comments and suggestions for improvements in regulatory guides are encouraged at all times, and guides are revised, as appropriate, to accommodate comments and reflect new information or experience. However, newly issued guides have an initial comment period of about two months after issuance. Following the expiration of this period, the staff reviews the comments and revises the guides, as appropriate, to reflect such suggestions as alternative ways of achieving acceptable levels of safety and safeguards.

(5 U.S.C. 552(a).)

Dated at Rockville, Maryland, this 9th day of May 1977.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director, Office of
Standards Development.

[FR Doc.77-14040 Filed 5-18-77;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 3.41, Revision 1, "Validation of Computational Methods for Nuclear Criticality Safety," provides a procedure acceptable to the NRC staff for validating methods of calculation, primarily for electronic computer codes. This guide endorses ANSI Standard N16.9-1975, "Validation of Computational Methods for Nuclear Criticality Safety." Consideration of public comments and additional staff review indicated the need for only minor changes in this revision to correct the designation of the standard.

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 Branch.

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 in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Document Control. 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, Md., this 10th day of May 1977.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director, Office of
Standards Development.

[FR Doc.77-14264 Filed 5-18-77;8:45 am]

[Docket Nos. 50-361-OL and 50-362-OL]

**SOUTHERN CALIFORNIA EDISON CO. AND
SAN DIEGO GAS & ELECTRIC CO.**

**Establishment of Atomic Safety and
Licensing Board To Rule on Petitions**

Pursuant to delegation by the Commission dated December 29, 1972, published in the FEDERAL REGISTER (37 FR 28710) and §§ 2.105, 2.700, 2.702, 2.714, 2.714a, 2.717 and 2.721 of the Commission's Regulations, all as amended, an Atomic Safety and Licensing Board is being established to rule on petitions and/or requests for leave to intervene in the following proceeding:

SOUTHERN CALIFORNIA EDISON CO. AND SAN
DIEGO GAS & ELECTRIC CO.

(San Onofre Nuclear Generating Station,
Units 2 and 3.)

This action is in reference to a notice published by the Commission on April 7, 1977, in the FEDERAL REGISTER (42 FR 18460) entitled "Receipt of Application for Facility Operating Licenses; Availability of Environmental Report; and Opportunity for Hearing".

The members of the Board and addresses are as follows:

John M. Fryniak, Esq., Chairman, Atomic
Safety and Licensing Board Panel, U.S.
Nuclear Regulatory Commission, Wash-
ington, D.C. 20555.

Dr. Cadet H. Hand, Jr., Member, Director,
Bodega Marine Laboratory, University of
California, P.O. Box 247, Bodega Bay, Cal-
ifornia 94923.

Mr. Lester Kornblith, Jr., Member, Atomic
Safety and Licensing Board Panel, U.S.
Nuclear Regulatory Commission, Wash-
ington, D.C. 20555.

Dated at Bethesda, Md., this 12th day
of May 1977.

ATOMIC SAFETY AND LICENS-
ING BOARD PANEL,
JAMES R. YORE,
Chairman.

[FR Doc.77-14266 Filed 5-18-77;8:45 am]

[Docket No. PRM-20-9]

TECH/OPS

Filing of Petition for Rule Making

Notice is hereby given that Tech/Ops Radiation Products Division, 40 South Avenue, Burlington, Massachusetts, by letter dated April 15, 1977, has filed with the Nuclear Regulatory Commission a petition for rule making to amend the Commission's regulation "Standards for Protection Against Radiation", 10 CFR Part 20.

The petitioner requests the Commission to amend 10 CFR Part 20 by revising paragraph 20.205(c)(2) to read as follows:

§ 20.205(c)(2). If radiation levels are found at five centimeters from the external surface of the package in excess of 100 millirem per hour, or at three feet from the external surface of the package in excess of 10 millirem per hour, the licensee shall immediately notify by telephone and telegraph, mailgram or facsimile, the Director of the appropriate NRC Regional Office listed in Appendix D, and the final delivering carrier. Radiation levels shall be determined by measurements averaged over a cross sectional area of ten square centimeters with no linear dimension greater than five centimeters.

The petitioner states that determination of the maximum radiation intensity at the surface of the package requires measurements at a finite distance from the surface of the package, knowledge of the non-uniformity of the radiation field, and calculations to correct for the averaging of the detector and the geometry of the package, survey instrument and detector. It is the view of the petitioner that this procedure is impractical and can lead to inconsistent results.

The petitioner contends that as the rationale for specifying surface radiation level limits is to provide a degree of control on external radiation dose rates to personnel, this control can be maintained through specification of radiation level limits which can be practicably implemented. The petitioner states that specification of radiation level limits at a distance of five centimeters from the surface of the package allows the level to be actually measured at the axis of a detector, and specification of the area over which the intensity may be averaged minimizes the inconsistency which arises over non-uniform radiation fields and large versus small detectors.

The petitioner states that the proposed amendment would provide lower radiation levels than the current regulation in all cases with the exception of devices with a source to surface distance in the range of 2.00 to 4.82 inches. The petitioner contends that although the surface radiation level in this size region is greater, there is a greater degree of control of whole body exposure than is allowed for larger packages under the current regulation.

A copy of the petition for rule making is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. A copy of the petition may be obtained by writing to the Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

All persons who desire to submit written comments or suggestions concerning the petition for rule making should send their comments to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch by July 18, 1977.

Dated at Washington, D.C., this 12th day of May 1977.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc.77-14269 Filed 5-18-77;8:45 am]

[Docket No. PRM-34-1]

TECH/OPS

Filing of Petition for Rule Making

Notice is hereby given that Tech/Ops, Radiation Products Division, 40 South Avenue, Burlington, Massachusetts, by letter dated April 15, 1977, has filed with the Nuclear Regulatory Commission a petition for rule making to amend the Commission's regulation "Licenses for Radiography and Radiation Safety Requirements for Radiographic Operations", 10 CFR Part 34.

The petitioner requests the Commission to amend 10 CFR Part 34 by revising section 34.21 to read as follows:

§ 34.21 Limits on levels of radiation for radiographic exposure devices and storage containers. With the sealed source in the shielded or "off" position radiographic exposure devices and storage containers for sealed sources shall have no radiation level in excess of 100 milliroentgens per hour at five centimeters from any exterior surface of the device and 10 milliroentgens per hour at one meter from any exterior surface of the device. Compliance with the exposure limits shall be determined by measurements averaged over a cross sectional area of ten square centimeters with no linear dimension greater than five centimeters.

The petitioner states that determination of the maximum radiation intensity at the surface of the device requires measurements at a finite distance from the surface of the device, knowledge of the non-uniformity of the radiation field, and calculations to correct for the averaging of the detector and the geometry of the device, survey instrument and detector. It is the view of the petitioner that this procedure is impractical for radiographic operations and can lead to inconsistent results.

The petitioner contends that as the rationale for specifying surface radiation levels limits is to provide a degree of control on external radiation dose rates to personnel, this control can be maintained through specification of radiation level limits which can be practicably implemented. The petitioner states that specification of radiation level limits at a distance of five centimeters from the surface of the device allows the level to be actually measured at the axis of a detector, and specification of the area over which the intensity may be averaged minimizes the inconsistency which arises over non-uniform radiation fields and large versus small detectors.

The petitioner states that the proposed amendment would provide lower radiation levels than the current regulation in all cases with the exception of devices with a source to surface distance in the range of 4.00 to 4.82 inches, and in this range the levels allowed by the proposed amendment exceed those allowed by the

current regulation by a maximum of 12%.

A copy of the petition for rule making is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. A copy of the petition may be obtained by writing to the Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

All persons who desire to submit written comments or suggestions concerning the petition for rulemaking should send their comments to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, by July 18, 1977.

Dated at Washington, D.C., this 12th day of May 1977.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc. 77-14260 Filed 5-18-77; 8:45 am]

[Docket Nos. STN 50-518, STN 50-519, STN 50-520, and STN 50-521]

TENNESSEE VALLEY AUTHORITY (HARTSVILLE NUCLEAR PLANTS, UNITS A1, B1, A2 AND B2)

Issuance of Construction Permits

Notice is hereby given that, pursuant to the Initial Decision of the Atomic Safety and Licensing Board dated April 28, 1977, the Nuclear Regulatory Commission (the Commission) has issued Construction Permits Nos. CPPR-150, CPPR-151, CPPR-152 and CPR-153 to the Tennessee Valley Authority for construction of four boiling water nuclear reactors at the applicant's site, on the Cumberland River, approximately 40 miles northeast of Nashville in Smith and Trousdale Counties, Tennessee.

The proposed reactors, known as the Hartsville Nuclear Plants, Units A1, B1, A2 and B2 (the facilities), are each designed for a rated power of 3579 megawatts thermal with a net electrical output of 1233 megawatts.

The Initial Decision is subject to review by an Atomic Safety and Licensing Appeal Board prior to becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the Initial Decision may be reviewed by the Commission.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the construction permits. Each construction permit includes a statement that it is subject to the outcome of the proceedings in *Natural Resources Defense Council v. Nuclear Regulatory Commission* (D.C. Circuit, July 21, 1976) Nos. 74-1385 and 74-1586. The application for the construction permits complies with the standards and

requirements of the Act and the Commission's rules and regulations.

The construction permits are effective as of their dates of issuance. The earliest date for completion of Unit A1 is November 30, 1981, and the latest date for completion is February 28, 1983. The earliest date for completion of Unit B1 is May 31, 1982, and the latest date for completion is August 31, 1983. The earliest date for completion of Unit A2 is November 30, 1982, and the latest date for completion is February 29, 1984. The earliest date for completion of Unit B2 is May 31, 1983, and the latest date for completion is August 31, 1984. The permits shall expire on the latest dates for completion of the facilities.

A copy of (1) the Initial Decision dated April 28, 1977; (2) Construction Permits Nos. CPPR-150, CPPR-151, CPPR-152 and CPPR-153; (3) the report of the Advisory Committee on Reactor Safeguards, dated May 13, 1976; (4) the Office of Nuclear Reactor Regulation's Safety Evaluation Report dated April 1976, and supplements thereto; (5) the Preliminary Safety Analysis Report and amendments thereto; (6) the Applicant's Environmental Report dated October 10, 1974, and supplements thereto; (7) the Draft Environmental Statement dated December 1974; and (8) the Final Environmental Statement dated June 1975, are available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C., and the Fred A. Vought Library, 311 White Oak Street, Hartsville, Tennessee 37173. A copy of the item (2), may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Project Management. Copies of the Safety Evaluation Report (NUREG-0014) and the Final Environmental Statement (NUREG-75/039) may be purchased, at current rates, from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Bethesda, Maryland, this 9th day of May, 1977.

For the Nuclear Regulatory Commission.

STEVEN A. VARGA,
Chief, Light Water Reactors
Branch 4, Division of Project
Management.

[FR Doc. 77-14043 Filed 5-18-77; 8:45 am]

[Docket No. 50-29]

YANKEE ATOMIC ELECTRIC CO. Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 38 to Facility Operating License No. DPR-3, issued to Yankee Atomic Electric Company (the licensee), which revised Technical Specifications for operation of the Yankee Nuclear Power Station (Yankee-Rowe) (the facility) located in Rowe, Franklin

County, Massachusetts. The amendment is effective as of its date of issuance.

The amendment deletes the provision for visual inspections of accessible portions of the reactor coolant system from the reactor coolant system surveillance requirements.

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 impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated December 9, 1976, (2) Amendment No. 38 to License No. DPR-3, 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 Greenfield Public Library, 422 Main Street, Greenfield, Massachusetts 01581. 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 3rd day of May 1977.

For the Nuclear Regulatory Commission.

A. SCHWENCER,
Chief, Operating Reactors
Branch No. 1, Division
of Operating Reactors.

[FR Doc. 77-14044 Filed 5-18-77; 8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

[N-AR 77-20]

STATISTICAL CHART: SAFETY RECOMMENDATIONS AND RESPONSES

Availability and Receipt

Chart of 1976 Transportation Fatalities. The transportation death toll in the United States levelled off in 1976 after three years of decline, according to preliminary statistics released May 14 by the National Transportation Safety Board.

There were 49,565 fatalities in all transport modes last year, as compared with 49,502 in 1975, a different of 0.15 percent. Highway fatalities turned slightly upward, increasing from 44,690 to 44,807, or less than 1 percent. There

had been a nearly 20 percent decrease in 1974 and a 2 percent decrease in 1975. Highway fatalities historically account for more than 90 percent of all U.S. transportation fatalities.

In the various modes, grade crossing fatalities increased by 24 percent, from 910 to 1,124. Pipeline fatalities rose from 30 to 82, an increase of 173 percent. Other modes all showed decreases, with airlines down from 124 to 45 (64 percent); railroads, 564 to 503 (11 percent); marine, 1,860 to 1,741 (6 percent); and general aviation, 1,324 to 1,273 (4 percent).

The Safety Board's statistics were issued in the form of its annual pie chart of transportation fatalities, attached to press release SB 77-26.

NEW AVIATION SAFETY RECOMMENDATIONS

A-77-23, issued May 11 to the Federal Aviation Administration. Safety Board investigation of the accident involving a Bell Model 206B helicopter last February 18 at Atlanta, Georgia, has revealed that the main rotor hub trunnion (P/N 206-011-113-1) fractured and separated as the helicopter departed an aerial pickup station. The helicopter was at an altitude of approximately 60 feet when witnesses saw parts separate from the main rotor system. The helicopter struck the ground about 600 yards beyond the point of departure. The pilot was injured seriously; the second crewmember, positioned in the right rear seat, was injured slightly.

The Safety Board analyzed the fractured trunnion at its metallurgical laboratory and found that the trunnion failed in fatigue, which had originated in the radius of the bearing journal as a result of machine grinding burns. Total time on this trunnion was 4,060.3 hours. The trunnion has an infinite service life, provided it passes the prescribed magnetic particle inspection at 1,200 hour intervals. While this particular trunnion had been inspected only 380 service hours before it fractured, there was no evidence of a crack even though traces of proceal were found to be present in the crack during postaccident examination, indicating that the crack had originated prior to that inspection.

In view of the potentially catastrophic consequences associated with such a failure, the Safety Board recommends that FAA:

Issue an Airworthiness Directive to require an immediate one-time magnetic particle inspection of all Bell main rotor hub trunnions P/N 206-011-113-1, in accordance with the Bell Helicopter published maintenance and overhaul procedures, to detect machining deficiencies, surface irregularities, and cracks. (A-77-23) (Class I-Urgent Followup)

A-77-24 and 25, issued May 13 to the Federal Aviation Administration. Concern about alcohol as a cause or factor in aircraft accidents has led the Safety Board to ask FAA to amend its regulations.

During its investigation of a Piper Cherokee Cruiser accident, which occurred last December 19 at the Baltimore

(Maryland) Memorial Stadium, the Safety Board and the City of Baltimore had difficulty obtaining a blood sample taken from the pilot when he was admitted to the hospital. A court order was required to obtain samples for alcohol testing.

The Board has determined that alcohol is a cause or a factor in about 40 aircraft accidents each year, almost all fatal. However, in many survived accidents, the Board is unable to obtain a blood alcohol test of the pilot since he must consent to the testing. Because of the consent limitations, there is currently no method for determining the number of alcohol-related survivable aircraft accidents. Accordingly, the Safety Board recommends that FAA:

Amend 14 CFR 61.3 to include an implied consent clause which would be a condition for the issuance of a pilot certificate. (A-77-24) (Class II—Priority Followup)

Amend 14 CFR 91.11 to specify alcohol levels at which a pilot is considered to be under the influence of alcohol. (A-77-25) (Class II—Priority Followup)

SAFETY RECOMMENDATION RESPONSES

Aviation: A-71-59. Letter of May 6 from the Federal Aviation Administration updates progress in implementing the Board's recommendation calling for FAA to initiate action to incorporate in its airworthiness requirements a provision for fuel system safety devices which will be effective in the prevention and control of both in-flight and postcrash fuel system fires and explosions.

FAA reports that it has been reviewing the numerous comments in response to its notice of proposed rulemaking No. 74-16 (39 FR 12260, April 4, 1974), which is directly related to this subject. FAA states, "Some commenters argued that the proposed requirements would have little or no effect in reducing the hazards of impact-survivable airplane accidents when the fuel system integrity is breached." Some commenters claimed that the problems the proposed requirements were trying to solve could be more efficiently and effectively accomplished by other means, according to FAA.

FAA believes that a public hearing would provide a forum to obtain additional information which would help determine the proper course of action on this and related matters. Therefore, FAA has scheduled a public hearing from June 13 to June 17, 1977, as officially announced in the April 25, 1977, *FEDERAL REGISTER* (42 FR 21202).

Highway: H-76-31 and 32. Federal Highway Administration's letter of April 22 is in response to recommendations developed following investigation of the February 7, 1976, collision of a freight train and a pickup truck at Beckemeyer, Illinois. (See 41 FR 44235, October 7, 1976.) The recommendations asked FHWA to develop a formula for use in determining when to close a hazardous grade crossing (H-76-31) and to publish models, formulae, and criteria, make them available to each State and to operating railroads, and urge their use in assessing grade crossings (H-76-32).

FHWA's letter notes the similarity of these recommendations and recommendations H-76-21 and 22 which arose from Board investigation of a collision between a passenger train and a truck at Elwood, Illinois, November 19, 1975. (See 41 FR 26078, June 24, 1976.) FHWA reports that the general subject of railroad/highway crossings have been discussed in interagency meetings and communication exchanges over the past several months.

FHWA asks that recommendation H-76-31 be considered in light of its formal responses last October (41 FR 47291, October 28, 1976) to recommendations H-76-21 and H-76-22, as well as the response last December (42 FR 1323, January 6, 1977) by the Federal Railroad Administration to Safety Board recommendation R-76-14 which cross-referenced the FHWA response to H-76-22. Those responses described work initiated about 18 months ago to develop a Railroad-Highway Grade Crossing Handbook, which will include grade crossing upgrading and closure criteria, according to FHWA. In addition, FHWA has worked with a task force of the National Advisory Committee on Uniform Traffic Control Devices to develop a new section of the Manual on Uniform Traffic Control Devices. This new section will include a supplement (Part VIII, Railroad-Highway Grade Crossings) which will contain criteria for analyzing need for upgrading, eliminating, or closing railroad-highway crossings.

It is not considered possible, according to FHWA, to develop models or formulae in view of the varying character of and circumstances surrounding grade crossings. FHWA has adopted the approach, therefore, of establishing criteria for crossing closure. FHWA states:

Although each grade crossing requires individual analysis, a systems approach can be advantageous in determining recommendations regarding a series of crossings on a single line of railroad or in a community or a defined portion of an urban area. The systems approach should be related to the affected street system of the area and should have as an objective the elimination of non-essential grade crossings not provided with adequate active traffic control systems. Such eliminations may be accomplished by constructing grade separations where they are justified, closing nonessential crossings, and installing active traffic control systems at crossings not so equipped. In some situations, it may be practical to eliminate or relocate the line of railroad.

FHWA states that these subjects should be given attention in evaluating the necessity for a crossing: (1) The nature of the area served by the street or highway in the vicinity of the grade crossing, including school, hospital, fire station, police station, business establishment, and other public building; (2) growth trends and prospective development along the street, based on short-range planning; (3) daily volume and type of vehicular traffic using crossing; (4) availability of alternate crossings, route circuitry, and added traffic distance; and (5) accident experience or

potential hazards at the crossing, including number and severity of accidents, type and number of trains, train speeds, time crossing is blocked, restricted view, adverse physical conditions, and time and volume of vehicle and pedestrian traffic.

FHWA further notes that closing of a grade crossing should result in one or more of the following benefits:

1. One point of potential collision between train and vehicular traffic will be eliminated.
2. There will be resulting economy for both the public authority and the railroad in eliminating the cost of maintenance of the crossing surface, roadway approaches, and traffic control devices.
3. In most instances, an alternate vehicular route will be available over a crossing equipped with superior traffic control devices or a grade separation because that route is a more important road with a greater traffic volume.
4. Regardless of the relative importance of the closed route and its alternate, the potential for grade crossing accidents will be reduced for the combined traffic because it has been demonstrated that the rate of occurrence of accidents increases at a slower rate than increase in traffic volume, other influencing factors being equal.

Concerning recommendation H-76-32, FHWA reports that the Railroad-Highway Grade Crossing Handbook, planned for this June but now scheduled for completion in October 1977, will contain criteria for determining railroad-highway grade crossing improvements, elimination, or closure. This handbook is intended as a digest of technical and procedural information, in easy-to-understand language, on railway-highway crossings for use by practicing design, traffic, railroad, and utility engineers. The handbook will also serve as a source document for consulting engineers, educators, students, and others involved in grade crossing safety. Additional information regarding railway-highway crossings may be found in the October 1976 response by FHWA to recommendations H-76-21 and 22.

According to FHWA, a further publication of crossing closure criteria will be contained in the Part VIII Supplement (Railroad-Highway Grade Crossings) to the Manual on Uniform Traffic Control Devices. FHWA plans to issue within its directives communication system, a Notice which will be distributed to appropriate State agencies and to operating railroads through the Association of American Railroads.

Pipeline: P-76-1. Southern Union Gas Company of Dallas, Texas, under date of April 28 updates information on a project underway since last summer to evaluate equipment which would make feasible the identification of locations where crevice corrosion had taken place. The recommendation, which asked Southern Union to work with developmental manufacturing firms to determine if an internal inspection tool could be utilized to detect defective flash welds in its Farmington-Albuquerque pipeline system, was issued following Board investigation of the March 15, 1974, natural gas pipeline rupture near Farmington, New Mexico. (See 41 FR 4366, January 29, 1976.)

Southern Union reports that it has run tests utilizing acoustic emission equipment supplied by Trodyne, Inc., of New Jersey. The final tests were completed in late November, but because of the winter heating season, the company was unable to inspect the pipeline on which the tests had been run. Such inspection was proposed for the early spring, but now Southern Union has contracted with another firm to inspect this same line, using a device utilizing a field of magnetic flux. When the survey has been made, Southern Union will compare the results to those achieved with the acoustic emission system. Each "suspect" area will be visually examined to determine whether at present there is any system by which crevice corrosion may be determined. Completion is expected by mid-year.

Railroad: R-75-24. Federal Railroad Administration letter of April 26 updates initial response of September 8, 1975 (40 FR 43097, September 18, 1975). The recommendation resulted from the Safety Board's investigation of the December 1, 1974, commuter train accident at Huntington Station, New York. FRA was asked to promulgate regulations for rail transit operators which will (1) prevent or reduce the incidence of serious injury to persons entering or leaving rapid transit cars, (2) specify the information passengers should be furnished to assure their safety when entering or leaving transit cars, and (3) require a standard door incident reporting system to evaluate the effectiveness of various door systems and operating practices.

Results of FRA's investigation of various aspects of car door safety and FRA's conclusions regarding promulgation of Federal car door safety standards are synopsized in a letter dated March 30, 1977, addressed by FRA to the Honorable John Carey, Mayor of Rye, New York; FRA has provided a copy of that letter.

As indicated in FRA's letter to the Mayor of Rye, on March 8, 1975, FRA was petitioned to initiate rulemaking that would prescribe safety standards for power operated slide doors on passenger cars such as those used by rail commuters in the Rye area. FRA's subsequent investigation included meetings with carriers operating rail commuter equipment in the Rye area and other metropolitan regions and with representatives of the car manufacturers, sliding door equipment manufacturers and several rapid transit operators. Also FRA safety personnel conducted individual inspections of this type of equipment and the operating practices of carriers using the equipment.

FRA has recently completed a full-scale review of the data obtained from these efforts, and states, "That review disclosed that the operation of sliding doors on rail commuter cars presents a small safety hazard in terms of overall rail safety." FRA also told the Mayor, "Furthermore, the particular danger that you addressed in your letter has produced an accident record that is geographically limited to your general area of the country."

In view of the limited magnitude of the problem and its regional nature, FRA said that it "... decided to work initially with the carriers in your region to try to obtain voluntary efforts to resolve this problem. These carriers have responded to FRA's efforts and have taken actions to correct the deficiencies that appear to present the dangers you associated with these doors." FRA's March 30 letter to the Mayor further states:

These voluntary efforts, in FRA's judgment, will resolve the problem for the existing passenger car fleet operating in your region. FRA is also initiating efforts, together with the Urban Mass Transit Administration, so that new rail commuter and rapid transit equipment will incorporate safer performance criteria for power operating sliding doors.

FRA also considered the issue of whether a regulation on this subject would be beneficial regardless of carrier efforts to correct the deficiencies. Consequently, FRA conducted an economic analysis to study the relative costs and benefits that a regulation would produce. That analysis indicated that the prospective costs of a regulation would be high since large scale modification work would be required on a nationwide basis. The benefits of such a regulation would not be sufficient, in FRA's judgment, to warrant this increased cost.

Consequently, FRA has concluded that a regulation, such as that proposed in your March 8, 1975, letter, is not the appropriate course of action and FRA hereby denies your petition for rulemaking.

Railroad: R-76-15. Federal Railroad Administration letter of April 21 responds to the Safety Board's request of last November 18 for reexamination of and the provision of additional clarifying information regarding this recommendation. FRA was asked to insure that switches in signal territory are so protected that related signals governing train movements will display their most restrictive aspects if the switch points do not close properly.

The Board's November 18 letter was in reply to FRA's initial response of October 26 (41 FR 48617, November 4, 1976), wherein the Board stated that its recommendation refers to signal protection provided when the switch points do not properly fit the rail (rather than to a device to detect a broken or damaged switch point), and was made to correct an unsafe condition which arose and can arise again when switch points are not aligned and the misalignment is undetected by the signal system. The recommendation resulted from investigation of the collision of two Penn Central freight trains near Pettisville, Ohio, February 4, 1975.

FRA's letter of April 21 provides an account of the operation of the east switch (1A) of the crossover at Pettisville at the time of the accident. FRA concludes that the signal system was "unable to detect the broken and run through switch."

FRA notes that the carrier must maintain the point detector adjustment within $\frac{1}{4}$ " of both full normal and full reverse positions as required by "Rules, Standards and Instructions for Railroad Signal Systems," section 236.334. ("Applicable Rules and Regulations" for ref-

erence are attached to the FRA letter.) The carrier complied with requirements of section 236.334 and with the monthly switch obstruction test requirements of sections 236.382 and 236.109 of these Rules.

FRA further states that in the Pettisville accident, one train passed a signal which displayed a "Stop" aspect and ran through switch 1A, which was not lined for the move. FRA said, "The crew failed to comply with the signal indication, proceeded through the control limits of CP327, breaking and bending the switch, and failed to notify anyone that switch 1A was damaged. The crew also failed to protect the switch against all trains. This is a violation of the carrier's Operating Rule 'F'."

General Railway Signal Company manufactures independent normal and reverse point detector rods for GRS switch machines, according to FRA, and the Union Switch and Signal Company manufactures switch machines equipped with latchout devices to detect improper operation over the switch. "Had switch 1A been equipped with independent point detector rods," FRA stated, "the signal system may have detected the run through switch. If switch 1A had been operated by a Union Switch and Signal Company switch machine, equipped with a latchout device, the point detector rod would have moved when the switch was run through. Therefore, the signal system would not have detected the improper movement."

FRA finds, however, that the existing signal rules "adequately and effectively provide protection in the normal operation of the railroad." FRA does not consider it feasible to provide signal protection for any instance in which switch fittings or rods are bent or broken through vandalism or employee negligence.

Railroad: R-76-52 through 55. Federal Railroad Administration's letter of April 22 is an initial response to the recommendations resulting from Board investigation of the auto-train derailment which occurred May 5, 1976, near Jarratt, Virginia. (See 41 FR 52116, November 26, 1976.)

In answer to R-76-52, which asked FRA to establish national standards for inspecting railroad wheels to insure detection of critical conditions in wheels before in-service failures occur, FRA recounts its research efforts. In a study of the fracture resistance of railroad wheels, estimates have been obtained on the minimum crack size that could result in a wheel failure under various adverse service conditions, such as drag braking. Also, in an investigation of Metroliner wheels, mechanical and thermal conditions that produce thermal fatigue cracking were defined, and in another study, a wheel fatigue analysis was conducted to determine the mechanical and thermal service environments of wheels. FRA notes that as part of the industry-government track-train dynamics effort, additional data on wheel/rail loads and temperatures occurring

typically during revenue service will be obtained.

FRA states that several wayside wheel inspection techniques, including ultrasonics, acoustics and magnetics, have been investigated also. A detailed evaluation of a commercially available ultrasonic device showed that it was capable of detecting cracks in wheel rims. A research device which tests wheels acoustically has been fabricated, and although it has been demonstrated only for detecting plate cracks, FRA finds that it appears potentially useful for detecting rim cracks and substantial changes in residual stresses. Another study to determine the feasibility of using the Barkhausen Effect, a magnetic technique, to determine residual stresses in wheels indicates that this technique can measure large changes in residual stresses. FRA said that this technique appears less promising than the already investigated acoustic and ultrasonic techniques.

For informational purposes, FRA provided the following applicable reports of research activities:

Ultrasonic Detection of Plate Cracks in Railway Wheels.
Analysis of Railroad Car Truck and Wheel Fatigue.
The Cause of Thermal Fatigue Cracking in Metroliner Wheels.
Fracture Resistance of Railroad Wheels.
Feasibility of Flaw Detection in Railroad Wheels Using Acoustic Signatures.
Stress Measurements in Railroad Wheels Via the Barkhausen Effect.

When all research has been completed and results analyzed, FRA will determine the feasibility of detecting critical conditions before in-service failure occurs and the necessity for national railroad wheel inspection standards.

Re R-76-53, which asked FRA to review the methods for marking wheels and to determine whether the present method of marking wheel rims is detrimental to the service life of railroad wheels, FRA responds, "Actual wheel failure is caused by lost compression in the rim, not by markings on the rim. Once compression is lost, the failure then will follow the weakest path through the wheel, generally through a stress riser or marking. Although some wheel manufacturers do mark wheels on the rim, others mark the plate or hub." FRA said it will review the performance of wheels with markings in various locations to identify any relationship between wheel markings and wheel failure. If any particular method of marking wheels is found to be detrimental to the service life of railroad wheels, FRA will take appropriate corrective action.

Recommendation R-76-54 asked FRA to develop a method that does not depend on crew observation to detect automatically when a wheel(s) has failed or derailed. FRA states, "Although non-destructive testing techniques are expected to reduce the number of in-service failures by locating incipient defects prior to breakdown, some failures always will occur." Accordingly, FRA is

sponsoring several projects to develop concepts capable of automatically detecting when a wheel has failed or derailed. Some project findings are detailed in a report provided by FRA entitled "Anti-Derailment Sensor System." FRA is continuing research into this area to find the best method of detecting wheel failure and/or derailment.

R-76-55 recommended that FRA revise the Code of Federal Regulations to insure that wheels exposed or suspected of being exposed to critical temperatures are removed from service. In answer to that Class I (Urgent Followup) recommendation, FRA says it is currently investigating the merits of several concepts to determine their reliability in detecting whether a wheel has been subjected to critical wheel temperatures. One such concept involves the use of metal clips with known melting points or ranges. If successful, FRA said, this concept would provide a visual indication of excessive wheel temperatures. When research has been completed and results verified, FRA will consider revising the regulations to require use of temperature detectors.

NOTE: The above summarizes Safety Board documents made available and safety recommendation responses received during the week preceding publication of this notice in the FEDERAL REGISTER. The statistical chart and the complete safety recommendation letters as issued are available to the general public; single copies are obtainable without charge. Copies of the full text of responses to recommendations may be obtained at a cost of \$4.00 for service and 10¢ per page for reproduction. All requests must be in writing, identified by the recommendation number and date of publication of this notice in the FEDERAL REGISTER. Address inquiries to: Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594.

(Secs. 304(a)(2) and 307 of the Independent Safety Board Act of 1974 (Pub. L. 93-633, 88 Stat. 2169, 2172 (49 U.S.C. 1903, 1906)).)

MARGARET L. FISHER,
Federal Register Liaison Officer.

MAY 16, 1977.

[FR Doc. 77-14342 Filed 5-18-77; 8:45 am]

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

SPECIALTY STEEL QUOTAS

Possible Reallocation

MAY 16, 1977.

AGENCY: Office of the Special Representative for Trade Negotiations.

ACTION: Notice of Possible Reallocation of Specialty Steel Quota Shortfalls.

SUMMARY: Written comments are solicited from interested parties on the possible reallocation, within certain quota categories, from suppliers who are not likely to export the quantity of steel that would fill the current quotas assigned to them, to other suppliers who are able to supply additional steel.

DATES: Comments should be received on or before May 23, 1977. It is anticipated that any reallocations would be published in the *FEDERAL REGISTER* by May 31, 1977.

ADDRESS: Comments should be sent to the Secretary, Trade Policy Staff Committee, Room 728, 1800 G Street, NW., Washington, D.C. 20506.

FOR FURTHER INFORMATION CONTACT:

Karen Alleman, Office of the Special Representative for Trade Negotiations, Washington, D.C. 20506 (202-395-3395).

SUPPLEMENTARY INFORMATION: On June 11, 1976, the President proclaimed import relief for the domestic specialty steel industry for a period of three years in the form of an orderly marketing agreement with Japan and quotas on imports from other foreign suppliers. Headnote 2 of Subpart A, part 2 of the Appendix to the Tariff Schedules of the United States (TSUS) gives the Special Representative for Trade Negotiations authority to reallocate shortfalls during the last three months of each quota year.

This notice identifies likely shortfalls in quota quantities for the current restraint period (June 14, 1976-June 13, 1977) as listed below:

TSUS item	Supplier	Revised ¹ quota quantity	Estimated charges by June 13, 1977 in short tons	Potential shortfalls
923.20 (sheet and strip)	Col. 1 ² Sweden	3,162	2,063	1,099
		6,700	5,827	873
923.22 (bar)	European Economic Community, Canada	2,100	1,200	900
		1,100	953	147

¹ Revised quota quantities incorporate shortfall reallocations published in the *FEDERAL REGISTER* on March 18, 1977 (42 FR 15157).

² Countries entitled to the rate of duty in rates of duty columns numbered 1 in the Tariff Schedules of the United States but which have not been provided separate quota quantities.

Estimated charges by June 13, 1977 are extrapolated from actual charges against each quota quantity through April 29, 1977. No shortfalls are projected for the stainless steel rod or alloy tool steel categories. While shortfalls are possible in the plate category, no suppliers have filled their revised quotas at expected rates.

For the stainless steel sheet and strip and bar categories, in which likely shortfalls by some suppliers are projected, there are other suppliers who may be able to ship amounts in excess of the quotas now allocated to them and thus would benefit from any reallocations made. These suppliers are:

TSUS item	Supplier
923.20 (sheet and strip)	European Economic Community
923.22 (bar)	Other col. 1 countries, Sweden

ROBERT S. STRAUSS,
Special Representative
for Trade Negotiations.

[FR Doc. 77-14381 Filed 5-18-77; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard
[CGD 77-009]

EQUIPMENT, CONSTRUCTION, AND MATERIALS

Approval Notice

1. Certain laws and regulations (46 CFR Ch. I) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the outer Continental Shelf be of

types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from February 11, 1977 to March 22, 1977 (List No. 4-77). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of Title 46, United States Code, section 1333 of Title 43, United States Code, and section 198 of Title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.46(b)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction, and materials are set forth in 46 CFR Parts 160 to 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner cancelled or suspended by proper authority.

LIFEBOAT WINCHES FOR MERCHANT VESSELS

Approval No. 160.015/111/1, Model LS-1711 E survival capsule launching winch; approval listed for mechanical components only, and for a maximum working load of 18,000 lbs. on a single-part fall; identified by assembly drawing 57414, revision K dated April 15, 1976, and drawing list 41349-03-200 dated November 5, 1974, approved for use on artificial islands, fixed structures, and drilling rigs, both self-propelled and nonself-propelled with the Whittaker Survival Capsule, manufactured by Lake Shore, Inc., Iron

Mountain, Michigan 49801, effective March 15, 1977. (It supersedes Approval No. 160.015/111/0 dated November 12, 1976 to show change of working load.)

SIGNALS, DISTRESS, HAND RED FLARE, FOR MERCHANT VESSELS

Approval No. 160.021/6/3, International hand red flare distress signal, 500 candlepower, 2-minute burning time, assembly dwg. No. CP-4326-1-1 dated February 24, 1977, manufactured by Kilgore Corporation, Toone, Tennessee 38381, effective March 22, 1977. (It supersedes Approval No. 160.021/6/2 dated November 8, 1973 to show change in construction.)

MECHANICAL DISENGAGING APPARATUS, LIFEBOAT FOR MERCHANT VESSELS

Approval No. 160.033/28/7, Rottmer type, size 299 releasing gear, approved for maximum working load of 15,720 pounds per set (7860 pounds per hook), identified by arrangement dwg. 320074, Rev. B dated September 17, 1975, manufactured by Lake Shore, Inc., Wein David & Boat Division, P.O. Box 809, Iron Mountain, Michigan 49801, effective February 22, 1977. (It supersedes Approval No. 160.033/28/7 dated February 14, 1973 to show change in dwg. Nos.)

LIFEBOATS

Approval No. 160.035/85/2, 12.0' x 4.4' x 1.9' steel, oar-propelled lifeboat, 4-person capacity, identified by general arrangement dwg. No. 49R 1213 dated August 16, 1951 and revised March 1, 1967, 46 CFR 160.035-13(c) Marking, Weights: Condition "A"—640 pounds; Condition "B"—1,396 pounds, approved for use on vessels in Bays, Sounds, and Lakes; and Rivers, approved for 6-person capacity as replacement lifeboat, if mechanical disengaging apparatus is installed, it shall be of an approved type and installed in accordance with drawings approved by the Commandant, manufactured by Lane Lifeboat Division of Lane Marine Technology, Inc., 150 Sullivan Street, Brooklyn, New York 11231, effective March 17, 1977. (It is an extension of Approval No. 160.035/85/2 dated May 3, 1972.)

Approval No. 160.035/87/3, 14.0' x 5.0' x 2.17' steel, oar-propelled lifeboat, 6-person capacity, identified by general arrangement and construction dwg. No. 49R-1412, dated August 20, 1950, revised December 3, 1966, 46 CFR 160.035-13(c) Marking, Weights: Condition "A"—805 pounds; Condition "B"—2,498 pounds, approved for use on vessels in Great Lakes, Bays, Sounds and Lakes, and River Service, as well as for use on certain coastwise tank barges, if mechanical disengaging apparatus is fitted, it shall be of an approved type and the installation in this particular lifeboat shall be approved by the Commandant, manufactured by Lane Lifeboat Division of Lane Marine Technology, Inc., 150 Sullivan Street, Brooklyn, New York 11231, effective March 17, 1977. (It is an extension of Approval No. 160.035/85/2 dated May 3, 1972.)

* Approved for 9-person capacity for replacement lifeboats.

sion of Approval No. 160.035/87/3 dated April 17, 1972.)

Approval No. 160.035/280/4, 26.0' x 9.0' x 3.83' aluminum, oar-propelled lifeboat, 53-person capacity, identified by construction and arrangement dwg. No. 26-8, Rev. E dated February 23, 1972, 46 CFR 160.035-13(c) Marking, Weights: Condition "A"—2,740 pounds; Condition "B"—12,522 pounds, manufactured by Marine Safety Equipment Corporation, Foot of Wyckoff Road, Farmingdale, New Jersey 07727, effective February 22, 1977. (It is an extension of Approval No. 160.035/280/4 dated May 3, 1972.)

Approval No. 160.035/348/1, 12.0' x 4.4' x 1.9' aluminum, oar-propelled lifeboat, 4-person capacity, identified by general arrangement dwg. No. 52-1217 dated December 17, 1952 and revised April 10, 1967, 46 CFR 160.035-13(c) Marking, Weights: Condition "A"—376 pounds; Condition "B"—1,112 pounds, approved for use on vessels in Bays, Sounds, and Lakes; and Rivers, approved for 6-person capacity as replacement lifeboat, if mechanical disengaging apparatus is installed, it shall be of an approved type and installed in accordance with drawings approved by the Commandant, manufactured by Lane Lifeboat Division of Lane Marine Technology, Inc., 150 Sullivan Street, Brooklyn, New York 11231, effective March 17, 1977. (It is an extension of Approval No. 160.035/348/1 dated May 3, 1972.)

Approval No. 160.035/413/1, 24.0' x 8.0' x 3.5' steel, hand-propelled lifeboat, 40-person capacity, identified by general arrangement and construction dwg. No. 53-2446 dated October 6, 1953 and revised January 30, 1967, 46 CFR 160.035-13(c) Marking, Weights: Condition "A"—4,100 pounds; Condition "B"—11,528 pounds, manufactured by Lane Lifeboat Division of Lane Marine Technology, Inc., 150 Sullivan Street, Brooklyn, New York 11231, effective March 17, 1977. (It is an extension of Approval No. 160.035/413/1 dated May 3, 1972.)

Approval No. 160.035/453/0, 28.0' x 9.8' x 4.12' steel, hand-propelled lifeboat, 66-person capacity, identified by general arrangement and construction dwg. No. 28-003-01 Rev. A dated April 10, 1967, 46 CFR 160.035-13(c) Marking, Weights: Condition "A"—5,250 pounds; Condition "B"—17,659 pounds, manufactured by Lane Lifeboat Division of Lane Marine Technology, Inc., 150 Sullivan Street, Brooklyn, New York 11231, effective March 17, 1977. (It is an extension of Approval No. 160.035/453/0 dated May 3, 1972.)

Approval No. 160.035/468/1, 26.0' x 9.0' x 3.83' fibrous glass reinforced plastic (FRP), Class 1, motor-propelled lifeboat, 48-person capacity, identified by "Drawing List for 26 Foot Open Lifeboat" dated August 14, 1976, and general arrangement drawing 6605, revision B dated July 23, 1976, 46 CFR 160.035-13(c) Marking, Weights: Condition "A"—4,325 pounds; Condition "B"—13,445 pounds, manufactured by Lake Shore, Inc., Wellin Boat & Davit Division, P.O. Box 809, Iron Mountain, Michigan 49801, effective March 18, 1977. (It supersedes Approval No. 160.035/468/0 dated January 21, 1976 to show engine change.)

Approval No. 160.035/476/1, 26.0' x 9.0' x 3.83' fibrous glass reinforced plastic (FRP), totally enclosed (covered) Class 1 motor-propelled lifeboat, 43 person capacity identified by "Drawing List for 26 foot Covered Lifeboat" dated September 14, 1976, and general arrangement drawing 6615, Rev. B dated August 2, 1976, 46 CFR 160.035-13(c) Marking, Weights: Condition "A"—5,931 pounds; Condition "B"—14,785 pounds, manufactured by Lake Shore, Inc., Wellin Boat & Davit Division, P.O. Box 809, Iron Mountain, Michigan 49801, effective February 23, 1977. (It supersedes Approval No. 160.035/476/0 dated January 5, 1976 to show engine change.)

FISHING TACKLE, KITS, EMERGENCY FOR MERCHANT VESSELS

Approval No. 160.061/5/0, emergency fishing tackle kit, dwg. No. 1X234 dated March 11, 1977, manufactured by Emge Aviation Marine Products, Inc., Langhorne, Pennsylvania 19047, effective March 18, 1977.

MARINE BUOYANT DEVICE

Approval No. 160.064/1/2, adult medium, competition vest, model GT-5, cloth covered PVC foam, manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ-16, Type III PFD, manufactured by Gentex Corporation, Carbondale, Pennsylvania 18407, effective February 24, 1977. (It is an extension of Approval No. 160.064/1/2 dated March 6, 1972.)

Approval No. 160.064/2/2, child medium, competition vest, model GT-5, cloth-covered PVC foam, manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ-16, Type III PFD, manufactured by Gentex Corporation, Carbondale, Pennsylvania 18407, effective February 24, 1977. (It is an extension of Approval No. 160.064/2/2 dated March 6, 1972.)

Approval No. 160.064/13/0, 19-inch ring buoy, vinyl dipped unicellular plastic foam, manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ-16, Type IV PFD, manufactured by Gentex Corporation, Carbondale, Pennsylvania 18407, effective February 24, 1977. (It is an extension of Approval No. 160.064/13/0 dated March 7, 1972.)

Approval No. 160.064/18/2, adult large, competition vest, model GT-5, cloth covered PVC foam, manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ-16, Type III PFD, manufactured by Gentex Corporation, Carbondale, Pennsylvania 18407, effective February 24, 1977. (It is an extension of Approval No. 160.064/18/2 dated March 6, 1972.)

Approval No. 160.064/291/0, adult small, Model Guardian, cloth covered PVC foam, utility vest, manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ-16, Type III PFD, manufactured by Gentex Corporation, Carbondale, Pennsylvania 18407, effective February

24, 1977. (It is an extension of Approval No. 160.064/291/0 dated March 23, 1972.)

Approval No. 160.064/292/0, adult medium, Model Guardian, cloth covered PVC foam, utility vest, manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ-16, Type III PFD, manufactured by Gentex Corporation, Carbondale, Pennsylvania 18407, effective February 24, 1977. (It is an extension of Approval No. 160.064/292/0 dated March 23, 1972.)

Approval No. 160.064/293/0, adult large, Model Guardian, cloth covered PVC foam, utility vest, manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ-16, Type III PFD, manufactured by Gentex Corporation, Carbondale, Pennsylvania 18407, effective February 24, 1977. (It is an extension of Approval No. 160.064/293/0 dated March 23, 1972.)

Approval No. 160.064/432/0, adult X-large, Model No. 800, vinyl dipped unicellular plastic foam "Water Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 174, Type III PFD, manufactured by Fabrionics, Inc., West Austin Street, Tolono, Illinois 61880, effective March 15, 1977. (It supersedes Approval No. 160.064/432/0 dated January 12, 1973 to show change in Model No.)

Approval No. 160.064/433/0, adult large, Model No. 700, vinyl dipped unicellular plastic foam "Water Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 174, Type III PFD, manufactured by Fabrionics, Inc., West Austin Street, Tolono, Illinois 61880, effective March 15, 1977. (It supersedes Approval No. 160.064/433/0 dated January 12, 1973 to show change in model No.)

Approval No. 160.064/434/0, adult medium, Model No. 650, vinyl dipped unicellular plastic foam "Water Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 174, Type III PFD, manufactured by Fabrionics, Inc., West Austin Street, Tolono, Illinois 61880, effective March 15, 1977. (It supersedes Approval No. 160.064/434/0 dated January 12, 1973 to show change in model No.)

Approval No. 160.064/636/0, child medium, Model No. 400, vinyl dipped unicellular plastic foam "Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 174, Type III PFD, manufactured by Fabrionics, Inc., West Austin Street, Tolono, Illinois 61880, effective March 15, 1977. (It supersedes Approval No. 160.064/636/0 dated July 30, 1974 to show change in model No.)

Approval No. 160.064/893/0, adult, Model No. 900, vinyl dipped unicellular plastic foam "Water Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 174, Type III PFD, manufactured by Fabrionics, Inc., West Austin Street, Tolono, Illinois 61880, effective March 15, 1977. (It su-

persedes Approval No. 160.064/893/0 dated August 18, 1975 to show change in model No.)

Approval No. 160.064/1080/1, child, Model No. 5038, cloth covered unicellular plastic foam "Hunt and Fish Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 196, factory location: 76 Railroad Street, New London, Ohio 44875, Type III PFD, manufactured by Kent Sporting Goods, 710 Orange Street, Ashland, Ohio 44805, effective February 22, 1977. (It supersedes Approval No. 160.064/1080/0 dated March 2, 1976.)

Approval No. 160.064/1081/1, youth, Model No. 5138, cloth covered unicellular plastic foam "Hunt and Fish Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 196, factory location: 76 Railroad Street, New London, Ohio 44875, Type III PFD, manufactured by Kent Sporting Goods, 710 Orange Street, Ashland, Ohio 44805, effective February 22, 1977. (It supersedes Approval No. 160.064/1081/0 dated March 2, 1976.)

Approval No. 160.064/1082/1, adult small, Model No. 5538, cloth covered unicellular plastic foam "Hunt and Fish Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 196, factory location: 76 Railroad Street, New London, Ohio 44875, Type III PFD, manufactured by Kent Sporting Goods, 710 Orange Street, Ashland, Ohio 44805, effective February 22, 1977. (It supersedes Approval No. 160.064/1082/0 dated March 2, 1976.)

Approval No. 160.064/1083/1, adult medium, Model Nos. 5638, 5628, 6110, and 7118, cloth covered unicellular plastic foam "Hunt and Fish Buoyant Vest", "General Purpose Buoyant Vest", and "Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 196, factory location: 76 Railroad Street, New London, Ohio 44875, Type III PFD, manufactured by Kent Sporting Goods, 710 Orange Street, Ashland, Ohio 44805, effective February 22, 1977. (It supersedes Approval No. 160.064/1083/0 dated March 2, 1976.)

Approval No. 160.064/1084/1, adult large, Model Nos. 5738, 5728, 6218, and 7218, cloth covered unicellular plastic foam "Hunt and Fish Buoyant Vest", "General Purpose Buoyant Vest", and "Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 196, factory location: 76 Railroad Street, New London, Ohio 44875, Type III PFD, manufactured by Kent Sporting Goods, 710 Orange Street, Ashland, Ohio 44805, effective February 22, 1977. (It supersedes Approval No. 160.064/1084/0 dated March 2, 1976.)

Approval No. 160.064/1085/1, adult X-large, Model Nos. 5838, 5828, 6318, and 7318, cloth covered unicellular plastic foam "Hunt and Fish Buoyant Device", "General Purpose Boating Vest", and "Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 196,

factory location: 76 Railroad Street, New London, Ohio 44875, Type III PFD, manufactured by Kent Sporting Goods, 710 Orange Street, Ashland, Ohio 44805, effective February 22, 1977. (It supersedes Approval No. 160.064/1085/0 dated March 2, 1976.)

FIRE EXTINGUISHING SYSTEMS, FOAM TYPE

Approval No. 162.033/7/1, National AER-O-FOAM 100 Marine Foam Fire Extinguishing Systems, with AER-O-FOAM 100 foaming concentrate and catalyst, for use on polar solvents (alcohols, ketones, etc.) or ordinary petroleum products, Instruction Sheet No. 628, Revised August 12, 1966, manufactured by National Foam System, Inc., Union and Adams Streets, West Chester, Pennsylvania 19380, effective February 28, 1977. (It is an extension of Approval No. 162.033/7/1 dated June 9, 1971.)

BULKHEAD PANELS FOR MERCHANT VESSELS

Approval No. 164.008/91/0, "Marinite XL-S" asbestos free calcium silicate composite type panel, impregnated with silicate of soda on both sides, base panel identical to that described in National Bureau of Standards Test Report No. 3921, dated October 18, 1976, and Underwriters Laboratories, Inc. Test Report 76NK4807, file R7975-1, dated October 12, 1976, approved as meeting Class B-15 requirements in 3/4 inch thickness and as a component in Class A-60 construction, manufactured by Johns-Manville Sales Corporation, Denver, Colorado 80217, Plant location: High Street, North Billerica, Massachusetts 01802, effective March 2, 1977.

INCOMBUSTIBLE MATERIALS FOR MERCHANT VESSELS

Approval No. 164.009/142/0, "Nadisco" fibrous glass cloth faced incombustible fibrous glass thermal insulation board, identical to that described in National Bureau of Standards Test Report No. FR3767 dated July 6, 1971, approved in a density of 4 pounds per cubic foot and a thickness of one inch, manufactured by Jamestown Fiberglass, Inc., 834 Monroe Street, Jamestown, New York 14708, effective February 11, 1977. (It is an extension of Approval No. 164.009/142/0 dated February 14, 1972 and change of address of manufacturer.)

INTERIOR FINISHES FOR MERCHANT VESSELS

Approval No. 164.012/15/0, pressure-sensitive tape (aluminum foil) in 2 mil thickness, for applications not exceeding 33 percent of the exposed area, to be applied with manufacturer's adhesive IA-8100, manufactured by Morgan Adhesive Company, 4560 Darrow Road, Stow, Ohio 44224, effective March 14, 1977. (It supersedes Approval No. 164.012/15/0 dated January 18, 1977.)

Dated: May 12, 1977.

W. M. BENKERT,
Rear Admiral, U.S. Coast
Guard, Chief, Office of Mer-
chant Marine Safety.

[FR Doc.77-14318 Filed 5-18-77;8:45 am]

[77-103]

NEW YORK HARBOR VESSEL TRAFFIC SERVICE ADVISORY COMMITTEE

Open Meeting

The New York Harbor Vessel Traffic Service Advisory Committee will conduct an open meeting on Thursday, June 16, 1977, in the Vessel Traffic Center, Building 400, Section N, Governors Island, New York. The meeting is scheduled to begin at 10:30 a.m.

The agenda for this meeting of the New York Harbor Vessel Traffic Service Advisory Committee is as follows:

1. Presentation of the Annual Report for 1976.
2. Status Report on the implementation of the New York Vessel Traffic Service given by the Vessel Traffic Service Staff.
3. Comments or questions from the floor.

The New York Harbor Vessel Traffic Service Advisory Committee was established by the Commander, Third Coast Guard District to advise on the need for, and development, installation and operations of a Vessel Traffic Service for New York Harbor.

Members of the Committee serve voluntarily without compensation from the Federal Government, either travel or per diem.

Interested persons may obtain additional information or the summary of the minutes of the meeting by writing to Commander D. A. Sumi, Project Officer, Vessel Traffic Service, Building 400, Section N, Third Coast Guard District, Governors Island, New York 10004, or by calling 212-264-0409.

This Notice is issued under section 10 (a) of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770, 5 U.S.C. App. 1).

Dated: April 29, 1977.

B. E. THOMPSON,
Captain, U.S. Coast Guard
Guard, Chief of Staff, Third
Coast Guard District.

[FR Doc.77-14319 Filed 5-18-77;8:45 am]

Federal Highway Administration

[FHWA Docket No. 76-9]

BAYONNE BRIDGE, GOETHALS BRIDGE, GEORGE WASHINGTON BRIDGE AND OUTERBRIDGE CROSSING TOLLS

Order

AGENCY: Federal Highway Administration, DOT.

ACTION: Order.

SUMMARY: This Order informs the parties of the date by which they must file briefs and exceptions to the recommended decision of Administrative Law Judge John E. Faulk.

DATES: All exceptions and briefs must be filed by June 13, 1977.

ADDRESS: Exceptions and briefs should be submitted to FHWA Docket Number 76-9, Room 4226, HCC-1, Mr. William M. Cox, Federal Highway Administrator, 400 Seventh Street SW., Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT:

Dowell H. Anders, Acting Chief Counsel (202/426-0740), Federal Highway Administration. Office hours are 7:45 a.m. to 4:15 p.m. E.d.t., Monday-Friday.

The following is the Order in this case.

ORDER IN THE MATTER OF THE BAYONNE BRIDGE, GOETHALS BRIDGE, GEORGE WASHINGTON BRIDGE AND OUTERBRIDGE CROSSING TOLLS

Pursuant to the toll bridge procedural rules, 49 CFR 310, Administrative Law Judge John E. Faulk issued a recommended decision in this case on May 9, 1977. That decision was served on all parties by mail on May 11, 1977. The parties, therefore, will have until June 13, 1977, to file exceptions to Judge Faulk's finding of fact, conclusions of law, and recommended order. These exceptions may be accompanied by a supporting brief.

All exceptions and briefs must be addressed to Mr. William M. Cox, Federal Highway Administrator, FHWA Docket Number 76-9, Department of Transportation, 400 Seventh Street SW., Washington, D.C. 20590. All exceptions and briefs must be served on all parties to this proceeding. A copy of the current service list is attached.

Issued this 13th day of May, 1977, in Washington, D.C.

(33 U.S.C. 494, 49 CFR Part 310.)

WILLIAM M. COX,
Administrator,
Federal Highway Administration,

MAY 12, 1977.

Honorable Peter A. Peyser, House of Representatives, Washington, D.C. 20515.
Mr. Stanley D. Ver Nooy, 241 Larch Avenue, Bogota, New Jersey 07603.
Matthew J. Derham, Chairman, AAA Clubs of New Jersey, 1 Hanover Road, Florham Park, New Jersey 07932.
Joseph Lesser, Esquire, Port Authority of New York and New Jersey, One World Trade Center, New York, New York 10048.
Honorable Matthew Feldman, Majority Leader, New Jersey Senate, 790 Grange Road, Teaneck, New Jersey 07666.
Myron B. Wolf, Executive Director, National Council of Salesmen's Organizations, Inc., 127 John Street, New York, New York 10038.
Honorable Linda Winikow, New York Senate, Albany, New York 12224.
Albert R. Lamb, Jr., M.D., 161 Fort Washington Avenue, New York, New York 10032.
Honorable Benjamin A. Gilman, House of Representatives, Washington, D.C. 20015.
Diana W. Rivet, County Attorney, The County of Rockland, County Office Building, 11 New Hempstead Road, New City, New York 10956.
Frank J. Blondillo, D.D.S., Councilman at Large, City Council of New York, 6 Keegans Lane, Staten Island, New York 10308.
Mr. W. Bernard Richland, Corporation Counsel of the City of New York, Municipal Building, New York, New York 10007.
Mr. Gerald M. Hansler, Regional Administrator, Reg. 2, Environmental Protection Agency, 26 Federal Plaza, New York, New York 10007.

Mr. Dowell H. Anders, Acting Chief Counsel, Federal Highway Administration, Department of Transportation, Washington, D.C. 20590.
Honorable Albert Burstein, Assemblyman, New Jersey Senate, 26 Journal Square, Jersey City, New Jersey 07306.
Honorable Byron Baer, Assemblyman, New Jersey Senate, 420 Landana Avenue, Englewood, New Jersey 07632.
Jeffrey C. Cohen, Esquire, Vice President, Citizens for Clean Air, Inc., 25 Broad Street, New York, New York 10004.
Lawrence Berman, Esquire, Transway International Corp., 747 Third Avenue, 38th Floor, New York, New York 10017.
Robert N. Rickles, P.E., Ph. D., Executive Director, Institute for Public Transportation, 211 East 43rd Street, New York, New York 10017.
Rueben Gross, Esquire, 30 Bay Street, Second Floor, Staten Island, New York 10301.
Ms. Toni L. Goldfarb, 263 Pine Street, Teaneck, New Jersey 07666.
Thaddeus Raczkowski, Esquire, New Jersey Motor Truck Ass'n., 81 East Railroad Avenue, Jamesburg, New Jersey 08531.
Mr. Harold C. Meyers, Automobile Club of New York, 28 East 78th Street, New York, New York 10021.
Mrs. Julia F. Lamb, 301 Lydecker Street, Englewood, New Jersey 07631.
Honorable John M. Murphy, House of Representatives, Washington, D.C. 20515.
Mr. Alan Sagner, Commissioner, New Jersey State Department of Transportation, 1035 Parkway Avenue, Trenton, New Jersey 08625.
Mr. John E. Faulk, Administrative Law Judge, 800 Independence Avenue SW., Washington, D.C. 20594.
Mr. George W. Hofmann, 168 Lafayette Avenue, Chatham, New Jersey 07928.
Ms. Phoebe Hahn, 964 Mountain Avenue, Berkeley Hgts., N.J. 07992.
Mr. Roy E. Frenze, 706 Ellington Road, Ridgewood, New Jersey 07450.
Mr. Sol Weil, 18 Linderwood Court, Washington Township, Westwood, New Jersey 07675.
Francis A. Mulhern, Esquire, Deputy General Counsel, Port Authority of New York and New Jersey, One World Trade Center, New York, New York 10048.
Brian T. Ketchum, P.E., Vice President and Staff Engineer, Citizens for Clean Air, Inc., 25 Broad Street, New York, New York 10004.
Mr. James J. Stapleton, HCC-20, Assistant Chief Counsel for Motor Carrier and Highway Safety Law, Federal Highway Administration, Department of Transportation, Washington, D.C. 20590.
Mr. Gerald M. Tierney, HCC-20, Office of the Chief Counsel, Federal Highway Administration, Department of Transportation, Washington, D.C. 20590.
Mr. Bayard S. Forster, Secretarial Representative, Department of Transportation, Room 2339, Docket 76-9, 26 Federal Plaza, New York, New York 10007.
Mr. Raymond T. Schuler, Commissioner, New York State Department of Transportation, 1220 Washington Avenue, State Campus Building No. 5, State Campus, Albany, New York 12232.
Mr. James T. B. Tripp, Counsel, Environmental Defense Fund, Inc., 162 Old Town Road, East, Seatucket, New York 11733.
[PR Doc.77-14346 Filed 5-18-77;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 393]

ASSIGNMENT OF HEARINGS

MAY 16, 1977.

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-C-9382, Tucker Freight Lines, Inc., now assigned June 1, 1977, at Chicago, Ill. is canceled.

MC 141861 Sub 1, Ira Greer now being assigned July 14, 1977 (2 days) at Kansas City, Missouri in a hearing room to be later designated.

MC 138274 Sub 42, Shippers Best Express, Inc. now being assigned July 14, 1977 (2 days) at Seattle, Washington in a hearing room to be later designated.

MC 140487 Sub 1, Yellowstone Trucking, Inc. now being assigned July 13, 1977 (1 day) at Seattle, Washington in a hearing room to be later designated.

MC 110410 Sub 19, Benton Bros. Film Express, Inc. now being assigned July 19, 1977 (9 days) at Atlanta, Georgia in a hearing room to be later designated.

MC 106644 Sub 235, Superior Trucking Co., Inc. now being assigned July 19, 1977 (1 day) at San Francisco, California in a hearing room to be later designated.

ROBERT L. OSWALD,
Secretary.

[FR Doc. 77-14324 Filed 5-18-77; 8:45 am]

[Volume No. 17]

PETITIONS, APPLICATIONS, FINANCE MATTERS (INCLUDING TEMPORARY AUTHORITIES), RAILROAD ABANDONMENTS, ALTERNATE ROUTE DEVIATIONS, AND INTRASTATE APPLICATIONS

MAY 13, 1977.

PETITIONS FOR MODIFICATION, INTERPRETATION OR REINSTATEMENT OF OPERATING RIGHTS AUTHORITY

The following petitions seek modification or interpretation of existing operating rights authority, or reinstatement of terminated operating rights authority.

An original and one copy of protests to the granting of the requested authority must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such protest shall comply with Special Rule 247(d) of the Commission's General Rules of Practice (49 CFR 1100.247)¹ and shall include a concise statement of protestant's inter-

est in the proceeding and copies of its conflicting authorities. Verified statements in opposition should not be tendered at this time. A copy of the protest shall be served concurrently upon petitioner's representative, or petitioner if no representative is named.

No. MC 111231 (Notice of Filing a Petition to Delete Restriction), filed April 12, 1977. Petitioner: JONES TRUCK LINES, INC., 610 E. Emma Ave., Springfield, Ark. 72764. Petitioner's representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, D.C. 20014. Petitioner holds a motor common carrier Certificate in No. MC 111231, issued May 22, 1967, authorizing transportation over regular routes, of general commodities, (except Classes A and B explosives and livestock), as pertinent, between Springfield, Mo., and Rogers, Ark., serving intermediate points in Arkansas on southbound operation and all intermediate points on northbound operation: From Springfield over U.S. Highway 60 to Monett, Mo., thence over Missouri Highway 37 to the Missouri-Arkansas State line, thence over Arkansas Highway 47 to Gateway, Ark., and thence over U.S. Highway 62 to Rogers, and return over the same route. By the instant petition, petitioner seeks to delete the northbound and southbound restrictions on operations to and from intermediate points in Missouri and Arkansas, so as to read: Between Springfield, Mo. and Rogers, Ark., serving all intermediate points.

No. MC 124735 (Sub-No. 1) (Notice of Filing a Petition to Modify a Permit), filed April 21, 1977. Petitioner: R. C. KERCHVAL, JR., 2201 Sixth Ave., South, Seattle, Wash. 98134. Petitioner's representative: George R. LaBissoniere (same address as applicant). Petitioner holds a motor contract carrier Permit in No. MC 124735 (Sub-No. 1), issued February 2, 1977, authorizing transportation, over irregular routes, as pertinent, of parts of mobile homes and utility trailers, automotive springs, suspensions and parts thereof, brake drums, brake assemblies and parts thereof, tailgate hoists and parts thereof, wheels and wheel attaching parts, and parts for motor vehicle chassis and motor vehicle undercarriage, from points in Illinois, Indiana, Iowa, Michigan, Missouri, Ohio, and Wisconsin, to Billings, Butte, and Great Falls, Mont., and Seattle and Spokane, Wash., under a continuing contract, or contracts, with Motor Wheel and Parts, Inc., Six Robbles' Inc., and Northwest Wheel, Inc. By the instant petition, petitioner seeks to change the contracting shipper's name to Trailer Equipment Distributors, Inc./Motor Wheel & Parts, Inc., in lieu of Motor Wheel and Parts, Inc.

REPUBLICATIONS OF GRANTS OF OPERATING RIGHTS AUTHORITY PRIOR TO CERTIFICATION

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that

previously noticed in the FEDERAL REGISTER.

An original and one copy of a petition for leave to intervene in the proceeding must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such pleading shall comply with Special Rule 247(d) of the Commission's General Rules of Practice (49 CFR 1100.247) addressing specifically the issue(s) indicated as the purpose for republication, and including copies of intervenor's conflicting authorities and a concise statement of intervenor's interest in the proceeding setting forth in detail the precise manner in which it has been prejudiced by lack of notice of the authority granted. A copy of the pleading shall be served concurrently upon the carrier's representative, or carrier if no representative is named.

No. MC 129068 (Sub-No. 32) (Republication), filed October 21, 1976, published in the FEDERAL REGISTER issue of November 24, 1976, and republished this issue. Applicant: GRIFFIN TRANSPORTATION, INC., 3002 S. Douglas Blvd., Oklahoma City, Okla. 73150. Applicant's representative: I. E. Chenoweth, 409 S. Boston, 1300 Mid Continent Bldg., Tulsa, Okla. 74130. An Order of the Commission, Review Board Number 2, dated April 15, 1977, and served May 3, 1977, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, in the transportation of (1) trailers designed to be drawn by passenger automobiles, in initial movements, and (2) prefabricated buildings, in sections, mounted on wheeled undercarriages, from points in Colorado to points in the United States (except Alaska, Hawaii, and Colorado); that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate the deletion of the restriction against the transportation of modular units or prefabricated buildings in applicant's grant of authority.

No. MC 129631 (Sub-No. 50) (Republication), filed September 1, 1976, published in the FEDERAL REGISTER issue of October 15, 1976, and republished this issue. Applicant: PACK TRANSPORT, INC., 3975 So. 300 West, Salt Lake City, Utah 84107. Applicant's representative: Max D. Eliason, P.O. Box 2602, Salt Lake City, Utah 84110. An Order of the Commission, Review Board Number 2, dated April 14, 1977, and served April 27, 1977, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, in the transportation of pre-cut log buildings, from the facilities of Authentic Homes Corporation, located at or near Laramie, Wyo., to points in Arizona, California, Idaho, Montana, Nevada,

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

Oregon, Utah, and Washington; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate the substitution of the facilities of Authentic Homes Corporation, located at or near Laramie, Wyo., as the origin point in lieu of points in Laramie County, Wyo., in applicant's grant of authority.

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER OPERATING RIGHTS APPLICATIONS

The following applications are governed by Special Rule 247 of the Commission's General Rules of Practice (49 CFR § 1100.247). These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after the date of notice of filing of the application is published in the *FEDERAL REGISTER*. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with Section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) further provides, in part, that an applicant who does not intend timely to prosecute its application shall promptly request dismissal thereof, and that failure to prosecute an application under procedures ordered by the Commission will result in dismissal of the application. Further processing steps will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the *FEDERAL REGISTER* of a notice that the proceeding has been assigned for oral hearing. Each applicant states that there will be no significant effect on the qual-

ity of the human environment resulting from approval of its application.

No. MC 1117 (Sub-No. 13), filed March 21, 1977. Applicant: M.G.M. TRANSPORT CORPORATION, 70 Maltese Drive, Totowa, N.J. 07512. Applicant's representative: Morton E. Kiel, 5 World Trade Center, Suite 6193, New York, N.Y. 10048. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *New furniture*, from Liberty, Salisbury, Troy, Brisco, Greensboro, Lexington, Ashboro, Lincolnton and Mount Airy, N.C., to Connecticut, New Jersey, New York, and Philadelphia, Pa.; (2) *furniture frames*, from Greensboro, N.C., to Connecticut, New Jersey, New York, and Philadelphia, Pa.; and (3) *new furniture and furniture parts*, from Garden City, N.Y., to points in North Carolina.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 1328 (Sub-No. 25), filed March 15, 1977. Applicant: MGS TRANSPORTATION, INC., P.O. Box 270, Alexandria, Ind. 46001. Applicant's representative: Charles Garrett (same address as applicant). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Mineral wool and mineral wool products*, between the plantsite of Johns-Manville Sales Corporation located at Alexandria, Ind., and rail piggyback facilities located in Indiana, restricted to traffic having a prior or subsequent movement by rail, under a continuing contract or contracts with Johns-Manville Sales Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Indianapolis, Ind., or Chicago, Ill.

No. MC 2202 (Sub-No. 534), filed March 28, 1977. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Blvd., P.O. Box 471, Akron, Ohio 44309. Applicant's representative: William O. Turney, Suite 1010, 7101 Wisconsin Avenue, Washington, D.C. 20014. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities*, (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Sun City Fashions, Inc., located at or near Midlothian, Tex., as an off-route point, in connection with applicant's present authority.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Dallas, Tex., or Washington, D.C.

No. MC 2202 (Sub-No. 537), filed April 29, 1977. Applicant: ROADWAY EXPRESS, INC., P.O. Box 471, 1077 Gorge Blvd., Akron, Ohio 44309. Applicant's representative: William O. Turney, Suite 1010, 7101 Wisconsin Ave., Washington, D.C. 20014. Authority sought to operate as a common carrier, by motor vehicle, over regular routes,

transporting: *General commodities* (except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) serving the plantsite and warehouse facilities of John Deere Company located at or near Conyers, Georgia, as an off-route point in connection with carrier's authorized regular route operation.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Atlanta, Ga., or Washington, D.C.

No. MC 2860 (Sub-No. 154), filed March 30, 1977. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, from the plantsite and shipping facilities of Heinz U.S.A., Division of H. J. Heinz Company, located at Fremont and Toledo, Ohio, to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, Virginia, Maryland, New Jersey; points in that part of New York on and east of a line beginning at the junction of New York Highway 57 and Lake Ontario, and extending along New York Highway 57 to its junction with U.S. Highway 11 at or near Syracuse, thence along New York Highway 11 to the New York-Pennsylvania State line; and points in that part of Pennsylvania on and east of U.S. Highway 220, restricted to traffic originating at the above origins and destined to the above described destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held on a consolidated record with similar applications at either Washington, D.C., or Harrisburg, Pa.

No. MC 3062 (Sub-No. 38), filed March 18, 1977. Applicant: INMAN FREIGHT SYSTEM, INC., 321 North Spring Ave., P.O. Box 1060, Cape Girardeau, Mo. 63701. Applicant's representative: Brainerd W. LaTourette, Jr., 11 South Meramec, St. Louis, Mo. 63105. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Norris City, Ill., and Cave in Rock, Ill., serving all intermediate points, and the off-route points of Ridgway, Ill.: from Norris City over U.S. Highway 45 to junction Illinois Highway 1 to Cave in Rock, and return over the same route; (2) between Harrisburg, Ill., and Rosiclare, Ill., serving all intermediate points: from Harrisburg over Illinois Highway 34 (also portion Illinois Highway 146), and return over the same route; (3) between Vienna, Ill., and junction Illinois Highways 1 and 146, serving all intermediate points: from Vienna

over Illinois Highway 146, to junction Illinois Highway 1, and return over the same route; (4) between Boles, Ill. (also known as West Vienna, Ill.), and Olmsted, Ill., serving all intermediate points and the off-route point of Karnak, Ill.; from Boles (also known as West Vienna) over Illinois Highway 37 to Olmsted, and return over the same route; (5) between Harrisburg, Ill., and junction Illinois Highways 145 and 146, serving all intermediate points: from Harrisburg, over Illinois Highway 145 (also portion Illinois Highway 34), to junction Illinois Highway 146, and return over the same route; (6) between Harrisburg, Ill., and Shawneetown, Ill., serving all intermediate points: from Harrisburg over Illinois Highway 13 to Shawneetown, and return over the same route; (7) between New Harmony, Ind., and Evansville, Ind., serving all intermediate points: from New Harmony over Indiana Highway 69 to junction Indiana Highway 62, thence over Indiana Highway 62 to Evansville, and return over the same route.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Marion, Ill., or Evansville, Ind.

MC 4405 (Sub-No. 553), filed March 24, 1977. Applicant: DEALERS TRANSIT, INC., a corporation, 522 South Boston Avenue, Enterprise Bldg., Tulsa, Okla. 74103. Applicant's representative: Alan Foss, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, in interstate or foreign commerce, transporting: (1) *Trailers and trailer chassis* (except those designed to be drawn by passenger automobiles), and *trailer converter dollies* in initial movements in truckway service, from points in McMinn County, Tennessee, to points in the United States, excluding Alaska and Hawaii; (2) (a) *Trailer converter dollies* in secondary movements in truckway service; and (2) (b) *Motor vehicle bodies, packer bodies, lift gates, and containers and hoists and materials, supplies and parts* (except commodities in bulk) used in the manufacture, assembly, or servicing of the commodities described in (1) and (2) above, between points in the United States, excluding Alaska and Hawaii, on the one hand, and, on the other, points in McMinn County, Tennessee.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Illinois, or Milwaukee, Wisconsin.

No. MC 4405 (Sub-No. 554), filed March 24, 1977. Applicant: DEALERS TRANSIT, INC., 522 Boston Avenue, Tulsa, Okla. 74103. Applicant's representative: Alan Foss, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Electrode masts, and other air correction device components*, from the plantsite of Leckenby Company of Arkansas, located at Fort Smith, Ark., to points in the United States (except Alaska and Hawaii); and (2) *materials, parts and supplies*, used in

the manufacture of electrode masts, from points in the United States (except Alaska and Hawaii), to the plantsite of Leckenby Company of Arkansas, located at Fort Smith, Ark.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Oklahoma City, Okla., or Dallas, Tex.

No. MC 11207 (Sub-No. 387), filed March 30, 1977. Applicant: DEATON, INC., 317 Avenue W., P.O. Box 938, Birmingham, Ala. 35201. Applicant's representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, D.C. 20014. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Mining equipment*; (2) *attachments and parts of mining equipment*; and (3) *equipment, materials, and supplies*, used in the manufacture of mining equipment, between the facilities of Reading US, Inc., located at or near Orange Park, Fla., on the one hand, and, on the other, points in Alabama, Arkansas, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Jacksonville or Tampa, Fla.

No. MC 11722 (Sub-No. 5), filed April 26, 1977. Applicant: BRADER HAULING SERVICE, INC., Post Office Box 635, Zillah, Wash. 98953. Applicant's representative: Douglas A. Wilson, 303 East D Street, Yakima, Wash. 98901. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *farm supplies*, limited to *coir yarn, hop cloth, sisal, steel wire and paper twine*, restricted to traffic having a prior movement by water, from ports of entry at Seattle and Tacoma, Washington, and Portland, Oregon, to Yakima and Benton Counties, Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Portland, Oregon, or Seattle, Washington. Applicant holds contract carrier authority in No. MC 124558 (Sub-No. 2 and others); therefore dual operations may be involved.

No. MC 14215 (Sub-No. 10), filed April 20, 1977. Applicant: SMITH TRUCK SERVICE, INC., P.O. Box 1329, Steubenville, Ohio 43952. Applicant's representative: James R. Stiverson, 1396 West Fifth Avenue, Columbus, Ohio 43212. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Activated carbon*, in bulk, in dump vehicles, from Catlettsburg, Kentucky, Neville Island, Pennsylvania, and Bayport, Texas, to points in the United States, except Alaska and Hawaii; and, *Spent Carbon*, in bulk, in dump vehicles, on return; (2) *Coal*, from points in Illinois, Indiana, Kentucky, Maryland, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia, to Catlettsburg, Kentucky, and Neville Island, Pennsylvania; (3) *Pitch*, from Follansbee, West Virginia, to Catlettsburg, Kentucky; (4) *Raw mate-*

rials used in the manufacture and processing of activated carbon, in bulk, in dump vehicles, from Ironton, Ohio, to Catlettsburg, Kentucky; and (5) *Cocoon shells*, from Baltimore, Maryland, to Neville Island, Pennsylvania.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Pittsburgh, Pennsylvania, or Washington, D.C.

No. MC 19227 (Sub-No. 234), filed April 24, 1977. Applicant: LEONARD BROS. TRUCKING CO., INC., 2515 NW 20th Street, P.O. Box 520602, Miami, Fla. 33152. Applicant's representative: Thomas A. Leonard, 2515 NW 20th Street, P.O. Box 520602, Miami, Fla. 33152. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Self-propelled utility graders, and self-propelled paving machines, and trailers, and parts thereof*, from Gwinnett County, Georgia, to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held at Atlanta, Ga., or Washington, D.C.

No. MC 19778 (Sub-No. 95), filed March 30, 1977. Applicant: THE MILWAUKEE MOTOR TRANSPORTATION CO., 516 W. Jackson Boulevard, Suite 508, Chicago, Ill. 60606. Applicant's representative: Robert P. Munsell (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Concrete products*, from Sioux Falls, S. Dak., and points within three (3) miles thereof, to points in North Dakota.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Pierre, S. Dak.

No. MC 22195 (Sub-No. 170), filed April 27, 1977. Applicant: DAN DUGAN TRANSPORT CO., a corporation, 31st and Grange Avenue, Sioux Falls, South Dakota 57105. Applicant's representative: F. Fred Fischer, 41st and Grange Avenue, Sioux Falls, South Dakota 57105. Authority sought to engage in operation as a common carrier, by motor vehicle, in interstate commerce, over irregular routes, in the transportation of: (1) *Dry fertilizer*, in bulk, from Moorhead, Minnesota, to points in Iowa, Nebraska, North Dakota, South Dakota, Wisconsin, and Minnesota; (2) *Fertilizer and fertilizer ingredients*, from Climax, Minnesota, to points in North Dakota; (3) *Fertilizer and fertilizer ingredients (dry)*, also *urea (dry)*, (a) from Carrington and Colfax, North Dakota, to points in South Dakota and Minnesota; (b) from Dilworth, Minnesota, to points in North Dakota; (c) from Grand Forks, North Dakota, to points in Minnesota.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Minneapolis, Minn., or Sioux Falls, S. Dak.

No. MC 28088 (Sub-No. 23), filed March 24, 1977. Applicant: NORTH & SOUTH LINES, INC., 2710 South Main

Street, Harrisonburg, Va. 22801. Applicant's representative: John R. Sims, Jr., 425 13th Street NW., 915 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat and meat products* (except in bulk), from Blackey, Ky.; Timberville, Va.; and Mt. Airy, Md., to points in and east of Wisconsin, Illinois, Kentucky, Tennessee, and Mississippi; and (2) *frozen foods*, from Mt. Airy, Md., to the destination points listed in (1) above, restricted to traffic originating at and destined to points named in (1) and (2) above.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Harrisonburg, Va.

No. MC 30378 (Sub-No. 60), filed March 25, 1977. Applicant: ASSOCIATED TRANSPORTS, INC., 9050 Pershall Road, P.O. Box 85, Hazlewood, Mo. 63042. Applicant's representative: Arnold L. Burke, 180 North LaSalle Street, Chicago, Ill. 60601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles, new trucks, and new chassis*, in initial and secondary movements, in truckaway and driveaway service, and *new automobile parts and accessories* incidental to the vehicles transported when moving at the same time with the above-described vehicles, between Claycomo, Mo., on the one hand, and, on the other, points in Iowa, Nebraska, and South Dakota, restricted to traffic originating at the plantsite and warehouse facilities utilized by Ford Motor Company, and further restricted to a prior movement by motor, rail or water.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Detroit, Mich., or St. Louis, Mo.

No. MC 30844 (Sub-No. 585), filed March 30, 1977. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, Waterloo, Iowa 50702. Applicant's representative: Christian V. Graf, 407 N. Front St., Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, from the plantsite and shipping facilities of Heinz U.S.A., Division of H. J. Heinz Company, located at Fremont and Toledo, Ohio, to points in New York on and south of Interstate Highway 84; points in New Jersey on and north of New Jersey Highway 33; and points in Massachusetts and Connecticut, restricted to traffic originating at the named origins and destined to the named destinations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held on a consolidated record with other similar applications at either Washington, D.C., or Pittsburgh, Pa.

No. MC 35807 (Sub-No. 69), filed March 28, 1977. Applicant: WELLS FARGO ARMORED SERVICE CORP., P.O. Box 4313, Atlanta, Ga. 30302. Appli-

cant's representative: Harry J. Jordan, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, checks, business papers, records, payroll checks, reports, and audit and accounting media*, between Hamden, Conn., and points in Ulster, Orange, and Dutchess Counties, N.Y., under a continuing contract or contracts, with Northeast Data Com. Inc.; Rondout Savings Bank; Saving & Loan Association of Newburgh; Ellenville Savings Bank, and Mid-Hudson Savings Bank.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or Boston, Mass.

No. MC 40235 (Sub-No. 33), filed March 25, 1977. Applicant: I.R.C. & D. MOTOR FREIGHT, INC., 128 S. 2nd Street, Richmond, Ind. 47374. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) between Liberty and Brookville, Ind.; from Liberty, Ind., over Indiana Highway 101, serving all intermediate points, (2) between New Trenton and Indianapolis, Ind.; from New Trenton, Ind., over U.S. Highway 52 serving all intermediate points, (3) between Connersville, Ind. and junction of Indiana Highway 121 and U.S. Highway 52; from Connersville, Ind. over Indiana Highway 44 to junction Indiana Highway 121, thence over Indiana Highway 121 to junction U.S. Highway 52, serving all intermediate points; and (4) between Rushville and Dunreith, Ind.; from Rushville, Ind. over Indiana Highway 3 to Dunreith, Ind., serving all intermediate points and off-route points of Carthage and Mays, Ind.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Indianapolis, Ind., or Columbus, Ohio.

No. MC 47786 (Sub-No. 6), filed April 27, 1977. Applicant: ROSSMEYER & WEBER, INC., doing business as Raritan Valley Bus Service, P.O. Box 312, Metuchen, N.J. 08040. Applicant's representative: Robert E. Goldstein, 8 West 40th Street, New York, N.Y. 10018. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting passengers and their baggage in the same vehicle with passengers from New York, New York to Vermont and Maine and return, in charter operations.

NOTE.—Applicant proposes to join this authority with its authority authorizing charter operations from New York to New Hampshire, Maine, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Ohio, Nebraska, Maryland, the District of Columbia, and return. If a hearing is deemed necessary, applicant requests that it be held at New York, New York.

No. MC 56640 (Sub-No. 37), filed March 15, 1977. Applicant: DELTA LINES, INC., 333 Hegenberger Road, Oakland, Calif. 94621. Applicant's representative: Marshall G. Berol, 601 California Street, Suite 1900, San Francisco, Calif. 94108. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) Between junction Interstate Highway 10 and California Highway 111 (near Indio) and Tucson, Ariz., serving all intermediate points: From junction Interstate Highway 10 and California Highway 111 (near Indio) over Interstate Highway 10 (also portion U.S. Highway 95 and 60) to Tucson and return over the same route; (2) Between Winterhaven, Calif., and junction Interstate Highway 8 and Interstate Highway 10 (near Arizona City, Ariz.), serving all intermediate points: From Winterhaven over Interstate Highway 8 (also portion U.S. Highway 80), to junction Interstate Highway 8 and Interstate Highway 10 and return over the same route; (3) Between Tucson, Ariz., and Gila Bend, Ariz., serving all intermediate points: From Tucson over U.S. Highway 80 (also portion U.S. Highway 89 and 60) to Gila Bend and return over the same route; (4) Between Mesa, Ariz., and junction Interstate Highway 10, and Arizona Highway 87, located near Eloy, Ariz., serving all intermediate points: From Mesa over Arizona Highway 87 (also portion Arizona Highway 93, 387 and 287), to junction Interstate Highway 10, located near Eloy, and return over the same route;

(5) Between junction Interstate Highway 10 and Arizona Highway 287 and junction U.S. Highway 80 and Arizona Highway 287, serving all intermediate points: From junction Interstate Highway 10 and Arizona Highway 287, over Arizona Highway 287 (also portion Arizona Highway 87), to junction U.S. Highway 80 (also portion U.S. Highway 89), and return over the same route; (6) Between junction Interstate Highway 10 and Arizona Highway 387 and junction Arizona Highway 87, serving all intermediate points: From junction Interstate Highway 10 and Arizona Highway 387, over Arizona Highway 387 to junction Arizona Highway 387 and Arizona Highway 87 and return over the same route; serving as off-route points, points in Pima County, Ariz., east of the Papago Indian Reservation, points in Pinal County, Ariz., and points in Maricopa County, Ariz.

NOTE.—Common Control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco and Los Angeles, Calif., and Phoenix and Tucson, Ariz.

No. MC 59583 (Sub-No. 161), filed April 18, 1977. Applicant: THE MASON AND DIXON LINES, INCORPORATED, Eastman Road, P.O. Box 969, Kingsport, Tennessee 37662. Applicant's representative: Kim D. Mann, Suite 1010, 7101 Wis-

consin Avenue, Washington, D.C. 20014. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment), serving the plant-site and facilities of S. S. Kresge Company Distribution Center in Coweta County, Georgia, as an off-route point in connection with applicant's authorized regular-route operations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Georgia or Washington, D.C.

No. MC 71903 (Sub-No. 85), filed March 21, 1977. Applicant: UNITED TRANSPORTS, INC., 4900 North Santa Fe, P.O. Box 18547, Oklahoma City, Okla. 73118. Applicant's representative: John R. Sims, Jr., 425-13th Street, NW., 915 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New motor vehicles*, in initial movements, in truckaway service, from the plant-site or facilities of the Chrysler Corporation located at or near Belvidere, Ill., to points in Oklahoma, Texas and New Mexico.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Detroit, Mich., or Washington, D.C.

No. MC 76032 (Sub-No. 326), filed March 30, 1977. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo. 80223. Applicant's representative: Eldon E. Bresee (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); Serving the Palo Verde Nuclear Generating Plant-site, located at or near Wintersburg (Maricopa County), Ariz., as an off-route point in connection with carrier's regular route operations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Denver, Colo.

No. MC 78118 (Sub-No. 31), filed March 30, 1977. Applicant: W. H. JOHNS, INC., 35 Witmer Road, Lancaster, Pa. 17602. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, from the plant-site and shipping facilities of Heinz U.S.A., Division of H. J. Heinz Company located at Fremont and Toledo, Ohio, to points in Pennsylvania on and east of U.S. Highway 220, points in Delaware, Maryland, New Jersey, Virginia and the District of Columbia, restricted to traffic originat-

ing at the named origins and destined to the named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held with similar applications at either Washington, D.C. or Harrisburg, Pa.

No. MC 80430 (Sub-No. 162), filed April 25, 1977. Applicant: GATEWAY TRANSPORTATION CO., INC., 455 Park Plaza Drive, La Crosse, Wisconsin 54601. Applicant's representative: F. Neil Aschemeyer (Same address as Applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plant-site and other facilities of the John Deere Company at or near Conyers, Georgia, as an off-route point in connection with applicant's authorized regular route operations. Restriction: The service proposed immediately above is subject to the following conditions: Said operations are restricted against the transportation of traffic originating at the facilities of the John Deere Company at or near Conyers, Georgia and destined to or interlined at Atlanta, Georgia. Said operations are restricted against the transportation of traffic originating at Atlanta, Georgia and destined to or interlined at the facilities of the John Deere Company at or near Conyers, Georgia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Georgia.

No. MC 82492 (Sub-No. 149), filed March 17, 1977. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 2109 Olmstead Road, P.O. Box 2853, Kalamazoo, Mich. 49003. Applicant's representative: William C. Harris (Same address as applicant). 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 *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from St. Joseph, Mo., to points in Indiana, Kentucky, Michigan and Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Kansas City, Mo., or Omaha, Nebr.

No. MC 82492 (Sub-No. 152), filed April 20, 1977. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 2109 Olmstead Road, P.O. Box 2853, Kalamazoo, Mich. 49003. Applicant's representative: William C. Harris (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Chagrin Falls, Ohio, to points in Illinois, Indiana, Iowa, Michigan and Missouri.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Cleveland, Ohio, or Washington, D.C.

No. MC 82492 (Sub-No. 153), filed April 20, 1977. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 2109 Olmstead Road, P.O. Box 2853, Kalamazoo, Mich. 49003. Applicant's representative: William C. Harris (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum and petroleum products*, in containers, and (2) *paper products, uniforms and such commodities as are dealt in by automotive service centers when transported with the commodities in (1) above*, from Cincinnati, OH, to points in Chicago, Illinois; Indianapolis, Indiana; St. Louis and Kansas City, Missouri; Milwaukee, Wisconsin, and points in their commercial zones as defined by the Commission.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 83217 (Sub-No. 73), filed March 24, 1977. Applicant: DAKOTA EXPRESS, INC., 550 East Fifth Street South, South St. Paul, Minn. 55075. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55403. 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 Section A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), (1) from points in the United States (except Alaska and Hawaii), to the ports of entry on the International Boundary line between the United States and Canada, located at or near Pembina, N. Dak., and Noyes, Minn., on traffic destined to Winnipeg, Manitoba, Canada; and (2) from the ports of entry on the International Boundary line between the United States and Canada, located at or near Pembina, N. Dak., and Noyes, Minn., to points in the United States (except Alaska and Hawaii), on traffic originating at Winnipeg, Manitoba, Canada.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Minneapolis or St. Paul, Minn.

No. MC 83539 (Sub-No. 456), filed March 24, 1977. Applicant: C & H TRANSPORTATION CO., INC., 1936-2010 West Commerce Street, P.O. Box 5976, Dallas, Tex. 75223. Applicant's representative: Thomas E. James (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Materials, machinery, equipment, and supplies* (except commodities in bulk) used in the manufacture and distribution of contractors' construction; (2) *mining machinery, equipment and parts*, from points in the United States, including Alaska, but excluding Hawaii to the facilities of Bucyrus-Erie Co., located at Pocatello, Idaho.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the appli-

cant requests it be held at either Salt Lake City, Utah or Washington, D.C.

No. MC 83835 (Sub-No. 139), filed March 28, 1977. Applicant: WALES TRANSPORTATION, INC., P.O. Box 6186, Dallas, Tex. 75222. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Aluminum and aluminum scrap*, between the facilities of Texas Reduction Corp., located at or near Navel, Tex., on the one hand, and, on the other, points in Alabama, Arkansas, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Ohio, Oklahoma, and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas or Houston, Tex.

No. MC 93235 (Sub-No. 10), filed March 31, 1977. Applicant: INDIANA TRUCKING, INC., 6500 Industrial Highway, Gary, Ind. 46406. Applicant's representative: R. D. Besser (same address as applicant). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Adhesives, gypsum and gypsum products, building materials, lime, fabricated metal products, paint and paint products, and such materials as are used in the manufacture, installation and distribution thereof, between the facilities of the United States Gypsum Company, located in Cook County, Ill. and Lake County, Ind., on the one hand, and, on the other, points in Indiana, Illinois, Kentucky, Michigan, Ohio and Wisconsin, under a continuing contract, or contracts, with United States Gypsum Company.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 93840 (Sub-No. 28), filed March 31, 1977. Applicant: W. W. GLESS, dba Gless Bros., P.O. Box 216, Blue Grass, Iowa 52726. Applicant's Representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *gypsum, crushed, crude, ground, or pulverized in bulk in dump equipment, from Marion County, Iowa, to the plantsite of the Marquette Cement Company, at or near Oglesby, Illinois.*

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa or St. Louis, Missouri.

No. MC 94350 (Sub-No. 385), filed March 29, 1977. Applicant: TRANSIT HOMES, INC., P.O. Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Double-wide mobile homes*, in secondary movements, from points in Alabama, Georgia, Mississippi, North Carolina and South Carolina, to points in the United States, including Alaska but excluding Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Columbia, S.C. and Mobile, Ala.

No. MC-94430 Sub No. 41, filed April 27, 1977. Applicant: WEISS TRUCKING COMPANY, INC., P.O. Box 7, Mongo, Indiana 46771. Applicant's representative: James R. Stivers, 1396 West Fifth Avenue, Columbus, Ohio 43212. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plastic and wood moldings, from Middlebury, Indiana, to points in the United States, except Alaska and Hawaii.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Detroit, Michigan, or Washington, D.C. Common control may be involved.

No. MC 95920 (Sub-No. 46), filed March 10, 1977. Applicant: SANTRY TRUCKING COMPANY, a corporation, 11552 S.W. Pacific Highway, Portland, Ore. 97223. Applicant's representative: George R. LaBlissiere, 1100 Norton Building, Seattle, Wash. 98104. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Magnesium oxide and calcined magnesite*, in containers, from Gabbs, Nev., to the Port of Entry on the International Boundary Line between the United States and Canada located at or near Blaine, Wash., restricted to traffic destined to the Province of British Columbia, Canada, under a continuing contract or contracts with Van Waters & Rogers, Ltd.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Seattle, Wash.

No. MC 96938 (Sub-No. 3), filed March 29, 1977. Applicant: ARKANSAS TRANSIT HOMES, INC., 8400 Mabelvale Pike, Little Rock, Ark. 72209. Applicant's representative: Harold G. Hernly, Jr., 118 North St. Asaph Street, Alexandria, Va. 22314. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Trailers, designed to be drawn by passenger automobiles (except travel trailers and recreational vehicles), and buildings, in sections (except prefabricated buildings, in initial movements, from points in Arkansas, to points in Oklahoma, Texas, Louisiana, Mississippi and Tennessee; and (2) trailers, designed to be drawn by passenger automobiles (except travel trailer and recreational vehicles), and buildings, in sections (except prefabricated buildings), in secondary movements, from points in Texas, Louisiana and Mississippi, to points in Arkansas.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Little Rock, Ark., Memphis, Tenn. or Washington, D.C.

No. MC 103051 (Sub-No. 394), filed March 24, 1977. Applicant: FLEET TRANSPORT COMPANY, INC., 934, 44th Avenue, 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: *Liquid arsenic acid*, in bulk, in tank vehicles, from Bonham, Tex., to Conley, Ga.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Atlanta, Ga., or Nashville, Tenn.

No. MC 103993 (Sub-No. 886), filed March 28, 1977. Applicant: MORGAN DRIVE AWAY, INC., 28651 U.S. 20 West, Elkhart, Ind. 46514. Applicant's representative: James B. Buda (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Trailers and trailer chassis (except those designed to be drawn by passenger automobiles), in initial movements, and containers and cargo containers from points in Dauphin County, Pa., to points in the United States (except Alaska and Hawaii); and (2) trailer and trailer chassis (except those designed to be drawn by passenger automobiles), in secondary movements between points in Dauphin County, Pa., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich.

No. MC 103993 (Sub-No. 889), filed April 25, 1977. Applicant: MORGAN DRIVE-AWAY, INC., 28641 U.S. 20 West, Elkhart, Indiana 46514. Applicant's representatives: Paul D. Borghesani, 28651 U.S. 20 West, Elkhart, Indiana 46514. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *trailers, semitrailers, and trailer chassis, other than those designed to be drawn by passenger automobiles, in initial and secondary movements in truckaway service between Murfreesboro, Tennessee, on the one hand, and on the other, to points in the United States (except Alaska and Hawaii).*

NOTE.—If a hearing is deemed necessary, Applicant requests it be held at Minneapolis, Minnesota.

No. MC 103993 (Sub-No. 890), filed April 25, 1977. Applicant: MORGAN DRIVE-AWAY, INC., 28641 U.S. 20 West, Elkhart, Indiana 46514. Applicant's representatives: Paul D. Borghesani, 28651 U.S. 20 West, Elkhart, Indiana 46514. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *buildings and sections of buildings on undercarriages from Box Elder County, Utah to points in the United States (except Alaska and Hawaii).*

NOTE.—If a hearing is deemed necessary, Applicant requests it be held at Detroit, Michigan or Chicago, Illinois.

No. MC 104210 (Sub-No. 69), filed March 30, 1977. Applicant: THE TRANSPORT COMPANY, INC., 5505 Agnes, P.O. Box 4726, Corpus Christi, Tex. 78408. Applicant's representative: Mike Cotten, P.O. Box 1148, Austin, Tex. 78767. Authority sought to operate as a common

carrier, by motor vehicle, over irregular routes, transporting: *Sodium salt solutions*, in bulk, in tank vehicles, from the plantsite and storage facilities of Merichem Company, located at Houston, Tex., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi and Oklahoma.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Houston or Dallas, Tex.

No. MC 105045 (Sub-No. 67), filed March 28, 1977. Applicant: R. L. JEFFRIES TRUCKING CO., INC., P.O. Box 3277, Evansville, Ind. 47701. Applicant's representative: Paul P. Sullivan, 711 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Articles*, which because of size or weight require the use of special equipment, and (2) *articles* which do not require the use of special equipment when moving on the same vehicle and at the same time in mixed loads with the commodities named in (1) above, between the plantsite and facilities of Rockwell International, MGD Graphic Systems Group located at or near Wyomissing and Elizabethville, Pa., on the one hand, and, on the other, points in the United States in and east of Illinois, Kentucky, Mississippi, Tennessee and Wisconsin, restricted to traffic originating at or destined to the above named plantsite and facility.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Pittsburgh, Pa. or Washington, D.C.

No. MC 105045 (Sub-No. 68), filed April 27, 1977. Applicant: R. L. JEFFRIES TRUCKING CO., INC., 1020 Pennsylvania Street, Evansville, IN 47701. Applicant's representative: Paul P. Sullivan, 711 Washington Building, Washington, D.C. 20005. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: iron and steel and iron and steel articles from Huntington, W. Va., to points in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, restricted to traffic originating at the plant site and other facilities of Connors Steel Company, Inc., Huntington, W. Va.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C., or Charleston, W. Va. Applicant also states that it presently holds so-called size-and-weight authority between points in West Virginia, on the one hand, and, on the other, points in various States.

No. MC 105566 (Sub-No. 138), filed April 25, 1977. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1119, Cape Girardeau, Mo. 63701. Applicant's Representative: Thomas F. Kilroy, Suite 406 Springfield Executive Building, 6901 Old Keene Mill Road, Springfield, Virginia 22150. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting *foodstuffs, plastic articles, and rubber articles* from the plantsite and storage facilities of or utilized by Ross Laboratories, Division of Abbott Laboratories, located at

or near Sturgis, Michigan to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Washington, D.C.

No. MC 105566 (Sub-No. 139), filed April 25, 1977. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1119, Cape Girardeau, Mo. 63701. Applicant's Representative: Thomas F. Kilroy, Suite 406 Springfield Executive Building, 6901 Old Keene Mill Road, Springfield, Virginia 22150. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: *printed matter* from Corinth, Miss., and Dresden, Tenn., to all points in Colorado with service limited to the delivery of a shipment, the remainder of which is moving to a point beyond Colorado.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Washington, D.C.

No. MC 105566 (Sub-No. 140), filed April 25, 1977. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1119, Cape Girardeau, Mo. 63701. Applicant's Representative: Thomas F. Kilroy, Suite 406 Springfield Executive Building, 6901 Old Keene Mill Road, Springfield, Virginia 22150. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: household appliances including gas or electric ranges, ovens or surface cooking units, gas or electric; dishwashing machines; garbage disposal units; stove parts; household type compactors; microwave ovens; hoods; cooling boxes or refrigerators and cooling and freezing combined; dishwasher parts; and refrigerator parts from Mansfield, Ohio, Nashville, Tenn., Springfield, Tenn., Murray, Ky., and Dalton, Ga., to all points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Washington, D.C.

No. MC 105566 (Sub-No. 141), filed April 25, 1977. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1119, Cape Girardeau, Mo. 63701. Applicant's Representative: Thomas F. Kilroy, Suite 406 Springfield Executive Building, 6901 Old Keene Mill Road, Springfield, Virginia 22150. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: *printed matter* from Carlstadt, New Jersey to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Washington, D.C.

No. MC 106603 (Sub-No. 153), filed April 22, 1977. Applicant: DIRECT TRANSIT LINES, INC., 200 Colrain Street, SW., Grand Rapids, Michigan 49508. Applicant's representative: Martin

J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Northville, Michigan 48167. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Refractories and refractory products* from Audrain County, Missouri, to points in Michigan (except the facilities of Mueller Brass at Port Huron), and Wisconsin.

NOTE.—Applicant holds motor contract carrier authority in Permit No. 46240 and therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Chicago Illinois; Detroit, Michigan; or Washington, D.C.

No. MC 107002 (Sub-No. 500), filed March 30, 1977. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123 (U.S. Highway 80 West), Jackson, Miss. 39205. Applicant's representative: John J. Borth, P.O. Box 8573, Battlefield Station, Jackson, Miss. 39204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Insecticides*, liquid, in bulk in tank vehicles, from Becker, Miss., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, North Carolina, South Carolina, Tennessee, and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Jackson, Miss., or Atlanta, Ga.

No. MC 107295 (Sub No. 848), filed April 21, 1977. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill. 62707. Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: *steel door frames and iron or steel doors*, from Brooklyn, New York, to points in Colorado, Florida, Georgia, Kansas, Kentucky, Nebraska and South Carolina.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held in Washington, D.C.

No. MC 107403 (Sub-No. 1009), filed April 17, 1977. Applicant: MATLACK, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: Martin C. Hynes, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid Chemicals*, in bulk, in tank vehicles, from: Bainbridge, New York. To: points in Rhode Island, New Hampshire, Vermont, Maine, Massachusetts, Delaware and the District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held at Washington, D.C.

No. MC 107403, (Sub-No. 1010), filed April 21, 1977. Applicant: MATLACK, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: Martin C. Hynes, Jr. (same address as above). Authority sought to operate as a common carrier, over irregular routes, transporting: *Sodium Sulfate (salt cake)*, in bulk, in tank vehicles, from Nitro, West Virginia, to Baltimore, Maryland.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 107403, (Sub-No. 1011), filed April 21, 1977. Applicant: **MATLACK, INC.**, Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: Martin C. Hynes, Jr. (same address as above). Authority sought to operate as a *common carrier*, over irregular routes, transporting: *Reclaiming Oil*, in bulk, in tank vehicles, from Lorain, Ohio, to the plant site of Motor Oils Refining at or near Lyons, Illinois.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 107460 (Sub-No. 64), filed March 28, 1977. Applicant: **WILLIAM Z. GETZ, INC.**, 3055 Yellow Goose Road, Lancaster, Pa. 17601. Applicant's representative: Donald D. Shipley (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Accessories, parts, materials and supplies* (except commodities in bulk) used in the manufacture, repair, assembly and distribution of agricultural machinery, implements and components thereof, (a) from points in Connecticut, Illinois, Indiana, Iowa, Kentucky, Massachusetts, Michigan, Minnesota, Missouri, New York, Ohio, Pennsylvania, Tennessee, Wisconsin, and from the plantsites of the Sperry Rand Corporation, New Holland Division, located at or near Grand Island and Lexington, Nebr., to the plantsite of the Sperry Rand Corporation, New Holland Division, located at or near Fowler, Calif.; and (b) from the plantsite of the Sperry Rand Corporation, New Holland Division, located at or near Fowler, Calif., to the plantsites of the Sperry Rand Corporation, New Holland Division, located at or near Grand Island and Lexington, Nebr., under a continuing contract, or contracts, with Sperry Rand Corporation, New Holland Division.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Harrisburg, Pa.

No. MC 107515 (Sub-No. 1069), filed March 30, 1977. Applicant: **REFRIGERATED TRANSPORT CO., INC.**, P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Road, N.E., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in vehicles equipped with mechanical refrigeration, from the plantsite and warehouse facilities of Spencer Foods, Inc., located at Spencer, Hartley and Ft. Dodge, Iowa, and Fremont and Schuyler, Nebr., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and the District of Columbia.

NOTE.—Applicant controls Refrigerated Transport, Inc., which has contract carrier authority in MC 126436 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 107544 (Sub-No. 135), filed March 22, 1977. Applicant: **LEMMON TRANSPORT COMPANY, INCORPORATED**, P.O. Box 580, Marion, Va. 24354. Applicant's representative: E. Stephen Heisley, 666 Eleventh Street, N.W., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ground, pulverized and crushed limestone, silica sand materials, and pre-mixed materials*, from Buchanan, Va., to points in Kentucky, Maryland, North Carolina, South Carolina, Tennessee, Virginia, West Virginia and the District of Columbia.

NOTE.—Applicant holds contract carrier authority in MC 113959 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Roanoke, Va. or Washington, D.C.

No. MC 108046 (Sub No. 8), filed April 21, 1977. Applicant: **CURATOLA BROS. TRUCKING, INC.**, 180 Atlantic Avenue, Garden City Park, N.Y. 11040. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Avenue, Harrison, N.Y. 10580. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by retail department stores*, between all points in New Jersey, New York, N.Y., Nassau, Suffolk, and Westchester Counties, N.Y. *Restriction:* The operations authorized herein are limited to a transportation service to be performed, under a continuing contract or contracts, with Abraham and Straus, a Division of Federated Department Stores, Inc.

NOTE.—Applicant states that it holds authority to serve Abraham and Straus, a Division of Federated Department Stores, Inc., which partially duplicates the authority sought. Applicant consents to the revocation of its present duplicating authority contained in Permit MC 108046 (Sub No. 6). If a hearing is deemed necessary, the applicant requests that it be held at New York, N.Y.

MC 108119 (Sub-No. 58), filed March 31, 1977. Applicant: **E. L. MURPHY TRUCKING COMPANY**, a Corporation, 3303 Sibley Memorial Highway, P.O. Box 3010, St. Paul, Minnesota 55165. Applicant's Representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, Minnesota 55402. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *trailer-mounted chippers and debarkers in tow-away service*, between the plantsite and storage facilities of Nicholson Manufacturing Co., located in King County, Washington, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Seattle, Washington.

Common control may be involved.

No. MC 108207 (Sub-No. 458), filed March 31, 1977. Applicant: **FROZEN FOOD EXPRESS**, a Corporation, 318 Cadiz Street, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products and foodstuffs*, from St. Louis, Mo. and points in its commercial zone, to points in Kansas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either St. Louis, Mo. or Dallas, Tex.

No. MC 109443 (Sub-No. 25) (Correction), filed March 18, 1977. Published in the FEDERAL REGISTER issue of May 5, 1977 as MC 109433, and republished as corrected this issue. Applicant: **SEA-BOARD TANK LINES, INC.**, Monahan Ave., Dunmore, Pa. 18512. Applicant's representative: Joseph F. Hoary, 121 S. Main St., Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Litharge*, dry, in bulk, from Dunmore, Pa., to points in Ohio.

NOTE.—The purpose of this republication is to indicate applicant's correct docket number is MC 109433 in lieu of MC 109443 as previously published. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109612 (Sub-No. 40), filed March 28, 1977. Applicant: **LEE MOTOR LINES, INC.**, 4319 South Madison, Muncie, Ind. 47305. Applicant's representative: Donald W. Smith, Suite 2465—One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic containers and plastic articles*, from Seymour, Ind., to points in Illinois, Ohio and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Indianapolis, Ind., or Chicago, Ill.

No. MC 109821 (Sub-No. 52), filed March 31, 1977. Applicant: **H. W. TAYNTON COMPANY, INC.**, 40 Main Street, Wellsboro, Pa. 16901. Applicant's representative: Dewey T. Whitford (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery and machine parts*; (2) *ores and ore concentrates, chemicals and chemical compounds, oxides, metallurgical compounds, metal compounds, carbide powder, and the refined, smelted, or otherwise processed products of these ores and derivatives, therefrom including metals, metal parts, metal powder, billets, wire, rods, pellets, sheet, plate and foil, perforated sheets, coils, and electrodes*; (3) *aperture masks*; (4) *rare earths*; (5) *phosphors*; and (6) *chemical mixtures, and related materials and derivatives and products therefrom, and articles used in the sale, manufacture and distribution thereof, (except in bulk), between the facilities*

of G.T.E. Sylvania, Incorporated, Chemical and Metallurgical Division, located at or near Towanda, Pa., on the one hand, and, on the other, points in Connecticut, Indiana, Kentucky, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and West Virginia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Philadelphia, Pa. or New York, N.Y.

No. MC 110012 (Sub-No. 34), filed March 24, 1977. Applicant: ROY WIDENER MOTOR LINES, INC., 707 North Liberty Hill Road, Morristown, Tenn. 37814. Applicant's representative: John R. Sims, Jr., 915 Pennsylvania Bldg., 425 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *New furniture*, from Nashville, Tenn. to points in the United States (including Alaska and Hawaii); and (2) *returned shipments* of new furniture, from the destination points named in (1) above, to Nashville, Tenn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110149 (Sub-No. 10), filed March 28, 1977. Applicant: PAN AMERICAN VAN LINES, INC., 18420 Santa Fe Avenue, P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Avenue, Harrison, N.Y. 10528. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Empty household goods shipping containers*, set up or knocked down, between points in the United States, including Alaska and Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 110525 (Sub-No. 1187), filed March 30, 1977. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, 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: *Sodium salt solutions*, in bulk, in tank vehicles, from the plantsite of Merichem Company and the storage facilities of Merichem Company, located at Houston, Tex., to points in Arkansas, Louisiana, Mississippi, and Oklahoma.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Houston, Tex.

No. MC110683 (Sub-No. 119), filed April 28, 1977. Applicant: SMITH'S TRANSFER CORP., Post Office Box 1000, Staunton, Va. 24401. Applicant's representative: Thomas N. Willess, 1000 Sixteenth Street NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual

value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment). Serving the plantsite and warehouse facilities of the John Deere Company, located at or near Conyers, Georgia, as an off-route point in connection with applicant's authorized regular route operations serving Atlanta, Georgia. Restricted against the transportation of traffic between Atlanta, Georgia, on the one hand, and, on the other, the plant site and warehouse facilities of the John Deere Company, located at or near Conyers, Georgia.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Atlanta, Georgia, or Washington, D.C.

MC 111812 (Sub-No. 532), filed April 27, 1977. Applicant: MIDWEST COAST TRANSPORT, INC., P.O. Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representative: Ralph H. Jinks, P.O. Box 1233, Sioux Falls, S. Dak. 57101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *foodstuffs in mixed shipments with meats* (as previously authorized) in mechanically refrigerated vehicles (restricted against commodities in bulk) from the plantsites and warehouse facilities of Oscar Mayer located at or near Madison, Wisconsin, and Davenport, Iowa, to points in California, Idaho, Montana, Nevada, Oregon, Utah, and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Madison, Wisconsin. Common control may be involved.

No. MC 111956 (Sub-No. 37), filed March 30, 1977. Applicant: SUWAK TRUCKING CO., 1105-15 Fayette Street, Washington, Pa. 15301. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, from the plantsite and shipping facilities of Heinz U.S.A., Division of H. J. Heinz Company located at Fremont and Toledo, Ohio, to points in Pennsylvania on and east of U.S. Highway 220, points in New York on and south of Interstate Highway 84, points in New Jersey on and north of New Jersey Highway 33, and the District of Columbia, restricted to transportation originating at the above origins and destined to the above destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be heard on a consolidated record with similar applications at either Washington, D.C., or Harrisburg, Pa.

No. MC 112304 (Sub-No. 116), filed March 30, 1977. Applicant: ACE DORAN HAULING & RIGGING CO., a corporation, 1601 Blue Rock Street, Cincinnati, Ohio 45223. Applicant's representative: John D. Herbert (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except in bulk, Classes A

and B explosives, household goods as defined by the Commission, livestock and articles of unusual value), between the port site and facilities of the Paducah-McCracken County Riverport Authority, located at or near Paducah, Ky., on the one hand, and, on the other, points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Louisville, Ky.

No. MC 112713 (Sub-No. 198), filed April 22, 1977. Applicant: YELLOW FREIGHT SYSTEM, INC., P.O. Box 7270, 10990 Roe Avenue, Shawnee Mission, Kans. 66207. Applicant's representative: John M. Records (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General Commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, articles of unusual value, commodities requiring special equipment and those contaminating or injurious to other lading), serving the plantsite of Minnesota Valley Engineering Company at New Prague, MN, as an off-route point in connection with carrier's otherwise authorized operations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, MN, or Washington, DC.

No. MC 112713 (Sub-No. 199), filed April 22, 1977. Applicant: YELLOW FREIGHT SYSTEM, INC., P.O. Box 7270, 10990 Roe Avenue, Shawnee Mission, Kans. 66207. Applicant's representative: John M. Records (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosive, household goods as defined by the Commission, commodities in bulk, articles of unusual value, and commodities requiring special equipment), serving the plantsite of Prairie States Enterprises, Inc., located on Missouri Highway 31 near Clarksdale, DeKalb County, MO, as an off-route point in connection with carrier's otherwise authorized operations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, MO, or St. Joseph, MO.

No. MC 112750 (Sub-No. 342), filed March 24, 1977. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Elizabeth L. Heno (same address as applicant). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents and written instruments* (except currency and negotiable securities)

as are used in the business of banks and banking institutions, from Berlin, N.H., to Boston, Mass., under a continuing contract, or contracts, with North Country Bank and The Berlin City Bank.

NOTE.—Applicant holds common carrier authority in various subs under MC 111729, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 112822 (Sub-No. 417), filed April 27, 1977. Applicant: BRAY LINES, INC., 1401 N. Little Street, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Charles D. Midkiff (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plastic pails*, from Denver, Colorado, to points in Iowa, Kansas, Missouri, Nebraska, Oklahoma, and Texas. Restricted to the transportation of traffic originating at the named origin and destined to the named destination states.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held at either Denver, Colo., or Kansas City, Mo.

No. MC 113158 (Sub-No. 29), filed March 31, 1977. Applicant: TODD TRANSPORT CO., INC., Secretary, Md. 21664. Applicant's representative: James W. Patterson, 1200 Western Savings Bank Building, Philadelphia, Pa. 19107. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Macaroni noodles, spaghetti noodles and other noodles and noodle products*, from the facilities of Gota Specialty Foods, Inc., located at Buffalo, N.Y., to Landover, Md.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Philadelphia, Pa., or Washington, D.C.

MC 113855 (Sub-No. 371), filed March 24, 1977. Applicant: INTERNATIONAL TRANSPORT, INC., a corporation, 2450 Marion Road SE, Rochester, Minn. 55901. Applicant's representative: Thomas J. Van Osdel, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, in interstate or foreign commerce, transporting: *Yard tractors* between Lyons, Ill., on the one hand, and, on the other, points in the United States, including Alaska, but excluding Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 113908 (Sub-No. 395), filed March 31, 1977. Applicant: ERICKSON TRANSPORT CORP., P.O. Box 3180 G.S.S., 2105 East Dale Street, Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Feed, feed supplements, feed ingredients, and feed additives*, in bulk, from Marshall, Mo., and points in Saline County, Mo., to points in Alabama, Arkansas, California, Colorado, Illinois, Indiana, Iowa,

Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Kansas City, Mo., Chicago, Ill., or Washington, D.C.

No. MC 114115 (Sub-No. 27), filed March 21, 1977. Applicant: TRUCKWAY SERVICE, INC., 1099 Oakwood Blvd., Detroit, Mich. 48217. Applicant's representative: James R. Stiversen, 1396 West Fifth Avenue, Columbus, Ohio 43212. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk (1) from Erie, Pa., to points in New York; and (2) from Toledo, Ohio, to points in Indiana, Illinois, and Michigan, restricted in (1) and (2) to traffic originating at the plantsites of Domtar Chemicals, Inc., located at Erie, Pa., and Toledo, Ohio, under a continuing contract or contracts with Domtar Chemicals, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Detroit, Mich., or Washington, D.C.

No. MC 114457 (Sub-No. 299), filed April 22, 1977. Applicant: DART TRANSPORT CO., a corporation, 2102 University Avenue, St. Paul, MN 55114. Applicant's representative: James C. Hardman, 33 N. LaSalle Street, Chicago, IL 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plastic containers*, from New Berlin, Wisconsin, to Jeffersonville, Indiana, and Kansas City, Missouri.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis-St. Paul, Minnesota, or Chicago, Illinois.

No. MC 114457 (Sub-No. 300), filed April 22, 1977. Applicant: DART TRANSPORT CO., a corporation, 2102 University Avenue, St. Paul, MN 55114. Applicant's representative: James C. Hardman, 33 N. LaSalle Street, Chicago, IL 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Metal containers, container ends, and equipment, materials, and supplies used in the manufacture and distribution of the described commodities* (except commodities in bulk), from Perrysburg, Ohio, to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, the Upper Peninsula of Michigan, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minnesota, or Chicago, Illinois.

No. MC 114533 (Sub-No. 357), filed March 28, 1977. Applicant: BANKERS DISPATCH CORP., 1106 West 35th St., Chicago, Ill. 60609. Applicant's representative: Warren W. Wallin (same address as applicant). Authority sought to operate as a common carrier, by motor

vehicle, over irregular routes, transporting: *Audit media, reports and pattern samples*, between Manhattan, Kans., on the one hand, and, on the other, Kansas City, Mo., restricted to shipments having a prior or subsequent movement by air.

NOTE.—Applicant holds contract carrier authority in MC 128616 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 114569 (Sub-No. 173), filed March 21, 1977. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, Pa. 17072. Applicant's representative: N. L. Cummins (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Food and foodstuffs* (except in bulk, in tank vehicles), in mechanically controlled refrigerated equipment, from the plantsite and storage facilities of Kraft, Inc., located at or near Champaign, Ill., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia, restricted to traffic originating at the above named origin and destined to the above named destination points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Washington, D.C.

No. MC 114608 (Sub-No. 31), filed March 31, 1977. Applicant: CAPITAL EXPRESS, INC., 5635 Clay, Grand Rapids, Mich. 49508. Applicant's representative: Wilhelmina Boersma, 1600 First Federal Bldg., Detroit, Mich. 48226. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Ranges and ovens*, including microwave ovens, from Marion, Ohio, to Grand Rapids, Greenville, Holland, Kentwood, Muskegon, and Wyoming, Mich., under a continuing contract, or contracts, with Gibson Products Corporation, and Kelvinator, Inc.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Lansing or Detroit, Mich., or Chicago, Ill.

No. MC 114632 (Sub-No. 107), filed March 28, 1977. Applicant: APPLE LINES, INC., P.O. Box 287, Madison, S. Dak. 57042. Applicant's representative: Andrew Clark, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs* from Bonner Springs, Kansas, to points in Illinois, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, Texas, and Wisconsin.

NOTE.—Applicant holds motor contract carrier authority in No. MC 129706, therefore dual operations may be involved. If a hearing is deemed necessary, applicant request it be held at Kansas City, Missouri.

No. MC 114896 (Sub-No. 48), filed March 24, 1977. Applicant: PUROLATOR SECURITY, INC., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040.

Applicant's representative: Elizabeth L. Henoch (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coin, currency and securities*, between New Orleans, La., on the one hand, and on the other, points in Alabama, Florida, and Mississippi, under a continuing contract or contracts with Federal Reserve Bank of Atlanta.

NOTE.—Applicant holds common carrier authority in MC 140345 (Sub-No. 1), therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 115180 (Sub-No. 98), filed March 30, 1977. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 205 W. 14th Street, New York, N.Y. 10014. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cocoa beans, cocoa butter, cocoa cake, chocolate liquor, and confectionary* (except commodities in bulk), from Philadelphia, Pa., to the facilities of Blommer Chocolate Co. and World's Finest Chocolate, Inc., located at Chicago, Ill.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y., or Chicago, Ill.

No. MC 115311 (Sub-No. 214), filed March 28, 1977. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, Calif. 93061. Applicant's representative: K. Edward Wolcott, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, from St. Clair, Mich., Akron, Ohio, and Iberia Parish, La., to points in North Carolina, South Carolina, Tennessee, and Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New Orleans, La.

No. MC 115841 (Sub-No. 535), filed March 25, 1977. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 9041 Executive Park Drive, Suite 110, Bldg. 100, Knoxville, Tenn. 37919. Applicant's representative: E. Steven Heisley, 666 Eleventh Street, NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Nursery or infant materials and supplies* in mixed loads with foodstuffs, from Skyland, N.C., to points in Alabama, Arkansas, California, Florida, Georgia, Louisiana, Mississippi, Oregon, Tennessee, and Washington; and (2) *foodstuffs* (except frozen) and *infant materials and supplies* in mixed loads with foodstuffs, in mechanically refrigerated vehicles between the plantsite and facilities of Gerber Products Company located at or near Skyland, N.C. and Fremont, Mich.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Asheville, N.C. or Washington, D.C.

No. MC 116045 (Sub-No. 47), filed April 18, 1977. Applicant: NEUMAN TRANSIT CO., INC., P.O. Box 38, Rawlins WY 82301. Applicant's Representative: Leslie R. Kehl of Suite 1600 Lincoln Center Building, 1660 Lincoln Street, Denver CO 80264. Authority sought to operate as a *common carrier* by motor vehicle over irregular routes transporting sulphuric acid, in bulk, from Casper, Casper Air Force Base, Rawlins, Medicine Bow, Bonneville, Rock Springs, and Douglas, Wyo., to points in Wyo., restricted to the transportation of shipments having an immediately prior movement by rail.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Denver, Colorado.

No. MC 116763 (Sub-No. 376), filed March 24, 1977. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters, P.O. Box 81, Versailles, Ohio 45380. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the facilities of Northern Star Company located at Minneapolis, Minn., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 117072 (Sub-No. 4), filed March 28, 1977. Applicant: ARMORED TRANSPORT, INC., 1130 South Flower Street, Los Angeles, Calif. 90015. Applicant's representative: R. Y. Schureman, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coin, currency and securities*, including savings bond stock, between Los Angeles, Calif., on the one hand, and on the other, points in Arizona, under a continuing contract, or contracts, with Federal Reserve Bank of San Francisco.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Los Angeles or San Francisco, Calif.

No. MC 117416 (Sub-No. 54), filed March 25, 1977. Applicant: NEWMAN AND PEMBERTON CORPORATION, 2007 University Avenue, N.W., Knoxville, Tenn. 37921. Applicant's representative: Herbert Alan Dubin, 1819 H Street, NW., Suite 1030, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal powders and barium ferrite* (except in bulk), from points in Loudon County, Tenn., to points in Illinois, Indiana, Kentucky, Michigan and Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117574 (Sub-No. 284), filed March 31, 1977. Applicant: DAILY EXPRESS, INC., P.O. Box 39, 1076 Harrisburg Pike, Carlisle, Pa. 17013. Applicant's representative: James W. Hagar, P.O. Box 1166, 100 Pine Street, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Self-propelled construction equipment weighing 15,000 pounds or more, and parts and attachments for such commodities, from Lorain, Ohio and Chattanooga, Tennessee to points in the United States in and east of Colorado, Montana, New Mexico and Wyoming (except Tennessee), restricted to the transportation of shipments originating at the facilities of Lorain Division, Koehring, Inc., at Chattanooga, Tennessee or Lorain, Ohio.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 117765 (Sub-No. 226), filed March 28, 1977. Applicant: HAHN TRUCK LINE, INC., 5315 N.W. 5th Street, Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from Austin, Minn., to points in Arkansas, Kansas, Missouri and Oklahoma.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Oklahoma City, Okla.

No. MC 117815 (Sub-No. 263), filed April 20, 1977. Applicant: PULLEY FREIGHT LINES, INC., 405 S.E. 20th Street, Des Moines, Iowa 50309. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal, charcoal briquets, woodchips* (not charred), charcoal lighter fluid (naphtha distillate), potting soil plant bedding, fireplace log, vermiculite other than crude, from the plantsite and warehouse facilities of Kingsford Company at or near Belle, Missouri to points in Iowa and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at either Louisville, Kentucky or Kansas City, Missouri.

No. MC 119632 (Sub-No. 72), filed April 1, 1977. Applicant: REED LINES, INC., 634 Ralston Avenue, Defiance, Ohio 43512. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar* (except in bulk), from the plantsite and facilities of U.S. Sugar Co., located at Chicago, Ill., to points in Indiana, and Kentucky, those points in the lower peninsula of Michigan, and points in New York, Ohio, Pennsylvania, and West Virginia, restricted to traffic originating at the named origins, and destined to the named destination states.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 119741 (Sub-No. 87), filed March 30, 1977. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., 3225 Fifth Avenue South, 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: (1) *Edible animal fats, animal oils, and vegetable oils, in packages*; (2) *products and blends of the commodities in (1) above, in packages*; and (3) *oleomargarine, in packages, from the facilities utilized by Swift Edible Oil Company, located at Bradley and Kankakee, Ill., to points in Minnesota and Wisconsin, restricted to the transportation of shipments originating at the named origins, and destined to the named destinations.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 119777 (Sub-No. 335), filed March 30, 1977. Applicant: LIGON SPECIALIZED HAULER, INC., Highway 85 East, Madisonville, Ky. 42431. Applicant's representative: Carl U. Hurst, P.O. Drawer "L", Madisonville, Ky. 42431. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber, pallets, skids, bases, boxes, crates, crating, baskets, treads, risers, sills, moldings, cardboard cartons, nails, treated poles, treated piling, treated crossarms, treated crossies, and treated lumber, from points in Georgia, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Lower Peninsula of Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia West Virginia, and the District of Columbia.*

NOTE.—Applicant holds contract carrier authority in MC 120970 (Sub-No. 1) and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 119777 (Sub-No. 336), filed March 30, 1977. Applicant: LIGON SPECIALIZED HAULER, INC., Highway 85 East, Madisonville, Ky. 42431. Applicant's representative: Carl U. Hurst, P.O. Drawer "L", Madisonville, Ky. 42431. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Air coolers and air conditioners, and parts, attachments, and accessories, for air coolers and air conditioners, from Tyler, Tex., to points in the United States (except Alaska, Hawaii, and Texas).*

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Los Angeles, Calif.

No. MC 119789 (Sub-No. 332), filed March 28, 1977. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. (same address as applicant). Authority

sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) *Air conditioners, air coolers and apparatus, furnace or heating units and related parts, and furnaces and air conditioning apparatus combined, from Milledgeville, Ga., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New Hampshire, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia*; and (B) *Materials and supplies used in the production of air conditioners, air coolers and apparatus, furnaces or heating units and related parts, and furnaces and air conditioning apparatus combined, from points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New Hampshire, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia and Wisconsin, to Milledgeville, Ga.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Fort Smith or Little Rock, Ark.

No. MC 119789 (Sub-No. 333), filed March 28, 1977. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned and bottled foodstuffs, from St. Francisville and Belledeau (Avoyelles County), La., to points in Washington.*

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Peoria, Ill., or Dallas, Tex.

No. MC 119789 (Sub-No. 339), filed March 28, 1977. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Transformers and parts (except commodities which because of size or weight require the use of special equipment), from Pine Bluff, Ark., to points in the United States (except Alaska and Hawaii).*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Pine Bluff or Little Rock, Ark.

No. MC 119789 (Sub-No. 344), filed April 21, 1977. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting *Plastic Film, in mechanically refrigerated equipment, (a) From Illiopolis, Ill. to Texas, and (b) from Carson, Cal. to Washington and Texas.*

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Columbus or Cincinnati, Ohio.

No. MC 119864 (Sub-No. 69), filed March 29, 1977. Applicant: CRAIG

TRANSPORTATION CO., a corporation, 26699 Eckel Road, Perrysburg, Ohio 43551. Applicant's representative: Dale K. Craig (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Such commodities as are distributed or dealt in by food distributors and wholesale or retail grocers (except commodities in bulk), from the plantsite and facilities of Fostoria Distribution Service Company, located at or near Fostoria, Ohio, to St. Louis, Mo., and points in Illinois and Michigan.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich.

No. MC 119917 (Sub-No. 41) (Correction), filed February 24, 1977, and published in the FEDERAL REGISTER issue of April 21, 1977 and republished this issue. Applicant: DUDLEY TRUCKING COMPANY, INC., 724 Memorial Drive SE., Atlanta, Ga. 30316. Applicant's representative: Theodore Polydoroff 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bakery products (except frozen), (1) from the plant sites and shipping facilities of Nabisco, Inc., located at Henrico County, Va., and Atlanta, Ga., to points in Arkansas and Oklahoma and to points in Texas on and east of U.S. Highway 281; and (2) from the plant site and shipping facilities of Nabisco, Inc., located at or near Houston, Tex., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Virginia, and the District of Columbia.*

NOTE.—The purpose of this republication is to correct applicant's commodity description. If a hearing is deemed necessary the applicant requests it be held at Washington, D.C.

No. MC 119934 (Sub-No. 216), filed April 21, 1977. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Indiana 46040. Applicant's representative: Robert W. Loser II, 1009 Chamber of Commerce Bldg., Indianapolis, Indiana 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Corn starch, dry, in bulk, from New Orleans, Louisiana, to points and places in Louisiana, restricted to shipments having had a prior movement by rail.*

NOTE.—Applicant holds contract carrier authority in MC-128161 and Sub-No. 1, thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests that it be held at either New Orleans, Louisiana, or Washington, D.C.

No. MC 119974 (Sub-No. 65), filed April 28, 1977. Applicant: L. C. L. TRAN-SIT CO., 949 Advance Street, Green Bay, Wis. 54304. Applicant's representative: L. F. Abel, P.O. Box 949, Green Bay, Wis. 54305. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting *Meat and Meat Products, from the*

plant site of Armour & Company at Green Bay, Wisconsin, to points in Ohio.

NOTE.—If hearing is deemed necessary, the applicant requests it be held at Chicago, Illinois, or Milwaukee, Wisconsin.

No. MC 119988 (Sub-No. 111), filed March 30, 1977. Applicant: GREAT WESTERN TRUCKING CO., INC., Highway 103 East, P.O. Box 1384, Lufkin, Tex. 75901. Applicant's representative: Hugh T. Matthews, 2340 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Shelving*, in cartons, and *new store fixtures*, in crates, and *materials, equipment and supplies*, utilized in the manufacture and distribution thereof (except commodities in bulk), between points in Kaufman County, Tex., on the one hand, and, on the other, points in the United States (except Alaska, Hawaii and Texas).

NOTE.—Applicant holds contract carrier authority in MC 140271, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 120880 Sub-No. 2), filed March 28, 1977. Applicant: RONALD PEARSON, doing business as PEARSON'S EXPRESS, 132 Vale Street, Fall River, Mass. 02724. Applicant's representative: Ronald B. Pearson, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, Classes A and B explosives, commodities in bulk and commodities requiring special equipment), between points in Massachusetts.

NOTE.—By instant application applicant seeks to convert its Certificate of Registration in MC 120880 (Sub-No. 1) to a Certificate of Public Convenience and Necessity. If a hearing is deemed necessary, the applicant requests it be held at either Providence, R.I., or Hartford, Conn.

No. MC 123048 (Sub-No. 355), filed April 18, 1977. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 5021 21st Street, Racine, Wis. 53406. Applicant's representative: Paul C. Garttke, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum, aluminum products, and supplies, materials, and equipment* used in the manufacture of aluminum and aluminum products (except in bulk), between the plantsites of Alumax, Inc., located at Decatur, Ala.; Casa Grande, Ariz.; Long Beach, Riverside, Visalia, Perris Valley, and Woodland, Calif.; Loveland, Colo.; Ocala and Plant City, Fla.; Peachtree City and Jonesboro, Ga.; Twin Falls, Idaho; Chicago and Morris, Ill.; Lebanon, Bristol, and Franklin, Ind.; McPherson, Kans.; Frederick, Md.; Montevideo, Minn.; St. Louis, Mo.; Hernando, Miss.; Reidsville, N.C.; Cleveland, Ohio; Tulsa and Checotah, Okla.; Stayton, Ore.;

Bloomsburg, Pa.; Mansfield, Tex.; Harrisonburg, Va.; Spokane and Ferndale, Wash.; and Marshfield, Wis., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests that this application be consolidated with other similar applications at Washington, D.C.

No. MC 123069 (Sub-No. 16), filed March 31, 1977. Applicant: ALLER & SHARP, INC., 817 West Fifth Avenue, Columbia, Ohio 43212. Applicant's representative: Thomas F. Kilroy, P.O. Box 2069, Springfield, Va. 22152. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pickles, pickled tomatoes, sauerkraut, and relishes* in vehicles equipped with mechanical refrigeration (except commodities in bulk), from the plantsite of Claussen Pickle Co. located at or near Woodstock, Ill., to points in Delaware, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at the named plant site and destined to the named states.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 123405 (Sub-No. 58), filed April 22, 1977. Applicant: FOOD TRANSPORT, INC., R.D. No. 1, Thomasville, Pa. 17364. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except petro-chemicals), in containers, from New Kensington, Pa., to points in Florida and Georgia.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Harrisburg, Pa., or Washington, D.C. Common control may be involved.

No. MC 123407 (Sub-No. 360), filed March 25, 1977. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: H. E. Miller, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulation materials, and materials, accessories and supplies*, used in the installation thereof, from Earth City, Mo., located at Bridgeton (St. Louis County), Mo., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Cleveland or Columbus, Ohio.

No. MC 123407 (Sub-No. 361), filed March 25, 1977. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: H. E. Miller Jr. (same address as applicant). Authority sought to operate as a *com-*

mon carrier, by motor vehicle, over irregular routes, transporting: *Insulation materials, and materials, accessories and supplies*, used in the installation thereof, from Solon, Ohio to points in the United States in and east of Arkansas, Iowa, Louisiana, Minnesota, and Missouri.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Cleveland or Columbus, Ohio.

No. MC 123407 (Sub-No. 362), filed March 28, 1977. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: H. E. Miller, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cooling rooms* (except such commodities, which because of size or weight require special equipment), from Dallas, Tex., to points in the United States, including Alaska, but excluding Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 123407 (Sub-No. 328) (Correction), filed October 6, 1976, published in the FEDERAL REGISTER issue of October 29, 1976, and republished this issue. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paneling*, between the facilities of the Pan American Gyro-Tex Company located at or near Jacksonville, Fla., on the one hand, and, on the other, points in and east of Kansas, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas.

NOTE.—The purpose of this republication is to indicate Oklahoma as a destination state in lieu of Ohio. Common control may be involved.

Hearing: June 1, 1977 at Jacksonville, Fla. (3 days), at 9:30 a.m. local time. A tentative time allowance is shown for this hearing. Location of hearing room will be by subsequent notice.

No. MC 123744 (Sub-No. 26), filed April 1, 1977. Applicant: BUTLER TRUCKING COMPANY, a Corporation, P.O. Box 88, Woodland, Pa. 16881. Applicant's representative: Christian V. Graf, 401 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refractory products, materials and supplies* used in the installation and manufacture of refractory products, between the plantsite and facilities of North American Refractories Co., located at White Cloud, Mich., on the one hand, and, on the other, points in North Carolina, South Carolina, Georgia, Florida, Mississippi, Alabama and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Harrisburg, Pa.

No. MC 124306 (Sub-No. 27), filed April 25, 1977. Applicant: KENAN TRANSPORT COMPANY, INC., P.O. Box 2729, Chapel Hill, NC 27514. Applicant's Representative: Richard A. Mehley, 1000 16th Street, NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *liquefied petroleum gas, in bulk, in tank vehicles, from Albermarle, N.C.; to Cowpens, S.C.; Dalton, Ga.; and Nashville, Tenn.*

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held in Charlotte, N.C., or Washington, D.C.

No. MC 124328 (Sub-No. 111), April 21, 1977. Applicant: BRINK'S INCORPORATED, One Crossroads of Commerce, Suite 710, Algonquin Road and Route 53, Rolling Meadows, Ill. 60008. Applicant's representative: Chandler Lee van Orman, 704 Southern Building, 15th and H Streets, NW., Washington, D.C. 20005. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Coin, currency, securities and other rare or valuable documents or items between Gosham, NH, and Lewiston, ME, under a continuing contract or contracts with White Mountain Trust Company.*

NOTE.—Dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Boston, Mass., or Washington, D.C.

No. MC 124411 (Sub-No. 11), filed April 15, 1977. Applicant: SULLY TRANSPORT, INC., P.O. Box 185, Sully, Iowa 50251. Applicant's Representative: Antonio Colacino, 1100 Des Moines Building, Des Moines, Iowa 50309. Authority sought to operate as a Common Carrier by motor vehicle over irregular routes in the transportation of: (1) *Liquid and dry fertilizer, in bulk, from Pulton, Illinois to points in Wisconsin, Minnesota, Iowa, Illinois and Missouri, restricted to traffic originating at the plantsite of Agric Chemical Company and the Fulton River Terminal located at Pulton, Illinois; and (2) Fertilizer and fertilizer ingredients, in bulk, (a) from Jackson Junction, Iowa to Freeborn, Mower, Fillmore, Houston, Steele, Dodge, Olmsted, Winona, and Wabasha Counties, Minnesota; Buffalo, Trempealeau, Jackson, La Crosse, Monroe, Vernon, Richland, Crawford, Grant, Iowa, Lafayette, Green, Rock, and Walworth Counties, Wisconsin; and Jo Daviess, Stephenson, Winnebago, Boone, Carroll, Ogle, Whiteside, Lee and Rock Island Counties, Illinois; and (b) from Keota, Iowa, to Putnam, Schuyler, Scotland, Clark, Sullivan, Adair, Knox, and Lewis Counties, Missouri and Rock Island, Whiteside, Henry, Mercer, Henderson, Warren, Knox, Hancock, and McDonough Counties, Illinois.*

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Des Moines, Iowa or Chicago, Illinois.

No. MC 124692 (Sub-No. 175), filed March 28, 1977. Applicant: SAMMONS

TRUCKING, a Corporation, P.O. Box 4347, Missoula, Mont. 59806. Applicant's representative: J. David Douglas (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Metal buildings, knocked down, and materials, equipment and supplies, used in the construction and erection thereof; and (2) building materials, from Watertown, S. Dak., to points in California, Idaho, Montana, Nevada, Oregon, Utah, and Washington.*

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn., or Portland, Oreg.

No. MC 124857 (Sub-No. 1), filed April 1, 1977. Applicant: INTERSTATE TOWING, INC., 1700 S. 19th Ave., Phoenix, Ariz. 85009. Applicant's representative: A. Michael Bernstein, 1441 E. Thomas Rd., Phoenix, Ariz. 85014. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Disabled, wrecked, abandoned, seized, repossessed and stolen motor vehicles, in a wrecker service, and replacement vehicles, between points in Arizona, on the one hand, and, on the other, points in Nevada, Utah, Colorado, Texas, Oklahoma and Wyoming; and (2) replacement vehicles, in a wrecker service, between points in New Mexico, Arizona and California.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Phoenix, Ariz.

No. MC 124887 (Sub-No. 32), filed April 25, 1977. Applicant: SHELTON TRUCKING SERVICE, INC., Route 1, Box 230, Altha, Fla. 32421. Applicant's representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, Fla. 32202. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: *Fertilizer and Fertilizer materials, dry, from Dale County, Ala. to points in the United States east of Texas, Oklahoma, Kansas, Nebraska, South Dakota and North Dakota.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held in Jacksonville, Fla., Tallahassee, Fla. or Atlanta, Ga.

No. MC 125010 (Sub-No. 16), filed March 21, 1977. Applicant: GIBCO MOTOR EXPRESS, INC., 3405 North 33rd Street, P.O. Box 312, Terre Haute, Ind. 47808. Applicant's representative: Michael V. Gooch, 777 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Ferro alloys, from Calvert City, Ky., to Flat Rock, Mich., and Defiance, Ohio, under a continuing contract or contracts with Airco Alloys, Division of Airco, Inc.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Washington, D.C.

No. MC 125368 (Sub-No. 18), filed April 15, 1977. Applicant: CONTINENTAL COAST TRUCKING COMPANY,

INC., P.O. Box 26, Holly Ridge, North Carolina 28445. Applicant representative: C. W. Fletcher, same address. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and articles distributed by meat packinghouses as described in Sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766 (Except hides and commodities in bulk), from the plantsite and storage facilities of Swift Fresh Meats Company at Guymon, Oklahoma to points in Alabama, Georgia, North Carolina, South Carolina, Tennessee (except Memphis) and Virginia.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Chicago, Illinois.

No. MC 126082 (Sub-No. 3), filed March 31, 1977. Applicant: SLENTZ & SONS, INC., R.R. No. 2, Grabill, Ind. 46741. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizer (except in tank vehicles), from Butler, Ind., to points in Allen, Wood, Ottawa, Sandusky, Erie, Lorain, Hancock, Seneca, Huron, Medina, Wyandot, Crawford, Richland, Ashland, Wayne, Hardin, Marion, Morrow, Knox, Holmes, Coshoc-ton, Mercer, Auglaize, Darke, Shelby, Miami, Logan, Champaign, Clark, Union, Madison, Delaware, Franklin, Pickaway, Licking and Fairfield Counties, Ohio, under a continuing contract, or contracts, with Kaiser Agricultural Chemical Company, Division of Kaiser Aluminum and Chemical Sales, Inc.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Indianapolis, Ind. or Chicago, Ill.

No. MC 126555 (Sub-No. 46), filed April 21, 1977. Applicant: UNIVERSAL TRANSPORT, INC., P.O. Box 3000, Rapid City, S. Dak. 57701. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant St. Bldg., Denver, Colo. 80203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *wood chips, sawdust, bark and shavings, between points in South Dakota restricted to shipments having a subsequent movement by rail.*

NOTE.—Applicant holds contract carrier authority in MC 125909 (Sub-No. 3); therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Rapid City, South Dakota.

No. MC 127047 (Sub-No. 25), filed April 25, 1977. Applicant: ED RACETTE & SON, INC., 6021 North Broadway, Wichita, Kansas 67219. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kansas 66603. Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting (1) *implement cabs, bale loaders, combine scanners and accessories for implement cabs, from the plantsite and warehouse facilities of Full*

Vision, Inc. at Newton and Peabody, Kansas to points in the United States, except Hawaii and Alaska. Restricted to traffic originating at the plant and warehouse facilities of Full Vision, Inc. (2) *Materials and supplies* from the destination points shown in (1) above to the plant and warehouse facilities of Full Vision, Inc. at Newton and Peabody, Kansas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Missouri or Wichita, Kansas.

No. MC 127524 (Sub-No. 14), filed April 20, 1977. Applicant: QUADREL BROS. TRUCKING COMPANY, INC., 1603 Hart Street, Rahway, N.J. 07065. Applicant's representative: John L. Alfano, Esq., 550 Mamaroneck Avenue, Harrison, New York 10528. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Muriatic Acid*, in bulk, from Baltimore, Md. to Belvidere and Nutley, N.J.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at New York, N.Y.

No. MC 127602 (Sub-No. 15), filed April 25, 1977. Applicant: DENVER-MIDWEST MOTOR FREIGHT, INC., 5555 East 58th Avenue, Commerce City, Colorado 80022. Applicant's representative: Michael J. Ogborn, P.O. Box 82028, Lincoln, Nebraska 68501. 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 descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles)*, from Denver, Fort Morgan, Greeley, and Sterling, Colorado; to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. Restricted to traffic originating at the named origins and destined to the named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Denver, Colo.

No. MC 128030 (Sub-No. 115), filed March 21, 1977. Applicant: THE STOUT TRUCKING CO., INC., P.O. Box 177, Urbana, Ill. 61801. Applicant's representative: James R. Madler, 120 West Madison, Chicago, Ill. 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Food and foodstuffs* in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from Champaign, Ill., to points in Connecticut, Delaware, Maine, Massachusetts, Maryland, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia.

NOTE.—Applicant holds contract carrier authority in MC-5352, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago or Springfield, Ill.

No. MC 128217 (Sub-No. 21), filed March 30, 1977. Applicant: REINHART MAYER, doing business as MAYER TRUCK LINE, 1203 South Riverside Drive, Jamestown, N. Dak. 58401. Applicant's representative: Gene P. Johnson, 425 Gate City Building, Fargo, N. Dak. 58102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Bagged insulation*, from Valley City, N. Dak., to points in Minnesota, Montana, and South Dakota, under a continuing contract with LeFevre Sales, Inc.

NOTE.—Applicant holds common carrier authority in MC 120978 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests that it be held at Fargo, N. Dak., or Minneapolis, Minn.

No. MC 128273 (Sub-No. 258), filed March 21, 1977. Applicant: MIDWESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Elden Corban (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Vicksburg, Mich., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Washington, D.C.

No. MC 128698 (Sub-No. 15), filed March 30, 1977. Applicant: ERDNER BROS. INC., P.O. Box 10885, Swedesboro, N.J. 08085. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, from the plant-site and shipping facilities of Heinz U.S.A., Division of H. J. Heinz Company, located at or near Fremont and Toledo, Ohio, to points in New Jersey, those points in that part of New York on and south of Interstate Highway 84, and King of Prussia, Oaks and Philadelphia, Pa., restricted to traffic originating at the named origins and destined to the named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or Harrisburg, Pa.

No. MC 129387 (Sub-No. 31), filed March 22, 1977. Applicant: PAYNE TRANSPORTATION, INC., P.O. Box 1271, Huron, S. Dak. 57350. Applicant's representative: Bill Payne (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs*; (2) *pharmaceutical materials, supplies, and products*; (3) *chemicals*; (4) *alcoholic beverages*; (5) *tobacco products*; (6) *pet foods*; (7) *such commodities as are dealt in by distribution*

or consolidation warehouses for the commodities described in (1) through (6) above; and (8) *exempt commodities* when moving with regulated commodities, (a) from Denver, Colo., to those points in the United States in and west of Minnesota, Iowa, Missouri, Arkansas, and Louisiana, and (b) from those points in the United States in and west of Minnesota, Iowa, Missouri, Arkansas, and Louisiana, to Denver, Colo., restricted against the transportation of commodities in bulk.

NOTE.—Applicant seeks to tack (a) and (b) at Denver, Colo. If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC 129633 (Sub-No. 5), filed April 21, 1977. Applicant: KARL B. HERTZ, doing business as KARL B. HERTZ TRANSPORTATION, 2460 North Garey Avenue, Pomona, Calif. 91767. Applicant's representative: Jerry Solomon Berger, 433 North Camden Drive, 6th floor, Beverly Hills, Calif. 90210. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Waste glass and cullet for recycling*, in bulk, in dump type vehicles, from points in Arizona to points in California.

NOTE.—If a hearing is deemed necessary the applicant requests that it be held in Pomona, California.

No. MC 129742 (Sub-No. 11), filed March 23, 1977. Applicant: PUROLATOR COURIER, LTD., Valhalla Executive Centre, 302 The East Mall, Islington, Ontario, Canada M9B 6C7. Applicant's representative: Elizabeth L. Henoch, 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities*, moving in courier service (except articles of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, and such commercial papers, documents and written instruments as are used in the business of banks and banking institutions) (1) between the ports of entry on the International Boundary line between the United States and Canada located at or near Mooers, Champlain, Rouses Point, and Trout River, N.Y., on the one hand, and, on the other, points in New York; (2) between the ports of entry on the International Boundary line between the United States and Canada located at or near Alburt, Swanton, Moses, Richford, North Troy, Derby Line, and Norton, Vt., on the one hand, and, on the other, points in Vermont; and (3) between ports of entry on the International Boundary line between the United States and Canada, located at or near Jackman and Woburn, Maine, on the one hand, and, on the other, points in Maine, restricted (a) against the transportation of packages weighing more than 50 pounds and each package or article shall be considered a separate and distinct shipment; (b) against the transportation of packages or articles weighing in the aggregate more than 100 pounds

from one consignor at one location to one consignee at one location, in any on day, (c) against traffic from or to the premises of banks and banking institutions, and (d) to traffic moving in foreign commerce.

NOTE.—Applicant holds contract carrier authority in various subs under MC 129456, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., New York, N.Y., or Boston, Mass.

No. MC 133095 (Sub-No. 156), filed April 1, 1977. Applicant: TEXAS-CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: Rocky Moore (same address as applicant). Authority sought to operate as a 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 Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Des Moines, Iowa, to points in Arkansas, Louisiana, Mississippi, Oklahoma, and Texas.

NOTE.—Applicant holds contract carrier authority in MC 136032 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Chicago, Ill.

No. MC 133570 (Sub-No. 5), filed April 24, 1977. Applicant: MELVIN A. ATKIN, JR., d.b.a. ATKIN'S TRUCKING, P.O. Box 27, Hamilton, Ind. 46742. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a contract carrier over irregular routes, transporting: *Metal working press, metal drawing press, metal rolling machinery, machine parts, rough castings and weldings and gear and materials and supplies used in the manufacturing of the items above*, between Salem, Ohio, and points in the continental United States. Restricted to traffic originating or destined to the plant and facilities of Gulf & Western Manufacturing Company—E. W. Bliss Division at Salem, Ohio. Restricted to service under a contract with Gulf & Western Manufacturing Company—E. W. Bliss Division at Salem, Ohio.

NOTE.—If a hearing is deemed necessary the applicant requests it be held at either Washington, D.C., or Indianapolis, Ind.

No. MC 134029 (Sub-No. 5) (correction), filed January 21, 1977, published in the FEDERAL REGISTER issue of March 10, 1977, and republished as corrected this issue. Applicant: SIGEL'S HAULING, INC., P.O. Box 286, Cadiz, Ohio 43907. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Used machinery, used equipment, and materials and supplies incidental thereto* (except commodities in

bulk, and iron and steel, and iron and steel articles), between points in Boyd, Carter, and Greenup Counties, Ky.; Ashtabula, Ottawa, Columbiana, Cuyahoga, Trumbull, Jackson, Jefferson, Scioto, Summit, Lawrence, Medina, Portage, Stark, Pike, and Mahoning Counties, Ohio; Beaver and Cambria Counties, Pa.; and Hancock County, W. Va., restricted (1) to the transportation of machinery and equipment that require dismantling or erection for purposes of transportation, and (2) to the transportation of shipments originating at or destined to the plantsite or facilities of The Standard Slag Company.

NOTE.—The purpose of this correction is to indicate the addition of Mahoning County, Ohio, which was inadvertently omitted in the territorial description. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

MC 134035 (Sub-No. 18), filed April 24, 1977. Applicant: DOUGLAS TRUCKING COMPANY, P.O. Box 698, Highway 75 South, Corsicana, Tex. 75110. Applicant's representative: Clint Oldham, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority is sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bakery goods, other than frozen*, from Corsicana, Tex., to points in California, Colorado, Georgia, Illinois, Louisiana, Michigan, Missouri, New York, Ohio, Pennsylvania, Tennessee, and Washington.

NOTE.—If an oral hearing is deemed necessary, applicant requests that it be held in Dallas or Houston, Texas.

No. MC 134073 (Sub-No. 17), filed March 30, 1977. Applicant: GENOVA TRANSPORT, INC., 484 Clayton Road, Williamstown, N.J. 08094. Applicant's representative: George A. Olsen, 69 Tonelle Ave., Jersey City, N.J. 07306. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Canned goods and materials, equipment and supplies used in the manufacture and sale of canned goods* (except commodities in bulk); and (2) *those commodities, the transportation of which is otherwise exempt from economic regulations when transported in the same vehicle, and at the same time with the commodities in* (1) above, between Glassboro and Williamstown, N.J., on the one hand, and, on the other, points in Ohio and Maine, under a continuing contract, or contracts with Violet Packing Co., located at Williamstown, N.J., and Ron Son Mushroom Products Co., Inc., located at Glassboro, N.J.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Philadelphia, Pa., or Washington, D.C.

No. MC 134286 (Sub-No. 20), filed March 28, 1977. Applicant: ILLINI EXPRESS, INC., P.O. Box 1564, Sioux City, Iowa 51102. Applicant's representative: Charles J. Kimball, 350 Capitol Life Center, 1600 Sherman Street, Denver, Colo. 80203. Authority sought to operate as a common carrier, by motor vehicle,

over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Section A of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk), from the plantsite and warehouse facilities of Krey Packing Company, located at or near St. Louis, Mo., to points in Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to the transportation of traffic originating at the named origin and destined to the above-described states.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 134328 (Sub-No. 4), filed April 11, 1977. Applicant: D & G TRUCKING CO., INC., 1450 Hamilton Avenue, P.O. Box 1004, Wynne, Ark. 72396. Applicant's representative: James N. Clay III, 2700 Sterick Building, Memphis, Tenn. 38103. Applicant hereby applies for authority to engage in operation, in interstate or foreign commerce, as a contract carrier by motor vehicle over irregular routes, in the transportation of: (1) *Copper tubing, rubber, neoprene, freon and products made from copper, rubber, neoprene and freon and fittings, attachments and accessories therefor* from Wynne and Colt, Ark., to points in the United States (except Alaska and Hawaii); and (2) *Commodities used in the manufacture and distribution of items listed in* (1) above from points in the United States (except Alaska and Hawaii) to Wynne and Colt, Ark. Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract for contracts, with Halstead Industrial Products, a Division of Halstead Industries, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Memphis, Tenn.

No. MC 134477 (Sub-No. 150) (correction), filed February 28, 1977, published in the FEDERAL REGISTER issue of April 14, 1977, and republished as corrected this issue. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, Minn. 55118. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Materials, supplies and equipment, used in the manufacture and sale of clothing and finished goods*, from points in Delaware, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, and Virginia, to the facilities of Munsingwear, Inc., located at or near Ashland, Wis., and Little Falls and Minneapolis-St. Paul, Minn.

NOTE.—The purpose of this correction is to indicate the addition of Little Falls,

Minn., as a destination point, which was inadvertently omitted. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

MC 134477 (Sub-No. 161), filed April 20, 1977. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, Minn. 55118. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *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 Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), (1) from Denver, Colo., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; (2) from Fort Morgan, Colo., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted in (1) and (2) above to the transportation of shipments originating at the above described origin points and destined to the above described destination points.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

MC 134477 (Sub-No. 162), filed April 21, 1977. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, MN 55118. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: *Foodstuffs* (except commodities in bulk) from Independence and Kansas City, Mo., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, West Virginia, and the District of Columbia. Restricted to traffic originating at the above named origin points and destined to the above named destination states.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

MC 134477 (Sub 164), filed April 24, 1977. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, MN 55118. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting *fresh and processed pork* from Dayton and Wash-

ington Court House, Ohio, to ports of entry on the United States-Canada boundary line at or near Pembina, ND; Noyes, MN; Blaine, WA; Detroit, MI; Buffalo, NY; Houlton, ME, and Sweetgrass, MT, when destined to the following named points in Canada: Winnipeg, Manitoba; Vancouver, British Columbia; Toronto, Ontario; Fredericton, New Brunswick, and Calgary, Alberta.

NOTE.—If a hearing is deemed necessary, applicant request it be held at Columbus, Ohio.

No. MC 134676 (Sub-No. 5), filed March 3, 1977. Applicant: H. H. MOORE, JR., P.O. Box 477, Appomattox, Va. 24522. Applicant's representative: Richard J. Lee, 4070 Falstone Road, Richmond, Va. 23234. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Ground level steel reservoirs and materials, supplies and equipment* used in the manufacture of ground level steel reservoirs, between the plantsite of Flippo's and Company, located at our near Powhatan, Va., on the one hand, and, on the other, points in Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, West Virginia, and the District of Columbia; and (2) *kyanite, kyanite ore, mullite, mullite ore, and materials, supplies and equipment* used in the manufacture, distribution and sales of kyanite, kyanite ore, mullite, mullite ore, between the facilities of Kyanite Mining Corp., located in Appomattox, Buckingham, and Prince Edward Counties, Va., on the one hand, and, on the other, points in California, Colorado, Delaware, Georgia, Illinois, Indiana, Kansas, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Utah, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Richmond, Va.

No. MC 134755 (Sub-No. 104), filed April 25, 1977. Applicant: CHARTER EXPRESS, INC., P.O. Box 3772, Springfield, Mo. 65804. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Compressed fireplace logs and related advertising materials and display racks in mixed loads with compressed fireplace logs*, from Suffolk, Virginia, to points in Ohio, Pennsylvania, Maryland, Kentucky, Tennessee, Michigan, Indiana, Mississippi, Louisiana, Arkansas, Missouri, Illinois, Wisconsin, Minnesota, Iowa, Texas, Oklahoma, Kansas, Nebraska, North Dakota, South Dakota, and Colorado.

NOTE.—Applicant holds motor contract carrier authority in MC 138398 and sub numbers thereunder, therefore, dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at either Kansas City, Missouri, or Norfolk, Virginia.

No. MC 135684 (Sub-No. 35), filed April 27, 1977. Applicant: BASS TRANSPORTATION CO., INC., P.O. Box 391, Old Croton Road, Flemington, N.J. 08822. Applicant's representative: Herbert Alan Dubin, Federal Bar Building West, 1819 H Street, NW., Suite 1030, Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cleaning and water purifying products, materials, supplies and equipment* used in the manufacture, sale and distribution of cleaning and water purifying products, between St. Louis, MO and points in Illinois, Indiana and Ohio.

NOTE.—Applicant holds motor contract authority in No. MC-87720 and sub numbers thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either New York, N.Y. or Washington, D.C.

No. MC 135684 (Sub-No. 36), filed April 27, 1977. Applicant: BASS TRANSPORTATION CO., INC., P.O. Box 391, Old Croton Road, Flemington, N.J. 08822. Applicant's representative: Herbert Alan Dubin, Federal Bar Building West, 1819 H Street, NW., Suite 1030, Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Plastic products, except in bulk, in tank vehicles*, from Hazelton, Pa., to Alabama, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, North Carolina, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin and the District of Columbia. (2) *Materials, supplies and equipment* utilized in the manufacture, sale and distribution of Plastic Products from the above-described destination states to Hazleton, Pa.

NOTE.—Applicant holds motor contract authority in No. MC-87720 and sub numbers thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either New York, N.Y. or Washington, D.C.

No. MC 135874 (Sub-No. 77), filed April 1, 1977. Applicant: LTL PERISHABLES, INC., 550 East Fifth Street South, South St. Paul, Minn. 55075. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55403. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Eau Claire, Wis., to points in the United States (except Alaska, Hawaii, Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi and Tennessee).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Minneapolis or St. Paul, Minn.

No. MC 135944 (Sub-No. 1), filed March 31, 1977. Applicant: **RODGERS EXPRESS, INC.**, 1310 South West Street, Indianapolis, Ind. 46225. Applicant's representative: Donald W. Smith, 2465 One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment): Between Indianapolis, Ind. and Jacksonville, Ill., serving the intermediate points of Alexander, Arnold and Orleans, Ill., and serving the off-route points of Arcadia, Arenzville, Chapin, Clements, Concord, Franklin, Litchfield, Lynnville, Jerome, Meredosia, Murrayville, Neelys, Nortonville, Pisgah, Prentice, Rees, Station, Rohrer, Sinclair, South Jacksonville, Waverly and Woodson, Ill.: (1) From Indianapolis over U. S. Highway 36 to Jacksonville, and return over the same route; and (2) From Indianapolis over Interstate Highway 74 to Champaign, Ill., thence over Interstate Highway 57 to junction Interstate Highway 72, thence over Interstate Highway 72 to Jacksonville, and return over the same routes, as an alternative route for operating convenience only, restricted in (1) and (2) above against the transportation of traffic having an immediately prior or subsequent movement by air.

NOTE.—If a hearing is deemed necessary, the applicant does not specify a location.

No. MC 136371 (Sub-No. 22), filed March 31, 1977. Applicant: **CONCORD TRUCKING CO., INC.**, 1 Scout Avenue, South Kearny, N.J. 07032. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in or used by discount department stores, between the facilities of Lady Rose Division, located at Westbury, N.Y., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Michigan, Minnesota, New Jersey, New York, Ohio, and Pennsylvania, under a continuing contract, or contracts, with Lady Rose Division.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y. or Washington, D.C.

No. MC 136409 (Sub-No. 4), filed March 24, 1977. Applicant: **M. A. ELLERSON & SON, INC.**, doing business as **ACME MOVING & STORAGE**, 1615 Nixon Road, P.O. Box 5444, Augusta, Ga. 30906. Applicant's representative: Robert J. Gallagher, 1000 Connecticut Ave. NW., Suite 1200, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty household goods shipping containers*, set up or knocked down, between points in Georgia and South Carolina.

NOTE.—If a hearing is deemed necessary, applicant requests it be held on a consolidated record with Global Van Lines, Inc.

No. MC 136464 (Sub-No. 28), filed March 28, 1977. Applicant: **CAROLINA WESTERN EXPRESS, INC.**, Box 3961, Gastonia, N.C. 28052. Applicant's representative: Eric Meierhoefer, Suite 712, 1511 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Floor coverings and materials and supplies*, used in the installation, manufacture, packaging, and sale of floor coverings from Sparks, Nev., to points in California, Oregon, and Washington, under a continuing contract or contracts with Bigelow-Sanford Inc.

NOTE.—Applicant holds common carrier authority in MC 136835 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Greenville, S.C.

Mr. MC 136818 (Sub-No. 17), filed March 21, 1977. Applicant: **SWIFT TRANSPORTATION COMPANY, INC.**, 335 West Elwood Road, Phoenix, Ariz. 85041. Applicant's representative: Donald E. Fernaays, 4040 East McDowell Road, Suite 320, Phoenix, Ariz. 85008. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Ontario, Oreg., and Burley, Idaho to Phoenix, Tempe and Tucson, Ariz.

NOTE.—Applicant holds motor contract carrier authority in MC 136897 and sub numbers thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests that it be held at Phoenix, Ariz.

No. MC 136828 (Sub-No. 16), filed April 28, 1977. Applicant: **COOK TRANSPORT, INC.**, P.O. Drawer O, Pinson, Ala. 35126. Applicant's representative: Robert M. Pearce, P.O. Box 1111, Bowling Green, Ky. 42101. Authority sought as *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fans, fanwheels, and pollution control equipment*, from the plant sites, warehouses, and storage facilities utilized by Barron Industries, Inc., and its subsidiaries, and sub-contractors, located at or near Leeds, Ala., and Anniston, Ala., to points in and east of Arizona, Utah, Wyoming, and Montana, and also from points in Alabama, to points in and east of Arizona, Utah, Wyoming, and Montana, and (2) *fans, fanwheels, materials, equipment, and supplies* used in connection with the manufacture or distribution of the commodities named in (1) above, from points in and east of Arizona, Utah, Wyoming, and Montana, to the origin points and areas named in (1) above.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Birmingham, Ala., or Nashville, Tenn.

No. MC 136899 (Sub-No. 22), filed March 10, 1977. Applicant: **HIGGINS TRANSPORTATION, LTD.**, a corpora-

tion, 1165 E. Haseltine St., P.O. Box 192, Richland Center, Wis. 53581. Applicant's representative: Wayne W. Wilson, 329 West Wilson Street, P.O. Box 8004, Madison, Wis. 53708. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air diffusing and ventilating equipment and related attachments, accessories, and parts* from Verona and Madison, Wis., and Sanford, N.C., to points in the United States (except Alaska and Hawaii); (2) *materials, equipment and supplies* (except in bulk, in tank vehicles) used or useful in the manufacture, sale, distribution, or installation of the commodities named in (1) above, between Madison and Verona, Wis., on the one hand, and, on the other, points in Sanford, N.C.; and (3) *urethane products*, (a) from Middleton, Wis., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, and Missouri; and (b) from Council Bluffs, Iowa, to Middleton, Wis., restricted to traffic originating at or destined to the facilities of Carnes Company, a Division of Wehr Corporation in (1) and (2) above.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Madison or Milwaukee, Wis.

No. MC 138080 (Sub-No. 9), filed April 25, 1977. Applicant: **EDWARD R. WOLFE**, doing business as **WOLFE TRUCKING**, 20425 Ahha Lane, Bend, Oreg. 97701. Applicant's representative: Philip G. Skofstad, P.O. Box 594, Gresham, Oreg. 97030. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Line sludge*, from points in Yakima County, Wash., to points in Oregon; (2) *Pumice aggregate*, from points in Deschutes County, Oreg., to points in Yakima and Benton Counties, Wash.; and (3) *Crushed agri gypsum rock*, from Empire, Nev., to points in Crook, Deschutes, and Jefferson Counties, Oreg., under continuing contracts with Soil Conditioners, Inc., located at Zillah, Wash., and Midstate Fertilizer Co., located at Redmond, Oreg.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Bend, Oreg., or Portland, Oreg.

No. MC 138157 (Sub-No. 35), filed April 18, 1977. Applicant: **SOUTHWEST EQUIPMENT RENTAL, INC.**, doing business as **Southwest Motor Freight**, 2931 South Market Street, Chattanooga, Tenn. 37410. Applicant's representative: Patrick E. Quinn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Florist supplies, paper products, plastic products, and novelty items*, and (2) *materials, equipment, and supplies* utilized in the manufacture, sale, and distribution of the commodities named in (1) above, between Hobart, Okla.; Fredericktown, Mo.; Colton, Calif.; and Highland, Ill., restricted against the transportation of commodities in bulk and commodities which by reason of size or weight require the use

of special equipment, and further restricted to the transportation of traffic originating at or destined to the above-named points.

NOTE.—Applicant holds contract carrier authority in No. MC 134150 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Oklahoma City, Okla., or Dallas, Tex.

No. MC 138157 (Sub-No. 36), filed April 19, 1977. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC., doing business as SOUTHWEST MOTOR FREIGHT, 2931 South Market Street, Chattanooga, Tenn. 37410. Applicant's representative: Patrick E. Quinn, P.O. Box 82028, Lincoln Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Florist supplies, paper products, plastic products, and novelty items*, and (2) *materials, equipment, and supplies* utilized in the manufacture, sale, and distribution of the commodities named in (1) above, between the facilities of Highland Manufacturing & Sales Co. at or near Hobart, Okla., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted against the transportation of commodities in bulk and commodities which by reason of size or weight require the use of special equipment, and further restricted to the transportation of traffic originating at or destined to the facilities of Highland Manufacturing & Sales Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Dallas, Tex. Applicant holds contract carrier authority in MC 134150 and subs thereunder, therefore dual operations may be involved. Common control may also be involved.

No. MC 138304 (Sub-No. 12), filed March 24, 1977. Applicant: NATIONAL PACKERS EXPRESS, INC., 3445 Patterson Plank Road, P.O. Box 162, North Bergen, N.J. 07047. Applicant's representative: Craig B. Sherman, 1108 Kane Concourse, Bay Harbor Islands, Fla. 33154. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt Beverages* (except commodities in bulk), from Chicago, Ill., to points in New York, New Jersey, Pennsylvania, Maryland, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Miami, Fla.; Washington, D.C.; New York, N.Y.; or Chicago, Ill.

No. MC 138382 (Sub-No. 4), filed March 29, 1977. Applicant: PATTERSON COASTAL TRANSPORT, INC., 70607 South La Grange Road, Frankfort, Ill. 60423. Applicant's representative: Anthony E. Young, 327 South LaSalle Street, Chicago, Ill. 60604. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Textiles and textile products, and textile machinery, materials, supplies and equipment* incidental to, or used in the manufacture, sale or distribution of textile products, between Bur-

bank, Calif., on the one hand, and, on the other points in the United States (except Alaska and Hawaii), under a continuing contract, or contracts with Varsity International Corp.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. MC 138446 (Sub-No. 7), filed March 28, 1977. Applicant: MURRAY'S TRANSFER & STORAGE, INC., 1011 Floral Lane, Davenport, Iowa 52802. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular route, transporting: *Meats, meat products, and meat by-products and articles* distributed by meat packing houses, as described in Sections A and C of Appendix I, to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Davenport, Iowa, and the facilities of Hygrade Food Products Corp., at Chicago, Ill., to points in Iowa and those points in Missouri on and north of U.S. Highway 36.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 138635 (Sub-No. 37), filed March 24, 1977. Applicant: CAROLINA WESTERN EXPRESS, INC., Box 3961, Gastonia, N.C. 28052. Applicant's representative: Eric Meierhoefer, 1511 K Street NW., Suite 712, Washington, D.C. 20005. 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 packing houses, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Wallula, Wash., to points in the United States in and east of Louisiana, Arkansas, Missouri, Iowa, and Minnesota.

NOTE.—Applicant holds contract carrier authority in MC 136464 (Sub-No. 2) and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Pasco or Seattle, Wash.

No. MC 138872 (Sub-No. 3), filed April 1, 1977. Applicant: ART ARMISTAGE, doing business as ART ARMISTAGE TRUCKING, 162 Vimy Rd., Bible Hill, Truro, Nova Scotia, Canada. Applicant's representative: Douglas B. Chapman, 109 Main Street, Bar Harbor, Maine 04609. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Materials and articles* as are used or useful in the manufacture of tires, between Woodland, Maine, and the International Boundary line between the United States and Canada located at or near Calais, Maine, restricted to traffic having a prior or subsequent movement by rail, and further restricted to foreign commerce, under a continuing contract, or contracts, with Michelin Tires (Canada), Limited.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Portland, Maine, or Boston, Mass.

No. MC 139254 (Sub-No. 7), filed March 25, 1977. Applicant: BROOKS TRANSPORTATION, INC., 30650 Carter Road, Solon, Ohio 44139. Applicant's representative: Henry U. Snaveley, 410 Pine Street, Vienna, Va. 22180. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *lubricating oils and greases; carbon, gum, or sludge removing compounds; automotive filters, valves, and parts; fender covers; brake fluids and compressor oils; antifreeze and engine coolant preparations; cleaning, scouring, washing, buffing, or polishing compounds; and display racks*; from Painesville, Wickliffe, and Cleveland, Ohio; Marcus Hook and Philadelphia, Pa.; Pennsauken, N.J.; Evansville, Ind.; Albion, Chicago, and Elk Grove Village, Ill.; and Metairie and New Orleans, La.; to points in that part of the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary Line between the United States and Canada; and (2) *returned shipments* of the above commodities, on return; restricted in (1) and (2) above against the transportation of commodities in bulk, and further limited to service performed under a continuing contract or contracts with STP Corporation, of Fort Lauderdale, Fla.

NOTE.—Common control may be involved. Applicant has pending motor common carrier authority in No. MC 142559, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 139368 (Sub-No. 2), filed March 30, 1977. Applicant: VERLYN G. CLARK and WILLIAM GENE CLARK, a partnership, doing business as V. CLARK & SON TRUCKING, 318 Ninth Avenue West, Ashland, Wis. 54806. Applicant's representative: Wayne W. Wilson, 329 West Wilson Street, P.O. Box 8004, Madison, Wis. 53708. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bakery products and shipping containers*, for bakery products, between points in Saint Louis County, Minn.; points in Gogebic County, Mich.; and points in Wisconsin on and north of U.S. Highway 8.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Ashland or Madison, Wis.

No. MC 139420 (Sub-No. 15), filed March 21, 1977. Applicant: ART GREENBERG, doing business as GLACIER TRANSPORT, Box 428, Grand Forks, N. Dak. 58201. Applicant's representative: James B. Hovland, 414 Gate City Building, P.O. Box 1637, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Agricultural chemicals* (except in bulk).

from Madison, Wis.; Jacksonville, Ark.; Military, Kans.; Des Moines, Iowa; and Omaha, Nebr., to points in North Dakota.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Fargo, N. Dak., or Minneapolis, Minn.

No. MC 139444 (Sub-No. 1), filed April 21, 1977. Applicant: Ross Trucking Company, a corporation, 123 36th Street, Pittsburgh, Pa. 15201. Applicant's representative: Sheldon Silverman, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) from the facilities of Commonwealth Warehouse and Storage, Inc., located at Pittsburgh, Pa., to points in those portions of Ohio and West Virginia on and east of a line beginning at Cleveland, Ohio, and extending along Ohio Highway 21 to its intersection with Interstate Highway 77, and thence along Interstate Highway 77 to the West Virginia-Virginia State line; and (2) returned shipments from the area in Ohio and West Virginia described in (1) on return to Pittsburgh; under a continuing contract with Commonwealth Warehouse and Storage, Inc.

NOTE.—Applicant states it holds a permit in No. MC 139444 authorizing service for the same shipper from the facilities of Commonwealth Warehouse and Storage, Inc., in Pittsburgh to points in Pennsylvania on and west of U.S. Highway 15. By this application, it seeks to extend its operations for the same shipper to the described areas in Ohio and West Virginia. If a hearing is deemed necessary, applicant requests that it be held at Pittsburgh, Pa.

No. MC 139495 (Sub-No. 226), filed March 25, 1977. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Suite 1030, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical wire and cable*, from Lincoln and Pawtucket, R.I., Milford, N.H., and Worcester, Mass., to points in Washington.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C. or Seattle, Wash.

No. MC 139495 (Sub-No. 227), filed March 29, 1977. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, Suite 1030, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: new furniture in cartons from Portland, Oreg., to points in the States of Colorado, Idaho, and Utah.

NOTE.—Applicant holds contract carrier authority in No. MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Portland, Oreg.

No. MC 139495 (Sub-No. 233), filed April 7, 1977. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, Suite 1030, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *toilet preparations*, in vehicles equipped with mechanical refrigeration, from Elizabethton, Tenn., to points in Indiana, Kansas, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Rhode Island.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139495 (Sub-No. 234), filed April 8, 1977. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, Suite 1030, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *prepared animal and poultry feeds* (except in bulk) from the plantside of Doane Products Company at Muscatine, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139495 (Sub-No. 235), filed April 20, 1977. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, Suite 1030, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery and confectionery products*, in vehicles equipped with mechanical refrigeration, from the plantside and storage facilities of M&M/Mars, Division of Mars, Inc., at or near Chicago, Ill. and its commercial zone to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia, restricted to traffic originating at above-named origins and destined to the above-named destinations.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder,

therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 140030 (Sub-No. 4), filed April 15, 1977. Applicant: RAY KURTZ and LINDA FARLEY, doing business as PLASTIC EXPRESS, P.O. Box 5593, Orange, Calif. 92667. Applicant's representative: Jerry Solomon Berger, 433 North Camden Drive, 6th floor, Beverly Hills, CA 90210. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (A) *Lubricating oil and oil products* and materials, equipment, and supplies used in the storage and dispensing of oil and oil products, (1) from Vernon, Calif., to points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, and Washington; (2) from Alameda, Calif. to points in Nevada and Oregon; (3) from Portland, Oreg. to points in California, Idaho, Montana, and Washington; and (4) from points in the Los Angeles Harbor Commercial Zone as defined by the Commission to Los Angeles, Calif., and, (B) *Pallets, vats, and containers*, from all destination points to all origin points named in (A) above, under a continuing contract, or contracts, with the Pennzoll Company.

NOTE.—If a hearing is deemed necessary the applicant requests it be held at Los Angeles, Calif.

No. MC 140030 (Sub-No. 5), filed April 15, 1977. Applicant: RAY KURTZ and LINDA FARLEY, doing business as PLASTIC EXPRESS, P.O. Box 5593, Orange, Calif. 92667. Applicant's representative: Jerry Solomon Berger, 433 North Camden Drive, 6th floor, Beverly Hills, CA 90210. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in containers, from Henderson, Nev. to Anaheim, Calif., under a continuing contract, or contracts, with LaHabra Products, Inc.

NOTE.—If a hearing is deemed necessary the applicant requests it be held at Los Angeles, Calif.

No. MC 140421 (Sub-No. 17), filed March 21, 1977. Applicant: ACTION MOTOR EXPRESS, INC., 8307 Almonaster Ave., P.O. Box 29102, New Orleans, La. 70189. Applicant's representative: Sandra H. Roberson (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper, paper products, containers, ends, and components*, from the plant site and warehouses of The Continental Group, Inc., located in Alabama, Arkansas, Georgia, Louisiana, Mississippi and Tennessee; and (2) *materials and supplies* used in the manufacture thereof, on return, under a continuing contract or contracts with The Continental Group, Inc.

NOTE.—Applicant holds common carrier authority in MC 142610 (Sub-No. 2), therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either New Orleans or Baton Rouge, La.

No. MC 140463 (Sub-No. 3) (Partial correction), filed January 26, 1977, published in the FEDERAL REGISTER issue of March 17, 1977, as 140643 (Sub-No. 3), and republished as corrected in part this issue. Applicant: ORREN J. LEE, 2312 Braemer Drive, Sioux Falls, S. Dak. 57105. Applicant's representative: Mark Menard, 5301 N. Cliff Ave., P.O. Box 480, Sioux Falls, S. Dak. 57101. The purpose of this partial republication is to indicate applicant's correct docket number as, 140463 (Sub-No. 3) in lieu of 140643 (Sub-No. 3). The rest of the publication remains the same.

No. MC 140612 (Sub-No. 16), filed April 1, 1977. Applicant: ROBERT F. KAZIMOUR, P.O. Box 2207, Cedar Rapids, Iowa 52406. Applicant's representative: A. J. Swanson, P.O. Box 81849, 521 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in King, Whatcom and Skagit Counties, Wash., to points in Illinois, Indiana, Iowa, Kentucky, Minnesota, Ohio, and Tennessee.

NOTE.—Applicant holds contract carrier authority in MC 138003 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr., or Seattle, Wash.

No. MC 140866 (Sub-No. 1), filed March 25, 1977. Applicant: HOLT COUNTY TRANSPORTATION CO., a corporation, Route 4, Atkinson, Nebr. 68713. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal*, from the facilities of Olson Brothers Manufacturing Company, Inc. located in Holt County, Nebr., to Chicago, Ill. and Sioux City, Iowa, under a continuing contract, or contracts, with Olson Brothers Manufacturing Company, Inc., located at Atkinson, Nebr.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Lincoln, or Omaha, Nebr.

No. MC 140849 (Sub-No. 8), filed March 28, 1977. Applicant: ROBERTS TRUCKING CO., INC., U.S. Highway 271, Poteau, Okla. 74953. Applicant's representative: Prentiss Shelley, P.O. Drawer "G", Poteau, Okla. 74953. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fabrics, piece goods and materials, and supplies* used in the manufacture of clothing (except commodities in bulk), from points in Alabama, to Idabel, Pauls Valley, and Frederick, Okla., under a continuing contract, or contracts, with Kellwood Company.

NOTE.—Applicant holds common carrier authority in MC 136243 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Oklahoma City, Okla., or Washington, D.C.

No. MC 141097 (Sub-No. 7), filed March 29, 1977. Applicant: CAL-TEX, INC., 3051 Capri Lane, Costa Mesa, Calif.

92626. Applicant's representative: Greg P. Steffers, 700 South Flower Street, Suite 818, Los Angeles, Calif. 90017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic yarn, synthetic fiber, and materials and supplies* used in connection with the manufacture thereof, from the facilities, production and plantsite of American Enka, located at Enka and Asheville, N.C., Clemson, S.C., and Lowlands, Tenn., on the one hand, and, on the other, the facilities of Pharr Yarns, Inc., located at McAdenville, Gastonia, Belmont and Spencer Mountain, N.C., Clover, S.C., Rome, Ga., and Los Angeles and Costa Mesa, Calif., under a continuing contract, or contracts, with Pharr Yarns, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Los Angeles, Calif., Raleigh, N.C., or Washington, D.C.

No. MC 141197 (Sub-No. 18), filed March 28, 1977. Applicant: FLEMING-BABCOCK, INC., 4106 Mattox Road, Riverside, Mo. 64151. Applicant's representative: Tom B. Kretsinger, 910 Brookfield Bldg., 101 W. 11th St., Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mill scale*, from Kansas City, Mo., to points in Iowa, Kansas, Missouri, and Nebraska.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 141197 (Sub-No. 19), filed April 27, 1977. Applicant: FLEMING-BABCOCK, INC., 4106 Mattox Road, Riverside, Missouri 64151. Applicant's representative: Tom B. Kretsinger, 910 Brookfield Building, 101 West Eleventh Street, Kansas City, Missouri 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from Nowata, Craig, Ottawa, Delaware, Rogers and Mayes Counties, Oklahoma, to Kansas City Commercial Zone.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held at Kansas City, Mo. or Oklahoma City, Okla.

No. MC 141652 (Sub-No. 12), filed March 28, 1977. Applicant: ZIP TRUCKING, INC., P.O. Box 5717, Jackson, Miss. 39208. Applicant's representative: K. Edward Wolcott, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Covered copper wire and fluorescent lamp ballasts*, from Mendenhall, Miss., to points in Arizona, California, Colorado, Connecticut, Maryland, Massachusetts, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Utah, Virginia, and Washington.

NOTE.—The purpose of this application is to convert applicant's contract carrier authority to a common carrier authority. Applicant holds contract carrier authority in MC 138807 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either New York City, N.Y., or Washington, D.C.

ing is deemed necessary, applicant requests it be held at either New York City, N.Y., or Washington, D.C.

No. MC 141652 (Sub-No. 15), filed April 15, 1977. Applicant: ZIP TRUCKING, INC., P.O. Box 5717, Jackson, Miss. 39208. Applicant's representative: K. Edward Wolcott, 1600 First Federal Bldg., Atlanta, Ga. 30303. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Cleaning compounds and toiletries* (except commodities in bulk), from Jackson, Miss., to points in Arizona, California, Colorado, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah and Washington, restricted to the transportation of traffic originating at the facilities of American Cyanamid Company located at the above named origin and destined to the above named destinations.

NOTE.—Applicant states the purpose of filing is to convert existing contract carrier authority in MC-138807 to common carrier authority. Applicant holds contract carrier authority in No. MC-138807 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary the applicant requests it be held at either New York City, N.Y. or Washington, D.C.

No. MC 141865 (Sub-No. 3), filed April 1, 1977. Applicant: B. R. ELLIS, doing business as ACTION DELIVERY SERVICE, 3021 Pinewood Drive, Arlington, Tex. 76010. Applicant's representative: Clayte Binion, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is marketed by home products distributors, from the warehouse and storage facilities of Amway Corporation, located at Arlington, Tex., to points in Iowa, Montana, Nebraska, North Dakota, South Dakota and Wyoming, under a continuing contract, or contracts, with Amway Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 141958 (Sub-No. 1), filed April 29, 1977. Applicant: FEDCO FREIGHTLINES, INC., P.O. Box 422, Route 32 South, Effingham, Illinois 62401. Applicant's representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, Illinois 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (a) air conditioners, furnaces, dishwashers, washers, dryers, dry cleaners, central air conditioning units, heating units, air cleaners, humidifiers, and materials and supplies used in the manufacture, production and distribution thereof (except commodities in bulk), between the plantsite of Fedders Corporation at Effingham, Illinois, on the one hand, and on the other, points in Alabama, Arizona, Arkansas, California, Connecticut, Delaware, District of Columbia, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New

Jersey, New York, New Mexico, No. Carolina, No. Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, So. Carolina, So. Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin; and, (b) steel laminations from Chicago, Illinois to the plant-site of R.M.R. Corporation at Elkton, Maryland; and (c) materials and supplies used in the manufacture, production and distribution of air conditioners, furnaces, dishwashers, washers, dryers, dry cleaners, central air conditioning units, heating units, air cleaners and humidifiers (except commodities in bulk), between the plant-site of Fedders Corporation at Effingham, Illinois, the plant-site of Fedders Corporation at Edison, New Jersey, the plant-site of Fedders Corporation at Frederick, Maryland, the plant-site of R.M.R. Corporation at Elkton, Maryland; and (d) air conditioners, furnaces, dishwashers, washers, dryers, dry cleaners, central air conditioning units, heating units, air cleaners and humidifiers, from Edison, New Jersey to points in Illinois, Indiana, Michigan, Missouri, Ohio, Tennessee and Wisconsin; and, (e) aluminum, from Huntingdon, Tennessee to Edison, New Jersey, under a continuing contract or contracts with Fedders Corporation, located at Effingham, Illinois.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at St. Louis, Missouri or Springfield, Illinois.

No. MC 142113 (Sub-No. 2), filed March 31, 1977. Applicant: CHESTER A. RICHMOND, SR., doing business as RICHMOND CARTAGE, Box 337, Craigsville, W. Va. 26205. Applicant's representative: John M. Friedman, 2930 Putnam Avenue, Hurricane, W. Va. 25526. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, Classes A and B explosives, household goods as defined by the Commission, and those requiring special equipment), (1) between Summersville, W. Va. and Union, W. Va., serving all intermediate points, and serving the off-route points of Fayette, Raleigh, Summers, and Monroe Counties, W. Va.; From Summersville over U.S. Highway 19 to Hico, thence over U.S. Highway 60 to junction U.S. Highway 21 at Chimney Corners, thence over U.S. Highway 21 to Beckley, thence over West Virginia Highway 3 to Pickaway, thence over U.S. Highway 219 to Union; (2) between Charleston, W. Va. and Craigsville, W. Va.; From Charleston over U.S. Highway 60 to Gauley Bridge, thence over West Virginia Highway 39 to junction West Virginia Highway 41, thence over West Virginia Highway 41 to Craigsville, as an alternate route for operating convenience only in connection with applicant's presently held authority.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Charleston, W. Va. or Columbus, Ohio.

No. MC 142118 (Sub-No. 4), filed March 29, 1977. Applicant: VALLEY TRUCKING, INC., R.R. No. 2 Box 55,

Fargo, N. Dak. 58102. Applicant's representative: Edward A. O'Donnell, 1004 29th St., Sioux City, Iowa 51104. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Hides*, from the plantsite of Flavorland Industries, Inc., located at or near West Fargo, N. Dak., to Sergeant Bluff and Sioux City, Iowa, under a continuing contract, or contracts, with Flavorland Industries, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Fargo, N. Dak. or Denver, Colo.

No. MC 142186 (Sub-No. 5), filed April 21, 1977. Applicant: WHEELS WEST, INC., 612, 159th Place South East, Bellevue, Washington 98008. Applicant's representative: Henry C. Winters, 235 Evergreen Building, Renton, Washington 98055. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Tire shop equipment and supplies, and parts and accessories for automobiles, for trucks, for utility trailers, for mobile homes, and for off-road pneumatic-tired machinery from points in Illinois, Indiana, Kentucky, Michigan, Ohio, and Pennsylvania to points in California, Idaho, Montana, Oregon, Utah and Washington, restricted to a transportation service to be performed under a continuing contract with Rivco Pacific, Inc. of Portland, Oregon.*

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Seattle, Wash.

No. MC 142239 (Sub-No. 8), filed March 30, 1977. Applicant: WASHINGTON TRANSPORTATION CO., a corporation, 1717 North 70th Avenue, Omaha, Nebr. 68104. Applicant's representative: Edward A. O'Donnell, 1004 29th St., Sioux City, Iowa 51104. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Meat, 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 Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk, and hides), from the facilities of Great Plains Beef Co., located at or near Council Bluffs, Iowa, and Omaha, Nebr., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to a transportation service to be performed under a continuing contract or contracts, with Great Plains Beef Co.*

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 142343 (Sub-No. 1), filed April 25, 1977. Applicant: JOSEPH MACRI, doing business as J & M TRUCKING, 8237 West Mexico, Lakewood, Colorado 80226. Applicant's representative: John T. Wirth, 2310 Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202. Authority sought

to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Offal in bulk; and dead animals, hides, fat, bones and grease, from points in Arizona, Colorado, Idaho, Kansas, Nebraska, New Mexico, Oklahoma, South Dakota, Texas, Utah and Wyoming, to Denver, Colorado, Restricted to traffic originating at or destined to the facilities utilized by Denver Recycling Co., and under a continuing contract or contracts with Denver Recycling Co.*

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Denver, Colo.

No. MC 142625 (Sub-No. 1), filed April 20, 1977. Applicant: DUANE M. CAMPBELL, doing business as CAMPBELL TRUCK, 1902 Tidelands Avenue, National City, California 92050. Applicant's representative: Fred H. Mackensen, 9454 Wilshire Boulevard, Suite 400, Beverly Hills, Calif. 90212. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Lumber and forest products, between National City, California, on the one hand, and, on the other, points in Arizona, under a continuing contract, or contracts, with Dixieline Lumber Co.*

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Diego or Los Angeles, Calif.

No. MC 142670 (Sub-No. 1), filed April 20, 1977. Applicant: O.S.S., INC., 17402 Parker Drive, Tustin, California 92680. Applicant's representative: William J. Augello, Esq., 120 Main Street, P.O. Box Z, Huntington, New York 11743. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated or crated, with or without glass, upholstered or unupholstered: (1) From Gaston and Pendleton, Oregon and Auburn, Battleground and Walla Walla, Washington to points in California and Arizona, under a continuing contract, or contracts, with Harris Pine Mills, located at Pendleton, Oreg.*

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Los Angeles, California.

No. MC 142674 (Sub-No. 1), filed March 25, 1977. Applicant: TERRY D. BROWN, doing business as RDM DELIVERY SERVICE, 4612 N. River Rd., Schiller Park, Ill. 60176. Applicant's representative: Thomas J. Peterman, 6800 River Road, Suite 100, Rosemont, Ill. 60018. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Medical isotopes, medical test kits, radioactive drugs and radiopharmaceuticals, between Chicago, Ill.; Milwaukee, Wis.; and Indianapolis, Ind., on the one hand, and, on the other, points in Illinois, Indiana and Wisconsin, restricted to shipments having a prior movement by air, under contract with New England Nuclear Corporation.*

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 142689 (Sub-No. 3), filed March 25, 1977. Applicant: REM

TRANSPORT CO., INC., 25-36 Jackson Avenue, Long Island City, N.Y. 11101. Applicant's representative: Harold Sacks, 19 West 44th Street, New York, N.Y. 10036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Film, sheeting and chemicals* (except in bulk), from the plantsites of Tenneco Chemicals, located at Piscataway, N.J., to points in Suffolk, Middlesex and Norfolk Counties, Mass.; (2) *film, sheeting and chemicals* (except in bulk), from the plantsites of Tenneco Chemicals, located at Piscataway, N.J., to New York, N.Y., and points in Nassau and Suffolk Counties, N.Y.; and (3) *film, sheeting and chemicals and materials, supplies and equipment*, used in the manufacture, distribution and packaging thereof (except in bulk), from points in Norfolk and Suffolk Counties, Mass., to New York, N.Y.; points in Nassau and Suffolk Counties, N.Y.; and points in Middlesex, Passaic, Essex, and Union Counties, N.J., under a continuing contract or contracts with Tenneco Chemicals, Inc., located at Piscataway, N.J.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

MC 142715 (Sub-No. 5), filed April 17, 1977. Applicant: LENERTZ, INC., 411 Northwestern National Bank Bldg., South St. Paul, Minnesota 55075. Applicant's representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, Minnesota 55402. Authority sought to operate as a *common carrier*, by motor vehicles, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles* distributed by meat packinghouses, as described in Sections A and C of Appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 MCC 209 and 766 (except hides and commodities in bulk). From St. Paul, Minnesota to points in Illinois, Michigan, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis-St. Paul, Minn.

No. MC 142766 (Sub-No. 4), filed March 31, 1977. Applicant: WHITE TIGER TRANSPORTATION, INC., 115 Jacobus Ave., Kearny, N.J. 07032. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic articles, school and office supplies*; and (2) *supplies, equipment and materials* used in the manufacture and sale of the commodities named in (1) above (except commodities in bulk), between the facilities of Sterling Plastics Co., located at Mountainside, N.J. on the one hand, and, on the other, City of Industry, Redondo Beach, Los Angeles, and San Francisco, Calif.; Miami, St. Petersburg, Fla.; Itasca and Chicago, Ill.; Baltimore, Md.; Boston and Beabody, Mass.; Bloomington and Minneapolis, Minn.; Portland, Oreg.; Philadelphia, Pa.; Houston, Tex.; Seattle, Wash. and Manitowoc, Wis., under a continuing contract, or contracts,

with Sterling Plastics Co., located at Mountainside, N.J.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y. or Washington, D.C.

No. MC 142772 (Sub-No. 2), filed March 28, 1977. Applicant: HRDLICKA ENTERPRISES, INC., Route 7, Box 59, Chippewa Falls, Wis. 54729. Applicant's representative: Roderick A. Cameron, 101 N. Broadway, Stanley, Wis. 54768. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building and roofing slabs, tile and panels, and related materials, parts, supplies and accessories*, from Cornell, Wis., to points in Colorado, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, the Upper Peninsula of Michigan, and Wisconsin, restricted to shipments having a subsequent movement in interstate commerce by rail or water; and (2) *wood fabricated components* for cabinets and store fixtures, *wood building materials and lumber*, and *materials* used or useful in the transportation and installation of these commodities, from Chippewa Falls, Wis., to points in Illinois, Indiana, Iowa, and Minnesota.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Eau Claire, Wis., or Minneapolis, Minn.

No. MC 143002 (Sub-No. 1), filed March 28, 1977. Applicant: C.D.B., Incorporated, 5170 36th Street, S.E., Grand Rapids, Michigan 49508. Applicant's representative: Karl L. Gotting, 1200 Bank of Lansing Building, Lansing, Mich. 48933. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *household and personal care products and related items and materials and supplies used in the manufacture and distribution thereof*, between Ada, Michigan, on the one hand and on the other, Santa Ana, Los Angeles, Buena Park, Torrance and La Mirada, California; Portland, Oregon; Arlington, Texas; Atlanta, Georgia; and Dayton, Jamesburg and Secaucus, New Jersey under continuing contract with the Amway Corporation located at Ada, Michigan.

NOTE.—Applicant is under common control with Bruce Cartage, Incorporated, a common carrier holding authority in MC 98154 and sub-numbers thereto. Therefore, dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, Applicant requests that it be held at Grand Rapids, Michigan or Lansing, Michigan.

No. MC 143028 (Sub-No. 1), filed April 1, 1977. Applicant: CHRYSLER TRANSPORT, INC., 8555 Lynch Road, Detroit, Mich. 48288. Applicant's representative: L. D. Blanchard (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Automotive parts, components, racks, materials, equipment supplies, and such commodities* as are used in the assembly and manufacture of automobiles, and *related equipment*, between Detroit, Marysville, Port Huron, Trenton, Sterling Heights,

Mt. Clemens, Rochester, Pontiac, Troy, Northville, Plymouth, Chelsea, and Ann Arbor, Mich., and ports of entry on the International Boundary line between the United States and Canada located at points in Michigan, for furtherance to the Province of Ontario, Canada, under a continuing contract, or contracts, with Chrysler Corporation and Chrysler Canada, Ltd.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich.

No. MC 143057, filed March 14, 1977. Applicant: MARSHALL TRUCKING CO., INC., 12 Middle Road, Westville, N.H. 03865. Applicant's representative: Frank Crosson, 100 State Street, Boston, Mass. 02109. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials* as are used in the manufacture of furniture and cabinets, from points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Delaware, Maryland, New Jersey and Virginia, to points in Colorado and those points in the United States in and east of Minnesota, Iowa, Missouri, Arkansas and Texas, under a continuing contract, or contracts, with Marshall Company, Inc. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 143058, filed March 17, 1977. Applicant: TRANS WEST CARRIERS, INC., 1231 North Blue Gum Street, Anaheim, Calif. 92806. 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: *Plumbers goods*, from the plantsite and storage facilities utilized by Norris Industries, Plumbing Fixture Division, located at or near the City of Industry, Calif., to points in California, Idaho, Oregon, and Washington, under a continuing contract or contracts with Norris Industries.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either City of Industry or Los Angeles, Calif.

No. MC 143097, filed March 30, 1977. Applicant: EGGS INCORPORATED, 27 East Square, Washington, Ga. 30673. Applicant's representative: Donald T. Jack, Jr., 1550 Tower Building, Little Rock, Ark. 72201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beer and malt beverages* (except in bulk), from Ft. Worth, Tex., to Little Rock, Ark., under a continuing contract or contracts with Twin City Beverage Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Little Rock, Ark.

No. MC 143099, filed March 30, 1977. Applicant: JOHN T. DODD, SR., doing business as DODD TRUCKING & LEASING CO., 1374 Lake Avenue, Pasadena, Md. 21122. Applicant's representative:

Harold P. Boss, 1100 Seventeenth St., NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Precast concrete products and accessories and materials incidental to the installation thereof*, from the plant sites and facilities of Concrete Structures, Incorporated, located at or near Davidsonville, Md., and at or near Richmond, Va., to points in Delaware, Maryland, New Jersey, North Carolina, Pennsylvania, Virginia, and the District of Columbia; and (2) *supplies and materials (except commodities in bulk)* used in the manufacture or production of precast concrete products, from points in the destination territory described in (1) above, to the plant sites and facilities of Concrete Structures, Incorporated, located at or near Davidsonville, Md., and at or near Richmond, Va., under a continuing contract or contracts with Concrete Structures, Incorporated.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 143101 (Sub-No. 1), filed March 30, 1977. Applicant: DISTRIBUTION TRANSPORT CORP., 38 Jackson Street, Hoboken, N.J. 07030. Applicant's representative: Bruce J. Robbins, 118-21 Queens Boulevard, Suite 402, Forest Hills, N.Y. 11375. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in and used by manufacturers, distributors and dealers of toys, novelties and giftware*, between points in the New York, N.Y. Commercial Zone as defined in the Fifth Supplemental Report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted under the exemption provided by Section 203 (b) (8) of the Act (the exempt zone), and South Brunswick, N.J., on the one hand, and, on the other, points in Connecticut, New Jersey, New York and Pennsylvania, under a continuing contract with Concord Brokerage Corp.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 143103, filed March 22, 1977. Applicant: CHEROKEE LINES, INC., P.O. Box 152, Cushing, Okla. 74023. Applicant's representative: Donald L. Stern, 7100 West Center, Suite 530, Univac Building, Omaha, Nebr. 68106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery products in vehicles equipped with mechanical refrigeration*, from the plant-site and storage facilities of M&M/MARS, located at Chicago, Ill., to points in Arizona, California, Oregon, Nevada, Utah, Washington and New Mexico, under a continuing contract, or contracts, with M&M/MARS.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., Dallas, Tex. or Oklahoma City, Okla.

No. MC 143104, filed March 24, 1977. Applicant: PULP TRANSPORT COR-

PORATION, 1000 East Noir Street, P.O. Box 1305, Lumberton, N.C. 28358. Applicant's representative: Herbert Alan Dubin, Suite 1030, 1819 H Street, NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *cotton linter pulp*, from the facilities of Alpha Cellulose Corporation located at or near Lumberton, N.C. to points in the United States, (except Alaska and Hawaii), under a continuing contract or contracts with Alpha Cellulose Corporation, of Lumberton, N.C.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 143105, filed March 28, 1977. Applicant: JOHN RUTLEDGE, SR., doing business as RAY'S TRANSFER AND STORAGE, 2015 Ben Picklin Rd., San Angelo, Tex. 76903. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Bldg., Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Coke, Coleman, Concho, Irion, Runnels, Schleicher, Sterling and Tom Green Counties, Tex., restricted to the transportation of shipments having a prior or subsequent movement in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with the packing, crating and containerization, or the unpacking, uncrating or decontainerization of used household goods.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either San Angelo or Dallas, Tex.

No. MC 143107, filed March 31, 1977. Applicant: J.B.K. TRANSPORTATION, INC., 11 Muriel Avenue, Lawrence, Long Island, N.Y. 11559. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Welding wire, and materials, equipment and supplies used in the manufacture and sale of welding wire (except commodities in bulk)*, (1) from piers in New York, N.Y. Harbor as defined by the Commission, to Covington, Ohio; and (2) from Covington, Ohio, to points in Hudson, Bergen, Passaic, Essex, Union, Morris, Middlesex and Somerset Counties, N.J., Maspeth, N.Y., New Haven and West Hartford, Conn., Baltimore and Seat Pleasant, Md., Will Grove, Pa., New Orleans, La. and Stockton, Calif., under a continuing contract, or contracts, with Unibraze Corporation, located at Covington, Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or New York, N.Y.

No. MC 143108, filed March 25, 1977. Applicant: DANIEL A. DUTHLER, doing business as DUTHLER DELIVERY SERVICE, 2386 Knollview, Wyoming, Mich. 49509. Applicant's representative: Jack H. Blanshan, Suite 200, 205 West Touhy Avenue, Park Ridge, Ill. 60068.

Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Toilet preparations, household and industrial cleaning products, brooms, brushes, mops, insect repellants, grooming aides, food products, clothes hangers, medicated sprays and promotional materials*, (except commodities in bulk in tank vehicles), from the facilities of or utilized by Duthler Delivery Service, located at or near Kentwood and Wyoming, Mich., to those points in that part of Michigan, west of a line beginning at the Ohio-Michigan State Line and extending north along U.S. Highway 23 to Ann Arbor, Mich., and south of a line extending from Ann Arbor, Mich., to Jackson, Mich., along Interstate Highway 94, and west of a line extending from Jackson, Mich., north along U.S. Highway 127 to Lansing, Mich., and from Lansing, Mich., north along U.S. Highway 27 to the junction of U.S. Highway 27 and U.S. Highway 10, and south of a line extending from the junction of U.S. Highway 27 and U.S. Highway 10 to Lake Michigan along U.S. Highway 10, including points on the indicated portions of the highways specified, under a continuing contract, or contracts, with The Fuller Brush Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 143109, filed March 30, 1977. Applicant: ASSOCIATED DIESEL SERVICE, INC., 4999 Jackson, Denver, Colo. 80216. Applicant's representative: Edward A. O'Donnell, 1004 29th Street, Sioux City, Iowa 51104. Authority sought to operate as a *contract 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 & C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite and storage facilities of Flavorland Industries, Inc., located at Denver, Colo., to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Michigan, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, under a continuing contract or contracts with Flavorland Industries, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC 143110, filed March 29, 1977. Applicant: K & B EXPRESS INC., P.O. Box 801, Union, N.J. 07083. Applicant's representative: Robert A. Russell, P.O. Box 215, Mountain Lakes, N.J. 07046. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Roofing, building and insulating and maintenance materials (except iron and steel articles and commodities in bulk)*, from the plantsite and warehouse facilities of Tremco, Inc., located at Cleveland, Ohio, to points in Arizona, California, Colorado, Idaho, Iowa, Kansas, Missouri,

Nebraska, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming; and (2) *materials, equipment and supplies* used in the manufacture of the commodities named in (1) above, from the destination points named in (1) above to the plantsite and warehouse facilities of Tremco, Inc., located at Cleveland, Ohio, under a continuing contract, or contracts with Tremco, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Newark, N.J. or New York, N.Y.

No. MC 143121 (Sub-No. 2), filed April 21, 1977. Applicant: TILLAMOOK CARRIERS, INC., 4906 East Compton Blvd., Paramount, Calif. 90723. Applicant's representative: Milton W. Flack, 4311 Wilshire Blvd., Suite 300, Los Angeles, California 90010. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *porcelainware, stoneware, plastic bowls, cups, dishes or plates*, between Lake City and Jeannette, Pa. and Sebring and Bedford Heights, Ohio, on the one hand, and, on the other, points in the United States in and West of New Mexico, Colorado, Wyoming, North Dakota and South Dakota, under a continuing contract or contracts with Jeannette Corporation, located at Jeannette, Pa.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Los Angeles, Calif.

No. MC 143167, filed April 18, 1977. Applicant: SEYFORTH EXPRESS, INC., Suite 1209, Barnett Regency Tower, Jacksonville, Florida 32211. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Florida 32207. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Drink preparation powder, vitamins, liquid food supplements, and cosmetics*, from Hayward and Orange, California; Dallas, Texas; and Atlanta, Georgia, to all points in the United States, including Alaska and Hawaii, under a continuing contract or contracts with Seyforth Laboratories, Inc., restricted to traffic destined to the warehouses and facilities of Seyforth Laboratories, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Jacksonville, Florida.

No. MC 143185, filed April 19, 1977. Applicant: LORENZ TRANSPORT AND SHIP LINES, INC., Mobile Highway, Montgomery, Alabama 36108. Applicant's representative: Robert E. Tate, P.O. Box 517, Evergreen, Alabama 36401. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and hides and materials and supplies* used in the manufacture and processing of meats, meat products, meat by-products, and hides between the plant site of Frosty Land Foods International, Inc., d.b.a. Lorenz International in Montgomery, Alabama on the one hand, and, on the other,

points in the United States, including Alaska, but excluding Hawaii, under a continuing contract, or contracts, with Frosty Land Foods International, Inc., d.b.a. Lorenz International.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Montgomery or Birmingham, Ala.

No. MC 143186, filed April 13, 1977. Applicant: JOSHUA TRANSPORTATION CO., INC., 184 Stone Street, Clinton, Mass. 01510. Applicant's representative: John F. O'Donnell, P.O. Box 238, Milton, Mass. 02187. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic articles* (except in bulk) from Leominster and Clinton, Mass., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wisconsin, District of Columbia, and those in New York on, north and west of New York Highway 8 and those in Pennsylvania on and west of U.S. Highway 15, under a continuing contract or contracts with Amory Chemical & Plastic Co., Inc., Clinton, Mass.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass.

No. MC 143187, filed April 18, 1977. Applicant: R. F. DeGAETANO TRANSPORTATION, INC., 7 Gilman Street, Worcester, Mass. 01605. Applicant's representative: David M. Marshall, 135 State Street, Suite 200, Springfield, Mass. 01103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick, flue pipe, lime, clay products, and materials and supplies* used in the manufacture and distribution of such products, except in bulk in tank trucks, between points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Boston, Mass.; Providence, R.I.; or Hartford, Conn.

No. MC 143188, filed April 21, 1977. Applicant: THE G. & K. HAULING CO., a corporation, Box 7, Mongo, Ind. 46771. Applicant's representative: James R. Stiverson, 1396 West Fifth Avenue, Columbus, Ohio 43212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed, grain, and feed and grain products*, from points in Illinois, Indiana, and Ohio, to Alexander, N.Y.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C. Common control may be involved.

No. MC 143189, filed April 21, 1977. Applicant: LEASE-IT, INC., 3716 West Run Road, Munhall, Pa. 15120. Applicant's representative: Arthur J. Diskin, Esq.,

806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, over irregular routes, transporting malt beverages, from the facilities of Stroh Brewery Co. in Detroit, Mich., to the warehouse of McKeesport Beer Distributor, Inc., at McKeesport, Pa., under continuing contract with McKeesport Beer Distributor, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 143198, filed April 25, 1977. H-N TRUCKING CO., INC., 415 Hospital Trust Building, Providence, R.I. 02903. Applicant's representative: Dennis J. Roberts II, Ten Dorrance Street, Providence, R.I. 02903. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *carbonated and noncarbonated beverages* including malt, distilled and fermented beverages, juices, syrups, wine, cocktail mixes in packages, in glass and metal containers, in barrels and boxes; and (2) *empty beverage containers* including glassware, baskets, and barrels between (1) points in Rhode Island on the one hand, and on the other hand, points in Massachusetts, New York, New Jersey, and Baltimore, Md.; New Haven, Conn.; Nashua, N.H.; and Portland, Maine; and (2) Franklin and Needham, Mass., on the one hand, and, on the other hand, points in New York, New Jersey, and Rhode Island, under a continuing contract or contracts with Considine Boston Distributing Co., Inc. located at Needham Height, Mass.; Wayne Distributing Co., Inc., located at Pawtucket, R.I., and others.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Providence, R.I.; Boston, Mass.; or Hartford, Conn.

No. MC 143199, filed April 25, 1977. Applicant: COP's, INC., 6400 Colorado Boulevard, Commerce City, Colo. 80022. 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: *Meats, meat products, meat by-products, and articles distributed by meat packing-houses*, as described in Sections A and C of Appendix I to the report in descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Denver, Ft. Morgan, Greeley, and Sterling, Colo.; to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. Restricted to traffic originating at the named origins and destined to the named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Denver, Colo.

No. MC 143200, filed April 25, 1977. Applicant: RONALD R. BARROWS, doing business as MIDWEST TRANSPORT SERVICE, 8310 S. 27th Street, Oak

Creek, Wis. 53154. Applicant's representative: Ronald R. Barrows (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle over irregular routes, transporting *Agricultural limestone* in cartons and/or bulk from the town of Lisbon, Waukesha County, and Sussex, Wis., to points in Illinois, Iowa, Minnesota, North Dakota, South Dakota, and Nebraska, under a continuing contract, or contracts, with Vulcan Materials Co.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Milwaukee, Wis., or Chicago, Ill.

PASSENGER APPLICATIONS

No. MC 946 (Sub-No. 7), filed March 15, 1977. Applicant: FERDINAND ARRIGONI, INC., 3320 Hutchinson Avenue, Bronx, N.Y. 10475. Applicant's representative: Samuel B. Zinder, 98 Cutter Mill Road, Great Neck, N.Y. 11021. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations beginning and ending at Bronx, N.Y., and extending to Atlantic City, N.J.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 112805 (Sub-No. 3), filed March 29, 1977. Applicant: ST. CLOUD CHARTER SERVICE, INC., 427 Lincoln Avenue NE., St. Cloud, Minn. 56301. Applicant's representative: Howard F. Thedinga, 403 Wilson Ave., P.O. Box 37, Menomonie, Wis. 54751. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passenger and their baggage* in round trip charter operations, beginning and ending at Menomonie, Wis., and extending to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either St. Paul, Minn., or Eau Claire or Madison, Wis.

No. MC 126203 (Sub-No. 6), filed April 22, 1977. Applicant: EVERETT CHARTER SYSTEM, INC., 3131 Cedar Street, Everett, Wash. 98201. Applicant's representative: Michael D. Duppen-thaler, 607 Third Avenue, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Passengers, their baggage and personal effects* when transported in the same vehicle with passengers, over irregular routes between Everett, Wash., on the one hand, and, on the other, Anacortes, Wash., for traffic moving to and from Victoria, B.C., Canada, via the International Ferry between Anacortes, Wash., and Sidney, B.C., Canada; (2) *passengers and their baggage*, in charter and special operations in sightseeing and pleasure tours beginning and ending at points in Snohomish, Skagit, Island, and San Juan Counties, Wash., and extending to the States of Washington, Oregon, California, Alaska, Arizona, Colorado, Idaho, Montana, Nevada, Utah, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Everett or Seattle, Wash.

No. MC 141669 (Sub-No. 5), filed April 21, 1977. Applicant: BILL'S BUS SERVICE, 6705 Northgate Parkway, Clinton, Md. 20735. Applicant's representative: Lorna L. Mullenax, 6705 Northgate Parkway, Clinton, Md. 20735. Authority sought to operate as a *common carrier* by motor vehicle over regular routes, in the transportation of passengers and baggage between Hughesville, Md., and the Naval Research Laboratory, Washington, D.C., serving all intermediate and off-route points from Hughesville over Maryland State Highway 5 to junction Maryland State Highway 301, thence over Maryland State Highway 301 South to St. Charles City, thence proceed on Maryland State Highway 301 North and Maryland State Highway 5 to junction Maryland State Highway 223, thence over Maryland State Highway 223 West to Clinton Shopping Center, thence proceed on Maryland State Highway 223 East to junction Maryland State Highway 5, thence over Maryland State Highway 5 North to junction Interstate Highway 495, thence over Interstate Highway 495 to junction Interstate Highway 295 and thence over Interstate Highway 295 to the Naval Research Laboratory and return over the same route.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at the ICC offices.

Docket No. MC 142738 (Sub-No. 2), filed April 26, 1977. Applicant: SAGE-LAW CORP., doing business as DELUXE AMERICA TOURS, 2001 Kirby, Suite 614, Houston, Tex. 77019. Applicant's representative: David J. Nagle, 2001 Kirby, Suite 614, Houston, Tex. 77019. Authority is sought to engage in interstate and foreign commerce as a *common carrier* by motor vehicle over irregular routes in the transportation of *passengers and passengers' baggage* by special and charter operation, beginning and ending at Houston, Tex., round trip, to all parts of the United States and across the United States border to Mexico and to Canada.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Houston, Galveston, or Dallas, Tex.

No. MC 143055, filed March 7, 1977. Applicant: M & E BUS LINE, INC., 33 Storms Avenue, Jersey City, N.J. 07306. Applicant's representative: Ronald I. Shapss, 450 Seventh Avenue, New York, N.Y. 10001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage, and personal effects* in the same vehicle, beginning and ending at points within the New York, N.Y., Commercial Zone and extending to points in the United States (except Alaska and Hawaii), under a continuing contract, or contracts with Surface Line Operators Fraternal Organization, Inc., and Hispanic Transit Society.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

BROKER APPLICATIONS

No. MC 130027 (Sub-No. 1), filed March 28, 1977. Applicant: THE COLUMBUS AUTOMOBILE CLUB, a corporation, 174 East Long Street, Columbus, Ohio 43215. Applicant's representative: Gerald P. Wadkowski, 85 East Gay Street, Columbus, Ohio 43215. Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Columbus, Del., and Lancaster, Ohio, to sell or offer to sell the transportation of *passengers and their baggage*, in all-expense tours, in special and charter operations, by motor, air, and rail carriers, beginning and ending at points in Champaign, Del.; Fairfield, Fayette, Knox, Licking, Logan, Madison, Ross, Perry, Pickaway, and Union Counties, Ohio, and extending to points in the United States, including Alaska and Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Columbus, Del. or Mt. Vernon, Ohio.

No. MC 130447, filed March 21, 1977. Applicant: TRAVEL SYSTEMS, LTD., Post Office Box 1667, Zephyr Cove, Nev. 89448. Applicant's representative: Raymond A. Greene, Jr., 100 Pine Street, Suite 2550, San Francisco, Calif. 94111. Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Reno, Stateline, Zephyr Cove, and Incline Village, Nev.; San Francisco, Sacramento, and South Lake Tahoe, Calif., to sell or offer to sell the transportation of *passengers and their baggage* both as individuals and in groups, in special and charter operations, by motor bus transportation in all-expense tours and sightseeing trips, between points in California and Nevada, on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either San Francisco, Calif., or Reno, Nev.

WATER CARRIER APPLICATION

No. WC 1291 (Sub-No. 1), filed April 28, 1977. Applicant: ALUMINA TRANSPORT CORP., 6600 West Broad Street, Richmond, Va. 23261. Applicant's representative: John H. Caldwell, Suite 404, 900 17th Street NW., Washington, D.C. 20006. Authority sought to engage in operation, in interstate or foreign commerce as a *contract carrier by water* in transportation of articles exceeding 18 feet in height, or 12 feet in width, or 50 feet in length, or 45 net tons in weight, components parts thereof and related equipment, materials, and supplies, by self-propelled vessels, between ports and points on the Columbia River, on the one hand, and on the other hand, ports and points on the Gulf of Mexico and tributary waterways, except points on the Mississippi River system north of Baton Rouge, La., under a continuing

contract, or contracts, with Bingham-Willamette Co.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Washington, D.C., or Portland, Oreg.

FREIGHT FORWARDER APPLICATION

No. FF 441 (Sub-No. 1), filed April 4, 1977. Applicant: HARLE LAND & SEA FORWARDERS (Harle-Thru), a division of J. P. Harle Forwarding Co., a corporation, P.O. Box 52908, 614 Cotton Exchange Bldg., Houston, Tex. 77052. Applicant's representative: Joe G. Fender, 711 Louisiana, Suite 1150, Houston, Tex. 77002. Authority sought to engage in operation, in interstate commerce as a freight forwarder, through use of the facilities of common carriers by railroad and motor vehicle, in the transportation of general commodities for export (except explosives and hazardous articles, perishables, articles of unusual value, commodities in bulk, used household goods, unaccompanied baggage, and used automobiles), from points in Arkansas, Kansas, Mississippi, Tennessee, and points in McDonald, Newton, Jasper, Barton, Vernon, Bates, Cass, Jackson, Platte, Lawrence, Green, and Barry Counties, Mo., to ports in Louisiana, Texas, and Mississippi.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Wichita, Kans.; Ft. Smith, Ark.; or Joplin, Mo.

FINANCE APPLICATIONS

The following applications seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control through ownership of stock, of rail carriers or motor carriers pursuant to Sections 5(2) or 210a(b) of the Interstate Commerce Act.

An original and two copies of protests against the granting of the requested authority must be filed with the Commission within 30 days after the date of this Federal Register notice. Such protest shall comply with Special Rules 240(c) or 240(d) of the Commission's General Rules of Practice (49 CFR 1100.240) and shall include a concise statement of protestant's interest in the proceeding. A copy of the protest shall be served concurrently upon applicant's representative, or applicant, if no representative is named.

No. MC-F-10124 (petition for modification) (CONSOLIDATED FREIGHTWAYS CORP. OF DELAWARE, et al., pooling), published in the May 22, 1968, issue of the Federal Register. By petition filed January 25, 1977, Consolidated Freightways Corp. of Delaware, Lee Way Motor Freight, Inc., Riss International Corp. Transcon Lines, Spector Freight System, Inc., Yellow Freight System, Inc., Ryan Freight Lines, Inc., and Red Ball Motor Freight, Inc., seek modification of the order of the Commission, dated March 1, 1971, which approved the pooling agreement in the above-entitled proceeding in order to substitute Red Ball Motor Freight, Inc., for Ryan Freight Lines, Inc., under said agreement and that Red Ball

Motor Freight, Inc., would possess the same duties, responsibilities, and obligations as set forth therein except that the duties, responsibilities, and obligations of Ryan Freight Lines, Inc., would be assumed by Red Ball Motor Freight, Inc.

No. MC-F-13196. Authority sought for purchase by LTL PERISHABLES, INC., 550 E. 5th Street, South St. Paul, MN. 55075, of the operating rights of Benson Transport, Inc., 7710 N.E. Main, Minneapolis, MN 55432, and for acquisition by Michael Noel, also of South St. Paul, MN, 55075, of control of such rights through the purchase. Applicants' attorney: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, NE, 68106. Operating rights sought to be transferred: (1) Frozen pizza, as a contract carrier over irregular routes from Minneapolis, Minn., to points in California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming; and (2) Materials and supplies used in the manufacture and distribution of frozen pizza (except commodities in bulk), from points in the destination States in (1) above, to the origin in (1) above, with restrictions: frozen pizza, from Minneapolis, Minn., to points in Minnesota, Iowa, Missouri, Arkansas, Louisiana, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas; and materials and supplies used in the manufacture of pizza, from the above-named destination States, to Minneapolis, Minn., with restrictions. Vendee is authorized to operate as a common carrier in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming. Application has been filed for temporary authority under section 210a(b).

NOTE.—MC-135874 (Sub-No. 83) is directly related matter.

No. MC-F-13208. Authority sought for purchase by NEW PENN MOTOR EXPRESS, INC., P.O. Box 630, Lebanon, PA, 17047, of the operating rights of Eagle Truck Transport, Inc., Suite 300, Axe Wood West, Broad Axe, PA, 19002, and for acquisition by Edward H. Arnold, and Virginia A. Phillips, both of P.O. Box 630, Lebanon, PA, 17042, of control of such rights through the purchase. Applicants' attorneys: S. Harrison Kahn and Jeremy Kahn, Suite 733, Investment Building, Washington, DC, 20005, Ira Megdal, 499 Cooper Landing Road, Cherry Hill, NJ, 08002. Operating rights sought to be transferred: General commodities, except those of unusual value, and except high explosives, livestock, milk, household goods, tobacco, alcoholic beverages, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, as a common carrier over regular routes between the fixed termini, and to and from the intermediate and off-route

points, specified below: Between Wilmington, Del., and New York, from Wilmington over U.S. Highway 13 to Trenton, N.J., thence over U.S. Highway 1 to New York, and return over the same route. Intermediate points: Chester, Marcus Hook, and Bristol, Pa.; and Newark, Jersey City, New Brunswick, Trenton, Riverside, Rahway, and Highland Park, N.J. Off-route points: Points and places in Delaware, within 10 miles of Wilmington, Del., in Pennsylvania, within 35 miles of Philadelphia, Pa., and in New York and New Jersey, within 33 miles of New York, N.Y. Between Philadelphia, Pa., and Trenton, N.J., as follows: from Philadelphia over the Delaware River to Camden, N.J., thence over New Jersey Highway 41 to junction U.S. Highway 130, thence over U.S. Highway 130 to junction U.S. Highway 206, and thence over U.S. Highway 206 to Trenton, and return over the same route; and from Philadelphia over U.S. Highway 1 to Trenton, and return over the same route; and over irregular routes, in truckload lots, from Philadelphia, Pa., to Palmerton, Reading, and Allentown, Pa., and Penns Grove, Belvidere, Atlantic City, Bridgeton, Paulsboro, and Wildwood, N.J., returning empty. Vendee is authorized to operate as a common carrier in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, the District of Columbia, West Virginia, Ohio and Virginia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-13214. Authority sought for purchase by COOPER MOTOR LINES, INC., 301 Hammett Street, Greenville, S.C. 29608, of a portion of the operating rights of Modern Transfer Co., Inc., 502 Turner Street, Allentown, Pa. 18102, and for acquisition by Calhoun Lemon, 301 Hammett Street, Greenville, S.C. 29608, of control of such rights through the purchase. Applicant's attorney: Francis W. McInerney, and Harry J. Jordan, both of 1000 16th Street, NW., Washington, D.C. 20036. Operating rights sought to be transferred: General commodities, with exceptions as a common carrier over regular routes between New York, N.Y., and Schenectady, N.Y., as follows: From New York over U.S. Highway 9 via Hudson, N.Y., to Latham, N.Y., thence over New York Highway 7 to Schenectady, and return over the same route. From New York, N.Y., over U.S. Highway 9 to Wappingers Falls, thence over New York Highway 9D to Beacon, N.Y., thence over New York Highway 52 to Newburgh, N.Y., thence over U.S. Highway 9-W to Albany, N.Y., and thence over New York Highway 5 to Schenectady, and return over the same route. From New York to Hudson as specified above, thence over New York Highway 23 to Claverack, N.Y., thence over New York Highway 217 to junction unnumbered highway (Near Harlemville, N.Y.), thence over unnumbered highway to Spencertown, N.Y., thence over New York Highway 203 to Valatie, N.Y., thence over U.S. Highway 9 to junction New York Highway 150, thence over New

York Highway 150 to Troy, N.Y., and thence over New York Highway 7 to Schenectady, and return over the same route. Service is authorized to and from the intermediate and off route points of Poughkeepsie, Hyde Park, Staatsburg, Rhinebeck, Red Hook, Livingston, Nevers, Clermont, Hudson, Kinderhook, Greenbush, Albany, Loudonville, Rennselaer, Wappingers Falls, Beacon, Newburgh, Marlboro, Milton, Highland, West Park, Esopus, Port Ewen, Kingston, Highland, West Park, Scotia, Menands, Cohoes, Troy, Waterford, Watervliet, and Athens, N.Y.; General commodities, with exceptions as a common carrier over irregular routes between New York, N.Y., and Yonkers, N.Y. Vendee is authorized to operate as a common carrier in Connecticut, Delaware, the District of Columbia, Maryland, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Virginia, and West Virginia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-13215. Authority sought for purchase by COOPER-JARRETT, INC., Hanover Plaza, Morristown, NJ 07960, of the operating rights of Central City Express, Inc., Post Office 7402, Nashville, TN 37210, and for acquisition by R. E. Cooper, Jr., Hanover Plaza, Morristown, NJ 07960, of control of such rights through the purchase. Applicants' attorneys: Irvin Klein, Southgate Tower, 371 Seventh Avenue, New York, NY 10001 and George M. Catlett, 703-706 McClure Bldg., Frankfort, KY 40601. Operating rights sought to be transferred: General commodities, except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment, as a common carrier over regular routes serving Paradise, Ky., as an off-route point in connection with carrier's authorized regular route operations, between Nashville, Tenn., and Central City, Ky., serving all intermediate points between Russellville, Ky., and Central City (except Russellville) with restriction. Vendee is authorized to operate as a common carrier in Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Missouri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Washington, West Virginia and Wisconsin. Application has not been filed for temporary authority under section 210a(b).

OPERATING RIGHTS APPLICATION(S) DIRECTLY RELATED TO FINANCE PROCEEDINGS

The following operating rights application(s) are filed in connection with pending finance applications under Section 5(2) of the Interstate Commerce Act, or seek tacking and/or gateway elimination in connection with transfer applications under Section 212(b) of the Interstate Commerce Act.

An original and two copies of protests to the granting of the authorities must be filed with the Commission within 30 days after the date of this FEDERAL

REGISTER notice. Such protests shall comply with Special Rule 247(d) of the Commission's General Rules of Practice (49 CFR 1100.247) and include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition should not be tendered at this time. A copy of the protest shall be served concurrently upon applicant's representative, or applicant if no representative is named.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

No. MC 20894 (Sub-No. 23), filed March 30, 1977. Applicant: P. CALAHAN, INC., 5240 Comly Street, Philadelphia, Pa. 19135. Applicant's representative: Maxwell A. Howell, 1100 Investment Bldg., 1511 K Street, N.W., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Such commodities as are dealt in by retail department stores and mailorder houses, between Baltimore, Md., and the District of Columbia, on the one hand, and, on the other, the plant-site of R. T. French Company located at or near Sanderton, Pa., New York, N.Y., and points in Nassau, Suffolk and Westchester Counties, N.Y. and points in New Jersey, restricted against the transportation of traffic to or from the facilities of Honorbilt Products, Inc., located at Philadelphia, Pa.

NOTE.—The purpose of this application is to eliminate the gateway of Chester, Pa., a point within the Philadelphia, Pa. Commercial Zone. This is a matter directly related to a Section 5(2) finance proceeding in MC-F-13183 published in the FEDERAL REGISTER issue of April 21, 1977. If a hearing is deemed necessary, the applicant requests it be held at either Philadelphia, Pa. or Washington, D.C.

No. MC 41432 (Sub-No. 150), filed April 14, 1977. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., 2355 Stemmons Freeway, P.O. Box 10125, Dallas, Tex. 75207. Applicant's representative: Wyman C. Knapp, 825 City National Bank, 606 South Olive Street, Los Angeles, Calif. 90014. Authority sought to operate as a common carrier, by motor vehicle, over irregular and regular routes, transporting: (A) Irregular routes: General commodities with the following exceptions: (1) Used household goods, personal effects and office, store and institution furniture, fixtures and equipment not packed in salesmen's hand sample cases, suitcases, overnight or Boston bags, brief cases, hat boxes, valises, traveling bags, trunks, lift vans, barrels, boxes, cartons, crates, cases, baskets, pails, kits, tubs, drums, bags (jute, cotton, burlap or gunny) or bundles (completely wrapped in jute, cotton, burlap, gunny, fibreboard, or straw matting); (2) Automobiles, trucks and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses and taxis, freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis; (3)

Livestock, viz.: barrows, boars, bulls, butcher hogs, calves, cattle, cows, dairy cattle, ewes, feeder pigs, gilts, goats, heifers, hogs, kids, lambs, oxen, pigs, rams (bucks), sheep, sheep camp outfits, sows, steers, stags, swine or wethers; (4) Liquids, compressed gases, commodities in semiplastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles;

(5) Commodities when transported in bulk in dump type trucks or trailers or in hopper-type trucks or trailers; (6) Commodities when transported in motor vehicles equipped for mechanical mixing in transit; (7) Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment; and (8) Logs, between those points near Los Angeles, Calif., beginning at the intersection of State Highway 27 and State Highway 1; northerly on State Highway 27 to U.S. Highway 101; westerly on U.S. Highway 101 to a point where the city limits of the City of Los Angeles are intersected thereby; northerly and easterly along said city limits of Los Angeles to a point from which an imaginary line drawn easterly intersects Interstate Highway 405; easterly from such point along such imaginary line to Interstate Highway 405; southerly along Interstate Highway 405 to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando, westerly and northerly along said corporate boundary to McClay Avenue; thence northeasterly along McClay Avenue and its prolongation to the Angeles National Forest boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest boundary to State Highway 38; westerly along State Highway 38 to Bryant Street north of Yucaipa; southerly along Bryant Street to and including the unincorporated community of Yucaipa; westerly along Redlands Boulevard to Interstate Highway 10; northwesterly along Interstate Highway 10 to and including the City of Redlands; westerly along Interstate Highway 10 to Interstate Highway 15; southerly along Interstate Highway 15 to Alessandro near March Air Force Base; westerly along Van Buren Boulevard to Arlington; southwesterly along Magnolia Avenue to State Highway 91; southwesterly and westerly along State Highway 91 to State Highway 55; southerly along State Highway 55 to the Pacific Ocean; westerly and northerly along the shoreline of the Pacific Ocean to a point directly south of the intersection of Sunset Boulevard and State Highway 1; thence northerly along an imaginary line to the point of beginning, included within the territory immediately above described are all places within the corporate limits of any city which is bisected by state and interstate highways and county roads constituting the boundary of such territory between Yucaipa and Newport Beach, (hereinafter the territory described above will be referred to as the Los Angeles Basin Area).

(B) Regular routes: *General commodities*, with the exceptions listed in (1) above: Between Santa Barbara, Calif. and the Los Angeles Basin Area described in (1) above: From Santa Barbara over U.S. Highways 101 and 101 Alternate, serving all intermediate points and said highways and all points laterally within five miles of said highways: From Santa Barbara over U.S. Highways 101 and 101 Alternate, to the Los Angeles Basin Area, and return over the same route.

NOTE.—The purpose of this filing is to convert a Certificate of Registration to a Certificate of Public Convenience and Necessity. This matter is directly related to a Section 5(2) finance proceeding in MC-F-13193, published in the *FEDERAL REGISTER* issue of April 28, 1977. If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif. or Washington, D.C.

No. MC 42487 (Sub-No. 863), filed April 19, 1977. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: E. T. Lipfert, Suite 1000, 1660 L Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: (1) *General commodities*, between points in Spartanburg County, South Carolina, and between points in Spartanburg County and points in South Carolina; (2) *General commodities*, including household goods (except Classes A and B explosives, petroleum products in bulk and commodities requiring special equipment): between points in Union County, South Carolina, and between points in Union County, and points in South Carolina; (3) *Cotton piece goods and rayons* finished and unfinished: between points in South Carolina; (4) *General commodities*, between points in York County, South Carolina, and between points in York County and points in South Carolina; and, between points in Aiken County, South Carolina, and between points in Aiken County and points in South Carolina; and between points in Charleston County, South Carolina, and points in South Carolina; (5) *General commodities*, (except asphalt, liquid petroleum products in bulk in tank trucks, Classes A and B explosives and other dangerous commodities, and household goods): between points in Charleston, Greenville, and Richland Counties, South Carolina, and points in South Carolina; and between points in Greenville, Spartanburg, and Union Counties, South Carolina, and points in South Carolina.

NOTE.—The purpose of this application is to convert a Certificate of Registration to a Certificate of Public Convenience and Necessity. This matter is directly related to a finance proceeding under Section 5(2) in MC-F-13199, published in the *FEDERAL REGISTER* issue of May 5, 1977. Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 93649 (Sub-No. 20), filed April 12, 1977. Applicant: GAINES MOTOR LINES, INC., P.O. Box 1549, Hickory, N.C. 28601. Applicant's representative: Edward G. Villalon, 1032 Pennsylvania Building, Pennsylvania Ave. and 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) Products of, and materials and supplies used by textile manufacturing plants, from Boston, Somerville, and Haverhill, Mass., New Haven, Conn., Pawtucket, East Providence, Providence, and Warren, R.I. to Maiden, N.C., and points in North Carolina and South Carolina within 45 miles of Maiden (eliminating the gateway of Newark, N.J.); (2) Textiles and textile products, from points in South Carolina and points in North Carolina within 45 miles of Maiden, N.C., to Boston, Somerville, and Haverhill, Mass., New Haven, Conn., Pawtucket, East Providence, Providence, and Warren, R.I. (eliminating the gateway of a point in New Jersey within 50 miles of Newark, N.J.); and (3) Cotton yarn and cotton knit goods, from Maiden, N.C., and points in North Carolina within 25 miles of Maiden, N.C., to Boston, Somerville, and Haverhill, Mass., New Haven, Conn., Pawtucket, East Providence, Providence, and Warren, R.I. (eliminating the gateway of a point in New Jersey within 50 miles of Newark, N.J.).

NOTE.—This application is directly related to MC-F-13192, Gaines Motor Lines, Inc.—Purchase (Portion)—H-Cube Transport, Inc., filed April 12, 1977, pursuant to Ex Parte No. 55 (Sub-No. 8), Petition to Eliminate Gateways, and published in the *FEDERAL REGISTER* issue of April 28, 1977.

No. MC 105008 (Sub-No. 25), filed April 7, 1977. Applicant: EDWARD W. CHADDERTON, doing business as, CHADDERTON TRUCKING, P.O. Box 687, Budd St., Sharon, Pa. 16146. Applicant's representative: Stanley E. Levine, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between the Borough of Mercer, Pa., and points in Mercer County, Pa., located on and west of U.S. Highway 19, on the one hand, and, on the other, points in Pennsylvania.

NOTE.—The purpose of this application is to convert applicant's Certificate of Registration to a Certificate of Public Convenience and Necessity. This is a matter Directly Related to a Section 5(2) finance proceeding in MC-F-13137 published in the *FEDERAL REGISTER* issue of March 10, 1977. If a hearing is deemed necessary, the applicant requests it be held at Pittsburgh, Pa.

No. MC 142268 (Sub-No. 13), filed February 2, 1977. Applicant: GORSKI BULK TRANSPORT, INC., R.R. No. 4, Harrow, Ontario, Canada NOR 1G0.

Applicant's representative: William B. Elmer, 21635 East Nine Mile Rd., St. Clair Shores, Mich. 48080. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Neutral grain spirits*, in bulk, in tank vehicles, from Clinton and Muscatine, Iowa, and Atchison, Kans., to Allen Park, Mich., restricted to traffic destined to the facilities of Heublein, Inc., located at Allen Park, Mich.; and (2) *alcoholic beverages* (except in bulk) from Allen Park, Mich., to points in Florida, Georgia, Illinois, Kansas, North Carolina, Oklahoma, South Carolina, Texas, Virginia, and West Virginia, restricted to shipments originating at the facilities of Heublein, Inc., located at Allen Park, Mich.

NOTE.—The purpose of this application is to convert applicant's contract carrier authority to common carrier authority. This is a matter Directly Related to a Section 5(2) finance proceeding in MC-F-12898 published in the *FEDERAL REGISTER* issue of August 19, 1976. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 142723 (Sub-No. 1), filed April 16, 1977. Applicant: BRISTOL CONSOLIDATORS, INC., 4133 Clarenceaux Dr., Gibsonia, Pa. 15044. Applicant's representative: William A. Gray, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by retail variety, department and drug stores, and *equipment, materials, and supplies* used in the conduct of such business (except commodities in bulk) between Pymatuning Township, Pa., on the one hand, and, on the other, points in Maryland, New York, Ohio, West Virginia, New Jersey, Pennsylvania, Indiana, Virginia, Kentucky, Michigan, Illinois, and the District of Columbia, under a continuing contract or contracts with G. C. Murphy Company of McKeesport, Pa.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Pittsburgh, Pa. or Washington, D.C. This application is directly related to MC-F-13191, published in the *FEDERAL REGISTER* issue of April 28, 1977, in which John J. Ghaznavi seeks to control J & S, Inc., and to continue in control of Bristol Consolidators, Inc.

MOTOR CARRIER ALTERNATE ROUTE DEVIATIONS

The following letter-notices to operate over deviation routes for operating convenience only have been filed with the Commission under the Deviation Rules—Motor Carrier of Passengers (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Commission in the manner and form provided in such rules at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of this *FEDERAL REGISTER* notice.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its request.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 728), **GREYHOUND LINES, INC.**, Greyhound Tower, Phoenix, Ariz. 85077, filed May 10, 1977. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage and express and newspapers in the same vehicle with passengers, over a deviation route as follows: From Kingman, Ariz., over Interstate Highway 40 (using U.S. Highway 66 until Interstate Highway 40 is completed) to Seligman, Ariz., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From Kingman, Ariz., over U.S. Highway 66 to Seligman, Ariz., and return over the same route.

No. MC 67024 (Deviation No. 3), **SERVICE COACH LINE, INC.**, 525 Madison St., P.O. Box 1441, Tampa, Fla. 33602, filed May 6, 1977. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage and express and newspapers in the same vehicle with passengers, over a deviation route as follows: From McIntosh, Ga., over Georgia Highway 196 to junction U.S. Highway 17, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From McIntosh, Ga., over U.S. Highway 82 (formerly Georgia Highway 38) to Midway, Ga., thence over U.S. Highway 17 to junction Georgia Highway 196, and return over the same route.

MOTOR CARRIER INTRASTATE APPLICATION(S)

The following application(s) for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to Section 206(a)(6) of the Interstate Commerce Act. These applications are governed by Special Rule 245 of the

Commission's General Rules of Practice (49 CFR 1100.245), which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

Oklahoma Docket No. MC 40463, filed April 28, 1977. Applicant: **DISPATCH DELIVERY & STORAGE, INC.**, 809 Southwest 7th, Oklahoma City, Okla. 73112. Applicant's representative: William D. Watts, 1600 Midland Center, Oklahoma City, Okla. 73102. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of *General commodities—Film*: (1) Between Oklahoma City, Okla., and Midwest City, Del City, Bethany, Warr Acres, The Village, and Nichols Hills, Okla., and return; (2) between Oklahoma City, Okla., and Edmond, Nicoma Park, Spencer, Mustang, and Newcastle, Okla., and return; (3) between Oklahoma City, Okla., and Moore and Norman, Okla., via Interstate Highway 35, and return; and (4) between Oklahoma City, Okla., and Yukon, Okla., via Interstate Highway 40, and return. Intrastate, interstate, and foreign commerce authority sought. Hearing: Date, time, and place scheduled for June 6, 1977, at 9 a.m., in the Referee's Court Room, Second Floor, Jim Thorpe Office Building, Oklahoma City, Okla. Requests for procedural information should be addressed to the Oklahoma Corporation Commission, Jim Thorpe Office Building, Oklahoma City, Okla. 73105 and should not be directed to the Interstate Commerce Commission.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.77-14173 Filed 5-18-77;8:45 am]

TRANSPORTATION OF "WASTE" PRODUCTS FOR REUSE AND RECYCLING (GENERAL MOTOR CARRIER LICENSING)

Filing of Petition for Declaratory Order

MAY 19, 1977.

Filed February 11, 1977. Petitioner: **SCHNEIDER TRANSPORT, INC.**, 2661

South Broadway, Green Bay, Wis. 54304. Petitioner's representative: Charles W. Singer, 2440 E. Commercial Blvd., Ft. Lauderdale, Fla. 33308. On December 21, 1970, the Interstate Commerce Commission initiated proceedings to develop a streamlined application procedure to allow motor carriers to transport "waste" products for reuse and recycling in furtherance of a recognized pollution control program. On the basis of the reports in 114 M.C.C. 92, and 124 M.C.C. 583, regulations were promulgated which allowed participation in a Special Certificate on the basis of the filing of a written request containing certain representations including a letter of support from the organization or organizations engaged in the pollution control program. See 49 CFR Part 1062. Petitioner, a motor carrier holding both common carrier authority and a Special Certificate seeks, by the instant petition, a declaratory order from the Commission to clarify certain definitional aspects of the criteria adopted in the above proceedings as applied to factual situations. Petitioner requests the Commission to consider the following questions: (1) Who qualifies as a sponsor of a recognized pollution control program, and (2) what transportation service can be performed for that sponsor or others under the Special Certificate. Petitioner also contends that in some instances Commission decisions pursuant to the involved rule have been inconsistent. The Commission will consider the issues raised by petitioner, review filings pursuant to the rule to identify possible inconsistencies, and take any action as the circumstances may require to insure that all services performed by carriers presently operating under the Special Certificate are within the limits authorized by the regulation. All persons interested in commenting on the above issues are invited to file written statements with the Commission. An original and 15 copies (wherever possible) of such statements should be submitted on or before June 20, 1977 to: The Secretary, Interstate Commerce Commission, Washington, D.C. 20423. A copy should also be served on petitioner's representative.

ROBERT L. OSWALD,
Secretary.

[FR Doc.77-14323 Filed 5-18-77;8:45 am]

sunshine act meetings

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409), 5 U.S.C. 552b(e)(3).

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U.S. Railroad Retirement Board.....	10

1

AGENCY HOLDING THE MEETING:
Civil Aeronautics Board.

TIME AND DATE: 10 a.m., May 24, 1977.

PLACE: Room 1027, 1825 Connecticut Avenue, NW., Washington, D.C. 20428.

SUBJECT: Docket 29139, EDR-296. Re-examination of the Board's Policies Concerning Deliberate Overbooking and Oversales.

STATUS: Open.

PERSONS TO CONTACT:

Phyllis T. Kaylor, The Secretary, 202-673-5068.

[S-434-77 Filed 5-16-77; 3:59 pm]

2

AGENCY HOLDING THE MEETING:
Consumer Product Safety Commission.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: May 11, 1977, 42 FR 23935.

PREVIOUSLY ANNOUNCED TIME AND DATE: 9:30 a.m., May 19, 1977.

CHANGES IN THE MEETING: The meeting will begin at 2 p.m., instead of at 9:30, and will include consideration of the first three items previously announced:

1. Gas-fired Space Heaters and Catalytic Heaters, Petitions CP 74-10 and 75-16.
2. Possible Substantial Product Hazard: B. Altman & Co. trolley ride toy (ID 77-14).
3. Report on the Office of Public Participation and Financial Compensation Program.

The remaining two items previously announced have been deleted from the agenda. The Commission will consider the Policy on Official Appearances at Facilities with Discriminatory Policies as a ballot vote item. The Policy on Voluntary Standards will be rescheduled.

[S-433-77 Filed 5-16-77; 1:56 pm]

3

AGENCY HOLDING THE MEETING:
Consumer Product Safety Commission.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT.

PREVIOUSLY ANNOUNCED TIME AND DATE: 2:30 p.m., May 13, 1977.

CHANGES IN MEETING: The Commission voted to add to this meeting a discussion of Tris litigation, in light of a U.S. Appellate Court decision on May 12, staying a previous Order from the U.S. District Court. This discussion preceded the previously-scheduled discussion of CPSC Reorganization. Both portions of the meeting were closed to the public.

[S-432-77 Filed 5-16-77; 1:56 pm]

4

AGENCY HOLDING THE MEETING:
Consumer Product Safety Commission.

TIME AND DATE: 9:30 a.m., May 26, 1977.

LOCATION: 3rd Floor Hearing Room, 1111, 18th St., NW., Washington, D.C.

STATUS: Part is open to the public; part is closed.

MATTERS TO BE CONSIDERED:

Portion open to the public:

1. *Petition on Nylon Threads in Children's Bedding and Clothing* (Petition HP 75-19). The petitioner has asked the Commission to take regulatory action on loose threads in these products, which might pose a hazard to children who are entangled.

2. *Policy on Voluntary Standards*. This policy would describe CPSC philosophy on (a) support and participation in voluntary standards development, (b) reliance on mechanisms other than issuing CPSC mandatory standards, and (c) consideration of voluntary standards in developing and/or promulgating mandatory safety standards. Commissioner Franklin prepared an outline for this discussion. (Originally scheduled for May 19, 1977 meeting.)

3. *Refuse Bins*. The Commission will consider a draft banning rule for unstable refuse bins, which was prepared by the staff. Portion closed to the public.

4. *Proposal to seek Consent Agreement and/or Notice of Enforcement: Flammable Fabrics Act Case*. BCMI No. 6-048 (originally scheduled for May 12, 1977 meeting).

5. *Recommendation to Seek Civil Penalty: Flammable Fabrics Act Case*, OS package No. 389.

CONTACT PERSON FOR ADDITIONAL INFORMATION:

Sheldon D. Butts, Assistant Secretary, Office of the Secretary, Suite 300, 1111 18th St., NW., Washington, D.C. 20207. Telephone 202-634-770.

[S-436 Filed 5-17-77; 9:34 am]

5

AGENCY HOLDING THE MEETING:
National Railroad Passenger Corporation.

In accordance with rule 4a. of Appendix A of the By-laws of the National Railroad Passenger Corporation, notice is given that the Board of Directors will meet on May 26, 1977.

A. The meeting will be held on Thursday, May 26, 1977, in the Renoir Room of the L'Enfant Plaza Hotel, 480 L'Enfant Plaza East, Southwest, Washington, D.C., beginning at 9 a.m. The portion of the meeting beginning at 9 will be closed to the public, during which time the Board will consider agenda item No. 1, as identified below.

B. The meeting will be open to the public beginning at 9:30 a.m. starting with agenda item No. 2, as identified below.

C. The agenda items to be discussed at the meeting follow:

AGENDA

NATIONAL RAILROAD PASSENGER CORPORATION,
MEETING OF THE BOARD OF DIRECTORS—MAY 26, 1977

(9) Closed Session

1. Internal Personnel Matters.

(9:30) Open Session

2. Approval of Minutes of Regular Meeting of April 22, 1977.

3. Commitment Approval Requests.

77-122 Retire and Scrap Nine Passenger Cars.

77-137 Convert Ten E-8 Type Locomotives into Steam Generator Units.

77-141 Harrisburg, Pa.—Structural Repairs.

77-146 Conversion of 25 Sleeping Cars.

4. Board Committee Reports.

A. Northeast Corridor Improvement Project: (1) General Status Report; (2) Status of Baseline Implementation Master Plan; (3) Electrification; (4) Concrete Ties; and (5) Grade Crossing Situation.

B. Planning/Equipment: (1) Capital Plan Reprogramming; (2) Single-level Long Distance New Equipment; (3) Route Criteria-Task III Options; (4) ASEA Locomotive Test Results; and (5) French Locomotive Program Status.

C. Audit/Finance: (1) Arthur Anderson & Co. Presentation of Preliminary Year-End Audit Work.

5. President's Reports.

A. Operations: (1) National Operations; (2) Operations Support; and (3) Northeast Corridor Operations.

- B. Marketing.
- C. Government Affairs.
- 6. Financial Reports.
- 7. Approval of Retirement Income Plan Changes.
- 8. New Business.
- 9. Adjournment.

D. Inquiries regarding the information required to be made available to the public pursuant to Appendix A of the Corporation's By-laws should be directed to the Corporate Secretary at 202-484-7679.

Dated: May 16, 1977.

ELYSE G. WANDER,
Corporate Secretary.

[S-431-77 Filed 5-16-77; 12:03 pm]

6

AGENCY HOLDING THE MEETING:
National Transportation Safety Board.
"FEDERAL REGISTER" CITATION OF
PREVIOUS ANNOUNCEMENT: 42 FR
24175, May 12, 1977.

PREVIOUSLY ANNOUNCED TIME AND
DATE OF MEETING: May 19, 1977, 9:30
a.m. (NM-77-11a).

CHANGES IN THE MEETING: The fol-
lowing agenda item has been added:

Annual Report to Congress, Calendar Year
1976.

[S-437-77 Filed 5-17-77; 9:34 am]

7

AGENCY HOLDING THE MEETING:
National Transportation Safety Board.
TIME AND DATE: 2:30 p.m., Thursday,
May 19, 1977 (NM-77-12).

PLACE: NTSB Board Room, National
Transportation Safety Board, 800 In-
dependence Avenue SW., Washington,
D.C. 20594.

STATUS: Closed.

MATTER TO BE CONSIDERED:

Discussion re Selection of the Chief,
Field Investigation Division, Bureau of
Accident Investigation.

CONTACT PERSON FOR MORE IN-
FORMATION:

Sharon Flemming, 202-755-4930.

[S-438-77 Filed 5-17-77; 9:34 am]

8

AGENCY HOLDING THE MEETING:
National Transportation Safety Board.
TIME AND DATE: 9:30 a.m., Thursday,
May 26, 1977 (NM-77-13).

PLACE: Board Room, National Trans-
portation Safety Board, 800 Indepen-
dence Avenue SW., Washington, D.C.
20594.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Discussion re Alternatives for ATC-
Tape Processing.

2. Letter to Federal Railroad Admin-
istration re ANPRM Dkt. RSGM-1, Im-
proved Glazing Material in Windows of
Certain Railroad Cars.

CONTACT PERSON FOR MORE IN-
FORMATION:

Sharon Flemming, 202-755-4930.

[S-439-77 Filed 5-17-77; 9:34 am]

9

AGENCY HOLDING THE MEETING:
National Transportation Safety Board.

TIME AND DATE: 2:30 p.m., Thursday,
May 26, 1977 (NM-77-14).

PLACE: Board Room, National Trans-
portation Safety Board, 800 Indepen-
dence Avenue, SW., Washington, D.C.
20594.

STATUS: Closed.

MATTER TO BE CONSIDERED:

Opinion and Order.—Administrator v.
Lewis, Dkt. SE-3340; Disposition of Ad-
ministrator's Appeal.

CONTACT PERSON FOR MORE IN-
FORMATION:

Sharon Flemming, 202-755-4930.

[S-440-77 Filed 5-17-77; 9:34 am]

10

AGENCY HOLDING THE MEETING:
U.S. Railroad Retirement Board.

TIME AND DATE: 10 a.m., May 25, 1977.

PLACE: Board's meeting room on the
8th floor of its headquarters building at
844 Rush Street, Chicago, Illinois 60611.

STATUS: Parts of this meeting will be
open to the public. The rest of the meet-
ing will be closed to the public.

MATTERS TO BE CONSIDERED:

Portions open to the public:

- (1) Hearings transcripts of appealed
cases.

(2) Disclosure of information by the
Social Security Administration to the
Railroad Retirement Board for use in
administering the Railroad Unemploy-
ment Insurance Act.

- (3) Outside review of data base pro-
posal.

- (4) Working papers for data base.

(5) Proposed draft letter to the Office
of Management and Budget concerning
the Board's temporary employment ceil-
ing request.

(6) Amending the Regulations of the
Railroad Retirement Board under the
Railroad Unemployment Insurance Act
concerning the determination of a rate
of unemployment.

- (7) Problems in the computer room.
Portions closed to the public:

(8) Appeal to the Board of denial of
annuity application, Edwin L. Falloon.

(9) Appeal to the Board of denial of
annuity application, Robert L. McDon-
ald.

CONTACT PERSON FOR MORE IN-
FORMATION:

R. F. Butler, Secretary of the Board.
Telephone No. 312-387-4920.

[S-435 Filed 5-17-77; 9:34 am]

11

AGENCY HOLDING THE MEETING:
Federal Trade Commission.

TIME AND DATE: 10 a.m., Tuesday,
May 24, 1977.

PLACE: Room 432, Federal Trade Com-
mission Building, 6th Street and Penn-
sylvania Avenue, NW., Washington, D.C.
20580.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

Nonadjudicative Matters:

The Commission has not yet scheduled
any Nonadjudicative items for discus-
sion at this meeting.

Adjudicative Matters Under Part 3 of
the Rules of Practice:

- (1) Approval of Minutes of Adjudica-
tive Matters Considered at Commission
Meeting of May 17, 1977.

(2) Consideration of Complaint Coun-
sel's Request for Authorization of Judi-
cial Enforcement of Subpoenas Issued to
Certain Respondents in Exxon Corp.,
Docket No. 8934.

(3) Consideration of Final Decision in
Central California Lettuce Producers
Cooperative, Docket No. 8970.

(4) Consideration of withdrawing
Safety Stores, Inc., Docket No. 9053, from
Adjudication to consider proposed con-
sent agreement.

CONTACT PERSON FOR MORE IN-
FORMATION:

Leonard J. McEnnis, Jr., Office of
Public Information: (202-523-3830);
Recorded Message: (202-523-3806).

[S-441-77 Filed 5-17-77; 10:58 am]

12

AGENCY HOLDING THE MEETING:
Federal Trade Commission.

TIME AND DATE: 10 a.m., Wednesday,
May 25, 1977.

PLACE: Room 432, Federal Trade Com-
mission Building, 6th Street and Penn-
sylvania Avenue, NW., Washington, D.C.
20580.

STATUS: Open.

MATTERS TO BE CONSIDERED:

- (1) Discussion of Proposed Rules
Changes and Additions dealing with As-
surance of Confidentiality with regard
to and Protection of Confidential Busi-
ness Information.

(2) Report from General Counsel on
Congressional Matters.

CONTACT PERSON FOR MORE IN-
FORMATION:

Leonard J. McEnnis, Jr., Office of
Public Information: (202-523-3830);
Recorded Message: (202-523-3806).

[S-442-77 Filed 5-17-77; 10:58 am]

Registered
Federal

THURSDAY, MAY 19, 1977

PART II



FEDERAL COMMUNICATIONS COMMISSION

■

LIST OF CANADIAN FM BROADCASTING STATIONS AND ALLOCATIONS WITHIN 250 MILES OF THE CANADA-U.S.A. BORDER

Amendment of Table A of the
Canadian-U.S.A. FM Broadcasting
Agreement of 1947; Supplement No. 2

CANADIAN FM BROADCASTING STATION

List of Canadian FM Broadcasting Stations and Allocations Within 250 Miles of the Canada-U.S.A. Border

MAY 6, 1977.

The FCC has released a list of Canadian FM Broadcasting Station Assignments and Allocations that is recapitulative and contains information supplied by the Department of Communications of Canada. It reflects all the additions, changes and deletions notified to the FCC by the above date and supersedes previous lists issued by the Commission.

Further additions, changes and deletions, as coordinated between the Commission and the Canadian Department of Communications will be issued as re-

ported to the Commission by the Canadian Department of Communications.

Copies of the list may be obtained from Downtown Copy Center, 1730 K Street, NW., Washington, D.C. 20006, telephone 202-452-1422.

WALLACE E. JOHNSON,
Chief, Broadcast Bureau, Federal Communications Commission.

**CANADIAN-U.S.A. FM BROADCASTING
AGREEMENT LIST OF ASSIGNMENTS AND
ALLOCATIONS FOR FM BROADCASTING**

LISTED BY PROVINCE

CANADA

PROVINCE ABBREVIATIONS

Alberta, AB.
British Columbia, BC.

Manitoba, MB.
New Brunswick, NB.
Newfoundland, NF.
Northwest Territories, NT.
Nova Scotia, NS.
Ontario, ON.
Prince Edward Island, PE.
Quebec, QU.
Saskatchewan, SA.
Yukon Territory, YU.

PARAMETER ABBREVIATION

Directional Antenna, DA.
Horizontal Polarization, HOR.
Vertical Polarization, V.
Feet, FT.
Kilowatt, KW.
License, LIC.
Construction Permit, CP.
Class of Station, A,B,C,D.
Revised to April 12, 1977.

FM ENGINEERING DATA BASE LISTING - INDEX KEY STATE, CITY, FREQ
FEDERAL COMMUNICATIONS COMMISSION - BROADCAST BUREAU
NOTICE UNOFFICIAL SECONDARY SOURCE. USE PRIMARY SOURCES FOR OFFICIAL INFORMATION ***NOTICE***

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BANFF	AB	288 C	51-10-28.0	USA	750518
		105.1	115-34-18.0		
BANFF	AB	292 C	51-10-28.0	USA	750518
		106.3	115-34-19.0		
BELLEVUE	AB	237 B	49-34-55.0	USA	770107
		95.3	114-22-01.0		
BLAIRMORE-COLEMAN	AB	231 B	49-35-25.0	USA	770107
		94.1	114-20-06.0		
BROOKS	AB	227 B	50-23-50.0	USA	711001
		93.2	111-53-49.0		
BROOKS	AB	225 B	50-23-50.0	USA	711001
		94.0	111-53-49.0		
CALGARY	AB	261 C	51-02-42.0	USA	711001
		98.1	114-03-36.0		
CALGARY	AB	265 C	51-02-42.0	USA	711001
		98.0	114-03-36.0		
CALGARY	AB	269 C	51-02-42.0	USA	711001
		99.7	114-03-36.0		
CALGARY	AB	221 C	51-02-42.0	USA	711001
		97.1	114-03-36.0		
CALGARY	AB	225 C	51-02-42.0	USA	750417
		92.9	114-03-36.0		
CALGARY	AB	229 C	51-02-42.0	USA	711001
		93.7	114-03-36.0		
CALGARY	AB	233 C	51-02-42.0	USA	711001
		94.0	114-03-36.0		
CHFM LIC	AB	240 C	51-02-37.0	USA	750015
		95.9	114-10-13.0		
CALGARY	AB	245 C	51-02-42.0	USA	711001
		98.9	114-03-36.0		
CBFM LIC	AB	271 C	51-02-54.0	100KWH 100KWH 1042FTW 1042FTV	751211
		102.1	114-12-47.0		
CALGARY	AB	276 C	51-02-42.0	USA	711001
		103.1	114-03-36.0		
CALGARY	AB	280 C	51-02-42.0	USA	711001
		103.0	114-03-36.0		

Prepared By Data Automation Division

FM ENGINEERING DATA BASE LISTING - INDEX KEY STATE, CITY, FREQ
FEDERAL COMMUNICATIONS COMMISSION - BROADCAST BUREAU
NOTICE UNOFFICIAL SECONDARY SOURCE. USE PRIMARY SOURCES FOR OFFICIAL INFORMATION ***NOTICE***

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CARDSTON	AB	273 C	49-12-08.0	USA	711001
		102.8	113-18-04.0		
CARDSTON	AB	278 C	49-12-00.0	USA	711001
		103.8	113-18-04.0		
DRUMHELLER	AB	296 C	51-27-48.0	USA	711001
		107.1	113-42-29.0		
EDMONTON	AB	207 C	53-32-31.0	USA	711001
		89.3	113-29-20.0		
EDMONTON	AB	211 C	53-32-31.0	USA	711001
		90.1	113-29-20.0		
EDMONTON	AB	215 C	53-32-31.0	USA	750925
		90.9	113-29-20.0		
EDMONTON	AB	223 C	53-32-31.0	USA	711001
		92.5	113-29-20.0		
EDMONTON	AB	227 C	53-32-31.0	USA	711001
		93.3	113-29-20.0		
EDMONTON	AB	231 C	53-32-31.0	USA	711001
		94.1	113-29-20.0		
EDMONTON	AB	235 C	53-32-31.0	USA	711001
		94.9	113-29-20.0		
EDMONTON	AB	243 C	53-32-31.0	USA	711001
		96.5	113-29-20.0		
EDMONTON	AB	247 C	53-32-31.0	USA	711001
		97.3	113-29-20.0		
CKUA LIC	AB	251 C	53-32-30.0	355KWH 113FTW	750015
		98.1	113-29-20.0		
CJCA LIC	AB	258 C	53-32-31.0	414KWH 80.8FTW	750015
		99.8	113-29-20.0		
CPRN LIC	AB	262 C	53-32-32.0	16.2KWH 275FTW	750015
		100.3	113-29-20.0		
EDMONTON	AB	280 C	53-32-31.0	USA	711001
		105.9	113-29-20.0		
FORT MACLEOD	AB	223 B	49-43-26.0	USA	711001
		92.5	113-24-40.0		
GRANDE PRAIRIE	AB	225 C	55-10-19.0	USA	770107
		92.9	118-48-11.0		

Prepared By Data Automation Division

FM ENGINEERING DATA BASE LISTING - INDEX KEY STATE, CITY, FREQ

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FEDERAL COMMUNICATIONS COMMISSION - BROADCAST BUREAU
NOTICE UNOFFICIAL SECONDARY SOURCE. USE PRIMARY SOURCES FOR OFFICIAL INFORMATION ***NOTICE***

GRANDE PRAIRIE	AB 255 C	55-10-19.0 99.0 118-48-11.0			770107
MANNA	AB 263 B	51-28-35.0 100.5 111-55-26.0	USA		711001
HIGH RIVER	AB 263 A	50-34-30.0 98.5 113-52-16.0	USA		711001
LACOMBE-STETTLE	AB 273 B	52-27-43.9 102.5 113-43-52.0	USA		770107
LACOMBE-STETTLE	AB 282 B	52-27-43.0 104.3 113-43-52.0	USA		770107
CKUA-2 LETHBRIDGE	AB 257 C	49-43-59.0 98.3 112-57-36.0	100KWH 100KWH 465FTH 465FTH	USA	760913
LETHBRIDGE	AB 261 C	49-42-00.0 100.1 112-49-59.0	USA		711001
CHEC LIT	AB 265 C	49-41-45.0 108.9 112-48-34.0	245KWH 160FTH	USA	750816
LETHBRIDGE	AB 299 C	49-42-00.0 107.7 112-49-59.0	USA		711001
MEDICINE HAT	AB 213 C	50-02-06.0 96.5 110-40-30.0	USA		711001
CKUA-2 MEDICINE HAT	AB 247 C	49-41-59.0 97.3 110-38-21.0	100KWH 100KWH 727FTH 727FTH	USA	760913
MEDICINE HAT	AB 254 C	50-02-06.0 98.7 110-40-30.0	USA		711001
MEDICINE HAT	AB 269 C	50-02-06.0 101.7 110-40-30.0	USA		711001
PROVOST	AB 268 C	52-21-14.0 105.1 110-16-01.0	USA		711001
CKRD LIT	AB 255 C	52-17-37.0 98.9 113-50-37.0	1.24KWH 225FTH	USA	750815
RED DEER	AB 268 C	52-18-05.0 101.1 113-48-40.0	USA		711001
TABER	AB 294 C	49-47-17.0 106.7 112-08-38.0	USA		711001
ALERT BAY	BC 268 A	50-35-00.0 105.1 126-55-00.0	USA		761014

Prepared By Data Automation Division

FM ENGINEERING DATA BASE LISTING - INDEX KEY STATE, CITY, FREQ

APR 12, 1977 PAGE 4

FEDERAL COMMUNICATIONS COMMISSION - BROADCAST BUREAU
NOTICE UNOFFICIAL SECONDARY SOURCE. USE PRIMARY SOURCES FOR OFFICIAL INFORMATION ***NOTICE***

CBUD LIT	BC 222 A	49-28-33.0 92.3 117-29-16.0	.04KWH 1309FTH	DA USA	750815
BURNS LAKE	BC 256 B	54-14-00.0 99.1 125-48-00.0		USA	770324
CAMP VOSS	BC 225 B	50-10-19.0 92.9 126-34-08.0		USA	761014
CASTLEGAR	BC 274 C	49-19-34.9 102.7 117-39-40.0		USA	711001
CASTLEGAR	BC 298 C	49-19-34.0 107.5 117-39-40.0		USA	711001
CBUF-1 CHILLIWACK	BC 271 A	49-06-36.0 102.1 121-50-47.0	.001KWH 853FTH	USA	750815
CHILLIWACK	BC 298 A	49-10-17.0 107.5 121-57-04.0		USA	761007
CFFW-3 CLEARWATER	BC 224 B	51-41-04.0 92.7 120-10-53.0	.022KWH 1570FTH	USA	760913
CFFW-4 CLINTON	BC 293 A	51-05-10.0 106.5 121-40-30.0	.012KWH 1781FTH	USA	750815
COURTENAY	BC 268 C	49-41-20.0 101.5 125-01-01.0		USA	711231
COURTENAY	BC 281 B	49-41-20.0 104.1 125-01-01.0		USA	761007
CRANBROOK	BC 262 C	49-30-32.0 100.5 115-46-01.0		USA	761007
CRANBROOK	BC 267 C	49-30-32.0 101.3 115-46-01.0		USA	711001
DAWSON CREEK	BC 221 C	55-45-49.0 82.1 120-14-29.0		USA	711231
CBND LIT	BC 229 A	55-47-08.0 93.7 120-12-22.0	.070KWH 289FTH	USA	750815
DAWSON CREEK	BC 269 C	55-45-40.0 101.7 120-14-20.0		USA	711001
FERNIE	BC 264 C	49-30-29.0 104.7 115-03-43.0		USA	711001
FERNIE	BC 265 C	49-30-29.0 105.5 115-03-43.0		USA	711001

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FORT FRASER	BC	275 B	54-04-00.0	USA	770324
		102.9	124-23-00.0		
GOLDEN	BC	269 A	51-18-00.0	USA	780121
		101.7	116-58-00.0		
HOPE	BC	269 A	49-22-59.0	USA	781014
		101.7	121-26-20.0		
HOPE	BC	266 B	49-22-59.0	USA	781007
		105.1	121-26-20.0		
CPWL-1 INVERMERE LIC	BC	268 C	50-25-35.0	001KMH DA USA	750815
		107.1	116-05-23.0	2398FTN	
KARLOOPS	BC	261 C	50-40-12.0	USA	711001
		88.1	120-19-12.0		
KARLOOPS	BC	231 C	50-40-12.0	USA	751204
		94.1	120-19-12.0		
KARLOOPS	BC	243 C	50-40-12.0	USA	711001
		96.5	120-19-12.0		
CFFW KARLOOPS LIC	BC	263 C	50-40-15.0	3.9KMH USA	750815
		96.3	120-23-50.0	469FTN	
KELOWNA	BC	235 B	49-52-59.0	USA	711001
		94.9	119-29-31.0		
KELOWNA	BC	239 C	49-52-59.0	USA	751204
		95.7	119-29-31.0		
KELOWNA	BC	256 B	49-52-59.0	USA	711001
		99.1	119-29-31.0		
CJOV KELOWNA LIC	BC	264 C	49-58-00.0	3.9KMH USA	750815
		104.7	119-31-40.0	1611FTN	
KIMBERLY	BC	243 C	49-41-10.0	USA	711001
		96.5	115-58-59.0		
KIMBERLY	BC	255 C	49-41-10.0	USA	781007
		96.9	115-58-59.0		
COUK KETIMAT LIC	BC	268 A	54-03-12.0	0.08KMH 0.05KMHV USA	750815
		101.1	120-26-35.0	-937FTN -937FTV	
LYTTON	BC	272 B	50-14-00.0	USA	781014
		102.3	121-34-00.0		
CFFW-S HERRITT LIC	BC	280 C	50-11-40.0	0.12KMH USA	750815
		183.9	120-56-15.0	2125FTN	

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HERRITT	BC	296 C	50-06-43.0	USA	711001
		107.1	120-47-20.0		
CFFW-S MOUNT TIMOTHY LIC	BC	259 C	51-54-00.0	0.09KMH USA	750815
		99.7	121-15-30.0	1867FTN	
HANAIMO	BC	237 C	49-09-42.0	USA	711231
		95.3	123-50-13.0		
NELSON	BC	233 C	49-25-24.0	USA	711001
		94.5	117-17-17.0		
NELSON	BC	281 B	49-29-24.0	USA	751204
		104.1	117-17-17.0		
CFMT NEW WESTMINSTER LIC	BC	286 C	49-20-43.0	40KMH 40KMHV DA USA	750815
		101.3	122-58-17.0	1055FTN 1055FTV	
NORTH VANCOUVER	BC	241 C	49-19-30.0	USA	770107
		96.1	123-04-20.0		
OLIVER	BC	259 B	49-11-06.0	USA	711001
		95.7	119-33-00.0		
OLIVER	BC	263 B	49-11-06.0	USA	781014
		100.5	119-33-00.0		
PENTICTON	BC	222 B	49-29-31.0	USA	781007
		92.5	119-36-00.0		
PENTICTON	BC	227 B	49-29-31.0	USA	711001
		93.3	119-36-00.0		
CKDR PENTICTON LIC	BC	246 C	49-31-44.0	118KMH USA	750815
		97.1	119-36-25.0	755FTN	
PORT ALBERNI	BC	265 A	49-14-17.0	USA	711001
		104.9	124-48-14.0		
PORT ALBERNI	BC	296 A	49-14-17.0	USA	711001
		107.5	124-48-14.0		
POWELL RIVER	BC	261 A	49-52-19.0	USA	711001
		100.1	124-33-00.0		
POWELL RIVER	BC	276 A	49-52-19.0	USA	711001
		103.1	124-33-00.0		
PRINCE GEORGE	BC	263 C	53-54-58.0		770107
		100.9	122-44-49.0		
PRINCE GEORGE	BC	267 C	53-54-58.0		770107
		101.3	122-44-49.0		

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PRINCE RUPERT	BC	222 C	54-18-47.0	92.3	130-19-30.0	USA	770107
PRINCE RUPERT	BC	280 C	54-18-47.0	99.9	130-19-30.0	USA	770107
PRINCETON	BC	261 B	49-27-22.0	100.1	120-30-43.0	USA	720406
PRINCETON	BC	278 C	49-27-22.0	103.1	120-30-43.0	USA	750928
REVELSTOCK	BC	278 C	50-59-24.0	103.8	118-11-31.0	USA	770107
REVELSTOCK	BC	282 B	50-59-24.0	104.3	118-11-31.0	USA	770107
ROSSLAND	BC	249 C	49-04-41.0	97.7	117-47-56.0	USA	761007
SALMON ARM	BC	221 B	50-42-00.0	92.1	119-16-59.0	USA	711001
CFFW-1 SAVONA LIC	BC	270 A	50-45-45.0	101.9	120-52-05.0	100KMH 1490FTV	750815
TRAIL	BC	205 C	49-05-49.0	88.9	117-42-04.0	USA	711001
CJAT LIC	BC	294 C	49-05-28.0	106.7	117-49-08.0	32.8KMH 12.8KVV 1485FTV 1485FTV	750815
VANCOUVER	BC	209 C	49-15-00.0	89.7	123-06-00.0	USA	711001
VANCOUVER	BC	213 C	49-15-00.0	90.5	123-06-00.0	USA	711001
VANCOUVER	BC	217 C	49-15-00.0	91.3	123-06-00.0	USA	711001
VANCOUVER	BC	229 C	49-15-00.0	93.7	123-06-00.0	USA	720406
VANCOUVER	BC	233 C	49-15-00.0	94.5	123-06-00.0	USA	720406
CBUF LIC	BC	249 C	49-21-12.0	97.7	123-07-18.0	50KMH 1623FTV	750815
CHLG LIC	BC	297 C	49-21-08.0	99.3	123-04-00.0	100KMH 350FTV	750815

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CFRFB VANCOUVER LIC	BC	274 B	49-18-31.0	102.7	122-54-49.0	3.7KMH 3.7KVV 647FTV 647FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
CHOM LIC	BC	278 C	49-21-17.0	103.6	122-57-25.0	60KMH 10KVV 1630FTV 1680FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	750815
CBU LIC	BC	289 C	49-21-12.0	105.7	122-57-18.0	50KMH 10KVV 1823FTV 1823FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	750815
VANCOUVER	BC	300 B	49-15-00.0	107.9	123-06-00.0	USA	761007	
VERNON	BC	205 B	50-18-01.0	100.9	119-18-01.0	USA	711001	
VERNON	BC	208 C	50-18-01.0	105.5	119-18-01.0	USA	711001	
VICTORIA	BC	261 C	48-26-06.0	88.1	123-21-00.0	USA	711001	
VICTORIA	BC	205 C	48-26-06.0	89.9	123-21-00.0	USA	711001	
VICTORIA	BC	221 C	48-26-06.0	92.1	123-21-00.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007	
VICTORIA	BC	245 C	48-26-06.0	95.9	123-21-00.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007	
EPMB LIC	BC	253 C	48-25-27.0	98.9	123-30-36.0	10KMH 10KVV 647FTV 647FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
VICTORIA	BC	202 C	48-26-06.0	100.3	123-21-00.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007	
VICTORIA	BC	270 B	48-26-06.0	101.9	123-21-00.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007	
VICTORIA	BC	297 B	48-26-06.0	107.3	123-21-00.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007	
BOISSEVAULT	MB	290 C	49-13-55.0	105.9	100-03-14.0	USA	770107	
BRANDON	MB	207 C	49-50-31.0	89.3	99-57-09.0	USA	711001	
BRANDON	MB	213 C	49-50-31.0	90.5	99-57-09.0	USA	711001	
BRANDON	MB	217 C	49-50-31.0	91.3	99-57-09.0	USA	711001	

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BRANDON	WB	224 C	49-50-31.0 92.7 99-57-03.0	USA	730809
BRANDON	WB	241 C	49-40-05.0 90.1 100-00-40.0	55KMH 1042PTH USA	750815
BRANDON	WB	250 C	49-50-31.0 97.9 99-57-00.0	USA	711001
BRANDON	WB	298 C	49-50-31.0 107.1 99-57-00.0	USA	730809
CARBERRY	WB	262 B	49-52-05.0 100.3 99-21-29.0	USA	730809
DAUPHIN	WB	227 C	51-08-56.0 93.3 100-03-00.0	USA	711001
DAUPHIN	WB	248 C	51-08-56.0 97.1 100-03-00.0	USA	711001
EMERSON	WB	240 B	49-00-18.0 99.0 97-12-32.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	781007
FAIRFORD	WB	292 B	51-34-00.0 104.3 99-41-00.0	USA	700121
FISHER BRANCH	WB	239 B	51-05-00.0 95.7 97-37-00.0	USA	700121
FLIN FLOW	WB	221 C	54-48-01.0 92.1 101-52-01.0	USA	711001
FLIN FLOW	WB	225 C	54-48-01.0 92.9 101-52-01.0	USA	711001
OTMIL	WB	298 C	50-37-59.0 107.9 99-59-24.0	USA	711001
JACKHEAD	WB	224 B	51-52-00.0 92.7 97-10-00.0	USA	700121
MELITA	WB	254 C	49-16-18.0 99.7 100-59-24.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	781007
MORDEN-WINKLER	WB	300 C	49-11-35.0 107.9 98-06-04.0	USA	770107
NEEPAWA	WB	286 B	50-13-41.0 101.1 99-28-01.0	USA	730809
PORTAGE LA PRAIRIE	WB	280 C	49-58-18.0 102.9 98-17-24.0	USA	770107

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PORTAGE LA PRAIRIE	WB	284 C	49-58-19.0 104.7 98-17-24.0	USA	770107
RUSSEL	WB	278 C	50-48-55.0 103.5 101-17-06.0	USA	711001
SELKIRK	WB	284 C	50-08-48.0 100.7 98-52-19.0	USA	711001
STEINSACH	WB	292 C	49-31-34.0 106.3 96-41-05.0	USA	711001
THE PAS	WB	230 C	53-48-59.0 93.9 101-15-00.0	USA	711001
THOMPSON	WB	260 A	55-43-43.0 99.0 97-51-40.0	086KMH 250PTH USA	750815
TRANSCONA	WB	228 B	49-53-49.0 93.1 97-00-00.0	USA	711001
TRANSCONA	WB	230 C	49-53-49.0 95.1 97-00-00.0	USA	711001
VIRIDEN	WB	250 C	49-51-00.0 99.8 100-55-55.0	USA	711001
WINNIPEG	WB	201 C	49-52-59.0 88.1 97-09-29.0	USA	750530
WINNIPEG	WB	205 C	49-52-59.0 88.9 97-09-29.0	USA	711001
WINNIPEG	WB	206 C	49-52-59.0 89.7 97-09-29.0	USA	711001
WINNIPEG	WB	221 C	49-34-48.0 92.1 97-10-04.0	55KMH 794PTH 340KMH 104KMH USA	751211
WINNIPEG	WB	232 C	49-53-51.0 94.3 97-08-19.0	5.5KMH 238PTH USA	700913
WINNIPEG	WB	244 C	49-52-59.0 90.7 97-09-29.0	USA	711001
WINNIPEG	WB	246 C	49-48-07.0 97.9 97-12-54.0	310KMH 238PTH USA	700913
WINNIPEG	WB	253 C	49-44-56.0 90.3 97-08-30.0	354KMH 471PTH USA	750815
WINNIPEG	WB	256 C	49-52-59.0 90.1 97-09-29.0	USA	750815

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WINNIPEG	NB 280 C	49-52-59.0	USA	711001
	99.9	97-09-29.0		
CJRM-FM WINNIPEG LIC	NB 288 B	49-48-32.0	3.8KMH 3.8KMH USA	700913
	101.8	97-08-04.0	180FTH 180FTH	
WINNIPEG	NB 272 C	49-52-59.0	USA	711001
	102.3	97-09-29.0		
WINNIPEG	NB 276 C	49-52-59.0	USA	711001
	102.1	97-09-29.0		
WINNIPEG	NB 288 C	49-52-59.0	USA	711001
	105.8	97-09-29.0		
WINNIPEGOSIS	NB 287 C	51-38-00.0	USA	700130
	105.3	99-55-00.0		
BATHURST	NB 261 C	47-38-00.0	USA	701007
	100.1	95-39-00.0	SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	
CAMPBELLTON	NB 231 C	48-00-11.0	USA	711001
	94.1	95-40-52.0		
CAMPBELLTON	NB 243 C	48-00-11.0	USA	711001
	96.8	95-40-52.0		
CHATHAM	NB 270 C	47-01-48.0	USA	711001
	101.8	95-28-19.0		
CHATHAM	NB 274 C	47-01-48.0	USA	711001
	102.7	95-28-19.0		
DALHOUSIE	NB 289 C	48-03-54.0	USA	711001
	105.7	95-22-37.0		
DALHOUSIE	NB 294 C	48-03-54.0	USA	711001
	105.7	95-22-37.0		
EDMUNDSTON	NB 223 C	47-21-47.0	USA	700002
	92.5	95-19-59.0		
EDMUNDSTON	NB 220 C	47-21-47.0	USA	700002
	93.8	95-19-59.0		
EDMUNDSTON	NB 254 C	47-21-47.0	USA	700002
	90.7	95-19-59.0		
FREDERICTON	NB 210 C	46-57-32.0	USA	700002
	89.9	95-30-35.0		
FREDERICTON	NB 214 C	46-57-32.0	USA	700002
	90.7	95-30-35.0		

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FREDERICTON	NB 218 C	46-57-32.0	USA	700002
	91.5	95-30-35.0		
FREDERICTON	NB 281 C	46-57-32.0	USA	700002
	90.1	95-30-35.0		
CBZFM FREDERICTON-ST. JOHN LIC	NB 272 C	45-28-39.0	100KMH 100KMH USA	751211
	102.3	95-14-02.0	1218FTH 1218FTH ALLOCATED TO SAINT JOHN, NB.	
FREDERICTON	NB 277 C	46-57-32.0	USA	700002
	102.3	95-30-35.0		
FREDERICTON	NB 300 C	45-57-32.0	USA	700002
	107.8	95-30-35.0		
CBZFM GRAND MANAN LIC	NB 279 A	44-42-37.0	1.57KMH 1.57KMH USA	751211
	102.7	95-44-48.0	232FTH 232FTH	
MONCTON	NB 225 C	46-05-49.0	USA	711001
	94.9	95-47-42.0		
MONCTON	NB 229 C	46-05-49.0	USA	711001
	95.7	95-47-42.0		
MONCTON	NB 280 C	46-05-49.0	USA	711001
	103.9	95-47-42.0		
NEWCASTLE	NB 248 B	47-00-04.0	USA	711001
	97.8	95-34-01.0		
NEWCASTLE	NB 257 C	47-00-04.0	USA	711001
	99.9	95-34-01.0		
NEWCASTLE	NB 268 C	47-00-04.0	USA	711001
	101.1	95-34-01.0		
CBHM RICHIBUCTO LIC	NB 293 A	46-40-53.0	0.59KMH 0.59KMH USA	750615
	98.5	94-52-00.0	20FTH 20FTH	
SACKVILLE	NB 202 C	45-53-48.0	USA	711001
	88.3	94-22-16.0		
SACKVILLE	NB 206 C	45-53-48.0	USA	711001
	89.1	94-22-16.0		
SACKVILLE	NB 229 C	45-53-48.0	USA	711001
	93.7	94-22-16.0		
CFBC SAINT JOHN LIC	NB 255 C	45-18-48.0	5.6KMH 5.6KMH USA	750615
	90.9	95-04-52.0	171FTH 171FTH	
SAINT JOHN	NB 298 C	45-18-48.0	USA	711001
	95.7	95-04-52.0		

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SAINT JOHN	NS	283 C	45-18-23.0	USA	711001
		100.8	66-03-25.0		
SAINT JOHN	NS	288 C	45-18-23.0	USA	711001
		101.8	66-03-25.0		
SAINT JOHN	NS	272 C	45-18-23.0	USA	781211
		102.8	66-03-25.0		
SAINT JOHN	NS	295 C	45-18-23.0	USA	711001
		106.8	66-03-25.0		
ST STEPHEN	NS	243 C	45-11-13.0	USA	770107
		96.5	67-18-53.0		
ST STEPHEN	NS	280 C	45-11-13.0	USA	711001
		105.8	67-18-53.0		
SUSSEX	NS	228 C	45-43-19.0	USA	711001
		104.8	65-31-01.0		
WOODSTOCK	NS	223 C	45-08-56.0	USA	711001
		94.5	67-34-30.0		
WOODSTOCK	NS	282 C	45-08-56.0	USA	711001
		104.5	67-34-30.0		
CPCL LIC	CHURCHILL FALLS	NS	250 C	53-31-41.0	750015
		97.9	64-00-42.0		
	CORNER BROOK	NS	222 C	45-57-06.0	711001
		92.5	67-57-00.0		
	CORNER BROOK	NS	228 C	45-57-06.0	711001
		93.1	67-57-00.0		
	GANDER	NS	221 C	45-57-00.0	711001
		94.1	64-34-06.0		
	GRAND FALLS	NS	240 C	45-56-09.0	711001
		90.8	65-40-00.0		
CPCL LIC	ST ANDREWS	NS	248 C	47-48-12.0	750015
		97.7	66-17-23.0		
	ST JOHN'S	NS	288 C	47-34-00.0	711001
		90.2	68-43-00.0		
	ST JOHN'S	NS	288 C	47-34-00.0	711001
		90.1	68-43-00.0		
	ST JOHN'S	NS	218 C	47-34-00.0	711001
		90.9	68-43-00.0		

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ST JOHN'S	NS	214 C	47-34-00.0	711001	
		90.7	68-43-00.0		
ST JOHN'S	NS	228 C	47-34-00.0	730000	
		93.7	68-43-00.0		
ST JOHN'S	NS	270 C	47-34-00.0	730000	
		101.8	68-43-00.0		
ST JOHN'S	NS	298 C	47-34-00.0	730000	
		106.8	68-43-00.0		
STEPHENVILLE	NS	250 C	45-33-39.0	711001	
		94.2	68-12-00.0		
WABANA	NS	234 C	47-34-00.0	711001	
		94.2	68-57-00.0		
WINDSOR	NS	258 C	45-57-00.0	711001	
		96.1	65-40-00.0		
CDCL LIC	BAKER LAKE	NS	222 A	64-17-00.0	750015
		96.3	68-01-10.0		
	YELLOWKNIFE	NS	221 C	62-35-30.0	750015
		93.1	64-22-00.0		
	AMHERST	NS	244 C	45-49-24.0	730000
		96.7	64-12-25.0		
	ANTIGONISH	NS	203 C	45-37-26.0	711001
		96.6	61-59-35.0		
	ANTIGONISH	NS	207 C	45-37-26.0	711001
		96.3	61-59-35.0		
	ANTIGONISH	NS	256 C	45-37-26.0	711001
		99.1	61-59-35.0		
	BRIDGEWATER	NS	227 C	44-22-41.0	711001
		93.3	64-31-12.0		
	DARTMOUTH	NS	227 C	44-40-18.0	711001
		96.3	63-34-05.0		
	DARTMOUTH	NS	270 C	44-40-18.0	750015
		101.9	63-34-05.0		
	DOMINION	NS	247 C	45-12-40.0	711001
		97.3	60-01-19.0		
	GLACE BAY	NS	294 C	45-11-24.0	711001
		96.7	69-57-22.0		

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GLACE BAY	NS 258 C	48-11-24.0	99.5	59-57-22.0	USA	711001
HALIFAX	NS 201 C	44-38-53.0	88.1	63-35-31.0	USA	711001
HALIFAX	NS 205 C	44-38-53.0	89.9	63-35-31.0	USA	711001
HALIFAX	NS 208 C	44-38-53.0	89.7	63-35-31.0	USA	711001
HALIFAX	NS 213 C	44-38-53.0	90.5	63-35-31.0	USA	711001
HALIFAX	NS 222 C	44-38-53.0	92.3	63-35-31.0	USA	711001
HALIFAX	NS 241 C	44-38-53.0	98.1	63-35-31.0	USA	750015
HALIFAX	NS 281 C	44-38-53.0	100.1	63-35-31.0	USA	711001
CHFX LIC	NS 270 C	44-38-53.0	101.9	63-35-26.0	USA	750015
CDHF LIC	NS 274 C	44-38-53.0	102.7	63-35-26.0	USA	761211
HALIFAX	NS 278 C	44-38-53.0	102.5	63-35-31.0	USA	711001
HALIFAX	NS 289 C	44-38-53.0	105.7	63-35-31.0	USA	711001
CKWM LIC	NS 240 C	45-09-46.0	87.7	64-53-27.0	USA	750015
LIVERPOOL	NS 231 C	44-02-06.0	94.1	64-43-16.0	USA	711001
NEW GLASGOW	NS 252 C	45-35-20.0	98.3	62-38-31.0	USA	711001
NEW WATERFORD	NS 230 C	48-15-00.0	83.9	60-04-59.0	USA	770107
NORTH SYDNEY	NS 222 C	48-12-29.0	92.3	60-15-29.0	USA	711001
PICTOU	NS 283 C	45-40-44.0	104.8	62-42-29.0	USA	730059

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SHELBURNE	NS 281 C	43-45-43.0	104.1	65-22-16.0	USA	770107
SPRINGHILL	NS 293 C	45-39-00.0	106.5	64-03-29.0	USA	711001
STELLARTON	NS 300 C	45-33-43.0	107.9	62-39-36.0	USA	711231
SYDNEY	NS 211 C	46-05-17.0	90.1	60-10-40.0	USA	711001
SYDNEY	NS 220 C	46-08-17.0	93.1	60-10-40.0	USA	711001
CJCB LIC	NS 228 C	46-08-17.0	94.9	60-11-30.0	USA	750015
SYDNEY	NS 250 C	46-08-17.0	106.9	60-10-40.0	USA	711001
SYDNEY	NS 290 C	46-08-17.0	107.5	60-10-40.0	USA	711001
SYDNEY MINES	NS 274 C	46-08-50.0	102.7	60-10-55.0	USA	740028
CRCL LIC	NS 285 C	45-20-57.0	100.9	63-16-31.0	USA	750015
WESTVILLE	NS 233 C	45-33-29.0	94.5	62-10-16.0	USA	711001
WOLFVILLE	NS 215 C	45-05-24.0	91.1	64-21-43.0	USA	711001
WOLFVILLE	NS 220 C	45-05-24.0	91.9	64-21-43.0	USA	711001
YARMOUTH	NS 247 C	43-50-06.0	97.3	66-07-12.0	USA	740028
BARRIE	ON 226 C1	44-23-06.0	93.1	79-41-31.0	USA	721018
BARRIE	ON 230 B	44-23-06.0	95.7	79-41-31.0	USA	721018
BARRIE	ON 266 A	44-23-06.0	101.1	79-41-31.0	USA	721018
BELLEVILLE	ON 227 B	44-10-01.0	92.3	77-22-48.0	USA	711001

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BELLEVILLE	ON	232 A	44-10-01.0 94.3	77-22-48.0	USA	711001
BELLEVILLE	ON	230 C1	44-10-01.0 95.5	77-22-48.0	USA	711231
CJRO LIC	ON	240 B	44-11-58.0 97.1	77-24-18.0 135FTH	USA	750815
BELLEVILLE	ON	272 B	44-10-01.0 102.3	77-22-48.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
CFTL LIC	ON	262 A	53-50-00.0 100.2	89-52-00.0 731FTH	USA	770107
CFNYFM LIC	ON	271 C1	43-41-21.0 102.1	857KMH 151FTH	USA ALLOCATED TO TORONTO, ON.	760813
CRPC LIC	ON	221 B	43-15-45.0 92.1	80-18-32.0 385FTH	50KMH 50KMH 385FTV 385FTV	750815
BROCKVILLE	ON	282 C1	44-35-31.0 100.3	75-41-13.0	USA	711231
BROCKVILLE	ON	271 A	44-35-31.0 102.1	75-41-13.0	USA	711001
BRUCE PENINSULA	ON	283 C	44-45-00.0 106.8	81-09-00.0	USA	760219
CHATHAM	ON	232 B	42-24-18.0 94.8	82-11-13.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
CHATHAM	ON	235 B	42-24-18.0 95.1	82-11-13.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
CHATHAM	ON	272 A	42-24-18.0 102.3	82-11-13.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
COBourg	ON	224 A	43-57-48.0 92.7	79-09-50.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
COBourg	ON	278 C1	44-04-14.0 103.1	78-08-36.0	USA SPEC. NEGOT. SHORT-SPACED ALLOC. LTD. TO 117 KM & 846' HAAT.	761007
CORNWALL	ON	203 C1	45-01-19.0 88.5	74-43-37.0	USA	711231
CORNWALL	ON	221 A	45-01-19.0 92.1	74-43-37.0	USA	711001
CORNWALL	ON	238 A	45-01-19.0 95.5	74-43-37.0	USA	711001

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CORNWALL	ON	251 A	45-01-19.0 96.1	74-43-37.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
CJSS LIC	ON	283 C1	45-04-47.0 104.5	850KMH 185FTH	USA	750815
CORNWALL	ON	299 A	45-01-19.0 107.7	74-43-37.0	USA	711001
FT FRANCES	ON	213 C1	45-36-40.0 90.5	82-23-21.0	USA	711231
FT FRANCES	ON	223 C	45-36-40.0 92.5	82-23-21.0	USA	711001
FT FRANCES	ON	250 C	45-36-40.0 97.9	82-23-21.0	USA	711001
FT WILLIAM	ON	201 C1	46-22-52.0 95.1	89-15-07.0	USA	711231
QUELPH	ON	278 B	43-32-42.0 103.5	80-15-00.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
CKLAFM LIC	ON	291 B	43-28-18.0 106.1	80-18-28.0	50KMH 50KMH 240FTH 240FTV	760913
HAMILTON	ON	211 C1	43-15-00.0 90.1	79-51-00.0	USA	711231
CKDS LIC	ON	237 C1	43-12-27.0 95.9	79-40-28.0	100KMH 100KMH 1000FTH 1000FTV	750815
HAMILTON	ON	275 B	43-15-00.0 102.9	79-51-00.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
HAMILTON	ON	300 B	43-15-00.0 107.9	79-51-00.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
HUNTSVILLE	ON	221 B	45-19-19.0 92.1	79-13-06.0	USA	711001
HUNTSVILLE	ON	258 C	45-19-19.0 99.5	79-13-06.0	USA	760219
KAPUSHASING	ON	227 C	48-25-00.0 93.3	82-25-48.0	USA	711001
KAPUSHASING	ON	245 C	48-25-00.0 96.9	82-25-48.0	USA	711001
KEMORA	ON	228 C	48-25-00.0 93.5	84-25-59.0	USA	770107

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KENORA	ON	270 C	40-46-18.0	USA	770107
		101.9	94-20-59.0		
KENORA	ON	288 C	40-46-18.0	USA	770107
		105.1	94-20-59.0		
KINGSTON	ON	212 C1	44-13-59.0	USA	711231
		90.3	76-30-00.0		
CFRC LIC	ON	220 C1	44-13-37.0	1.27KMH 100FTH	750818
		91.9	76-29-43.0		
CPMFM LIC	ON	242 B	44-10-02.0	2.7KMH 500FTV SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
		96.3	76-25-40.0	500FTH	
CKLC LIC	ON	252 C1	44-25-35.0	47.7KMH 515FTV SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
		98.3	76-38-20.0	515FTV	
KINGSTON	ON	258 A	44-13-59.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
		90.8	76-30-00.0		
KINGSTON	ON	268 C1	44-13-59.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
		101.5	76-30-00.0		
KIRKLAND LAKE	ON	256 C	48-08-48.0	USA	770107
		90.1	80-01-50.0		
KIRKLAND LAKE	ON	268 C	48-08-48.0	USA	770107
		101.5	80-01-50.0		
CKLPM KITCHENER-WATERLOO LIC	ON	244 B	43-24-15.0	24KMH 800FTH	770107
		96.7	80-28-05.0		
CKMR LIC	ON	254 A	43-27-54.0	202KMH 146FTH	750815
		96.7	80-31-24.0		
CFCA LIC	ON	267 C1	43-24-15.0	100KMH 812FTV SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	770107
		105.3	80-38-05.0	812FTV	
LEAMINGTON	ON	276 A	42-03-04.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
		103.1	82-48-00.0		
LONDON-ST THOMAS	ON	262 C1	42-59-02.0	USA	770107
		88.3	81-14-13.0		
LONDON-ST THOMAS	ON	207 C1	42-59-02.0	USA	770107
		80.3	81-14-13.0		
LONDON-ST THOMAS	ON	228 C1	42-59-02.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	770107
		93.9	81-14-13.0		
CFPL LIC	ON	240 C1	42-57-15.0	179KMH 885FTV DA USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	770107
		95.0	81-15-58.0		

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LONDON-ST THOMAS	ON	248 B	42-59-02.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	770107
		97.8	81-14-13.0		
LONDON-ST THOMAS	ON	257 B	42-59-02.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	770107
		90.3	81-14-13.0		
LONDON-ST THOMAS	ON	276 A	42-59-02.0	USA	770107
		103.1	81-14-13.0		
LONDON-ST THOMAS	ON	296 A	42-59-02.0	USA	770107
		106.8	81-14-13.0		
MANITOWANING	ON	279 C	45-44-00.0	USA	760219
		103.7	81-43-00.0		
WIDLAND	ON	298 B	44-45-00.0	USA	760219
		107.5	79-53-00.0		
NEW LISREARD	ON	260 C	43-30-00.0	USA	760219
		105.9	79-40-00.0		
NIAGARA FALLS	ON	214 C1	43-05-31.0	USA	770107
		90.7	79-04-37.0		
NIAGARA FALLS	ON	262 A	43-05-31.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	770107
		100.3	79-04-37.0		
NIAGARA FALLS	ON	298 A	43-05-31.0	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	770107
		107.5	79-04-37.0		
CRAT LIC	ON	229 C	46-20-25.0	5.08KMH 226FTH	750818
		93.7	79-28-19.0		
NORTH BAY	ON	238 C	46-19-01.0	USA	750818
		95.1	79-28-01.0		
NORTH BAY	ON	241 C	46-19-01.0	USA	711001
		96.1	79-28-01.0		
NORTH BAY	ON	281 C	46-19-01.0	USA	711001
		104.1	79-28-01.0		
ORILLIA	ON	262 A	44-25-24.0	USA	721018
		100.3	79-25-12.0		
ORILLIA	ON	290 B	44-25-24.0	USA	721018
		105.0	79-25-12.0		
OSHAWA	ON	222 A	43-53-49.0	USA	711001
		82.3	79-51-43.0		
CKOS LIC	ON	235 B	43-57-15.0	50KMH 474FTV	750818
		94.9	79-48-24.0		

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OSAWA	ON	240 A	43-53-40.0	USA	781014
		99.9	78-51-43.0	SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	
OTTAWA-HULL	ON	210 C1	45-24-29.0	USA	750529
		89.9	75-41-31.0		
OTTAWA-HULL	ON	214 C1	45-24-29.0	USA	750529
		90.7	75-41-31.0		
OTTAWA-HULL	ON	218 C1	45-24-29.0	USA	711231
		91.5	75-41-31.0		
CKCUPW OTTAWA-HULL LIC	ON	228 B	45-23-50.0	USA	700913
		93.1	75-41-50.0		
CFBO OTTAWA LIC	ON	230 C1	45-30-11.0	USA	750815
		93.9	75-51-02.0		
OTTAWA-HULL	ON	235 C1	45-24-29.0	USA	781007
		94.9	75-41-31.0	ALLOC. USED HULL, GO. SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION	
OTTAWA-HULL	ON	250 A	45-24-29.0	USA	750939
		99.1	75-41-31.0		
CBOP OTTAWA-HULL LIC	ON	272 C1	45-30-11.0	USA	750815
		102.5	75-51-02.0		
CB OTTAWA LIC	ON	277 C1	45-30-11.0	USA	750815
		103.3	75-51-02.0		
CKBY OTTAWA LIC	ON	287 C1	45-30-11.0	USA	750815
		105.5	75-51-02.0		
OTTAWA-HULL	ON	291 C1	45-24-29.0	USA	711231
		106.1	75-41-31.0		
OTTAWA-HULL	ON	295 C1	45-24-29.0	USA	711231
		106.9	75-41-31.0		
OTTAWA-HULL	ON	300 A	45-24-29.0	USA	711231
		107.9	75-41-31.0		
OWEN SOUND	ON	234 B	44-34-08.0	USA	721018
		94.7	80-58-31.0		
OWEN SOUND	ON	254 C1	44-34-08.0	USA	721018
		98.7	80-58-31.0		
OWEN SOUND	ON	274 C1	44-34-08.0	USA	781007
		102.7	80-58-31.0	SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	
OWEN SOUND	ON	285 B	44-34-08.0	USA	721018
		104.9	80-58-31.0		

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PARRY SOUND	ON	232 B	45-20-38.0	USA	711001
		94.3	80-01-59.0		
PARRY SOUND	ON	248 B	45-20-38.0	USA	711001
		97.9	80-01-59.0		
PARRY SOUND	ON	277 B	45-20-38.0	USA	760219
		103.3	80-01-59.0		
PEMBROKE	ON	223 B	45-49-18.0	USA	711001
		92.5	77-07-01.0		
PEMBROKE	ON	244 C1	45-49-18.0	USA	781007
		96.3	77-07-01.0	SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	
PEMBROKE	ON	250 B	45-49-18.0	USA	711001
		97.9	77-07-01.0		
PEMBROKE	ON	260 C1	45-49-18.0	USA	711231
		99.9	77-07-01.0		
PEMBROKE	ON	294 B	45-49-18.0	USA	711001
		100.7	77-07-01.0		
PEMBROKE	ON	295 B	45-49-18.0	USA	711001
		104.9	77-07-01.0		
PENETANGUISHENE	ON	243 B	44-48-00.0	USA	780422
		96.5	79-06-09.0		
CFMPPW PETERBOROUGH LIC	ON	268 B	45-19-45.0	USA	781007
		101.5	78-18-03.0	SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	
PETERBOROUGH	ON	280 B	44-17-56.0	USA	781007
		103.9	78-14-06.0	SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	
PETERBOROUGH	ON	286 B	44-17-56.0	USA	711001
		105.1	78-14-06.0		
PETERBOROUGH	ON	292 B	44-17-56.0	USA	781007
		106.3	78-14-06.0	SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	
PORT COLBORN	ON	285 B	42-53-00.0	USA	781007
		104.9	79-16-00.0	SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	
ST CATHERINES	ON	219 C1	43-09-54.0	USA	770107
		91.7	79-14-24.0	LTD TO 50 KW & 500' HAT TOWARDS ROCHESTER, NY.	
ST CATHERINES	ON	288 C1	43-09-54.0	USA	770107
		89.5	79-14-24.0		
CKTB ST CATHERINES LIC	ON	249 B	43-05-55.0	USA	781007
		97.7	79-15-46.0	SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	

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CHBC LIC	ST CATHERINES	ON	286 B 105.7	43-05-30.0 79-12-05.0	50KMH 500FTH	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
	BARNIA	ON	282 A 98.3	42-58-19.0 82-23-49.0		USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
	BARNIA	ON	280 B 99.9	42-58-19.0 82-23-49.0		USA SPECIAL NEGOTIATED SHORT-SPACED ALLOC. LTD. TO 30 KW & 500' HAAT.	761007
	BARNIA	ON	288 A 101.5	42-58-19.0 82-23-49.0		USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
	BARNIA	ON	280 A 103.9	42-58-19.0 82-23-49.0		USA	711001
	BARNIA	ON	292 B 100.3	42-58-19.0 82-23-49.0		USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
	SAULT STE MARIE	ON	208 C1 89.7	46-30-00.0 84-19-41.0		USA	750818
	SAULT STE MARIE	ON	242 C 95.3	46-30-00.0 84-19-41.0		USA	750818
CJIC LIC	SAULT STE MARIE	ON	268 C 100.5	46-30-00.0 84-19-36.0	3.8KMH 100FTH	USA	750818
CRCY LIC	SAULT STE MARIE	ON	282 C 104.3	46-30-00.0 84-19-36.0	5.78KMH 103FTH	USA	750818
	SIMCOE	ON	298 A 107.8	42-50-00.0 80-18-00.0		USA	750818
CJET LIC	SMITHS FALLS	ON	206 C1 101.1	44-52-55.0 79-59-27.0	47.3KMH 278FTH	47.3KMH 278FTV USA	750818
	STRATFORD	ON	224 B 92.7	43-22-18.0 80-56-55.0		USA	711001
	STRATFORD	ON	281 A 104.1	43-22-18.0 80-56-55.0		USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	761007
	STURGEON FALLS	ON	270 C 101.8	46-22-05.0 79-55-30.0		USA	770107
	STURGEON FALLS	ON	300 C 107.8	46-22-05.0 79-55-30.0		USA	770107
	SUDBURY	ON	201 C1 88.1	46-30-00.0 81-00-00.0		USA	711231
	SUDBURY	ON	205 C1 88.9	46-30-00.0 81-00-00.0		USA	711231

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CKSO LIC	SUDBURY	ON	224 C 92.7	46-30-00.0 81-01-16.0	100KMH 809FTH	USA	750818
	SUDBURY	ON	246 C 97.1	46-30-00.0 81-00-00.0		USA	711001
	SUDBURY	ON	251 C 98.1	46-30-00.0 81-00-00.0		USA	711001
	SUDBURY	ON	287 C 106.3	46-30-00.0 81-00-00.0		USA	711001
	SUDBURY	ON	296 C 107.1	46-30-00.0 81-02-00.0		USA	711001
	THUNDER BAY	ON	224 C 92.7	46-22-52.0 85-15-07.0		USA	720406
CJSOFM LIC	THUNDER BAY	ON	232 C 94.3	46-31-30.0 80-06-50.0	55KMH 1005FTH	USA	760813
	THUNDER BAY	ON	236 C 95.1	46-22-52.0 85-15-07.0		USA	720406
	THUNDER BAY	ON	243 C 96.8	46-22-52.0 85-15-07.0		USA	720406
	THUNDER BAY	ON	274 C 102.7	46-22-52.0 85-15-07.0		USA	720406
	THUNDER BAY	ON	282 C 104.3	46-22-52.0 85-15-07.0		USA	720406
CHOT LIC	TILLSONBURG	ON	267 B 101.3	43-00-44.0 80-50-10.0	50KMH 454FTH	50KMH 454FTV USA	750815
	TIMMINS	ON	221 C 92.1	46-28-34.0 81-19-59.0		USA	711001
CHOB LIC	TIMMINS	ON	233 C 94.8	46-28-34.0 81-19-59.0	420KMH 103FTH	USA	750815
	TIMMINS	ON	272 C 102.3	46-28-34.0 81-19-59.0		USA	711001
	TORONTO	ON	201 C1 89.1	43-40-01.0 79-24-00.0		USA	711231
	TORONTO	ON	266 B 89.1	43-40-01.0 79-24-00.0		USA	711231
CJRT LIC	TORONTO	ON	210 C 91.1	43-39-45.0 79-25-42.0	50KMH 309FTH	50KMH 309FTV USA	761811

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CBLFM LIC	TORONTO	ON	231 C1	43-38-33.0 94.1	38KWH 1380FTH	38KWH 1380FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	781007
	TORONTO	ON	242 A	43-40-01.0 96.3			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	781007
	TORONTO	ON	247 B	43-40-01.0 97.3			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	711231
CHFI LIC	TORONTO	ON	251 C1	43-38-33.0 98.1	44KWH 1380FTH	44KWH 1380FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	781007
	TORONTO	ON	258 C1	43-40-01.0 99.1			USA SPEC. NEGOTIATED SHORT-SPACED ALLOC. LTD. TO 50 KM & 500' HAAT.	781007
CKFM LIC	TORONTO	ON	260 C1	43-38-33.0 98.9	40KWH 1380FTH	40KWH 1380FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	781007
CHIN LIC	TORONTO	ON	264 B	43-38-33.0 100.7	4KWH 1380FTH	4KWH 1380FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	781007
	TORONTO	ON	271 C1	43-40-01.0 102.1			USA ALLOCATION USED BRANTON, ON	750818
CHUM LIC	TORONTO	ON	283 C1	43-38-33.0 104.5	40KWH 1380FTH	40KWH 1380FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	781007
	TORONTO	ON	298 C1	43-40-01.0 107.1			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	781014
	WATERLOO	ON	213 C1	43-27-11.0 90.8			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	711231
	WATERLOO	ON	254 A	43-27-11.0 98.7			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	750818
	WELLAND	ON	206 A	43-59-20.0 101.1			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	781007
CJON LIC	WINDSOR	ON	204 C1	43-18-24.0 88.7	34KWH 289FTH	34KWH 289FTV	USA SPEC. NEGOTIATED SHORT-SPACED ALLOC. EDUCATIONAL TO BE USED COMMERC	781007
	WINDSOR	ON	210 C1	43-18-09.0 89.8			USA SPEC. NEGOTIATED SHORT-SPACED ALLOC. EDUCATIONAL TO BE USED COMMERC	781007
CKLW LIC	WINDSOR	ON	230 C1	43-18-59.0 93.9	50KWH 567FTH	50KWH 567FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	781007
	WINDSOR	ON	300 A	43-18-08.0 107.8			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	781007
	WINDHAM	ON	230 A	43-53-17.0 93.8			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	711001

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	WINDHAM	ON	268 B	43-53-17.0 100.8			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	711231
	WINDHAM	ON	269 B	43-53-17.0 101.7			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	781007
	WOODSTOCK	ON	263 A	43-07-48.0 100.8			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	780417
CBC LIC	CHARLOTTETOWN	PE	278 C	48-14-11.0 103.1	60KWH 108FTH	60KWH 108FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	750818
	CHARLOTTETOWN	PE	287 C	48-14-19.0 105.3			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	750818
	SUMMERSIDE	PE	224 C	48-23-42.0 92.7			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	711001
	SUMMERSIDE	PE	297 C	48-23-42.0 107.3			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	711001
	ALMA	QU	248 C	48-32-53.0 97.5			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	720408
	AMOS	QU	247 C	48-34-19.0 87.3			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	711001
	BAIE ST PAUL	QU	280 C	47-28-28.0 103.8			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	750818
	CAUSAPSCAL	QU	252 A	48-31-00.0 98.3			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	780121
	CHAMBERD	QU	294 B	48-26-00.0 108.7			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	741031
CHUTFM LIC	CHICOUTIMI	QU	244 C	48-24-27.0 96.7	42KWH 440FTH	42KWH 440FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	751218
CBJ LIC	CHICOUTIMI	QU	205 C	48-25-29.0 100.8	50KWH 294FTH	50KWH 294FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	750818
CBVE LIC	CHICOUTIMI	QU	300 C	48-25-29.0 107.8	50KWH 294FTH	50KWH 294FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	750818
	CONNAKONA	QU	241 B	48-40-30.0 95.1			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	781007
CFOW LIC	DRUMMONDVILLE	QU	282 B	48-47-47.0 104.3	50KWH 132FTH	50KWH 132FTV	USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	750818
	DRUMMONDVILLE	QU	243 A	48-53-00.0 98.8			USA SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	750818

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GRANDY	QU 276 A	45-24-07.0	USA	761007
	103.0	72-43-48.0	SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	
CHOC LIC	MULL-OTTAWA	QU 235 C1	45-30-11.0	750015
	84.9	75-51-03.0	1077FTV ALLOCATED TO OTTAWA-MULL	
	JOLIETTE-SOREL	QU 276 B	46-01-38.0	770107
	103.1	72-26-20.0	SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	
	JONQUIERE	QU 226 B	46-24-40.0	750029
	93.7	71-15-22.0	USA	
	JONQUIERE	QU 230 C	46-24-40.0	711001
	95.7	71-15-22.0	USA	
	JONQUIERE	QU 290 C	46-24-40.0	750029
	105.9	71-15-22.0	USA	
	LAC-AU-SALMON	QU 247 B	46-25-00.0	760121
	97.3	67-21-00.0	USA	
	LACHUTE	QU 271 A	45-39-04.0	711001
	102.1	74-20-06.0	USA	
CHGB LIC	LA POCATIERE	QU 275 C	47-21-51.0	750015
	102.9	70-02-38.0	170KMH 244FTV	
	LA TUQUE	QU 234 B	47-26-17.0	770107
	92.7	72-46-53.0	USA	
CPOL LIC	LAVAL	QU 260 C1	45-38-58.0	760913
	105.7	73-42-53.0	100KMH 100KMHV 390FTV ALLOCATED TO MONTREAL-LAVAL, QU.	
	LENOXVILLE	QU 303 C1	45-24-02.0	720130
	88.5	71-53-31.0	USA	
	LENOXVILLE	QU 207 C1	45-24-02.0	711231
	89.3	71-53-31.0	USA	
	LENOXVILLE	QU 215 C1	45-24-02.0	711231
	90.9	71-53-31.0	USA	
CBIN LIC	MAGDALEN ISL	QU 226 B	47-23-03.0	750015
	93.5	61-55-03.0	4.5KMH 670FTV	
CBPL LIC	MANIMAKI	QU 255 A	46-23-22.0	750015
	90.0	75-56-42.0	1050KMH 30FTV	
	MATANE	QU 264 C	48-50-49.0	750015
	100.7	67-02-06.0	USA	
	MEGANTIC	QU 220 B	45-34-41.0	711001
	93.7	70-53-06.0	USA	

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MONT JOLI	QU 226 C	46-35-13.0	USA	711001
	95.1	69-11-24.0		
MONTMAGNY	QU 271 B	46-58-37.0	USA	711001
	102.1	70-33-36.0		
MONTREAL	QU 301 C1	45-30-00.0	USA	711231
	89.1	73-36-29.0		
MONTREAL	QU 205 C1	45-30-00.0	USA	711231
	88.9	73-36-29.0		
MONTREAL	QU 313 C1	45-30-00.0	USA	711231
	90.8	73-36-29.0		
MONTREAL	QU 317 C1	45-30-00.0	USA	711231
	91.3	73-36-29.0		
CFOR LIC	MONTREAL	QU 223 C1	45-30-20.0	761007
	88.5	73-35-32.0	41.4KMH 979FTV	
	MONTREAL	QU 226 C1	45-30-00.0	711231
	93.5	73-36-29.0	USA	
CHRF LIC	MONTREAL	QU 223 C1	45-30-20.0	750015
	94.2	73-35-32.0	41.4KMH 979FTV	
CBR LIC	MONTREAL	QU 236 B	45-30-20.0	750015
	95.1	73-35-32.0	24.6KMH 623FTV	
CJFM LIC	MONTREAL	QU 240 C1	45-30-20.0	750015
	95.0	73-35-32.0	41.2KMH 979FTV	
	MONTREAL-VERDUN	QU 245 C1	45-30-00.0	761007
	90.9	73-36-29.0	ALLOC. USED VERDUN, QU. SPECIAL NEGOTIATED SHORT-SPACED ALLOC.	
CHOW LIC	MONTREAL	QU 249 C1	45-30-20.0	750015
	97.7	73-36-32.0	41.2KMH 979FTV	
NEW LIC	MONTREAL	QU 253 C1	45-29-54.0	761007
	90.5	73-34-16.0	100KMH 33KMHV 712FTV SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	
CING LIC	MONTREAL	QU 257 A	45-31-04.0	761222
	90.3	73-34-48.0	100KMH 150FTV SPEC NEGOTD SHORT-SPACED ALLOC. CHANNEL DELETED PER LTR 12-3-76	
CBF LIC	MONTREAL	QU 264 C1	45-30-20.0	750015
	100.7	73-35-32.0	100KMH 623FTV	
	MONTREAL	QU 268 B	45-30-00.0	711001
	101.5	73-36-29.0	USA	
	MONTREAL-LAVAL	QU 269 C1	45-30-00.0	750015
	105.7	73-36-29.0	USA ALLOCATION USED LAVAL, QU.	

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MONTREAL	QU 293 C1	45-30-00.0	USA	711231
	106.5	73-30-29.0		
MONTREAL	QU 297 C1	45-30-00.0	USA	711231
	107.3	73-30-29.0		
NEW CARLISLE	QU 226 C	48-00-25.0	USA	711001
	93.1	65-20-10.0		
PORT ALFRED	QU 286 C	48-19-48.0	USA	711001
	105.1	70-52-48.0		
QUEBEC CITY	QU 202 C1	46-48-29.0	USA	711231
	88.3	71-13-41.0		
CKRL LIC	QU 206 C1	46-48-45.0	1.4KMH 255FTH USA	750925
	89.1	71-13-41.0		
QUEBEC CITY	QU 222 B	46-48-29.0	USA	711001
	92.3	71-13-41.0		
QUEBEC CITY	QU 227 C1	46-48-29.0	USA	711231
	92.3	71-13-41.0		
QUEBEC CITY	QU 233 C1	46-48-29.0	USA	711231
	94.5	71-13-41.0		
CBV LIC	QU 237 C1	46-51-40.0	100KMH 541FTH USA	750815
	95.3	71-04-40.0		
CHRC LIC	QU 251 C1	46-48-05.0	81KMH 1184FTH USA	750815
	96.1	71-20-46.0		
QUEBEC CITY	QU 263 B	46-48-29.0	USA	711001
	100.5	71-13-41.0		
QUEBEC CITY	QU 284 C1	46-48-29.0	USA	711231
	104.7	71-13-41.0		
QUEBEC CITY	QU 288 C1	46-48-29.0	USA	711231
	105.5	71-13-41.0		
QUEBEC CITY	QU 292 B	46-48-29.0	USA	711001
	106.3	71-13-41.0		
QUEBEC CITY	QU 298 C1	46-48-29.0	USA	720823
	107.5	71-13-41.0		
CJBR LIC	QU 268 C	46-19-41.0	20KMH 931FTH USA	750815
	101.5	68-50-07.0		
RIVIERE DU LOUP	QU 298 C	47-48-52.0	USA	770107
	107.1	69-32-10.0		

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ROBerval	QU 258 C	48-30-50.0	USA	711001
	89.9	72-13-23.0		
ROUYN	QU 243 C	48-14-17.0	USA	711231
	98.5	70-01-12.0		
SEPT ILES	QU 245 C	50-12-00.0	USA	700425
	96.9	66-23-00.0		
SEPT-ILES	QU 251 C	50-12-00.0	USA	750819
	98.1	66-23-00.0		
STE ADELE	QU 256 B	49-58-38.0	USA	701225
	90.9	74-09-10.0		
ST AME DEALP	QU 287 B	47-01-40.0	USA	740829
	101.3	70-55-50.0		
CSFDMS LIC	QU 242 A	46-39-23.0	832KMH 455FTH USA	700918
	96.5	70-00-54.0		
ST JEAN	QU 259 C1	45-18-29.0	USA	730009
	92.7	73-15-29.0		
ST JEAN	QU 250 C1	45-18-29.0	USA	711231
	91.9	73-15-29.0		
ST JEAN	QU 285 B	45-18-29.0	USA	711001
	104.9	73-15-29.0		
ST JEROME	QU 260 B	45-48-44.0	USA	711001
	103.9	74-03-18.0		
SHAMINGAN FALLS	QU 272 B	46-33-22.0	USA	770107
	102.3	72-44-31.0		
SHERBROOKE	QU 221 B	45-24-02.0	USA	741107
	92.1	71-53-31.0		
SHERBROOKE	QU 259 B	45-24-02.0	USA	701007
	99.7	71-53-31.0		
SHERBROOKE	QU 260 C1	45-24-02.0	USA	701007
	101.1	71-53-31.0		
SHERBROOKE	QU 270 B	45-24-02.0	USA	701007
	101.9	71-53-31.0		
CHLY LIC	QU 274 C1	45-18-43.0	83KMH 1851FTH USA	701007
	102.7	72-14-32.0		
SHERBROOKE	QU 291 B	45-34-02.0	USA	701007
	106.1	71-53-31.0		

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THETFORD MINES	QU 256 C1	46-56-24.0	USA	770107
	99.1	71-17-50.0	SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.	
THREE RIVERS	QU 230 B	46-20-53.0	USA	711001
	93.9	72-32-31.0		
THREE RIVERS	QU 261 C1	46-29-27.0	4.32KMH 32KHZ USA	700003
	100.1	72-29-00.0	9257TH 825RTV	
THREE RIVERS	QU 295 B	46-20-53.0	USA	711001
	106.9	72-32-31.0		
VAL D'OR	QU 254 C	46-06-07.0	USA	770107
	98.7	71-47-28.0		
VERDUN	QU 245 C1	45-20-54.8	307KMH 712PTH USA	770107
	96.9	73-34-10.0	ALLOCATED TO MONTREAL-VERDUN, QU.	
VICTORIAVILLE	QU 247 B	46-03-00.0	USA	751204
	97.3	71-58-00.0		
ASSINIBOIA	SA 266 C	49-37-52.0	USA	711001
	101.1	105-59-31.0		
BIGGAR	SA 229 C	52-03-29.0	USA	711001
	95.7	107-58-01.0		
BROADVIEW	SA 268 C	50-22-30.0	USA	711001
	101.5	102-24-30.0		
ESTEVAN	SA 225 C	49-08-38.0	USA	711001
	94.9	102-59-46.0		
ESTEVAN	SA 286 C	49-08-38.0	USA	711001
	105.1	102-59-46.0		
ESTON	SA 250 C	51-08-01.0	USA	711001
	97.9	100-45-11.0		
GRAVELBOURG	SA 278 C	49-52-34.0	USA	711001
	103.5	106-33-29.0		
HERBERT	SA 241 C	50-25-34.0	USA	711001
	96.1	107-13-16.0		
INDIAN HEAD	SA 282 C	50-31-41.0	USA	711001
	104.3	103-40-19.0		
KINDERSLEY	SA 221 C	51-28-01.0	USA	711001
	92.1	109-09-25.0		
LLOYDMINSTER	SA 278 C	53-16-52.0		711001
	103.5	110-00-00.0		

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LLOYDMINSTER	SA 294 C	53-16-52.0	USA	711001
	106.7	110-00-00.0		
MAPLE CREEK	SA 290 C	49-54-20.0	USA	711001
	105.9	109-28-44.0		
MAPLE CREEK	SA 297 C	49-54-28.0	USA	711001
	107.3	109-28-44.0		
BELVILLE	SA 304 C	50-55-34.0	USA	711001
	100.7	102-48-00.0		
MOOSE JAW	SA 237 C	50-23-35.0	USA	711001
	95.3	105-32-20.0		
MOOSE JAW	SA 254 C	50-23-35.0	USA	711001
	98.7	105-32-20.0		
MOOSE JAW	SA 270 C	50-23-35.0	USA	711001
	101.9	105-32-20.0		
MOOSE JAW	SA 274 C	50-23-35.0	USA	711001
	102.7	105-32-20.0		
MOOSOMIN	SA 272 C	50-08-38.0	USA	711001
	102.9	101-39-50.0		
NORTH BATTLEFORD	SA 258 C	52-40-34.0	USA	770107
	95.1	106-17-20.0		
NORTH BATTLEFORD	SA 261 C	53-46-34.0	USA	770107
	100.1	108-17-30.0		
OXBOW	SA 276 C	49-13-52.0	USA	711001
	103.1	102-10-23.0		
PRINCE ALBERT	SA 265 C	53-12-07.0	USA	770107
	109.9	105-45-11.0		
PRINCE ALBERT	SA 269 C	53-12-07.0	USA	770107
	101.7	105-45-11.0		
PRINCE ALBERT	SA 273 C	53-12-07.0	USA	770107
	102.5	105-45-11.0		
REGINA	SA 203 C1	50-27-00.0	USA	711231
	88.5	104-36-36.0		
REGINA	SA 207 C1	50-27-00.0	USA	711231
	89.3	104-36-36.0		
REGINA	SA 211 C1	50-27-00.0	USA	711231
	90.1	104-36-36.0		

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CFWO LIC	REGINA	SA 231 C	50-25-29.0	6.2KMH	USA	750815
		92.1	104-35-19.0	152FTN		
	REGINA	SA 235 C	50-27-00.0		USA	711001
		92.9	104-36-36.0			
	REGINA	SA 229 C	50-27-00.0		USA	711001
		93.7	104-38-35.0			
	REGINA	SA 233 C	50-27-00.0		USA	711001
		94.5	104-36-36.0			
	REGINA	SA 245 C	50-27-00.0		USA	711001
		96.9	104-36-38.0			
CBKFFW LIC	REGINA	SA 249 C	50-28-56.0	13.7KMH	USA	750913
		97.7	104-30-20.0	501FTN		
	ROSETOWN	SA 239 C	51-33-11.0	13.7KMH	USA	711001
		94.9	107-59-28.0	501FTN		
CJUS LIC	SASKATOON	SA 209 C	52-07-58.0	3.8KMH	USA	750815
		89.7	106-38-11.0	152FTN		
	SASKATOON	SA 213 C1	52-07-44.0		USA	711231
		90.5	106-39-50.0			
	SASKATOON	SA 217 C1	52-07-44.0		USA	711231
		91.3	106-39-50.0			
CFWC LIC	SASKATOON	SA 280 C	52-07-41.0	8.02KMH	USA	750815
		103.9	106-39-49.0	110FTN		
	SASKATOON	SA 284 C	52-07-44.0		USA	711001
		104.7	106-39-50.0			
	SASKATOON	SA 288 C	52-07-44.0		USA	711001
		105.5	106-39-50.0			
	SASKATOON	SA 292 C	52-07-44.0		USA	711001
		106.3	106-39-50.0			
	SASKATOON	SA 296 C	52-07-44.0		USA	711001
		107.1	106-39-50.0			
	SHALNAVON	SA 282 C	49-38-49.0		USA	711001
		104.3	106-24-29.0			
	SHALNAVON	SA 286 C	49-38-49.0		USA	711001
		105.1	106-24-29.0			
	SWIFT CURRENT	SA 227 C	52-17-10.0		USA	770107
		89.5	107-47-49.0			

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SWIFT CURRENT	SA 231 C	52-17-10.0		USA	770107
	94.1	107-47-49.0			
WATROUS	SA 259 C	51-40-18.0		USA	711001
	99.5	105-25-05.0			
WEYBURN	SA 215 C1	49-39-49.0		USA	711231
	90.9	103-51-11.0			
WEYBURN	SA 292 C	49-39-40.0		USA	711001
	106.3	103-51-11.0			
WEYBURN	SA 297 C	49-39-40.0		USA	711001
	107.2	103-51-11.0			
WILKIE	SA 229 C	52-24-29.0		USA	711001
	92.9	106-42-00.0			
WYNARD	SA 300 C	51-40-00.0		USA	711231
	107.9	104-11-02.0			
YORKTON	SA 256 C	51-12-01.0		USA	711001
	99.1	102-20-01.0			
YORKTON	SA 280 C	51-12-01.0		USA	711001
	99.9	102-20-01.0			
DAWSON CITY	YU 231 C	54-03-00.0		USA	711001
	93.1	139-25-00.0			
WHITENORSE	YU 223 C	50-43-30.0		USA	711001
	92.5	135-03-30.0			

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FEDERAL COMMUNICATIONS COMMISSION

AMENDMENT OF TABLE A OF THE CANADIAN-U.S.A. FM BROADCASTING AGREEMENT OF 1947

Supplement No. 2

MAY 9, 1977.

(To the table of Canadian FM Broadcasting Channel Assignments and allocations within 250 miles of the Canada-

U.S.A. border, dated April 29, 1977, as revised, April 12, 1977.)

Pursuant to exchange of correspondence between the Department of Communications of Canada and the Federal Communications Commission, Table A of the Canada-U.S.A. FM Broadcasting Agreement has been amended as set forth in the attached list. It is to be noted that those representing assignments will indicate call signs plus parameters.

Further additions, changes, and deletions will be issued as reported to the Commission by the Canadian Department of Communications.

Copies of the basic Table of Allocations may be obtained from Downtown Copy Center, 1730 K Street, NW., Washington, D.C. 20036, telephone 202-452-1422.

WALLACE E. JOHNSON,
Chief, Broadcast Bureau, Federal Communications Commission.

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CACHE CREEK	BC 237 A	50-45-20.0	USA		770428
	95.3	121-18-00.0			
HOUSTON	BC 271 B	54-35-33.0	USA		770428
	102.1	126-35-30.0			
SMITHERS	BC 248 A	54-47-00.0	USA		770428
	97.5	127-10-00.0			
WILLIAMS LAKE	BC 248 A	52-05-55.0	USA		770428
	97.5	122-11-30.0			
NEWCASTLE	NB 209 B	47-00-04.0	USA		770428
	105.7	59-34-01.0			
PIRANGIRUM	OK 262 A	51-48-07.0	USA		770428
	100.3	92-59-22.0			
GASPE	QU 276 A	48-50-00.0	USA		770428
	102.1	64-29-00.0			
JOHNSVILLE	QU 223 A	48-24-21.0	USA		770428
	92.5	71-14-58.0			
RIVIERE AU RENARD	QU 250 A	48-59-00.0	USA		770428
	97.5	64-23-00.0			



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