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Pages 1411-1584

Monday
January 7, 1980

Federal Register

NOTE:

Due to a shortage of newsprint, today's **Federal Register** is printed on a higher quality paper. As supplies become available, the **Federal Register** will resume the use of newsprint.

Highlights

Briefings on How To Use the Federal Register—For details on briefings in Washington, D.C., see announcement in the Reader Aids Section at the end of this issue.

- 1558 Privacy Act** USPS issues annual publication of systems of records (Part II of this issue)
- 1582 Gasoline** DOE/ERA issues interim rule regarding resellers' and reseller-retailer's price rules; effective 1-1-80 (Part III of this issue)
- 1434 Intercity Bus Industry** ICC extends comment period on proposed improvements to the quality and availability of consumer travel options by easing regulatory barriers; comments by 2-7-80
- 1434 Motor Carrier Applications** ICC postpones effective date on proposed temporary authority application procedures
- 1434 Class I and II Motor Common Carriers of General Freight** ICC changes filing date for reply statements to platform study; reply statements by 2-19-80
- 1411 Small Business Energy Loans** SBA issues rules to eliminate restriction on use of proceeds for working capital; effective 1-7-80

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Area Code 202-523-5240

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- 1419 Aircraft Engines** EPA issues amendments to rules on control of air pollution; effective 12-31-79
- 1427 Private Express** PS proposes amendments to the regulations; comments by 2-8-80
- 1439 Refiners Crude Oil Allocation Program** DOE issues supplemental notice of allocation for 10-1-79 through 3-31-80, and issues emergency allocations; appeals by 2-6-80
- 1431 Great Lakes Vessels** DOT/CG proposes to amend rules on tank vent piping; comments by 2-21-80
- 1431 Great Lakes Vessel Pilotage** DOT/CG proposes to amend rules; comments by 2-21-80
- 1459 National Natural Landmarks** Interior/HCRS issues list of potential landmarks; comments by 2-6-80
- 1414 Southern Rhodesia** DOT/FAA issues aviation sanctions; effective 1-7-80
- 1418 Safety and Security Zones** DOT/CG issues list of zones not previously published
- 1429, 1430 Improving Government Regulations** ACTION and CEQ issue semiannual agendas of significant regulations (2 documents)
- 1468 Viscose Rayon Staple Fiber From Austria** Treasury/Customs issues preliminary countervailing duty determination; effective 1-7-80
- 1418, 1453 Glyphosate** EPA renews food additive regulation and establishes temporary tolerances related to experimental use of herbicide in potable water; effective 1-7-80 (2 documents)

1513 Sunshine Act Meetings

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- 1558 Part II, USPS**
- 1582 Part III, DOE/ERA**

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Rules and Regulations

Federal Register

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 2

Revision of Delegations of Authority; Correction

AGENCY: Department of Agriculture.

ACTION: Final rule; correction.

SUMMARY: In FR Document 79-35620 appearing at page 66177 in the *Federal Register* of November 19, 1979, the word "administer" was incorrectly used instead of the word "coordinate" in the third column, third line of paragraph (6) of § 2.58(a). The purpose of this document is to correct that error.

EFFECTIVE DATE: January 7, 1980.

FOR FURTHER INFORMATION CONTACT: Barry R. Flamm, Director, Office of Environmental Quality, U.S. Department of Agriculture, Washington, D.C. 20250; (202) 447-3965.

(5 U.S.C. 301 and Reorganization Plan No. 2 of 1953)

Dated: December 28, 1979.

David G. Unger,

Deputy Assistant Secretary for Natural Resources and Environment.

[FR Doc. 80-343 Filed 1-4-80; 8:45 am]

BILLING CODE 3410-01-M

Farmers Home Administration

7 CFR Part 1944

Housing; Tenant Grievance and Appeals Procedure; Delay in Republication of Final Rule and Extension of Comment Period

AGENCY: Farmers Home Administration, USDA.

ACTION: Delay in Republication of Final Rule and Extension of Comment Period.

SUMMARY: On September 24, 1979, the Farmers Home Administration published for final rule a regulation for projects financed under the Rural Rental Housing Loan Program and Farm Labor Housing Loan and Grant program to provide a grievance and appeals procedure for tenants and an appeal right for persons who have been denied admission as tenants. The intended effect of this new regulation was to provide a means whereby a tenant can present a grievance against or appeal an FmHA borrower landlord's proposed adverse action, such as termination of the lease and eviction. The appeal right also extends to persons who have been denied admission to occupancy as tenants.

Public comments were invited for a 60-day period and FmHA intended to republish the regulation within 105-days from date of publication, after considering all comments.

This is to provide notice to the public that the regulation will remain in effect, and there will be a 60 to 90-day delay in republication. Comments will be received until February 7, 1980.

This delay will afford the Agency an opportunity to complete its review of the comments received and to coordinate comments that will be received in response to an Agency publication in the *Federal Register* on December 5, 1979, 44 FR page 69937, of a proposed new regulation entitled "Management and Supervision of Multiple Housing Borrowers and Grant Recipients."

DATE: Comments will now be received until Feb. 7, 1980.

FOR FURTHER INFORMATION CONTACT:

M. K. Smith, Housing Management Specialist, FmHA, Room 5319, S. Agriculture Building, 14th and Independence Avenue, SW., Washington, D.C. 20250.

Authorities: 7 USC 1989; 42 USC 1480; delegation of authority by Sec. of Agri., 7 CFR 2.23; delegation of authority by Asst. Sec. for Rural Development, 7 CFR 2.70.

Dated: January 3, 1980.

Gordon Cavanaugh,

Administrator, Farmers Home Administration.

[FR Doc. 80-539 Filed 1-4-80; 8:45 am]

BILLING CODE 3410-07-M

SMALL BUSINESS ADMINISTRATION

13 CFR Part 130

[Amdt. 2]

Small Business Energy Loans

AGENCY: Small Business Administration.

ACTION: Final Rule.

SUMMARY: This rule will eliminate the restriction on use of proceeds for working capital. Our experience indicates this restriction has been a major problem for many borrowers.

DATES: Effective January 7, 1980.

FOR FURTHER INFORMATION CONTACT:

John W. Carrigan, Financial Analyst, (202) 653-6570.

SUPPLEMENTARY INFORMATION: Public Law 95-315 did not specifically mention working capital as a use of loan proceeds, but did provide among other things that loan proceeds may be used for supplies or materials which are normally considered working capital purposes. Several commenters to proposed rules published September 5, 1978 (43 FR 39394) questioned the restriction on working capital. In recognition of this need by many energy-related loan applicants, the final rules published January 5, 1979 (44 FR 13669) allowed use of proceeds not to exceed 25% of a loan as cash working capital. Experience since inception of the program has indicated that this restriction has been a significant deterrent to the effectiveness of the program.

This rule eliminates restriction on loan proceeds for working capital purposes. In particular this would benefit businesses interested in engaging in energy related activity, such as plumbing and heating firms, air conditioning firms, fuel oil dealers, etc., any of which may have sufficient facilities and equipment, and need only funds to meet payroll and other current operating expenses in order to enter into or expand a solar energy business or the business of merchandising insulation or other energy conservation products or services.

Since this amendment will remove a prior limitation and will not adversely affect any party, public comment is unnecessary, and it is in the public interest that the amendment be published as a final rule with immediate application.

Accordingly, pursuant to authority of Section 5(b)(6) of the Small Business Act (15 USC 634) Part 130 Small Business Energy Loans, Chapter I, Title 13 of the Code of Federal Regulations, § 130.6 is amended to read as follows:

§ 130.6 Use of proceeds.

Loan funds can be used for vacant land immediately necessary for the construction of a plant, and for buildings, machinery, equipment, furniture, fixtures, facilities, supplies, or materials for an eligible loan measure. Working capital loans will be made only to the extent that it is demonstrated to SBA's satisfaction that the proceeds will be used for entry into or expansion in the areas enumerated in § 130.3 of this Part. It is the general policy that loan funds will not be used for research and development, which should be completed before the loan application. Where, however, development of a product or service may be completed under a business plan that provides reasonable assurance of repayment, or where the further development of a product or service already on the market is involved, a portion of the loan proceeds not to exceed 30% may be used for such purposes.

(Catalog of Federal Domestic Assistance Program No. 59.030 Small Business Energy Loans)

Dated: December 28, 1979.

A. Vernon Weaver,
Administrator.

[FR Doc. 80-419 Filed 1-4-80; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 79-GL-9-AD; Amdt. 39-3650]

Airworthiness Directives; Detroit Diesel Allison Model 250-C28B and 250-C30 Series Engines

AGENCY: Federal Aviation Administration (FAA), DOT.
ACTION: Final Rule.

SUMMARY: This amendment modifies an existing airworthiness directive (AD) to clarify the definition of a cycle. The airworthiness directive requires replacement of certain power and accessory gearbox gearshafts. The replacement substitutes gearshafts with shaft sections that increase the reliability and service life of these engine parts.

DATES: Effective—January 11, 1980.

Compliance schedule—As prescribed in the body of the AD.

ADDRESSES: The applicable engine bulletin may be obtained from Detroit Diesel Allison, Division of General Motors Corporation, Indianapolis, Indiana 46206. Copies of the service information referenced in this AD are contained in the Rules Docket, Office of the Regional Counsel, 2300 East Devon Avenue, Des Plaines, Illinois 60018; and at FAA Headquarters, Room 916, 800 Independence Avenue, SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT:

C. Biemond, Engineering and Manufacturing Branch, AGL-217, Flight Standards Division, FAA, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone number (312) 694-4500, extension 359.

SUPPLEMENTARY INFORMATION: This notice amends Amendment 39-3527 44 FR 47322, AD 79-16-06 which required replacement of certain power and accessory gearbox gearshafts. After issuing Amendment 39-3527 44 FR 47322, AD 79-16-06, it was brought to the attention of the FAA that a motoring of the engine using the starter would impose a condition on the gearshafts equivalent to an attempted or completed start. Consequently, the FAA has determined that the cycle definition should include motoring of the engine. Therefore, the FAA is amending Amendment 39-3527.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure are impracticable and contrary to the public interest and good cause exists for making the amendment effective immediately to all known operators of Bell Model 206L-1 and Sikorsky S-76 rotorcraft with Detroit Diesel Allison Model 250-C28 and 250-C30 series engines installed.

This AD is hereby published in the Federal Register as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by amending Amendment 39-3527, 44 FR 47322, AD 79-16-06 by revising it to read:

DETROIT DIESEL ALLISON: Applies to all Model 250-C28 and 250-C30 series engines equipped with generator idler gearshaft P/N 6898980, or 6898591, or 77 tooth spur idler gearshaft P/N 6898652 installed in, but not

limited to Bell 206L-1 and Sikorsky S-76 rotorcraft certificated in all categories.

Compliance required as indicated unless previously accomplished. To preclude engine power loss as a result of an accessory drive gearbox failure, remove the referenced gearshafts from service prior to reaching 9000 cycles if installed in a 250-C28 series engine and prior to reaching 2000 cycles if installed in a 250-C30 engine. For those gearshafts that are within 50 cycles of the appropriate limit on the effective date of this AD, compliance is required within 100 cycles. For the purpose of this AD, a cycle is defined as an attempted or completed start, or a motoring of the engine using the starter. The start counter is activated and accumulates the count of cycles only when the ignition circuit is energized. Therefore, cycles due to motoring with the starter (ignition circuit not energized) must be added to the cycle count. (Detroit Diesel Allison Commercial Engine Bulletins CEB 72-2003 for the 250-C28B and CEB 72-30003 for the 250-C30 also pertain to this subject.)

This amendment becomes effective January 11, 1980.

(Secs. 313(a), 601, 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); and 14 CFR 11.89).

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to C. Biemond, Engineering and Manufacturing Branch, AGL-217, FAA, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

Issued in Des Plaines, Illinois on December 20, 1979

Wayne J. Barlow,
Director, Great Lakes Region.

[FR Doc. 80-467 Filed 1-4-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 79-CE-21-AD; Amdt. 39-3649]

Airworthiness Directives; Cessna Models 152, A152 and 172RG Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.
ACTION: Final rule.

SUMMARY: This Amendment adopts a new Airworthiness Directive (AD), applicable to certain Cessna Models 152, A152 and 172RG airplanes. The AD requires the replacement of the mechanical stop nut on the wing flap actuator assembly or the installation of a new actuator assembly on these airplanes. Replacement of the stop nut

will prevent overtravel of the installed actuator assembly and subsequent damage and failure to one of the flap system push rods when the electrical stop switches on the actuator fail or become misaligned. Installation of a new actuator assembly will also assure that push rod damage and failure will not occur. Since failure of a push rod will result in the sudden retraction of one flap while the other flap remains fully extended, this AD action is necessary to prevent a hazardous situation that can result from the abrupt change of the airplane's flight characteristics when only one flap retracts and an asymmetric configuration exists.

EFFECTIVE DATE: January 7, 1980.

COMPLIANCE: As prescribed in the body of the AD.

ADDRESSES: Cessna Single Engine Service Information Letter SE79-57 dated December 3, 1979, applicable to this AD, may be obtained from Cessna Aircraft Company, Marketing Division, Attention: Customer Service Department, Wichita, Kansas 67201; Telephone (316) 685-9111. A copy of this service letter is contained in the Rules Docket, Office of the Regional Counsel, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106 and at Room 916, 800 Independence Avenue, SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT: Earsa L. Tankesley, Aerospace Engineer, Engineering and Manufacturing Branch, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106; telephone (816) 374-3446.

SUPPLEMENTARY INFORMATION: There have been six reported incidents involving Cessna Model 152 airplanes where failed wing flap push rods have resulted in the sudden retraction of one flap while the other flap remained in the fully extended position. These push rod failures occurred on airplanes where the electrical stop switches on the actuator either failed or became misaligned and thus allowed the flap actuator assembly to continue to travel after the flaps reach their fully extended position where they are stopped by the flap track.

A mechanical stop for the flap actuator assembly that is compatible with flap track stop can be provided by replacing the existing actuator stop nut with a new mechanical stop nut. Installation of this new stop nut will reduce the actuator travel by approximately 1.0 inches. This new stop nut, along with instructions needed for its installation, is the subject matter of Cessna Single Engine Service

Information Letter SE79-57, dated December 3, 1979.

During the investigation of this problem on the Models 152 and A152 airplanes, it was discovered that the same condition could exist on a small number of Model 172RG airplanes. Cessna has elected to correct this problem on these Model 172RG airplanes through its Field Service organization and has not included this model in Service Information Letter SE79-57. The modification for this model is the same as provided for the Model 152 airplane, and the Federal Aviation Administration has the responsibility to assure that hazardous conditions are corrected on all affected airplanes. Accordingly, this AD also requires those Model 172RG airplanes to be modified in accordance with the Service Information Letter.

Subsequent to the development of the longer mechanical stop nut, Cessna has also developed a new actuator assembly, Part Number C301002-0110, which, by the utilization of a shorter jack screw will prevent damage and failure of the flap push rods. Fabrication of the new actuator has provided an adequate number for incorporation in new production airplanes, but cannot presently provide the additional quantities needed for replacement of actuators on in-service airplanes. Although this new assembly is not currently available for in-service airplanes, its installation has been evaluated and found to be an acceptable way of correcting the described unsafe condition. Accordingly, the AD is structured to permit the installation of this assembly, when it becomes available.

Consequently, since an unsafe condition is likely to exist in other aircraft of the same type design, an AD is being issued applicable to certain serial numbers of Cessna Models 152, A152 and 172RG airplanes making mandatory installation of the new flap actuator assembly stop nut, in accordance with Cessna Single Engine Service Information Letter SE79-57. As an alternative, the installation of the new actuator assembly may be accomplished.

The FAA has determined that there is an immediate need for a regulation to assure safe operation of the affected airplanes. Therefore, notice and public procedure under 5 U.S.C. 553(b) is impracticable and contrary to the public interest and good cause exists for making the amendment effective in less than thirty (30) days after the date of publication in the Federal Register.

Adoption of the Amendment

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

§ 39.13 [Amended]

Cessna: Applies to Models 152/F152 (Serial Numbers 15279406 through 15284080 and F15201429 through F15201798), Models A152/FA152 (Serial Numbers A1520735 through A1520919 and FA15200337 through FA15200372) and Model 172RG (Serial Numbers 172RG0001 through 172RG0005, 172RG0007 through 172RG0012, 172RG0014, 172RG0016, and 172RG0019) airplanes certificated in all categories.

Compliance: Required as indicated unless previously accomplished. To preclude overtravel of the flap actuator assembly and subsequent flap system failure which can result in an asymmetric flap configuration, within the next 50 hours time-in-service after the effective date of this AD, accomplish the following:

(A) Modify the flap actuator assembly by installing a new mechanical stop nut in accordance with Cessna Single Engine Service Information Letter SE79-57, dated December 3, 1979, or when available, install a new replacement flap actuator assembly, Part Number C301002-0110, in accordance with applicable installation instructions.

(B) Airplanes may be flown in accordance with Federal Aviation Regulation 21.197 to a base to accomplish this AD, provided the flaps are not used for that flight.

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

Note.—Although Cessna Single Engine Service Information Letter SE79-57 does not identify the Model 172RG, the actuator modification for this model is the same as provided for the Model 152 airplane.

This amendment becomes effective January 7, 1980.

(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)); and § 11.89 of the Federal Aviation Regulations (14 CFR 11.89))

Note.—The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to Earsa L. Tankesley, Aerospace Engineer, Engineering and Manufacturing Branch, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106; telephone (816) 374-3446.

Issued in Kansas City, Missouri on December 19, 1979.

John E. Shaw,

Acting Director, Central Region.

[FR Doc. 80-231 Filed 1-4-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 79-RM-31-AD; Amdt. No. 39-3648]

Airworthiness Directives; Raven Industries Models S-50A, S-55A, and S-60A

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: Evaluation of the parachute type top vent installed on envelopes, Part Nos. D-05957, D-11813, or D-10428, used on Raven S-50A, S-55A, and S-60A hot air balloons has shown that the release force on the rip cord exceeds the maximum force of 75 pounds as limited by § 31.57(b) of Part 31 of the Federal Aviation Regulations. Since this condition is likely to exist in other Raven Industries models S-50A, S-55A, and S-60A hot air balloons of the same design, an airworthiness directive is being issued to modify the parachute top positioning attachments found on the balloon envelopes.

EFFECTIVE DATE: January 7, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Woodford R. Boyce, ARM-210, Engineering and Manufacturing Branch, FAA Rocky Mountain Region, 10455 East 25th Avenue, Aurora, Colorado 80010.

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

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

Raven Industries, Inc.: Applies to model S-50A, serial no. S50A-275, model S-55A, serial nos. S-55A-330 to S-55A-624, and model S-60A, serial nos. S-60A-102 to S-60A-138 hot air balloons certificated in all categories which have installed the parachute top vent.

Compliance required before further flight unless already accomplished.

To allow proper release of the parachute top, accomplish the following or an equivalent modification approved by the

Chief, Engineering and Manufacturing Branch, FAA Rocky Mountain Region:

Remove all but the middle 1 inch of the length of the "Velcro" tape "hooks" on each of the 24 4-inch long tapes found on the envelope by use of a razorblade or sharp knife.

Raven Service Bulletin No. 111 dated December 19, 1979, covers this same subject.

This amendment becomes effective January 7, 1980.

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

Note.—The FAA has determined that this document involves a regulation which is not considered to be significant under the provisions of Executive Order 12044 and as implemented by Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979).

Issued in Aurora, Colorado on December 19, 1979.

I. H. Hoover,

Acting Director, Rocky Mountain Region.

[FR Doc. 80-327 Filed 1-4-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 91

[Docket No. 9135; SFAR 21-2]

Special Federal Aviation Regulation No. 21; Southern Rhodesia: Aviation Sanctions

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action terminates the prohibition of aviation operations and carriage of commodities and products to and from Southern Rhodesia. This action is required by Executive Order No. 12183.

EFFECTIVE DATE: January 7, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Jonathan Howe, Deputy Chief Counsel, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591, Telephone (202) 426-3775.

SUPPLEMENTARY INFORMATION:

History

Special Federal Aviation Regulation No. 21 was issued by the Administrator on September 10, 1968. That regulation implemented Executive Order No. 11419, dated July 29, 1968 (33 FR 10837), which delegated to the Secretary of Transportation the function and responsibility of enforcement of sanctions against Southern Rhodesia relating to the operation of air carriers and aircraft and the carriage on aircraft

of any commodities or products the carriage of which was prohibited by Section 1 of Executive Order No. 11419 or by Section 1 of Executive Order No. 11322, dated January 5, 1967 (32 FR 119).

Specifically, Special Federal Aviation Regulation No. 21 prohibited: (1) The carriage, on aircraft registered under U.S. laws or under charter to any person subject to U.S. jurisdiction, of certain commodities or products either originating in Southern Rhodesia, except for licensed items, or any commodity or product, consigned to anyone for business carried on, in or operated from that country, except for licensed items; and (2) The operation of any aircraft by any person subject to U.S. jurisdiction, to or from Southern Rhodesia or in coordination with an airline company constituted, or aircraft registered, in that country.

Amendment of Regulation

This regulation implements Executive Order No. 12183, dated December 16, 1979, which revoked Executive Orders 11322, 11419, and 11978 with respect to transactions occurring after the effective date of Executive Order No. 12183, and which required the Secretary of Transportation to implement the Order. The Secretary of Transportation has redelegated that function and responsibility to the Administrator. In accordance with Executive Order No. 12183, this action amends Special Federal Aviation Regulation No. 21 by revoking all the prohibitions on transactions with Rhodesia. The Federal Aviation Administration retains the authority to investigate any violation of any provision of Special Federal Aviation Regulation No. 21 that occurred prior to the effective date of Executive Order No. 12183, and to institute appropriate enforcement measures.

In keeping with the retention of FAA investigatory and enforcement authority, the recordkeeping, reporting, and penalty provisions of Special Federal Aviation Regulation No. 21 have not been revoked. However, the recordkeeping and reporting provisions have been revised so as to limit their application to transactions occurring prior to December 16, 1979, the effective date of Executive Order No. 12183.

Since the Executive Order implemented by Special Federal Aviation Regulation No. 21 has been revoked, notice and comment on its amendment are unnecessary and good cause exists for making this amendment effective in less than 30 days.

Amendment of Special Federal Aviation Regulation No. 21

Accordingly, Special Federal Aviation Regulation No. 21 is hereby amended by revoking sections 1, 2, and 3 and by revising sections 4 and 5 to read as follows:

Special Federal Aviation Regulation No. 21

* * * * *

4. *Records.* (a) Each person who engaged in any carriage or operation subject to Special Federal Aviation Regulation No. 21 before December 16, 1979, shall make a full and accurate record of each carriage or operation of this kind in which he engaged, regardless of whether it was effected pursuant to license or otherwise, and shall keep the record available for at least two years after the date of carriage or operation.

(b) This section does not require any particular method of recordkeeping and does not require any change in the system of records customarily kept by the person concerned, so long as the records supply an adequate basis for examination. Records may be kept in the form of microfilm or other photographic copies.

5. *Reports.* Each person who participated in any carriage or operation covered by Special Federal Aviation Regulation No. 21 before December 16, 1979 shall submit such reports on his activities under that special regulation as the Administrator may require.

* * * * *

(EO 12183, December 16, 1979, Sec. 5, 59 Stat. 620, as amended, 22 U.S.C. 287c)

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order No. 12044 as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979).

Issued in Washington, D.C., on December 27, 1979.

Langhorne Bond,
Administrator

[FR Doc. 80-316 Filed 1-4-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 183

[Docket No. 16622; Amdt. 183-6]

Designated Manufacturing Inspection Representatives

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment permits use of designated manufacturing inspection

representatives to perform authorized functions for the manufacturer, or its supplier, at any location authorized by the Administrator. It is intended to meet the need for greater flexibility and efficiency in the manufacturing process.

EFFECTIVE DATE: January 28, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Raymond E. Ramakis, Regulatory Projects Branch, AVS-24, Safety Regulations Staff, Associate Administrator for Aviation Standards, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 755-8716.

SUPPLEMENTARY INFORMATION:**Background**

This amendment to Part 183 of the Federal Aviation Regulations expands the use of designated manufacturing inspection representatives (DMIR). These representatives of the FAA are qualified private persons who have been delegated authority by the Administrator to issue certain certificates and to perform inspection functions for the FAA. Delegation of these functions to properly qualified private persons is contemplated and authorized by section 314 of the Federal Aviation Act of 1958 (49 U.S.C. 1355).

A manufacturer or its suppliers may recommend that any employee be designated a DMIR by the FAA. Only manufacturers with approved production inspection systems, parts manufacturing approvals, production certificates, or technical standard order authorizations, and suppliers of these manufacturers, may have DMIR's. The qualifications of each recommended employee are carefully reviewed by the FAA, and designations are made with limitations appropriate to the representative's training and knowledge.

DMIR's conduct inspections necessary to determine that production products and related parts conform to the approved type design and are in a condition for safe operation, and that prototype products and related parts submitted for FAA approval conform to design specifications. They issue original airworthiness certificates for aircraft, airworthiness approvals for engines, propellers, and product parts, export certificates of airworthiness, airworthiness approval tags, and special flight permits for export aircraft and related parts. DMIR's also issue experimental certificates for aircraft for which the manufacturer holds the type certificate and which have undergone changes to the type design requiring a flight test.

Notice

Interested persons have been afforded an opportunity to participate in the making of this regulation by Notice of Proposed Rule Making No. 77-5, issued March 30, 1977, and published in the *Federal Register* on April 7, 1977 (42 FR 18407). Editorial and clarifying changes have been made in the proposal based upon relevant comments received and upon further review by the FAA. Except for the changes discussed below, this amendment and the reasons for its adoption are the same as those contained in Notice 77-5.

A total of 6 public comments were received in response to the Notice. Three comments were in favor of the proposal. The remaining three favored it generally but expressed reservations about specific provisions.

Discussions of Comments

Several commenters strongly objected to proposed § 183.31(b)(2) which would have expanded the authority of DMIR's to permit them to evaluate a manufacturer's quality control system to determine whether it complies with Part 21 of the Federal Aviation Regulations and with the manufacturer's approved quality control procedure. The objections were based on: (1) The financial burden imposed on manufacturers having to hire a DMIR to replace FAA personnel; (2) the lack of credibility given to aircraft produced without FAA surveillance; (3) the increased vulnerability of manufacturers to produce liability suits; and (4) the increased possibility of conflict of interest which would arise if, for example, a DMIR were to participate in an enforcement action against his or her employer.

Part 183 does not require manufacturers to use a DMIR. Also, there is no indication that the proposed § 183.31(b)(2) would work an undue burden on manufacturers. However, the FAA recognizes the commenter's concern over the possibility of conflict of interest, lack of credibility, and product liability suits. These comments have highlighted the distinction between the functions currently performed by a DMIR and the proposed additional evaluation function. Under the current rule, it is unlikely that a DMIR would become involved in an enforcement action against the manufacturer. However, a DMIR's evaluation of a manufacturer's quality control system would most likely result in an enforcement action against the manufacturer were a DMIR to determine that the approved system was not being followed. Thus, whenever a DMIR

would find the manufacturer's quality control system to be in noncompliance, the DMIR would be placed in a possible enforcement context. The FAA agrees with the concerns expressed in this area. It is essential that those involved in the inspection process not be placed in any situation which might affect their responsibility. This would be inconsistent with the interest of safety. Therefore, DMIR's will not be allowed to evaluate quality control systems and, as a result, proposed § 183.31(b)(2) has not been adopted.

Three commenters suggested revising proposed § 183.31(c) to allow a DMIR to perform inspection functions for the manufacturer's supplier, as well as for the manufacturer. The FAA agrees that such a revision will promote greater flexibility and efficiency in the manufacturing process. Accordingly, a DMIR will be allowed to perform his or her function for the manufacturer or its supplier at any location authorized by the FAA. Any necessary limitation on a representative's authority based on his or her knowledge and training will be specified at the time of designation by the FAA.

Editorial Changes

The NPRM proposed deletion of current § 183.31(b) because the term "export ferry permits" is obsolete. Instead of these permits, special airworthiness certificates are now issued for exporting aircraft. Accordingly, a new § 183.31(a)(4) has been added which allows a DMIR to issue "special flight permits to export aircraft."

An additional clarifying change has been made in § 183.31 by adding the words "and are in a condition for safe operation" at the end of paragraph (a)(1). This change incorporates into this rule the standard required under § 21.183 for the issuance of an airworthiness certificate.

Review of proposed § 183.31(b)(1), which is substantially similar to § 183.3(c) and (d) of the current rule, revealed a need to distinguish between prototype and production articles. Prototype products and related parts are inspected for conformity to design specifications, which are the basis upon which an applicant seeks design approval. Production products and related parts are inspected for conformity to the approved type design and to ensure that they are in a condition for safe operation. The rule as adopted distinguishes between these two inspection functions and the different standards applied to each.

Cost Evaluation

This amendment will result in a cost savings to manufacturers. Since it permits DMIR to be used at locations other than their employers' immediate facilities, manufacturers will be able to avoid costly delays by conducting with persons already in their employ, inspections that would otherwise require the use of an FAA employee. For this reason, manufacturers will be better able to plan and expedite inspections.

In addition, by providing for more efficient use of each DMIR, it is expected that this amendment will lessen the demand for inspections by FAA employees. Thus, it will also result in a cost saving for the Federal Government.

Adoption of the Amendment

Accordingly, Part 183 of the Federal Aviation Regulations (14 CFR 183.31) is amended, effective January 28, 1980, by revising § 183.31 to read as follows:

§ 183.31 Designated manufacturing inspection representatives.

A designated manufacturing inspection representative (DMIR) may, within limits prescribed by, and under the general supervision of, the Administrator, do the following:

- (a) Issue—
 - (1) Original airworthiness certificates for aircraft and airworthiness approvals for engines, propellers, and product parts that conform to the approved design requirements and are in a condition for safe operation;
 - (2) Export certificates of airworthiness and airworthiness approval tags in accordance with Subpart L of Part 21 of this chapter;
 - (3) Experimental certificates for aircraft for which the manufacturer holds the type certificate and which have undergone changes to the type design requiring a flight test; and
 - (4) Special flight permits to export aircraft.
- (b) Conduct any inspections that may be necessary to determine that—
 - (1) Prototype products and related parts conform to design specifications; and
 - (2) Production products and related parts conform to the approved type design and are in condition for safe operation.
- (c) Perform functions authorized by this section for the manufacturer, or the manufacturer's supplier, at any location authorized by the FAA.

(Secs. 313(a), 314, 601, 603, 608, and 609 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1355, 1421, 1423, 1428, and 1429) and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

Note.—The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented under Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to the individual listed above as the information contact.

Issued in Washington, D.C., on December 26, 1979.

Langhorne Bond,
Administrator.

[FR Doc. 80-466 Filed 1-4-80; 8:45 am]
BILLING CODE 4910-13-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 211

[Release No. SAB—37]

Staff Accounting Bulletin No. 37

AGENCY: Securities and Exchange Commission.

ACTION: Final rule: Deletion of a Staff Accounting Bulletin.

SUMMARY: The purpose of the release is to delete Topic 4-F of Staff Accounting Bulletin No. 1 which is concerned with the format of the equity section of the balance sheet of a savings and loan holding company.

EFFECTIVE DATE: December 17, 1979.

FOR FURTHER INFORMATION CONTACT: Lawrence J. Bloch, Office of the Chief Accountant (202-272-2130), or Howard P. Hodges, Jr., Division of Corporation Finance (202-272-2553), Securities and Exchange Commission, Washington, D.C. 20549.

SUPPLEMENTARY INFORMATION: The statements in Staff Accounting Bulletins are not rules or interpretations of the Commission nor are they published as bearing the Commission's official approval; they represent interpretations and practices followed by the Division of Corporation Finance and the Office of the Chief Accountant in administering the disclosure requirements of the Federal securities laws.

December 17, 1979.

Shirley E. Hollis,
Assistant Secretary.

Staff Accounting Bulletin No. 37

Equity Accounts of Savings and Loan Holding Companies

Recently, the American Institute of Certified Public Accountants issued a revised edition of its audit and accounting guide for savings and loan associations containing revised

provisions for the equity section of a balance sheet. These new provisions are generally applicable to the equity section of the balance sheet of a savings and loan holding company.

The equity section provisions in the revised audit guide call for (i) "one-line" presentation of retained earnings on the balance sheet with notation that it is "substantially restricted," (ii) note disclosure of the amount of retained earnings available for payment of cash dividends both with and without incurring an additional federal income tax liability, and (iii) note disclosure of amounts otherwise restricted. The staff supports these provisions of the revised audit guide which are applicable to financial statements for fiscal periods beginning after December 31, 1978.

Accordingly, Topic 4-F of Staff Accounting Bulletin No. 1 (40 FR 53557 Nov. 19, 1975) which is concerned with the format of the stockholders' equity section of the balance sheet of a savings and loan holding company is hereby withdrawn. Topic 4-F had provided an illustration of the format to be followed by these companies in filings with the Commission.

[FR Doc. 80-330 Filed 1-4-80; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 153

[TD 80-18]

Potassium Chloride, Otherwise Known as Muriate of Potash, From Canada; Antidumping: Modification or Revocation of Dumping Finding

AGENCY: United States Treasury Department.

ACTION: Modification of Dumping Finding.

SUMMARY: This notice is to inform the public that the Potash Corporation of Saskatchewan (PCS) has provided assurances that it will not sell potassium chloride below fair value within the meaning of the Antidumping Act, 1921, as amended. Since PCS has acquired assets from several Canadian companies which produce potassium chloride, but which were previously excluded from the dumping finding, notice is hereby given of the modification of the finding to exclude PCS. As a result of this action,

potassium chloride from PCS entered, or withdrawn from warehouse, for consumption will not be liable for dumping duties.

EFFECTIVE DATE: January 7, 1980.

FOR FURTHER INFORMATION CONTACT: Office of the Assistant Secretary for Trade Administration, Robert Robeson, Office of Policy, United States Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C. 20230, telephone (202) 566-2323.

SUPPLEMENTARY INFORMATION: On December 19, 1969, a finding of dumping with respect to potassium chloride from Canada, T.D. 69-265, was published in the Federal Register (34 FR 19904). Excluded from the finding at that time was the U.S. Borax and Chemical Co., Kalium, Saskatchewan. Subsequently, certain other Canadian producers or exporters have also been excluded from the finding. These firms are: Potash Company of Canada; Hudson Bay Mining and Smelting Company, Ltd.; Swift Company, Ltd.; Amax Potash, Ltd.; and Duval Corporation of Canada. Those exclusions were based upon determinations that these companies were not selling, nor were likely to sell, potassium chloride at less than fair value within the meaning of the Antidumping Act of 1921, as amended (19 U.S.C. 160 et seq.) ("the Act").

The Potash Corporation of Saskatchewan, which previously was not engaged in the production or sale of potassium chloride, has acquired assets in the firms listed above. The Department has concluded that where a foreign manufacturer, producer or exporter not previously engaged in the manufacture, production or sale of

merchandise subject to a finding of dumping, acquires assets in one or more firms excluded from that finding, such manufacturer, producer or exporter shall become eligible for exclusion from the finding upon receipt of assurances that no future sales to the United States will be made at less than fair value within the meaning of the Act. Such assurances have been received from PCS.

Because of the unusual circumstances of this case, it is appropriate to modify this finding pursuant to § 153.44(e), Customs Regulations (19 CFR 153.44(e)). Under this provision, the Secretary may modify or revoke a dumping finding without publishing the "Notice of Tentative Determination to Modify or Revoke Dumping Finding" required pursuant to § 153.44(c), Customs Regulations (19 CFR 153.44(c)).

For the reasons stated above, I hereby determine that potassium chloride, otherwise known as muriate of potash from Canada, produced and sold by Potash Corporation of Saskatchewan is not being, nor is likely to be, sold at less than fair value within the meaning of the Act.

§ 153.46 [Amended]

Accordingly, § 153.46, Customs Regulations (19 CFR 153.46), is amended to exclude potassium chloride, otherwise known as muriate of potash, from Canada, produced and sold by Potash Corporation of Saskatchewan, from T.D. 69-265, as modified by T.D. 74-157 and T.D. 76-219. The current entry for potassium chloride, otherwise known as muriate of potash, from Canada should be deleted and replaced by the following entry:

Merchandise	Country	T.D.	Modified by
Potassium chloride, otherwise known as muriate of potash, except that produced and sold by U.S. Borax Chemical Co., Kalium, Saskatchewan, Canada; Kalium Chemicals, Ltd., Regina, Saskatchewan, Canada; Potash Co. of Canada, Ltd., Lanigan, Saskatchewan, Canada; Potash Co. of America, Saskatoon, Saskatchewan, Canada; International Minerals and Chemical Corp., Libertyville, Ill., U.S.A.; and CF Industries, Inc., Chicago, Ill., U.S.A.	Canada.....	69-265	74-157 76-219 80-
Brockville Chemical Industries, Ltd., Montreal, Quebec, Canada; Hudson Bay Mining & Smelting Co., Ltd., Toronto, Ontario, Canada; Swift Canadian Co., Ltd., Etobicoke, Ontario, Canada; and Cominco, Ltd., Vancouver, British Columbia, Canada.	do.....		
Potash Corporation of Saskatchewan.....	do.....		

(Secs. 201, 407; 42 Stat. 11, as amended, 18; (19 U.S.C. 160, 173))

This notice is published pursuant to § 153.44(c), Customs Regulations (19 CFR 153.44(c)).

Jordon Luke,

Acting General Counsel of the Treasury.

[FR Doc. 80-417 Filed 1-4-80; 8:45 am]

BILLING CODE 4810-22-M

ENVIRONMENTAL PROTECTION AGENCY

21 CFR Part 193

[FRL 1385-1; FAP 6H5106/T52]

Tolerances for Pesticide Glyphosate in Food Administered by the Environmental Protection Agency

AGENCY: Office of Pesticide Programs, Environmental Protection Agency (EPA).
ACTION: Final rule.

SUMMARY: This rule renews a food additive regulation related to the experimental use of the herbicide glyphosate in potable water. The renewal was requested by Monsanto Co. This rule renews the maximum permissible level for residues of glyphosate in potable water while further data is collected on the subject pesticide.

EFFECTIVE DATE: Effective January 7, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Taylor, Product Manager (PM) 25, Registration Division (TS-767), Office of Pesticide Programs, EPA, 401 M Street, SW, Washington, DC 20460 (202/755-2196).

SUPPLEMENTARY INFORMATION: On August 6, 1976, the EPA announced (41 FR 32888) that in response to a petition (FAP 6H5106) submitted by Monsanto Co., 800 N. Lindbergh Blvd., St. Louis, MO 63166, 21 CFR 193.235 was being established to permit combined residues of the herbicide glyphosate (N-phosphonomethyl)glycine and its metabolite aminomethylphosphonic acid in potable water resulting from application of glyphosate to the banks of small water impoundments, irrigation ditch banks, and drainage ditch banks in a proposed experimental program with a tolerance limitation of 1 part per million (ppm) for residues of the herbicide in accordance with an experimental use permit that was being issued concurrently under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended in 1972, 1975, and 1978 (92 Stat. 819; 7 U.S.C. 136). This experimental program expired July 28, 1977.

Subsequently, the petitioner was granted a two-year renewal of this temporary tolerance (December 9, 1977; 42 FR 62131). This renewal expired November 22, 1979. Monsanto Co. has requested an additional one-year renewal of this temporary tolerance to permit continued testing to obtain additional data.

The scientific data reported and other relevant material have been evaluated, and it has been determined that the pesticide may be safely used in accordance with the provisions of the experimental use permit which is being issued concurrently under FIFRA. It has further been determined that since residues of the pesticide may result in potable water from the agricultural use provided for in the experimental use permit, the food additive regulation should be renewed along with the tolerance limitation. (A related document concerning the renewal of temporary tolerances for residues of glyphosate in or on cucurbits, forage legumes, fruiting vegetables, small fruits, and hops appears elsewhere in today's **Federal Register**.) Accordingly, a food additive regulation is established as set forth below.

Any person adversely affected by this regulation may, on or before January 22, 1980, file written objections with the Hearing Clerk, EPA, Rm. M-3708 (A-110), 401 M St., SW, Washington, DC 20460. Such objections should be submitted in triplicate and specify the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized". This regulation has been reviewed, and it has been determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

Effective January 7, 1980, 21 CFR 193.235 is amended as set forth below.

Dated: December 21, 1979.

James M. Conlon,

Deputy Assistant Administrator for Pesticide Programs.

Authority: Section 409(c)(1) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 348(c)(1)].

§ 193.235 [Amended]

In the last line of paragraph (a), the date is changed from "November 22, 1979" to "December 21, 1980."

[FR Doc. 80-367 Filed 1-4-80; 8:45 am]

BILLING CODE 6560-01-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Parts 420 and 620

[FHWA Docket No. 78-17]

Administration of Negotiated Contracts

Correction

In FR Doc. 79-38516 appearing at page 75552 in the issue for Thursday, December 20, 1979, the following correction should be made.

On page 75555, Parts 420 and 620 were incorrectly removed and reserved. However, only Subpart B of Part 420 and Subpart C of Part 620 should have been removed and reserved. All other subparts of Parts 420 and 620 remain in effect. These amendments to Parts 420 and 620 were correctly described in the amendatory language which appeared on page 75553 in the third column.

BILLING CODE 1505-01-M

Coast Guard

33 CFR Parts 127 and 165

[CGD 79-172]

Safety Zones and Security Zones; List of Zones Not Previously Published in the Federal Register

AGENCY: Coast Guard, DOT.

ACTION: Notice of adoption and termination of final rules.

SUMMARY: This notice lists safety and security zones that were in effect for brief periods. None of the zones were published in the **Federal Register** in advance of being established because of insufficient time. This notice advises that the zones were in existence and that copies of the documents establishing them are available at Coast Guard Headquarters.

DATES: The effective dates and termination dates of the zones are as noted below.

ADDRESSES: The documents establishing the zones are available for inspection and copying between the hours of 7:30 a.m. and 4:30 p.m., Monday through Thursday, except holidays, at the Marine Safety Council (G-CMC/TP24), Room 2418, U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, D.C. 20593. Requests for copies may also be mailed to Commandant (G-CMC/TP24), U.S. Coast Guard, Washington, D.C. 20593.

FOR FURTHER INFORMATION CONTACT: LTJG John M. Holmes, c/o Commandant (G-CMC/TP24), U.S. Coast Guard, Washington, D.C. 20593 (202) 426-1477.

SUPPLEMENTARY INFORMATION: Security zones are areas of water or land, or both, designated by a Captain of the Port as limited access areas for purposes of preventing destruction, loss, or injury to vessels, harbors, ports, or waterfront facilities resulting from sabotage or other subversive acts, accidents, or other similar causes. Access to a security zone is normally limited to persons, vessels, and articles expressly authorized by the Captain of the Port. Security zones are established principally under the authority of 50 U.S.C. 191 and Executive Order 10173 of October 20, 1950. Security zones that remain in effect for more than limited periods are codified in 33 CFR Part 127. The general regulations applicable to all security zones are also set out in Part 127.

Safety zones are likewise water or shore areas, or both, designated as limited access areas by a Captain of the Port. Safety zones are established for either a safety or environmental purpose. The principal authority for establishing safety zones is 33 U.S.C. 1225 (Pub. L. 95-474 of October 17, 1978). Safety zones that remain in effect for more than limited periods are codified in 33 CFR Part 165, which also contains general regulations applicable to all safety zones.

Authority to issue regulations establishing safety and security zones has been delegated to each District Commander and Captain of the Port. See 33 CFR 6.04 and 33 CFR 165.10. Each regulation establishing a zone consists of a description of the bounds of the zone and any specific requirements concerning activities within the zone. The preamble text accompanying the regulation explains the reason for establishing the zone and the extent to which public procedures were followed in preparing the regulation.

Each safety and security zone regulation is required by 5 U.S.C. 552 to be published in the **Federal Register**. Notice of the regulation is also provided locally, as appropriate, through local notices to mariners, leaflets, marine broadcasts, local news media releases, and oral notification to affected parties.

Most of the problems and hazards that require a safety or security zone arise with little advance warning and are of short duration. As a result, it is not uncommon for the regulation establishing a zone to be terminated before it can be published in the **Federal Register**. The purpose of this notice is to comply with the publication requirement in 5 U.S.C. 552 with respect to previously unpublished safety and security zones that have been recently terminated. The previously unpublished

zones listed below are described in terms of their locations, their effective dates and termination dates, and by reference to any special regulations that applied within the zones. The full text of the regulatory documents establishing the zones is not being published since compliance with their terms is no longer required and no enforcement action is pending. As explained previously, the full text of the regulatory documents can be obtained from the Marine Safety Council.

List of Terminated Safety Zones and Security Zones Not Previously Published

a. Safety Zones.

1. The area within a 500 yard radius around the fire works display barge in Quincy Bay, Massachusetts. Established September 7, 1979 (5 p.m.). Terminated September 7, 1979 (11 p.m.).

2. The area within 100 feet of the *S. S. Caguas* while operating in the St. Johns River at Jacksonville, Florida. Established August 17, 1979 (6 p.m.). Terminated August 17, 1979 (at 9 p.m. or before).

3. The area within 500 yards of the *M/V Scanspruce* while in transit outbound on the Savannah River, Georgia. Established and terminated on August 2, 1979.

4. Vicinity of Steamboat *Delta Queen* during transit down the Mississippi River from St. Paul, Minnesota, to St. Louis, Missouri. Established on August 17, 1979. Terminated on August 24, 1979, after departure of the President of the United States from the vessel. (Special regulations were adopted for the zone.)

5. The area within 200 yards of the drilling barge *Hudson River* during drilling and blasting operations conducted by that vessel near dock 3A, Sun Oil Company, Marcus Hook, PA. Established August 13, 1979. Terminated October 13, 1979.

6. The navigable waters within 100 feet of the *S. S. Caguas* while transiting the St. Johns River, Jacksonville, Florida, from Blount Island Terminal in the vicinity of Buoy 44 (LLNR 587) to sea. Established November 9, 1979 (4 p.m.). Terminated November 9, 1979 (8 p.m.). (One special regulation was adopted for the zone.)

b. Security Zones.

1. The area adjacent to the launching ramp of the *USS La Jolla (SSN 701)* in Groton, Connecticut. Established August 11, 1979 (11:30 a.m.). Terminated August 11, 1979 (2 p.m.).

2. Vicinity of Steamboat *Delta Queen* during transit down the Mississippi River from St. Paul, Minnesota to St. Louis, Missouri. Established on August 17, 1979. Terminated on August 24, 1979,

after departure of the President of the United States from the vessel. (Special regulations were adopted for the zone.)

3. The portion of the East River, New York, N.Y., in vicinity of United Nations Building, during the visit of President Castro of Cuba. Established October 12, 1979 (10 a.m.). Terminated October 12, 1979 (6 p.m.).

4. The waters of Upper New York Bay, New York within 200 yards of the perimeter of Liberty Island. Established November 4, 1979 (1:45 p.m.). Terminated November 4, 1979 (4 p.m.).

(33 U.S.C. 1225 as enacted by Pub. L. 95-474, 49 U.S.C. 1655(b), 50 U.S.C. 191; E.O. 10173; 33 CFR 6.04, 49 CFR 1.46 (44 FR 10063))

Dated: December 26, 1979.

W. E. Caldwell,

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

[FR Doc. 80-364 Filed 1-4-80; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL 1361-5]

Approval and Promulgation of Implementation Plans; Final Revision to Idaho State Implementation Plan

Correction

In FR Doc. 79-38235, appearing on page 72118, in the issue of Thursday, December 13, 1979, make the following corrections:

1. On page 72126 at the bottom of the third column, footnote "9" should have read: "9 *Supra* note 8".

2. On page 72127 at the bottom of the second column footnote "10" should have read: "10 *Supra* note 8".

BILLING CODE 1505-01-M

40 CFR Part 87

[FRL-1371-6]

Control of Air Pollution From Aircraft and Aircraft Engines; Amendments to the Emission Standards for Aircraft Engines

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rulemaking.

SUMMARY: This final rulemaking action withdraws the existing gaseous emission standards for all opposed-piston aircraft engines and auxiliary power units (APU). EPA is withdrawing the standards because at this time they cannot be justified on the basis of air quality, cost, and cost effectiveness considerations. The original standards

were promulgated primarily on the need to control CO emissions at high-activity general aviation airports. However, recent air quality modelling and monitoring studies have indicated that CO emissions from this source are not currently significant enough to endanger the public health. The final amendments to the originally promulgated rules (40 CFR Part 87) are as proposed by EPA in the March 24, 1978, Notice of Proposed Rulemaking.

EFFECTIVE DATE: December 31, 1979.

FOR FURTHER INFORMATION CONTACT:

Richard S. Wilcox, Emission Control Technology Division, Office of Mobile Source Air Pollution Control, Environmental Protection Agency, 2565 Plymouth Road, Ann Arbor, Michigan 48105, (313) 668-4390.

SUPPLEMENTARY INFORMATION:

Background

In section 231 of the Clean Air Act as amended, the Congress directed the Administrator of the Environmental Protection Agency to "establish standards applicable to emissions of any air pollutant from any class or classes of aircraft or aircraft engines which in his judgment cause or contribute to air pollution which endangers the public health or welfare." In 1973, the EPA promulgated emission regulations for several classes of aircraft engines (40 CFR Part 87). On March 24, 1978, a Notice of Proposed Rulemaking (NPRM) was published by EPA in the Federal Register which proposed amendments to the existing aircraft emission standards. The public and industry commented on this proposal during the 240 day comment period which included 2 days of public hearings held in San Francisco, California, on November 1-2, 1978.

During EPA's initial review of the comments on the NPRM, it became clear that some of the major issues were more complex than others and would, therefore, require a longer period of time to complete the Agency review process. To prevent any unnecessary delay in regulatory relief for the affected industry, and to make the review effort more efficient, this action addresses those amendments which can be most effectively acted upon at this time. The remaining proposed amendments will be the subject of separate rulemaking actions.

Basis for this Action

EPA has closely monitored the developing requisite control technology since the original standards were promulgated in 1973. The significance of all aircraft classes as sources of air

pollution which endanger the public health and welfare, the costs of compliance, and the cost effectiveness of the control strategies have also been evaluated. This action is based on the results of those studies in addition to the comments which were received with regard to the NPRM.

EPA is withdrawing the gaseous emission standards applicable to opposed-piston (P1) aircraft engines because at this time they cannot be justified on the basis of air quality, cost, and cost effectiveness considerations. The original standards were promulgated primarily on the need to control CO emissions at high-activity general aviation airports. However, recent air quality modeling and monitoring studies have indicated that CO emissions from this source are not currently significant enough to endanger the public health and welfare, and these aircraft do not appear to have the potential of becoming significant contributors in the future. Furthermore, in evaluating the need for aircraft emission controls, EPA determined that the major air terminals overwhelm general aviation airports as air pollution problem areas. The Agency also found that in most cases, exhaust emissions from commercial aircraft at these major terminals far outweigh those from general aviation aircraft powered by opposed-piston engines (class P1). As an example, piston aircraft engines will emit less than one percent of the total gaseous emissions at John F. Kennedy Airport in New York during 1985.

The cost effectiveness of controlling opposed-piston aircraft emissions is unfavorable when compared to other mobile and stationary control strategies. Emission controls on piston aircraft engines would cost from \$2300 to \$8000 per ton of hydrocarbon (HC) reduced, compared to \$950 or less per ton for other available strategies.

Emission regulations for APUs are being withdrawn by EPA because their HC and CO emissions have a relatively small impact on air quality, and effectively controlling CO and NOx emissions from this source is difficult and costly. These units are predominately used to provide on-board power for turbine-powered aircraft while on the ground at air carrier airports. APUs are operated at high steady-state power levels; therefore, their HC and CO emissions are quite low, while the bulk of their emissions is composed of NOx. Hydrocarbon emissions from this class of engines generally meet the originally promulgated standards and are considered minimal. These units

contribute about 5 percent of the aircraft CO total and 10-15 percent of the NOx total at major commercial airports. The control technology does not exist to permit a substantial reduction in CO emissions. For this reason, the air quality improvement from achieving the standards is very small (1-2 percent of the aircraft total). The NOx control technology for APUs is essentially the same as for large turbine engines; however, this technology has not been demonstrated in small turbine engines. It is unclear whether significant reductions in NOx emissions from APUs are possible, although NASA has expressed the view that NOx control technology is applicable to smaller engines, but at a higher cost.

Comments on the NPRM

All of the comments which EPA received concerning the proposed amendments were considered in the analysis which led to the revised standards. The single significant comment and EPA's response to it are summarized below:

The commenter indicated that piston engine aircraft are presently, or are expected to be, significant contributors to air pollution in California's South Coast Air Basin, and that their control was very cost effective. EPA's analysis of supplemental data found that the commenter had inadvertently attributed emissions from radial-piston aircraft engines to class P1 (opposed-piston) aircraft. Therefore, the commenter's statement with regard to air quality was based on misinformation. The commenter had also added 48 minutes to the existing 27-28 minute approach mode of the EPA defined landing-takeoff cycle for general aviation piston aircraft. EPA lacks adequate information with which to independently judge the validity of this extended approach mode.

The differences between the commenter's cost effectiveness values, and those derived by the EPA are, to a large degree, based upon a philosophical judgment with regard to the way pollution control costs should be allocated to each pollutant being reduced. For this reason, neither approach is explicitly correct. The Agency concludes, however, that while the commenter's methodology is useful for comparing control strategies in the South Coast Air Basin, it is not suitable for evaluating nationwide control strategies. First, the commenter's method requires that the size of the needed pollution reduction be known. This type of computation has not been done for every region throughout the nation. Second, even if this were accomplished, the required reductions for each area would not be homogeneous. This means that the average cost allocation ratio would not be tailored to the specific requirements of each region. Since the commenter's method is attractive simply because it has the potential to accommodate the specific needs of each particular region, the method becomes invalid for national

strategies. Therefore, EPA's contention that the control of general aviation exhaust emissions is not cost effective remains valid.

Environmental, Economic, and Energy Impacts

As illustrated in the previous section entitled, "Basis for this Action," EPA expects that withdrawing the gaseous exhaust emission standards for the above mentioned classes of aircraft engines will preclude a minimal decrease in emissions throughout the nation. This decrease is not considered to be significantly different from that which would have come about by applying the best available control technology to these engines. Withdrawing the standards may have a small negative effect on fuel consumption. The Agency had estimated that the standards promulgated in 1973 would save approximately 1800 barrels of aviation fuel annually by 1985. With the withdrawal of the standards, this benefit is no longer assured. However, the General Aviation Manufacturers Association stated at the Public Hearings on November 1, 1978, with regard to this proposal, that current pressures on the general aviation industry for improved fuel economy may result in introducing much the same technology as would have been necessary to comply with the standards. For this reason, some emission reductions and fuel savings may result even without government regulations.

Availability of Documents

Copies of EPA's summary and analysis of comments to the NPRM and supporting documentation are available for inspection and copying at the U.S. Environmental Protection Agency, Central Docket Section, Room 2903B, (Docket No. OMSAPC-78-1) 401 M Street, S.W., Washington, D.C. 20460. As provided in 40 CFR Part 2, a reasonable fee may be charged for copying services. Copies of this supporting documentation may also be obtained by direct request to Mr. Richard S. Wilcox at the address given earlier.

Dated: December 28, 1979.

Douglas M. Costle,

Administrator, Environmental Protection Agency.

PART 87—CONTROL OF AIR POLLUTION FROM AIRCRAFT AND AIRCRAFT ENGINES

§ 87.2 [Amended]

1. Section 87.2 is amended by deleting the abbreviation "APU".

PART 87, SUBPARTS E AND F [REMOVED]

2. Subparts E and F of Part 87 are deleted.

3. Section 87.60 is amended by revising the introductory text, and paragraph (b) to read as follows:

§ 87.60 Introduction.

Except as provided under § 87.5, the procedures described in this subpart shall be the test program to determine the conformity of new and in-use aircraft gas turbine engines with the applicable standards set forth in this part.

(b) The exhaust emission test is designed to measure hydrocarbons, carbon monoxide, and oxides of nitrogen concentrations and determine mass emissions and engine work output through calculations during a simulated aircraft landing-takeoff cycle (LTO). The LTO cycle is based on time in mode data during high activity periods at major airports. The test for propulsion engines consists of at least the following five modes of engine operations: Taxi/idle (out), takeoff, climbout, approach, and taxi/idle (in). The mass emission and work output for the modes are combined to yield the reported values.

§ 87.63 [Removed]

4. Section 87.63 is deleted.
5. Section 87.64(c)(1)(ii)(e) is revised to read as follows:

§ 87.64 Sampling and analytical system for measuring exhaust emissions.

(e) In all cases, the probe shall be designed to obtain a representative sample over the area of the entire exhaust nozzle, on both mixed fan engines and nonmixed fan engines as well as turbojets and turboprops.

6. Section 87.65(e) is amended by deleting subparagraph (7) and by redesignating subparagraphs (8) through (11) as subparagraphs (7) through (10) as follows:

§ 87.65 Information to be recorded.

(7) PT7.
(8) EPR.
(9) TT7.
(10) Pollutant concentration, from recorders, in percent or parts per million by volume, and parts per million carbon for hydrocarbons.

Subpart I [Deleted]

7. Subpart I is deleted.

(Secs. 231, 301 of the Clean Air Act, as amended (42 U.S.C. 7571, 7601, formerly 42 U.S.C. 1857f-9, 1857 g))

[FR Doc. 80-415 Filed 1-4-80; 8:45 am]

BILLING CODE 6560-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 5

[Docket No. FEMA—General 5]

Production or Disclosure of Information

AGENCY: Federal Emergency Management Agency.

ACTION: Final Rule.

SUMMARY: On August 27, 1979, the Federal Emergency Management Agency (FEMA) published its interim regulation implementing the Freedom of Information Act (44 FR 50286). While this regulation has been fully effective since August 27, FEMA did offer an opportunity for public comment on the regulation by October 26, 1979. This date has now passed and the regulation should be given final effect immediately.

EFFECTIVE DATE: January 7, 1980.

ADDRESS: Federal Emergency Management Agency, 1725 I Street NW., Washington, DC 20472.

FOR FURTHER INFORMATION CONTACT: William L. Harding, Office of General Counsel, (202) 634-4113.

SUPPLEMENTARY INFORMATION: No comments were received on this rule other than some editorial suggestions. However, there have been certain internal organizational rearrangements made in the regulation. These are reflected in the revision set out in these amendments. Except for certain minor adjustments to the fee schedule, other changes are editorial and procedural in nature, and no useful purpose is served by delaying the effective date of this revision. Hence, the amendments are effective immediately.

Accordingly, the interim Part 5 of Title 44 published at 44 FR 50286 hereby becomes the final Part 5 of Title 44 of the Code of Federal Regulations but with the following changes:

1. Sections 5.3 (d) and (e) are amended as follows:

§ 5.3 Definitions.

(d) Headquarters FOIA Officer. The Director, Office of Public Affairs or his/her designee.

(e) *Regional FOIA Officer.* The Regional Director, or his/her designee.

2. Section 5.26(a) is amended to read as follows:

§ 5.26 Rules for public inspection and copying.

(a) *Locations.* Materials are available for public inspection and copying at the locations set out in Appendix A to this part.

3. Section 5.46(a) is amended to read as follows:

§ 5.46 Fee schedule.

(a) *Reproduction fees.* (1) There will be a minimum fee of \$2.00 for each request for reproducing copies of FEMA records up to and including material 8½ x 14 inches, plus the fee for each page as shown below:

Minimum fee first 6 copies \$2.00
Forms per copy .10
Reports per page .10

(2) The fee for reproducing copies of FEMA records over 8½ x 14 inches or whose physical characteristics do not permit reproduction by routine electrostatic copying shall be the direct cost of reproducing the records through Government or commercial sources.

4. Section 5.54(a) is revised to read as follows:

§ 5.54 Denial of request for records.

(a) Each of the following officials within FEMA, or any official designated to act for the official, shall have the authority to make initial denials of requests for disclosure of records within his or her custody, and shall, in accordance with 5 U.S.C. 552(a)(6)(C), be the responsible officer for denials of records made under this part.

(1) At Headquarters:

- (i) The Deputy Director
- (ii) Associate Directors or Office Directors
- (iii) Assistant Director for Training and Education
- (iv) Federal Insurance Administrator
- (v) U.S. Fire Administrator
- (vi) Director, Operations Support
- (vii) Director, Personnel
- (viii) Director, Finance and Administration
- (ix) Director, Program Evaluation and Research
- (x) General Counsel
- (xi) Inspector General

(2) At Regions—Regional Directors.

5. Section 5.55(e) is revised to read as follows:

§ 5.55 Appeal within FEMA of denial of request.

(e) The Deputy Director shall be the deciding official on all appeals except in those cases in which the initial denial was made by him/her. If the Deputy Director made the initial denial, the Director will be the deciding official on any appeal from that denial. In the absence of the Deputy Director, or in case of a vacancy in that office, the Director may designate another FEMA official to perform the Deputy's functions.

§ 5.59 [Amended]

6. Section 5.59 is amended by changing "Special Prosecutor" to "Special Counsel" in three places in the section.

§ 5.82 [Amended]

7. Section 5.82 is amended by deleting "The Regional Directors of Administration" and substituting "their designees" in lieu thereof.

8. 44 CFR Part 5 is amended by adding a new Appendix A to read as follows:

APPENDIX A—

LOCATIONS AT WHICH RECORD MATERIALS ARE AVAILABLE FOR PUBLIC INSPECTION AND COPYING

A. Headquarters, Federal Emergency Management Agency, 1725 I Street, N.W., Washington, DC 20472

B. Regional Offices:

Region I, 150 Causeway Street, Room 710, Boston, MA 02114

Region II, 26 Federal Plaza, New York, NY 10007

Region III, Curtis Building—7th Floor, 6th and Walnut Streets, Philadelphia PA 19106

Region IV, Gulf Oil Building, Pershing Plaza, Suite 778, 1375 Peachtree Street, N.E., Atlanta, GA 31792

Region V, One N. Dearborn Street, Room 540, Chicago, IL 60602

Region VI, Federal Center—Room 206, Denton, TX 76201

Region VII, Old Federal Office Building, Room 405, 911 Walnut Street, Kansas City, MO 64106

Region VIII, Denver Federal Center, Building 710, Denver, CO 80225

Region IX, 211 Main Street, Room 220, San Francisco, CA 94105

Region X, Federal Regional Center, Bothell, WA 98011

Dated: December 27, 1979.

John W. Macy, Jr.

Director.

[FR Doc. 80-79 Filed 1-4-80; 8:45 am]

BILLING CODE 6718-01-M

NATIONAL SCIENCE FOUNDATION

45 CFR Part 601

Classification and Declassification of National Security Information and Material

AGENCY: National Science Foundation.

ACTION: Regulation revision.

SUMMARY: The Foundation is adopting this revision of its regulations to comply with Executive Order 12065, relating to the classification, downgrading, declassification and safeguarding of national security information. This revision is intended to increase openness in Government by limiting classification and accelerating declassification, but at the same time, providing protection against unauthorized disclosure for that information that requires such protection in the interest of national security.

EFFECTIVE DATE: January 7, 1980.

FOR FURTHER INFORMATION CONTACT: Melvin D. Ford, Administrative Services Branch, National Science Foundation, 1800 G Street, N.W., Washington, D.C., 20550; Telephone (202) 632-4152.

SUPPLEMENTARY INFORMATION: Executive Order 12065, National Security Information, requires that agencies that handle classified information adopt regulations identifying the information to be protected, prescribing classification, downgrading, declassification and safeguarding procedures, and establishing a monitoring system to ensure compliance. Because these regulations are significant, are essentially procedural, and are required by E.O. 12065, prior notice and public comment provisions are inapplicable. Accordingly, Chapter VI of Title 45 of the Code of Federal Regulations is hereby amended by adding a new Part 601 to read as follows:

PART 601—CLASSIFICATION AND DECLASSIFICATION OF NATIONAL SECURITY INFORMATION.

- Sec.
- 601.1 Purpose.
 - 601.2 Classification authority.
 - 601.3 Security program.
 - 601.4 Classification Review Committee.
 - 601.5 Derivative classification.
 - 601.6 Downgrading and declassification.
 - 601.7 Mandatory declassification review.
 - 601.8 Access to classified materials.
 - 601.9 Access by historical researchers and former Presidential appointees.

Authority: E.O. 12065, 43 FR 28949, June 28, 1978.

§ 601.1 Purpose.

Pursuant to Executive Order 12065 and Information Security Oversight Office Directive No. 1, the National Science Foundation [Foundation] issues the following regulations. The regulations identify the information to be protected, prescribe classification, declassification, downgrading, and safeguarding procedures to be followed, and establish a monitoring system to ensure the regulations' effectiveness.

§ 601.2 Classification authority.

Executive Order 12065 removed the Foundation's prior authority for original classification of national security information as "SECRET" and "CONFIDENTIAL". In any instance where a Foundation employee develops information that appears to warrant classification because of its national security character, the material will be afforded protection and sent to the Administrative Services Branch (ASB). Upon determination that classification is warranted, ASB will submit such material to the agency that has appropriate subject matter interest and classification authority.

§ 601.3 Security program.

The Chief, Administrative Services Branch, is responsible for conducting a security program that ensures effective implementation of Executive Order 12065, to include:

(a) Maintaining active training and orientation programs for employees concerned with classified information or material.

(b) Encouraging Foundation personnel to challenge those classification decisions they believe to be improper.

(c) Issuing directives that ensure classified information is used, processed, stored, reproduced and transmitted only under conditions that will provide adequate protection and prevent access by unauthorized persons.

(d) Recommending to the Director appropriate administrative action to correct abuse or violation of any provision of these regulations, including notification by warning letters, formal reprimand, and to the extent permitted by law, suspension without pay and removal.

§ 601.4 Classification Review Committee.

The Security Officer (Information) chairs the Foundations's Classification Review Committee which has authority to act on all suggestions and complaints with respect to the Foundation's administration of the regulations. The Assistant Directors and the Heads of other offices reporting to the Director serve as members of the Committee. All

suggestions and complaints including those regarding overclassification, failure to classify, or delay in declassifying not otherwise resolved, shall be referred to the Committee for resolution. The Committee shall establish procedures to review and act within 30 days upon all appeals regarding requests for declassification. The Committee is authorized to overrule previous determinations in whole or in part when in its judgement, continued protection is no longer required. If the Committee determines that continued classification is required under the criteria of the Executive Order, it shall promptly so notify the requester and advise him that he may file an application for review with the Foundation. In addition, the Committee shall review all appeals of requests for records under section 552 of Title 5 U.S.C. (Freedom of Information Act) when the proposed denial is based on their continued classification under Executive Order 12065.

§ 601.5 Derivative classification.

Distinct from "original" classification is the determination that a document must be classified because it contains paraphrases, restatements, or summaries of, or incorporates in new form, information previously classified by proper authority. Authority to apply derivative classification is granted the Director and Assistant Directors, who may delegate this responsibility to the Division level. Original classification decisions must be respected, and to the extent practicable, the current level of classification should be verified through the original classification authority. The newly created document must be marked with the current level of classification and the declassification or review markings and any additional authorized markings in accordance with the following paragraphs.

(a) New material that derives its classification from information classified on or after December 1, 1978, shall be marked with the declassification date or event, or the date for review, assigned to the source information.

(b) New material that derives its classification from information classified under prior Orders shall be treated as follows:

(1) If the source material bears a declassification date or event twenty years or less from the date of origin, that date or event shall be carried forward on the new material.

(2) If the source material bears no declassification date or event or is marked for declassification beyond twenty years, the new material shall be

marked with a date for review for declassification at twenty years from the date of original classification of the source material

(3) If the source material is foreign government information bearing no date or event for declassification or is marked for declassification beyond thirty years, the new material shall be marked for review for declassification at thirty years from the date of original classification of the source material.

§ 601.6 Downgrading and declassification.

(a) Executive Order 12065 is intended to improve protection against unauthorized disclosure of national security information or material while increasing openness in Government by limiting classification and accelerating declassification. Declassification shall be given emphasis comparable to that accorded classification, with declassification action taken as early as national security considerations permit. The loss of the information's sensitivity with the passage of time or on the occurrence of a declassification event shall form the basis for the decision to declassify. Foundation documents given original classification prior to December 1, 1978 may be declassified by the authorizing official, a successor, or by a supervisory official of either.

(b) Information given original classification by the [see 3-4] Foundation prior to December 1, 1978, and not in the possession and control of the General Services Administration, must receive a systematic review for declassification as it becomes twenty years old. Any records considered to require extension of classification must be submitted to an official designated under E.O. 12065 as having original classification authority. Absent such extension, or a prior automatic declassification date, the information is declassified automatically as the end of twenty years from the date of original classification. Exempt from such automatic declassification and the twenty year systematic review is foreign government information. Such information, unless declassified earlier, will be given a declassification review thirty years from its date of origin. As used herein, "foreign government information" is information provided to the United States by a foreign government or international organization of governments in the expectation, express or implied, that the information is to be kept in confidence; or information produced by the United States pursuant to a written joint agreement with a foreign government or international organization of governments requiring that either the

information or the arrangements, or both be kept in confidence.

§ 601.7 Mandatory declassification review.

(a) The Administrative Services Branch is hereby designated as the office to which members of the public or Departments may direct requests for mandatory review for declassification under this provision. In the case of documents originally classified by the Foundation, this office shall, in turn, assign the request to the appropriate office for action within 60 days. In each instance, receipt of the request will be acknowledged in writing immediately by the office that has been assigned action. A request for classification review must reasonably describe the document.

(b) Whenever a request is deficient in its description of the record sought, the requester should be asked to provide additional identifying information to the extent possible. Whenever a request does not reasonably describe the information sought, the requester shall be notified that unless additional information is provided or the scope of the request is narrowed, no further action will be undertaken. Upon a determination that the requested material no longer warrants classification, it shall be declassified and made promptly available to the requester, if not otherwise exempt from disclosure under 5 U.S.C. 552(b) (Freedom of Information Act) or other provision of law. If the information may not be released in whole or in part, the requester shall be given a brief statement as to the reasons for denial, a notice of the right to appeal the determination of the Classification Review Committee, and a notice that such an appeal must be filed with the Foundation within 60 days in order to be considered.

(c) When the request relates to a document given derivative classification by the Foundation, the request and the document will be forwarded to the originator of the source document, and the requestor notified of such referral.

(d) Employees presently cleared for access to classified information are encouraged to challenge classification in cases where there is reasonable cause to believe that information is classified unnecessarily, improperly, or for an inappropriate period of time. Such challenges should be brought to the attention of the Security Officer (Information) who will act thereon within 30 days, informing the challenger of actions taken. Requests for confidentiality will be honored.

§ 601.8 Access to classified materials.

No person may be given access to classified information unless that person has been determined to be trustworthy and unless access is necessary for the performance of official duties.

§ 601.9 Access by historical researchers and former Presidential appointees.

The requirement in § 601.8 that access to classified information may be granted only as is necessary for the performance of official duties may be waived for persons who are engaged in historical research projects, or previously have occupied policymaking positions to which they were appointed by the President, provided they execute written agreements to safeguard the information and written consent to the Foundation's review of their notes and manuscripts solely for the purpose of determining that no classified information is disclosed. A precondition to any such access is the favorable completion of an appropriate investigative inquiry.

Richard C. Atkinson,

Director.

December 21, 1979.

[FR Doc. 80-442 Filed 1-4-80; 8:45 am]

BILLING CODE 7555-01-M

Proposed Rules

Federal Register

Vol. 45, No. 4

Monday, January 7, 1980

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.

FEDERAL HOME LOAN BANK BOARD

12 CFR Part 545

[No. 79-708]

Federal Savings and Loan System; Renegotiable Rate Mortgage Instruments

December 27, 1979

AGENCY: Federal Home Loan Bank Board.

ACTION: Proposed rule.

SUMMARY: The Federal Home Loan Bank Board proposes to authorize Federal savings and loan associations to make, purchase, and participate in renegotiable rate mortgage instruments. The proposal is intended to offer an additional instrument for mortgage lending.

DATE: Comments must be received by: March 4, 1980.

ADDRESS: Send comments to the Office of the Secretary, Federal Home Loan Bank Board, 1700 G Street, NW., Washington, D.C. 20552. Comments will be available for public inspection at this address.

FOR FURTHER INFORMATION, PLEASE

CONTACT: Nancy L. Feldman, Associate General Counsel (202-377-6440) or Richard Marcis, Acting Director, Office of Economic Research (202-377-6752), Federal Home Loan Bank Board, at the above address.

SUPPLEMENTARY INFORMATION:

In November 1977, the Federal Home Loan Bank Board published findings from its Alternative Mortgage Instruments Research Study (AMIRS), a project begun in the spring of 1976 to provide a comprehensive and systematic review and analysis of new mortgage instruments for use by Federal savings and loan associations. On December 14, 1978, and May 30, 1979, the Board subsequently adopted regulations authorizing a group of alternative mortgage instruments to meet the needs of homeowners during different phases of their financial life cycles, but deferred

for further analysis one of the alternatives studied, the rollover mortgage (ROM) popularized in Canada, which is a short-term loan with a long-term amortization period and renegotiation of loan terms at the end of each loan period.

The Board has pursued its ROM study over the last year, while monitoring the money market situation. The recent credit tightening policies of the Federal Reserve Board have resulted in extremely volatile interest rates, causing growing reluctance of discretionary mortgage lenders to make long-term loan commitments, and a resulting scarcity of home mortgage funds. The Board believes that the introduction of a renegotiable rate mortgage (a rollover-type mortgage) would be acceptable in today's market to both lenders and borrowers; its use would provide increased earnings flexibility for lenders, and give borrowers the benefits of possible lower rates when a loan is renewed without the costs associated with refinancing. If final regulations are adopted, the Board would monitor the use and usefulness of the renegotiable rate mortgage as an additional alternative mortgage instrument during times of both volatile and stable market conditions.

The Board is proposing to authorize a mortgage loan made for a short term (three to five years), secured by a long-term mortgage of up to 30 years. The loan would be amortized over the term of the mortgage and repayable in equal monthly installments of principal and interest during each loan term. The Board considered other rollover-type models, including the true Canadian rollover in which the entire loan and mortgage are renegotiated at the end of each short-term period, but believes that a short-term loan secured by a long-term mortgage will avoid intervening lien problems that may arise upon simultaneous loan and mortgage renewal. The Board specifically asks commenters to consider if local law would cause intervening lien problems under the Board's proposal.

As proposed, the lender would be required to give the borrower, in the mortgage document or elsewhere, the option to renew the loan for a new loan term, which option the borrower may exercise at the end of each loan term until the principal on the loan is repaid. The loan would be automatically

renewable at equal intervals after an original term which, to permit simplified record-keeping, could be a maximum of six months longer or shorter than the subsequent terms. The association would have the option, determined at the time of loan application, to offer refinancing to the borrower at either its current market rate for similar loans or at a rate established with reference to a national index, specifically the contract interest rate on the purchase of previously occupied homes in the Board's monthly national average mortgage rate index for all major lenders (Table S.5.1, published monthly in the *Federal Home Loan Bank Board Journal*). The association would not be allowed to charge the borrower additional fees in connection with the renewal except for nominal document processing costs.

The first option would allow a lender to keep its mortgage rates in line with its cost of funds and competition, passing on increases or decreases reflecting its then current mortgage rate. Because of this, the Board expects many lenders to retain these loans in their portfolios. The Board also proposes the second option to provide a national index conducive to the development of a national secondary market for renegotiable rate mortgages. Rate adjustments based on regional market fluctuations or left to the discretion of individual originators might not sufficiently assure secondary market investors of receiving expected increases and would be difficult for investors to monitor. Investors will be attracted to renegotiable rate mortgages for the same reason lenders may want to retain them in their portfolios, i.e., their yield will fluctuate with market rates. The Board asks for comments about whether the option should be provided for a national index, and/or if a cost-of-funds or a moving average of mortgage rate index would be a preferable index.

The Board also specifically solicits comments as to whether it should authorize an initial loan term of the renegotiable rate mortgage with a range between 3-5 years as proposed or whether the Board should specify a longer first minimum term of five years, for example, with subsequent equal terms, at the lender's option, of 3-5 years.

The association would be required to (1) decide at loan application, for the term of the mortgage, whether it

intended to adjust the loan rate according to its then-current market rate for similar loans or according to the specified national index, and (2) disclose to the loan applicant the method of rate adjustment. The association could not change or alternate the method of rate adjustment after disclosure to the borrower.

The maximum rate increase or decrease for each loan period would be 0.5% per year of the loan term. For example, a 3-year loan would have a maximum increase or decrease at each renewal of 1.5%. If, however, the lender's prevailing rate for similar loans at the time of first renewal were only 1% higher than the previous rate, the lender could not "save" the unused 0.5% and increase the rate by 2% at the end of the next period, even assuming the actual market rate had increased by 2.0% or more during the subsequent period. The lender would, however, be able to "catch up" to the current market rate so long as the increase from the previous loan rate did not exceed 0.5% per year. For example:

Interest Rate (3-year adjustment period) (in percent)

	Original- tion	End of 3 year	End of 6 year	End of 9 year
Mortgage No. 1:				
Note rate	9	10	11½	13
Current market or index rate	9	10	12	13
Mortgage No. 2:				
Note rate	9	10	11½	13
Current market or index rate	9	10	15	14

The maximum net increase or decrease would be 5% over the life of the mortgage. Rate increases would be optional with the lender; net decreases from the previous loan term would be mandatory.

The Board specifically requests comments on all aspects of the interest rate limitations, particularly as to how they might affect consumer and lender acceptance of renegotiable rate mortgages.

The association would be required to renew the loan if the borrower consistently made timely repayment during the existing loan term. This position is consistent with lenders' rights on other mortgage loans.

The association would be required to send a notice to the borrower, sixty days before the renewal date. The notice would include the following information:

- (1) The date on which the balance of the loan is due and payable.
- (2) A statement that the loan will be renewed automatically at the rate

specified in the notice unless the borrower pays the loan by the due date.

(3) The amount of the monthly payment, based on the new rate.

(4) A statement that the borrower may pay the loan balance without penalty any time after the original loan becomes due and payable.

(5) The charge, if any, for document processing, and

(6) The name and phone number of a person at the association who can answer borrowers' questions about the notice.

The structure of this instrument, which allows prepayment without penalty after the original loan is due and payable and provides for a sixty day notice period before automatic renewal, would allow the borrower to seek more advantageous financing with another lender at the end of a loan term. If such refinancing is available, the borrower could either refinance and pay off the original loan or use the possibility of more favorable available financing as leverage to negotiate with the original lender to obtain a more favorable rate than that specified in the notice.

The proposed regulation includes a sample notice form for use by associations. The Board requests comments on whether the notice would be clear and understandable to the majority of borrowers, and whether a notice of this type should be made mandatory for use by associations if the Board adopts a final renegotiable rate mortgage regulation.

The proposed regulation would require the lender to disclose in writing to a loan applicant, at the time of application, the following information:

- (1) An explanation of how a renegotiable rate mortgage differs from a standard fixed-rate mortgage;
- (2) An example of how a renegotiable rate mortgage works, indicating the maximum possible rate increase and monthly payment based on that rate, at the time of the first renewal;
- (3) An explanation of how the association determines what the rate will be at the end of each loan term; and
- (4) An estimate of possible renewal costs.

The Board believes that disclosure of the above-listed items will give the consumer sufficient information to make an informed choice about mortgage financing and that associations need not be required to offer a standard mortgage in lieu of a renegotiable rate mortgage.

The Board further believes that the proposed renegotiable rate mortgage will benefit lenders and consumers by providing funds for housing while giving consumers the protections of guaranteed renewal, ceilings on rate increases, no

prepayment penalties after the original loan is due and payable, mandatory rate decreases, and lender disclosure to enable them to make informed choices in mortgage financing.

The Board solicits comments on whether the proposed disclosure and other consumer safeguards are adequate to provide consumers with sufficient information to make careful mortgage financing decisions.

Accordingly, the Federal Home Loan Bank Board proposes to amend Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) by adding a new § 545.6-4a, to read as follows:

§ 545.6-4a Renegotiable rate mortgage instruments.

(a) *Authorization.* A Federal association may make, purchase, or participate in a renegotiable rate mortgage loan under this section if the loan complies with the provisions of § 545.6-2(a), pertaining to one-to-four-family home loans.

(b) *Description.* For purposes of this section, a renegotiable rate mortgage loan is a loan issued for a term of three to five years, secured by a long-term mortgage of up to 30 years, and automatically renewable at equal intervals after the original loan term which may be up to 6 months shorter or longer than subsequent terms. The loan must be repayable in equal monthly installments of principal and interest during the loan term, in an amount at least sufficient to amortize a loan with the same principal and at the same interest rate over the remaining term of the mortgage.

(c) *Renewal—(1) Required renewal.* In the mortgage documents or otherwise with reference to the loan, the lender must grant to the borrower an option to renew the loan for a new term, which option the borrower may exercise at the end of each loan term until the principal of the loan is fully repaid: *Provided*, That the option may be conditioned upon the borrower having consistently repaid principal and interest in a timely manner during the existing loan term.

(2) *Interest-rate determination.* At the end of each loan term, the association must offer refinancing to the borrower. The new rate shall be determined at the time of notice and shall reflect either (i) the association's then-current market rate of interest on similar loans or (ii) the movement, since the date of the original loan, of the contract interest rate on the purchase of previously occupied homes in the Board's most recent monthly national average mortgage rate index for all major lenders. The maximum rate increase or

decrease shall be equal to one-half of one percent (0.5%) per year multiplied by the number of years in the loan term, with a maximum net increase or decrease of 5 percent over the life of the mortgage. The method for determining subsequent loan rates must be established by the association at loan application and used throughout the term of the mortgage. Interest rate increases are optional with the lender; net decreases from the previous loan term are mandatory.

(3) *Cost of renewal.* The borrower may not be charged costs connected with the renewal of such loan, except for nominal costs of preparing documents.

(4) *Notice of renewal.* Sixty (60) days before the due date of the loan, the association shall send a written notification to the borrower containing the following information: (i) The date on which the entire balance of borrower's loan is due and payable; (ii) a statement that the loan will be renewed automatically by the association at the rate specified in the notice unless the borrower pays the loan by the due date; (iii) the amount of the monthly payment, calculated according to the new rate; (iv) a statement that the borrower may prepay the loan without penalty at any time after the original loan becomes due and payable; (v) the cost, if any, of document preparation; and (vi) the name and phone number of an association employee who will answer borrowers' questions concerning the information in the notice.

The following is an example of a notice form that meets the requirements of this paragraph:

Your loan with _____ Federal Savings and Loan Association, secured by a [mortgage/deed of trust] on property located at [address], is due and payable on 60 days from date of notice.

You may pay the loan in full on the above date without penalty.

If you do not pay at that time, your loan will be renewed automatically for _____ years, upon the same terms and conditions as the current loan, except that the interest rate will be _____%.

Your monthly payment, based on that rate, will be \$_____, beginning with the payment due on _____, 19____. [Costs for preparation of documents will be \$_____, to be paid by _____, 19____.]

You may pay the balance of this loan at any time after the original loan is due and payable without incurring any early payment penalty.

If you have questions about this notice, please contact _____.

(d) *Disclosure.* An applicant for a renegotiable rate mortgage loan must be given, at the time s/he requests an application, written disclosure materials

prepared in reasonably simple terms that contain at least the following information: (1) An explanation of how a renegotiable rate mortgage differs from a standard fixed-rate mortgage; (2) an example of a renegotiable rate mortgage indicating the maximum possible interest-rate increase and monthly payment calculated on that rate at the time of the first renewal; (3) an explanation of how the association determines what the rate will be at the end of each loan term; and (4) an estimate of possible costs of renewal.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464, Reorg. Plan No. 3 of 1947; 3 CFR 1943-1948 Comp. 1071)

By the Federal Home Loan Bank Board.

J. J. Finn,
Secretary.

[FR Doc. 80-416 Filed 1-4-80; 9:45 am]

BILLING CODE 6720-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR PARTS 107, 108, 121, 129 and 135

Aircraft and Airports Security; Air Carrier Operations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of public meeting, proposed Aircraft and Airport Security requirements.

SUMMARY: The Federal Aviation Administration will hold a public meeting for the purpose of discussing Notice No. 79-17, Aircraft and Airport Security, Air Carrier Operations, issued on October 25, 1979.

DATE: The meeting will be held on January 10, 1980.

ADDRESS: The meeting will be held at the Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT: John M. Hunter, Air Operations Security Division; telephone (202) 426-8798.

SUPPLEMENTARY INFORMATION: At the request of several organizations, FAA will conduct a consultative meeting open to the public on January 10, 1980 at 10 a.m. to afford interested parties the opportunity to raise questions concerning the intent of NPRM 79-17 (44 FR 63048; November 1, 1979). FAA will make available specialists in airport and air carrier security and others knowledgeable in this area. It is not the intent of the FAA to discuss possible final rulemaking action nor to debate the

merits of the proposal. The purpose of the meeting is to help the public better understand the NPRM and to aid in their submission of comments.

A transcript of the meeting will be made and placed in the docket. Anyone may submit written comments before or during the meeting which will be made a matter of record for inclusion in the docket if they so desire.

Issued in Washington, D.C. on January 3, 1980.

Richard F. Lally,
Director of Civil Aviation Security.

[FR Doc. 80-433 Filed 1-4-80; 8:45 am]

BILLING CODE 4910-13-M

POSTAL SERVICE

39 CFR Parts 310 and 320

Proposed Revision of Private Express Regulations

AGENCY: Postal Service.

ACTION: Proposed rules.

SUMMARY: The major changes that would be made by this proposed rule to amend the Private Express Regulations are:

(1) Language would be added to make clear that messages are considered to be addressed if marked for delivery to a specific person or place or if delivered to a specific person or place in accordance with "selective delivery plan";

(2) A new suspension of the Private Express Statutes would permit the private carriage of certain advertisements enclosed in parcels of merchandise when they relate to goods sold or services rendered by the shipper or the manufacturer, but not when the advertisements are for goods sold or services rendered by others.

A principal purpose of this rulemaking, which is part of the "second round" of rulemaking announced in the *Federal Register* on July 13, 1979 (44 FR 40899), is to invite the public to submit certain further information, including, for example, information about the economic effects that would follow if the proposed changes should be adopted.

DATE: Comments must be received on or before February 8, 1980.

ADDRESS: Written comments should be addressed or delivered to Law Department, U.S. Postal Service, 475 L'Enfant Plaza, West, SW., Room 9107, Washington, DC 20260. Copies of all written comments received will be available for public inspection and photocopying between 9 a.m. and 4 p.m., at the same location.

FOR FURTHER INFORMATION CONTACT:

Jerry Belenker, (202) 245-4616.

SUPPLEMENTARY INFORMATION: The proposed rule changes are described in greater detail below:

Addressing, Including Selective Delivery as a Means of Addressing

A letter is presently defined as "a message directed to a specific person or address and recorded in or on a tangible object * * * 39 CFR 310.1(a). We proposed on December 28, 1978, 43 FR 60615, that it be defined as "an addressed message recorded in or on a tangible object * * *." This change was intended to avoid the problems of interpretation that might arise when the person whose name appears on the cover of a letter is not the person for whom the message is actually intended, e.g., when a letter is addressed to a corporation or its president but is actually intended for the corporation's personnel manager.

We have concluded that the change we proposed was not specific enough and that the following language would be preferable: "A message bearing the name or address of a specific person, organization, or location is a letter even if it is intended by the sender to be read or otherwise used by some person or persons other than or in addition to the addressee."

We wish to make it clear that this proposal would not cause materials which are specifically excluded from the definition of letter, such as newspapers and periodicals, to become letters because they are addressed.

In the previous notice, we also proposed that a message would be considered to be addressed if delivered in accordance with a "selective delivery plan" involving such means as detached address labels or cards; address lists; memorized groups of addresses; or "piggy-backed" delivery with addressed articles of merchandise, publications, or other items. We stressed that selective delivery plans are only those which involve a pre-determination of the specific persons to whom, or the specific places to which, letters would be delivered, and would not include distributions of otherwise unaddressed materials to passersby, to all residents of an area, or to randomly selected residents.

To aid us in further consideration of this proposal, we wish to receive the most specific information possible on (a) the extent to which selective delivery takes place; (b) the costs of selective delivery as opposed to the costs of mailing the same item; and (c) the effects that would follow if the proposed

rule were adopted, e.g., would the practice continue or would it be severely curtailed; (d) if curtailed, what other methods of communication would be used. We will be aided most by the presentation of precise objective information.

Advertisements in Parcels Delivered by a Private Courier

This revised proposal, like the original proposal, is intended to give shippers considerable freedom to enclose advertisements with privately carried parcels of merchandise, even if no postage is paid, where there is a sufficient relationship between the shipper or manufacturer of the merchandise, on the one hand, and the enclosed advertisement, on the other. We are publishing this proposal for a "second round" of comments because we wish to obtain data comparable to that requested in connection with our proposal on selective delivery, namely, specific information on (a) the extent to which package inserts (other than those which relate to the merchandise or services of the shipper or manufacturer) are placed in privately shipped parcels; (b) the costs of distributing advertisements in this manner as opposed to the costs of mailing the same items; and (c) the effects that would follow if the proposed rule were adopted, e.g., would the practice continue or would it be severely curtailed; (d) if curtailed, what other methods of distribution would be used? As noted above, we will be aided most by the presentation of precise, objective information.

To avoid any misunderstanding, we stress that nothing in these proposals would affect the rates, classifications, or other regulations which pertain to materials carried by the Postal Service. The Private Express Statutes and regulations deal only with letters carried outside the U.S. mails.

In consideration of the foregoing, it is proposed to amend Parts 310 and 320 of Title 39, Code of Federal Regulations, as follows:

PART 310—ENFORCEMENT OF THE PRIVATE EXPRESS STATUTES

1. In § 310.1, paragraph (a)(3) would be revised to read as follows:

§ 310.1 Definitions.

(a) * * *

(3) A message is directed to a "specific person or address" when, for example, it, or the container in which it is carried, singly or with other messages, identical or different, is marked for delivery to a specific person or place, or is delivered to a specific person or place

in accordance with a selective delivery plan. Selective delivery plans include delivery to particular persons or addresses by use of detached address labels or cards; address lists; memorized groups of addresses; or "piggy-backed" delivery with addressed article of merchandise, publications, or other items. Selective delivery plans do not include distributions of materials not marked for delivery to specific persons or places, to passersby on a particular street corner, or to all residents, or to randomly selected residents, of an area.

A message bearing the name or address of a specific person, organization, or location is a letter even if it is intended by the sender to be read or otherwise used by some person or persons other than or in addition to the addressee.

PART 320—SUSPENSION OF THE PRIVATE EXPRESS STATUTES

2. New § 320.7 would be added, reading as follows:

§ 320.7 Suspension for certain advertisements in parcels.

The operation of 39 U.S.C. 601(a) (1) through (6) and § 310.2(b)(1) through (6) of this chapter is suspended on all post routes for advertisements enclosed with merchandise in parcels under the circumstances described in this section. The advertisements must not be marked with the name or address of the intended recipient. The goods or services must be offered for sale by the shipper or manufacturer of the merchandise and must be in the same general line of products or services as the merchandise which the inserts accompany. The shipment of advertisements must be incidental to shipment of the accompanying merchandise. A shipment of advertisements is not incidental to the shipment of accompanying merchandise if the contents or physical characteristics of the advertisements, or the characteristics of the merchandise they accompany (such as, for example, the small value of the merchandise or its status as a sample), suggest that a substantial purpose in shipping the merchandise plus the advertising is to convey the advertising. An item is not an advertisement within the meaning of this section unless its sole purpose is to cause the person to whom it is sent or ultimately distributed to purchase the goods or services advertised.

(39 U.S.C. 401, 404, 601-606; 18 U.S.C. 1693-1699, 1724)

W. Allen Sanders,

Associate General Counsel.

[FR Doc. 80-331 Filed 1-4-80; 8:45 am]

BILLING CODE 7710-12-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL 1384-8]

Approval and Promulgation of the Missouri State Implementation Plan (SIP)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: The Missouri Air Conservation Commission adopted a variance for the University of Missouri at Columbia, which would allow the six boilers of the university's power plant to operate at emission rates in excess of that allowed by existing Missouri regulation limiting total suspended particulate matter (TSP) emissions from indirect heating sources. The State of Missouri submitted this variance as a proposed revision to the applicable SIP.

The EPA proposes to disapprove the variance, because Columbia, Missouri is a secondary TSP standard nonattainment area for TSP for which no plan for attainment has been submitted.

This proposal is published to notify the public of the receipt of this proposed SIP revision and to request comments on the proposed action.

DATES: Comments must be received no later than March 7, 1980.

ADDRESSES: Comments should be sent to William A. Spratlin, Jr., Chief, Air Support Branch, EPA Region VII, 324 East 11th Street, Kansas City, Missouri 64106. Copies of the state submission and the EPA prepared evaluation document are available at the above address. They are also available at the following locations:

Public Information Reference Unit, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

Missouri Department of Natural Resources, 2010 Missouri Boulevard, Jefferson City, Missouri 65102.

FOR FURTHER INFORMATION: Contact Robert J. Chanslor at 816-374-3791 (FTS 758-3791).

SUPPLEMENTARY INFORMATION: On May 31, 1972, the EPA approved an implementation plan (SIP) for the State of Missouri which included among other

things, regulations for the control of total suspended particulate matter (TSP) emissions from indirect heating sources such as coal fired boilers.

On July 1, 1976, the State of Missouri recodified the state regulations controlling air pollutant emissions. This recodification was proposed to be approved on September 6, 1979, at 44 FR 52001. Included in this recodification was Rule 10 CSR 10-3.060 Maximum Allowable Emissions of Particulate Matter From Fuel Burning Equipment used for Indirect Heating. This regulation was originally adopted by the Missouri Air Conservation Commission (MACC) as a regulation applicable in the "Outstate" Missouri area and became effective April 3, 1971.

"Outstate" Missouri is defined in the regulation by excluding the City of St. Louis, and St. Charles, St. Louis, Jefferson, Franklin, Clay, Cass, Buchanan, Ray, Jackson, Platte, and Greene counties. Columbia, Missouri is included in the area defined as "Outstate" Missouri.

On March 3, 1978, at 40 FR 8962, the EPA designated Columbia, Missouri nonattainment for the secondary TSP standard.

On July 2, 1979, the State of Missouri submitted a revised SIP pursuant to Part D of the 1977 Clean Air Act Amendments. At that time, the state requested an extension until July 1, 1980, to submit a plan to attain the secondary TSP standard in Columbia, Missouri as well as other secondary nonattainment areas. This extension request was proposed to be approved on October 25, 1979, at 44 FR 61384.

On February 21, 1979, the MACC approved a variance for boilers 5 through 10 of the University of Missouri power plant in Columbia, Missouri. This variance was submitted as a revision to the applicable SIP on July 2, 1979, at the same time that the Part D SIP revision was submitted. The variance granted by the MACC would allow the University of Missouri power plant to operate at emission rates greater than that allowed by Missouri Rule 10 CSR 10-3.060 which applies to new and existing sources not subject to the new source performance standards in the outstate Missouri area.

Section 172(b)(3) requires that an approvable plan demonstrate reasonable further progress (RFP). For secondary nonattainment areas RFP must at a minimum require RACT on existing sources and a commitment to conduct studies to further define the problem.

Since the variance granted by the MACC would allow emissions of TSP in a nonattainment area to exceed that required by the regulation applicable to

existing sources, the variance would prevent a demonstration of RFP in Columbia. Further, such excess emissions would be greater than that which could be considered RACT. Therefore, permits which would allow emissions to exceed those allowed by applicable regulations in nonattainment areas are not approvable.

There are conditions under which such a variance could be approved. First, an approved Part D plan is required. Second, such a plan would contain an RFP demonstration. Finally, the RFP demonstration would contain an allowance for emissions in excess of the legally required limits and require that the source obtain legally enforceable emission offsets in the nonattainment area. Clearly, none of these conditions exist in this case.

PROPOSED ACTION: The EPA proposes to disapprove the variance granted by the MACC for the University of Missouri power plant in Columbia, Missouri.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore, subject to the procedural requirements of the Order, or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized."

I have reviewed this proposed action and determined that it is not subject to the procedural requirements of Executive Order 12044.

This notice is issued under the authority of Section 110 of the Clean Air Act, as amended.

Dated: December 21, 1979.

Kathleen Q. Camin,
Regional Administrator.

[FR Doc. 80-365 Filed 1-4-80; 8:45 am]

BILLING CODE 6560-01-M

COUNCIL ON ENVIRONMENTAL QUALITY

40 CFR Ch. V

Improving Government Regulations Semiannual Agenda

AGENCY: Council on Environmental Quality.

ACTION: Semiannual agenda of regulations.

SUMMARY: This semiannual agenda contains a report on the status of two regulations for which the Council has responsibility: The National Environmental Policy Act (NEPA) regulations, and The National Oil and Hazardous Substances Pollution Contingency Plan.

FOR FURTHER INFORMATION CONTACT:

Questions should be addressed to: Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722 Jackson Place NW., Washington, D.C. 20006, (202) 395-5750.

Semiannual Agenda of Regulations**A. National Environmental Policy Act Regulations**

The Council's final regulations implementing the procedural requirements of the National Environmental Policy Act were published in Volume 43 **Federal Register** page 55990, on November 29, 1978. Their effective date is July 30, 1979. The Council's NEPA regulations will be published in Volume 40 Code of Federal Regulations beginning with Section 1500.

No revisions or amendments to these final regulations are under preparation or consideration by the Council.

B. National Oil and Hazardous Substances Pollution Contingency Plan

1. *Need For Revision.*—The National Response Team's Committee on Revision has determined that the current National Contingency Plan needs to be revised to conform to legislative amendments to the Clean Water Act to provide scientific support planning and other revisions. The Committee on Revision has drafted Proposed amendments to the Plan and has submitted them to the Council for action.

2. *Legal Basis.*—Section 311(c)(2) of the Federal Water Pollution Control Act (33 U.S.C. Sec. 1321) requires the President to prepare and publish a National Contingency Plan. In Executive Order 11735 (August 3, 1976) the President designated the Council on Environmental Quality to carry out this responsibility.

3. *Status of National Contingency Plan.*—The National Contingency Plan in its current form is published in Volume 40 Code of Federal Regulations beginning with Section 1510.

On May 14, 1979 the Council published proposed revisions to the National Contingency Plan in the **Federal Register** for a 60 day public review and comment period. (44 FR 28196) The comment period was informally extended to September 1, 1979. After consideration of public and agency comments, the Council will publish final revisions to the National Contingency Plan. It is anticipated that final revisions will be published during the last week of January, 1980.

Dated: January 3, 1980.

Nicholas C. Yost,
General Counsel.

[FR Doc. 80-588 Filed 1-4-80; 8:45 am]

BILLING CODE 3125-01-M

ACTION**45 CFR Ch. XII****Improving Government Regulations; Semiannual Agenda of Significant Regulations****AGENCY: ACTION.**

ACTION: Semiannual agenda of significant regulations.

SUMMARY: In accordance with Executive Order 12044, Improving Government Regulations, ACTION is publishing its semiannual agenda of significant regulations (including guidelines) under development or review. The purpose of this agenda is to help the public become aware of the agency's review of existing regulations, the development of new regulations, and to enable the public to more effectively contribute to that review and development.

DATES: Comments on regulations scheduled for review or development must be received before the target dates included in the agenda.

ADDRESSES: Send comments to the program office initiating the review or development of each regulation. The mailing address for each initiating office of ACTION is 806 Connecticut Avenue, NW, Washington, DC 20525.

FOR FURTHER INFORMATION CONTACT: For further information about this

agenda, contact Randi J. Greenwald, Assistant General Counsel, ACTION, Room M-607, 806 Connecticut Avenue, NW, Washington, DC 20525, 202-254-7974. For more specific information about particular regulations listed in the agenda, contact the individual named in the agenda.

SUPPLEMENTARY INFORMATION:

Explanation of Information on the Agenda. The agenda includes the following information: a brief description of the proposed or existing regulation; the need and legal basis for the action being taken; a target date for publication of a draft regulation in the **Federal Register**; the name and telephone number of an agency official familiar with the regulation.

ACTION's last agenda, which appeared in the July 2, 1979, **Federal Register**, contained four (4) items. The Urban Crime Prevention Program Grant proposed guidelines jointly developed by ACTION and the Law Enforcement Assistance Administration (LEAA) were published on October 16, 1979, and the final date for submission of comments was December 17, 1979.

The revision of Older American Volunteer Program (OAVP) regulations and handbooks has been postponed to March 31, 1980 for the regulations and June 30, 1980 for the handbooks.

The revised guidelines for the State Office of Voluntary Citizen Participation Program grants were published in proposed form as scheduled on July 10, 1979. Several comments were received, and as a result of the working group's review of those comments, it is expected that the final guidelines will be ready for publication in February 1980.

The revised guidelines for competitive demonstration grants of the Office of Policy and Planning scheduled for publication in January 1980, should be ready for publication by February 1980.

The publication of this agenda does not impose any binding obligation on ACTION with respect to any specific item on the agenda.

Issued in Washington, D.C., on January 3, 1980.

Sam Brown,
Director, ACTION.

Regulation	Initiating office	Need and legal basis	Contact	Target date
1. Revision of Older American Volunteer Programs regulations and handbooks.		Clarify regulations and handbooks in light of amendments to Title II of Domestic Volunteer Service Act of 1973, National Older American Volunteer Programs.		Regulations: Mar. 31, 1980.
a. Retired Senior Volunteer Program (RSVP)	a. RSVP		a. Alfred Larsen, 254-8124.	Handbooks: June 30, 1980.
b. Foster Grandparent Program (FGP)	b. FGP		b. Jack Kenyon, 254-7605.	
c. Senior Companion Program (SCP)	c. SCP		c. Suzanne Fahy, 254-7605.	

Regulation	Initiating office	Need and legal basis	Contact	Target date
2. Final guidelines for State Office of Voluntary Citizen Participation Program grants.	Office of Voluntary Citizen Participation (OVCP).	Finalization of new requirements for grants to State Governor's Offices.	Peter Bender, 254-3545.	February 1980.
3. Revised guidelines for competitive demonstration grants of Office of Policy and Planning.	Office of Policy and Planning (OPP).	Prior guidelines too general and burdensome on applicants.	Calvin Dawson, 254-8420.	February 1980.

[FR Doc. 80-340 Filed 1-4-80; 8:45 am]

BILLING CODE 6050-01-M

DEPARTMENT OF TRANSPORTATION**Coast Guard****46 CFR Part 56****[CGD 79-083]****Tank Vent Piping for Great Lakes Vessels****AGENCY:** Coast Guard, DOT.**ACTION:** Proposed rule.

SUMMARY: The Coast Guard proposes this amendment to eliminate confusion created by contradictory language contained in Title 46, §§ 45.133 and 56.50-85. The loadline air pipe standards contained in § 45.133(a)(3) set forth the American Bureau of Shipping standards which have been uniformly applied to vessels constructed for Great Lakes service. Section 56.50-85(a)(5), which deals with general marine engineering piping requirements, contains a conflicting standard which is to be corrected to eliminate any confusion as to which standard should be applied.

DATE: Comments should be received on or before: February 21, 1980.

ADDRESSES: Comments should be submitted to Commandant (G-CMC/TP24), (CGD 79-083), U.S. Coast Guard, Washington, D.C. 20593. Between the hours of 7:30 a.m. and 4:30 p.m., Monday through Thursday, comments may be delivered to and will be available for inspection or copying at the Marine Safety Council (G-CMC/TP24), Room 2418, U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C. 20593.

FOR FURTHER INFORMATION CONTACT: Mr. D. L. Ewing, Office of Merchant Marine Safety, (G-MMT-5/TP12), Room 1206, Department of Transportation, Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C. 20593, (202) 426-2188.

SUPPLEMENTARY INFORMATION: The public is invited to participate in this proposed rulemaking by submitting written views, data, or arguments. Each person submitting a comment should include his or her name and address, identify this notice (CGD 79-083), give the specific section of the proposal to which the comment applies, and give the

reasons for the comment. Persons desiring acknowledgment that their comment has been received should enclose a stamped self-addressed postcard or envelope.

The proposal may be changed in view of the comments received. All comments received will be considered before final action is taken on this proposal. Copies of all written comments received will be available for examination by interested persons. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

Drafting Information

The principal persons involved in drafting this proposal are: Mr. D. L. Ewing, Project Manager, Office of Merchant Marine Safety, and Lieutenant Jack Orchard, Project Attorney, Office of the Chief Counsel.

Discussion of the Proposed Regulation

This proposal imposes no additional economic, administrative, or other burdens upon the public. It is promulgated only to establish a uniform height standard and to eliminate confusion created by the conflicting standards contained in § 45.133 and § 56.50-85 of Title 46. Furthermore, §§ 45.133(3)(b) and 56.50-85(a)(5) authorize the Commandant of the Coast Guard to approve lower heights when the standards interfere with the working of a vessel. The standards presently contained in § 56.50-85(a)(5) are the result of a 1968 revision of subchapter F, Marine Engineering, which failed to adequately evaluate the impact it would have upon other subchapters. For these reasons, and because the proposed standards have in fact been required under § 45.133 and thus will result in no substantive change, it has been determined that this proposal will create no adverse economic or other impacts in either the public or governmental sectors and that a full draft evaluation is unnecessary.

PART 56—PIPING SYSTEMS AND APPURTENANCES

In consideration of the foregoing, the Coast Guard proposes to amend Part 56

of Title 46 of the Code of Federal Regulations by revising paragraph (a)(5) of § 56.50-85 to read as follows:

§ 56.50-85 Tank vent piping.

(a) * * *

(5) Vents from fuel oil and other tanks extending above the freeboard or superstructure deck shall be of substantial construction. Except for barges in inland service and on Great Lakes vessels, the height from the deck to any point where water may gain access below deck shall be at least 30 inches on the freeboard deck, and 18 inches on the superstructure deck. On Great Lakes vessels, the height from the deck to any point where water may gain access below deck, shall be at least 30 inches on the freeboard deck, 24 inches on the raised quarterdeck, and 12 inches above other superstructure decks. Where height of vent pipes on Great Lakes vessels may interfere with the working of the vessel a lower height may be approved provided the vent cap is properly protected. Barges in inland service need provide a height of not less than 6 inches. A lesser amount may be approved if evidence is provided to the Commandant that a particular vent has proven satisfactory in service.

* * * * *

(R.S. 4405, as amended (46 U.S.C. 375); R.S. 4417, as amended (46 U.S.C. 391); 49 Stat. 1889 as amended (46 U.S.C. 391a); R.S. 4462 as amended (46 U.S.C. 416).)

J. D. Hayes,*Admiral, U.S. Coast Guard Commandant.*

December 26, 1979.

[FR Doc. 80-361 Filed 1-4-80; 8:45 am]

BILLING CODE 4910-14-M

46 CFR Part 401**[CGD 79-138]****Great Lakes Pilotage Regulations****AGENCY:** Coast Guard, DOT.**ACTION:** Proposed rule.

SUMMARY: The Coast Guard is proposing to amend its regulations governing the pilotage of vessels on the Great Lakes. These amendments would increase the

basic pilotage rates by five percent in the three Great Lakes pilotage districts, broaden one of the factors that is used to determine the charge for pilotage services, and increase the interest charge on past due accounts for pilotage service by one half percent. These changes are proposed in order to increase pilot compensation and cover the increased operating expenses, including pilot training costs, of the Great Lakes pilot associations.

DATE: Comments must be received on or before February 21, 1980.

ADDRESSES: Comments should be mailed to Commandant (G-CMC/TP24) (CGD 79-138), U.S. Coast Guard, Washington, D.C. 20593. Between the hours of 7:30 a.m. and 4:30 p.m., Monday through Thursday, comments may be delivered to, and are available for inspection and copying at the Marine Safety Council (G-CMC/TP24), Room 2418, Department of Transportation, Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C. 20593.

FOR FURTHER INFORMATION CONTACT: Mr. John J. Hartke (G-MVP-4/TP13), Room 1314, Department of Transportation, Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C. 20593. (202) 755-8683.

SUPPLEMENTARY INFORMATION: The public is invited to participate in this proposed rulemaking by submitting written views, data, or arguments. Persons submitting comments should include their name and address, identify this notice (CGD 79-138) and the specific section of the proposal to which the comment applies, and give the reasons for the comment. Persons desiring acknowledgement that their comment has been received should enclose a stamped self-addressed postcard or envelope.

The proposal may be changed in view of the comments received. All comments received will be considered before final action is taken on this proposal. Copies of all written comments received will be available for examination by interested persons at the Marine Safety Council address noted above. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

Drafting Information

The principal persons involved in drafting this proposal are: John J. Hartke, Project Manager, Office of Merchant Marine Safety, and Coleman Sachs, Project Attorney, Office of the Chief Counsel.

Discussion of the Proposed Regulations

The Coast Guard has recently completed a review of revenues earned and expenses incurred by the Great Lakes pilot associations during 1979. Revenue requirements for 1980 have been developed and the number of vessels, their size, and route patterns have been projected for 1980.

The guideline followed in the development of a pilot compensation figure is that the target compensation for U.S. pilots is to be comparable to the earnings of their licensed counterparts on U.S. Great Lakes vessels. This guideline is contained in the Statement of Policy for Pilotage in the Great Lakes System, United States Department of Transportation, June 16, 1973. This means that a registered pilot should earn compensation comparable to a Master on Great Lakes vessels when providing pilotage services in designated waters (rivers), and that a registered pilot should earn compensation comparable to a Chief Mate on Great Lakes vessels when providing pilotage services in undesignated waters (lakes).

The pilots' counterparts on Great Lakes vessels have received compensation increases for this year. Increasing the basic rates by five percent and adding a new class to the range of pilotage units, as described below, would sufficiently increase pilot compensation to achieve reasonable parity between the Great Lakes pilots and their licensed counterparts on U.S. Great Lakes vessels. These increases in revenue would also cover the projected increase in pilot association operating costs for 1980. Taken together, these proposals would increase revenue by approximately eight percent.

The charges which are imposed for pilotage services are established in accordance with a formula and table contained in 46 CFR 401.400. The formula is used to obtain a quantity referred to as "pilotage units" through the following computation:

$$\text{Pilotage units} = \frac{\text{length} \times \text{breadth} \times \text{depth}}{10,000}$$

The table provides weighting factors which are assigned at various increments throughout the range of pilotage units obtained by use of the formula. This is the table as it is presently found in § 401.400:

Range of pilotage units:	Weighting factor
0-99	.85
100-129	1.00
130-159	1.15
160 and over	1.30

Once the weighting factor is determined by use of this table, it is

multiplied by the basic rates and charges for pilotage service found in 46 CFR §§ 401.405, 401.410, 401.420, and 401.425 to obtain the amount that any individual vessel should pay for pilotage service.

The Coast Guard is proposing to add an additional class to the range of pilotage units found in the table above, with a corresponding increase in the weighting factor. The 160 and over class would be narrowed to 160-189 with a weighting factor of 1.30. The new class would be 190 and over with a weighting factor of 1.45.

This new class is proposed because it is generally recognized that the larger the ship, the more difficult it is to handle in confined waters, and the greater is its ability to pay higher pilotage charges. The "pilotage unit" concept has been in wide use throughout the United States for some time and it was originally adopted on the Great Lakes in 1970. Ship sizes have increased over the years. In 1971, 32% of the vessels entering the system fell into the largest class (160 and over). In 1978, 51% of the vessels entering the system fell into that class.

The pilot associations have experienced some difficulty in the collection of accounts that have fallen due. The Coast Guard is therefore proposing to increase the charge on past due accounts by 1/2 percent from 1 1/2% per month to 2% per month. This should assist in the collection process by providing an incentive for prompt payment.

This proposal has been evaluated and is not considered a significant rulemaking under the Department of Transportation Policies for Improving Government Regulations published on February 26, 1979 (44 FR 11034). The estimated cost of this proposal is \$550,000. This figure is the amount of additional revenue the U.S. pilots should receive under this proposal based on the projected 1980 traffic. This is also the increased amount that shippers would have to pay for pilotage services on the Great Lakes. The benefit of this rule is the value of avoiding or minimizing costly delays and disruptions in shipping attributable to the failure to be able to retain qualified pilots and to attract new qualified pilots. The overall efficiency of the pilotage system is enhanced by having an appropriate number of pilots available to provide the required services. The draft evaluation from which this information is taken has been included in the public docket and can be obtained from the Marine Safety Council at the address indicated above.

In consideration of the foregoing, the Coast Guard proposes to amend Part 401

of Title 46 of the Code of Federal Regulations as set forth below.

1. By revising § 401.400(b) to read as follows:

§ 401.400 Calculation of pilotage units and determination of weighting factor.

(b) Weighting factor table:

Range of pilotage units	Weighting factor
0-99	.85
100-129	1.00
130-159	1.15
160-189	1.30
190 and over	1.45

2. By revising § 401.405 to read as follows:

§ 401.405 Basic rates and charges on designated waters.

Except as provided under § 401.420, the following basic rates shall be payable for all services and assignments performed by U.S. Registered Pilots in the areas described in § 401.300.

(a) District 1:

(1) For passage through the District or any part thereof, \$6.58 for each statute mile, plus \$87 for each lock transited, but with a minimum basic rate of \$192 and a maximum basic rate for a through trip of \$843.

(2) For a moveage in any harbor—\$289

(b) District 2:

(1) Southeast Shoal to Toledo or any point on Lake Erie west of Southeast Shoal—\$426

(2) Between points on Lake Erie west of Southeast Shoal—\$252

(3) Southeast Shoal to Port Huron Change Point or any point on the St. Clair River when pilots are not changed at Detroit Pilot Boat—\$741

(4) Southeast Shoal to Detroit/Windsor or any point on the Detroit River—\$426

(5) Southeast Shoal to Detroit Pilot Boat—\$309

(6) Toledo or any point on Lake Erie west of Southeast Shoal and Port Huron Change Point, when pilots are not changed at Detroit Pilot Boat—\$859

(7) Toledo or any point on Lake Erie west of Southeast Shoal and Detroit/Windsor or any point on the Detroit River—\$553

(8) Toledo or any point on Lake Erie west of Southeast Shoal and the Detroit Pilot Boat—\$426

(9) Detroit/Windsor or any point on the Detroit River and between points on the Detroit River—\$252

(10) Detroit/Windsor or any point on the Detroit River to Port Huron Change Point or any point on the St. Clair River—\$559

(11) Detroit Pilot Boat to any point on the St. Clair River—\$559

(12) Detroit Pilot Boat to Port Huron Change Point—\$434

(13) Between points on the St. Clair River—\$252

(14) Port Huron Change Point to any point on the St. Clair River—\$309

(c) District 3:

(1) Between the southerly limit of the District and the northerly limit of the District or the Algoma Steel Corporation Wharf at Sault Ste. Marie, Ontario—\$767

(2) Between the southerly limit of the District and Sault Ste. Marie, Ontario or any point in Sault Ste. Marie, Ontario other than the Algoma Steel Corporation Wharf—\$644

(3) Between the northerly limit of the District and Sault Ste. Marie, Ontario, including the Algoma Steel Corporation Wharf, or Sault Ste. Marie, Michigan—\$289

(4) For a moveage in any harbor—\$289

3. By revising § 401.410 (a) to read as follows:

§ 401.410 Basic rates and charges on undesignated waters.

(a) Except as provided under § 401.420 and subject to paragraph (b) of this section, the basic rates for each 6 hour period or part thereof that a U.S. pilot is on board in the undesignated waters shall be:

(1) In Lake Ontario—\$153

(2) In Lake Erie—\$201

(3) In Lakes Huron, Michigan and Superior—\$153

plus \$147 for each time a U.S. pilot performs the docking or undocking of the ship.

4. By revising § 401.420 to read as follows:

§ 401.420 Cancellation, delay or interruption in rendition of services.

(a) When, in designated or undesignated waters, the passage of a ship is interrupted for the purpose of loading or discharging cargo or for any reason and the services of a U.S. pilot are retained during the interruption or when a U.S. pilot is detained on board a ship after the end of an assignment for the convenience of the ship, the ship shall pay an additional charge calculated on a basic rate of \$24 for each hour or part of an hour during which each interruption lasts with a maximum basic rate of \$384 for each 24 hour period during which the interruption continues. However, there is no charge for any interruption caused by ice, weather, or traffic, except during the period beginning the 1st of December and ending on the 8th of the following April. Additionally, no charge shall be made for any interruption if the total interruption ends during the 6 hour period for which a charge has been made under § 401.410.

(b) When, in designated or undesignated waters, the departure or moveage of a ship for which a U.S. pilot has been ordered is delayed for the convenience of the ship for more than one hour after a U.S. pilot reports for duty at the designated boarding point or after the time for which he is ordered, whichever is later, the ship shall pay an additional charge calculated on a basic rate of \$24 for each hour or part of an hour after the first hour of the delay, with a maximum basic rate of \$384 for each 24 hour period of the delay.

(c) When, in designated or undesignated waters, a U.S. pilot reports for duty as ordered and the order is cancelled, the ship shall pay:

(1) A cancellation charge calculated on a basic rate of \$145.

(2) If the cancellation is more than one hour after a U.S. pilot reports for duty at the designated boarding point or after the time for which he is ordered, whichever is the later, a further charge calculated on a basic rate of \$24 for each hour or part of an hour after the first hour, with a maximum basic rate of \$384 for each 24 hour period.

5. By revising § 401.427 to read as follows:

§ 401.427 Charge on past due accounts.

A charge of two percent (2%) per month shall be paid on the opening monthly balance on accounts remaining unpaid over thirty (30) days after the billing date.

6. By revising § 401.428 to read as follows:

§ 401.428 Basic rates and charges for carrying a U.S. pilot beyond normal change point.

If a U.S. pilot is carried beyond his or her normal change point or is unable to board at his or her normal boarding place, a U.S. pilot shall be paid at the rate of \$147 per day or part thereof, plus reasonable travel expenses to or from his or her base. These charges are not applicable if the ship utilizes the services of the U.S. pilot beyond his or her normal change point and the ship is billed for those services. The change points to which this section applies are designated in § 401.450.

(46 U.S.C. 216c, 49 U.S.C. 1655(a)(4), 49 CFR 1.46(a)).

Dated: January 2, 1980.

Henry H. Bell,
Rear Admiral, U.S. Coast Guard, Chief,
Office of Merchant Marine Safety.

[FR Doc. 80-362 Filed 1-4-80; 8:45 am]

BILLING CODE 4910-14-M

INTERSTATE COMMERCE COMMISSION

49 CFR Chapter X

[Ex Parte No. MC-129]

Platform Study of Class I and II Motor Common Carriers of General Freight Subject to Accounting Instruction 27

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Proposed rulemaking—Change in filing date.

SUMMARY: On September 13, 1979, (44 FR 53190) the Commission instituted a rulemaking proceeding to determine whether, and to what extent, the study results and proposals in the newly-released 1977-1978 study of motor common carrier platform handling costs should be adopted by the Commission. The motor carrier rate bureau participants in this proceeding have requested a 45-day postponement of the January 4, 1980 due date for reply statements. The request will be granted and will apply to all replicants. To ensure development of an adequate record, additional time is necessary to permit replicants to complete a thorough analysis of the platform study and the opening statements of other participants.

DATE: The due date for reply statements is changed to February 19, 1980.

FOR FURTHER INFORMATION CONTACT: Richard Felder (202) 275-7693.

Dated: December 31, 1979.

By the Commission, George M. Chandler, Acting Director, Office of Proceedings.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 80-354 Filed 1-4-80; 8:45 am]

BILLING CODE 7035-01-M

49 CFR Chapter X

[Ex Parte No. MC-133]

Entry Flexibility, Regular-Route Passenger Service

AGENCY: Interstate Commerce Commission.

ACTION: Extension of time for filing public comments in this proposed rulemaking.

SUMMARY: On November 8, 1979, at 44 FR 64845, the Commission invited comments on a petition to institute a rulemaking proceeding to improve the quality and availability of consumer travel options by easing regulatory barriers to entry in the intercity bus industry. Comments of interested

persons were due on or before January 7, 1980.

The American Bus Association has requested a 30-day extension of the time for filing comments, stating that this extension is needed because of the importance of the proceeding and the need of the Association and its members to develop adequate presentations of facts and arguments.

The requested extension is not excessive and appears to be warranted in the circumstances.

DATES: Comments in this proceeding are now due on or before February 7, 1980.

FOR FURTHER INFORMATION CONTACT: James L. Brown, (202) 275-7898 or Donald J. Shaw, Jr. (202) 275-7992.

By the Commission, George M. Chandler, Acting Director, Office of Proceedings.

Decided December 28, 1979.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 80-353 Filed 1-4-80; 8:45 am]

BILLING CODE 7035-01-M

49 CFR Parts 1001, 1011, 1100, 1131, 1131a

[Ex Parte No. MC-67 (Sub-No. 5)]

Temporary Authority Application Procedures; Postponement of Effective Date

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Postponement of Effective Date of Proposed Rules.

SUMMARY: The Interstate Commerce Commission proposed to revise its procedures for the filing and processing of temporary authority (including emergency temporary authority) applications under 49 U.S.C. 10928 (formerly sections 210a(a) and 311(a) of the Interstate Commerce Act) through the establishment of six Regional Motor Carrier Boards. A Notice of Proposed Rules in this proceeding was published in the *Federal Register* on November 8, 1979, at 44 FR 64846. In that Notice, the proposed effective date for the new rules was given as January 1, 1980. The purpose of this Notice is to advise the public that the proposed rules, if adopted, will be effective on February 4, 1980. The deadline for the filing of comments in this proceeding was December 10, 1979, and no further comments will be accepted.

DATE: The proposed rule, if adopted, will be effective on February 4, 1980.

FOR FURTHER INFORMATION CONTACT: Donald J. Shaw, Jr. (202) 275-7292 or Paul Grossman (202) 275-7911.

Decided: December 13, 1979.

By the Commission, Chairman O'Neal, Vice Chairman Stafford, Commissioners Gresham, Clapp, Christian, Trantum, Gaskins and Alexis. Commissioner Clapp would defer the transfer to regional offices of the decision making process with respect to TA and ETA applications beyond February 4, 1980, and would approve the draft notice subject to deferral to March 3, 1980.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 80-355 Filed 1-4-80; 8:45 am]

BILLING CODE 7035-01-M

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

Science and Education Administration Joint Council on Food and Agricultural Sciences Executive Committee; Meeting

According to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776), the Science and Education Administration announces the following meeting:

Name: Executive Committee of the Joint Council on Food and Agricultural Sciences.
Date: January 16, 1980.

Time and place: 8:30 a.m.-12:00 noon, Room 330, GHI Building, 500 12th Street, SW., Washington, D.C.

Type of meeting: Open to the public. Persons may participate in the meeting as time and space permit.

Comments: The public may file written comments before or after the meeting with the contact person below.

Purpose: To review the 1979 Joint Council Annual Report, the Crop Losses Committee report and to determine new areas that need coordination in 1980.

Contact person: Dr. Fred E. Westbrook, Acting Executive Secretary, Joint Council on Food and Agricultural Sciences, Science and Education Administration, U.S. Department of Agriculture, Room 351-A, Administration Building, Washington, D.C. 20250, telephone (202) 447-6651.

Done at Washington, D.C., this 28th day of December 1979.

James Nielson,

Executive Director, Joint Council on Food and Agricultural Sciences.

[FR Doc. 80-347 Filed 1-4-80; 8:45 am]

BILLING CODE 3410-03-M

Joint Council on Food and Agricultural Sciences; Meeting

According to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776), the Science and Education Administration announces the following meeting:

Name: Joint Council on Food and Agricultural Sciences.

Date: January 16-18, 1980.

Time and place: January 16, 1980, 1:00 p.m.-5:00 p.m.; January 17, 1980, 8:30 a.m.-5:00 p.m.; January 18, 1980, 8:30 a.m.-12:00 noon; Room 330, GHI Building, 500 12th Street, SW., Washington, D.C.

Type of meeting: Open to the public. Persons may participate in the meeting as time and space permit.

Comments: The public may file written comments before or after the meeting with the contact person below.

Purpose: Review draft of the 1979 Joint Council Annual Report; review progress on the Joint Council structure for planning and coordination; assess status of progress on the Five-Year Plan for the Food and Agricultural Sciences; monitor the activities of the Research Facilities Study Group; and hear reports from the Forest Services, activities of nonland grant universities, Higher Education Manpower Assessment Project; Title V of the Rural Development.

Contact person: Dr. Fred E. Westbrook, Acting Executive Secretary, Joint Council on Food and Agricultural Sciences, Science and Education Administration, U.S. Department of Agriculture, Room 351-A, Administration Building, Washington, D.C. 20250, telephone (202) 447-6651.

Done at Washington, D.C., this 28th day of December, 1979.

James Nielson,

Executive Director, Joint Council on Food and Agricultural Sciences.

[FR Doc. 80-348 Filed 1-4-80; 8:45 am]

BILLING CODE 3410-03-M

CIVIL AERONAUTICS BOARD

Additional Chicago-Madison Authority Proceeding; Order to Show Cause

AGENCY: Civil Aeronautics Board.

ACTION: Notice of Order to Show Cause (79-12-200), Docket 36693, *Additional Chicago-Madison Authority Proceeding (Subpart Q)*.

SUMMARY: The Board is proposing to award nonstop air route authority between Chicago and Madison to Trans World Airlines under the expedited procedures of Subpart Q of its Procedural Regulations. The tentative findings and conclusions will become final if no objections are filed.

The complete text of this order is available as noted below.

DATES: Objections: All interested persons having objections to the Board issuing an order making final the

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tentative findings and conclusions shall file, by February 6, 1980, a statement of objections together with a summary of the testimony, statistical data, and other material expected to be relied upon to support the stated objections. Such filings should be served upon all parties listed below.

ADDRESSES: Objections to the issuance of a final order should be filed in Docket 36693, which we have entitled the *Additional Chicago-Madison Authority Proceeding (Subpart Q)*. They should be addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428.

In addition, copies of such filings should be served on the Governors of Wisconsin and Illinois, the Wisconsin Department of Transportation, the Illinois Division of Aeronautics, the Mayors and Airport Managers of Chicago and Madison, the Greater Madison Chamber of Commerce, the Greater Madison Convention and Visitors Bureau, the Dane County Regional Airport Commission and Trans World Airlines.

FOR FURTHER INFORMATION CONTACT: Samuel J. Lebowich, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C. 20428, (202) 673-5329.

SUPPLEMENTARY INFORMATION: The complete text of Order 79-12-200 is available from our Distribution Section, Room 516, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C. 20428. Persons outside the metropolitan area may send a postcard request for Order 79-12-200 to that address.

By the Bureau of Domestic Aviation:
December 31, 1979.

Phyllis T. Kaylor,
Secretary.

[FR Doc. 80-380 Filed 1-4-80; 8:45 am]

BILLING CODE 6320-01-M

Las Vegas-San Francisco/Oakland/ San Jose Subpart Q Proceeding, Order To Show Cause

AGENCY: Civil Aeronautics Board.

ACTION: Notice of Order to Show Cause (79-12-201) Docket 36681, *Las Vegas-San Francisco/Oakland/San Jose Subpart Q Proceeding*.

SUMMARY: The Board is instituting the *Las Vegas-San Francisco/Oakland/San*

Jose Subpart Q Proceeding and is proposing to grant Las Vegas-San Francisco/Oakland/San Jose nonstop authority to Capitol International Airways under the expedited procedures of Subpart Q of its Procedural Regulations. The tentative findings and conclusions will become final if no objections are filed. The complete text of this order is available as noted below.

DATES: Objections: All interested persons having objections to the Board issuing the proposed authority shall file, and serve upon all persons listed below, no later than February 6, 1980, a statement of objections, together with a summary of the testimony, statistical data, and other material expected to be relied upon to support the stated objections.

ADDRESSES: Objections to the issuance of a final order should be filed in Docket 36681, which we have entitled the *Las Vegas-San Francisco/Oakland/San Jose Subpart Q Proceeding*. The should be addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. Objections should be served upon: Capitol International Airways; California Public Utilities Commission, Dept. of Aeronautics; Nevada Public Service Commission, Dept. of Aviation; Mayors of Las Vegas, Oakland, San Francisco, and San Jose; Airport Manager, Mc Carran International Airport, Las Vegas, Nevada; Airport Manager, Oakland International Airport; Airport Manager, San Francisco International Airport; and Airport Manager, San Jose Municipal Airport.

FOR FURTHER INFORMATION CONTACT: Richard E. Clusman, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428, (202) 673-5216.

SUPPLEMENTARY INFORMATION: The complete text of Order 79-12-201 is available from our Distribution Section, Room 516, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428. Persons outside the Metropolitan area may send a postcard request for Order 79-12-201 to that address.

By the Bureau of Domestic Aviation:
December 31, 1979.

Phyllis T. Kaylor,
Secretary.

[FR Doc. 80-381 Filed 1-4-80; 8:45 am]

BILLING CODE 6320-01-M

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q of the Board's Procedural Regulations

Notice is hereby given that, during the week ended December 28, 1979, CAB has received the applications listed below, which request the issuance, amendment, or renewal of certificates of public convenience and necessity or foreign air carrier permits under Subpart Q of 14 CFR 302.

Answers to foreign permit applications are due 28 days after the application is filed. Answers to certificate applications requesting restriction removal are due within 14

days of the filing of the application. Answers to conforming applications in a restriction removal proceeding are due 28 days after the filing of the original application. Answers to certificate applications (other than restriction removals) are due 28 days after the filing of the application. Answers to conforming applications or those filed in conjunction with a motion to modify scope are due within 42 days after the original application was filed. If you are in doubt as to the type of application which has been filed, contact the applicant, the Bureau of Pricing and Domestic Aviation (in interstate and overseas cases) or the Bureau of International Aviation (in foreign air transportation cases).

Subpart Q Applications

Date filed	Docket No.	Description
Dec. 26, 1979.....	37268	USAir, Inc., Washington National Airport, Washington, D.C. 20001. Amended Application of USAir, Inc., pursuant to Section 401 of the Act and Part 201 and Subpart Q of Part 301 of the Economic Regulations requests amendment of its certificate of public convenience and necessity for Route 97 so as to authorize USAir engage in scheduled nonstop air transportation of persons, property and mail between Chicago, Illinois, on the one hand, and Phoenix, Arizona, on the other hand, by amending USAir's certificate for Route 97 to include a new segment as follows: "Between the terminal point Chicago, Illinois (O'Hare and Midway) and the terminal point Phoenix, Arizona." Answers to Amended Application are due January 9, 1980.
Dec. 27, 1979.....	37323	Republic Airlines, Inc., Hartsfield Atlanta Int'l Airport, Atlanta, Georgia 30320. Application of Republic Airlines, Inc., pursuant to Section 401 of the Act and Part 201 and Subpart Q of Part 301 of the Economic Regulations requests amendment of its certificate of public convenience and necessity for Route 86 so as to authorize it to engage in nonstop air transportation of persons, property and mail on a subsidy-ineligible basis, in the following city-pair markets: Baltimore..... Chicago (O'Hare). Chicago (Midway). Dallas/Ft. Worth. Kansas City. Nashville. Washington (Dulles) ... Chicago (O'Hare). Chicago (Midway). Dallas/Ft. Worth. Indianapolis. Kansas City. Nashville. Washington (National) Chicago (O'Hare). Chicago (Midway). Dallas/Ft. Worth. Indianapolis. Kansas City. Nashville.

Answers to application may be filed by January 10, 1980.

Phyllis T. Kaylor,
Secretary.

[FR Doc. 80-382 Filed 1-4-80; 8:45 am]

BILLING CODE 6320-01-M

[Dockets Nos. 36445 and 36538; Order 79-12-206]

WestAir Commuter Airlines, Inc.; Application for Compensation for Losses; Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 31st day of December, 1979.

On August 24, 1979, Air Pacific, Inc. filed a 30-day notice under sections

419(a)(3)(B) and 419(a)(10) of the Act announcing its intent to suspend its air service at Chico, California, effective October 1, 1979. By Order 79-9-186, September 27, 1979, the Board prohibited Air Pacific's suspension for 30 days.¹

By Order 79-12-12, December 4, 1979, we defined an interim level of essential

¹ By Orders 79-10-204 and 79-11-180 we extended this obligation for additional 30-day periods.

air service for Chico, invited interested persons to file applications by January 3, 1980, decided not to prohibit Air Pacific from suspending its service at Chico as soon as WestAir Commuter Airlines, Inc. is providing essential air service with aircraft with two pilots, and authorized the payment of temporary compensation to WestAir.

On December 12, 1979, WestAir filed a request for compensation for losses at Chico. WestAir alleges that it has been serving the Chico-San Francisco market for several months; that its service has been provided with nine passenger aircraft operated by one pilot; that the requirement that the service be provided with two pilots has dual effects—it increases the cost of service and it reduces available capacity; that this requires an increase in schedule frequency; that the overall result is a substantial increase in operating expense to generate the same amount of revenue; and that it is for this reason that WestAir requests compensation of \$12,586.25 per month.

We have reviewed WestAir's application and find that the information contained therein reasonably supports the requested compensation on an interim basis. The proposal is based upon the operation of 110 one-way flights per week in the Chico-San Francisco market and 10 one-way flights per week between Chico and Sacramento. Operating expenses are based upon WestAir's September 1979 experience—direct costs at \$139.28 per revenue aircraft block hour and indirect costs at 56.5 percent of direct expenses. Revenues are based upon assumed load factors of 60 percent Chico-San Francisco and 35 percent Chico-Sacramento.² The use of an interim rate of compensation allows payments to begin now (on the basis of WestAir's limited cost experience and traffic assumptions) and preserves our ability to make any adjustments necessary to arrive at a final compensation determination after forced-service requirements are terminated.

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, particularly sections 102, 204, 419, and 1002(b) thereof, and the regulations promulgated in 14 CFR 302 and 324.

1. We set the interim level of compensation for losses sustained by WestAir Commuter Airlines, Inc. by virtue of its provision of essential air service to Chico, California at \$24.20 for each scheduled flight completed, subject to maximum payments of \$484 per day

(\$242 on Saturdays and Sundays) and \$12,446 for each 30-day period after commencement of such service;³

2. This proceeding shall remain open pending entry of an order fixing the final rate of compensation, and the amount of such rate of compensation may be the same as, lower than, or higher than the interim rate of compensation set here; and

3. We shall serve this order upon all parties to this proceeding. We shall publish this order in the **Federal Register**.

By the Civil Aeronautics Board.
All Members concurred.

Phyllis T. Kaylor,
Secretary.

[FR Doc. 80-379 Filed 1-4-80; 8:45 am]
BILLING CODE 6320-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Pacific Fishery Management Council and its Scientific and Statistical Committee; Public Meeting With Partially Closed Session

AGENCY: National Marine Fisheries Service, NOAA.

SUMMARY: The Pacific Fishery Management Council and its Scientific and Statistical Committee (SSC) will conduct a series of meetings.

DATES: January 7-9, 1980.

ADDRESS: The meetings will take place at the Bahia Motor Hotel, 998 West Mission Bay Drive, San Diego, California.

FOR FURTHER INFORMATION CONTACT: Pacific Fishery Management Council, 526 SW. Mill Street, Second Floor, Portland, Oregon 97201. Telephone: (503) 221-6352.

SUPPLEMENTARY INFORMATION: The Pacific Fishery Management Council was established by section 302 of the Fishery Conservation and Management Act of 1976 (Pub. L. 94-265), and the Council has established a Scientific and Statistical Committee to assist in carrying out its responsibilities. Meeting Agendas follow:

Scientific and Statistical Committee

Open Meeting—January 7-8, 1980, (1 p.m. to 5 p.m. on January 7; 10 a.m. to 5 p.m. on January 8).

Agenda: Discuss fishery management plans (FMP's) under development,

³ The first 30-day period shall start when WestAir begins aircraft service with two pilots as confirmed by a letter to the comptroller from the airport manager.

conduct a public comment period beginning at 3:30 p.m. on January 7, and conduct other Committee business.

Council

Open Meeting—January 8-9, 1980, (10 a.m. to 5 p.m. on January 8; 8 a.m. to 5 p.m. on January 9).

Agenda: Open Session—Review of FMP's; conduct other fishery management business, and conduct a public comment period beginning at 4 p.m. on January 8, 1980.

Closed Session—(8 a.m. to 10 a.m. on January 8)—Discuss the status of current maritime boundary and resource negotiations between the U.S. and Canada and discuss personnel matters concerning appointments to vacancies on subpanels and teams. Only those Council members, SSC members, and related staff having security clearance will be allowed to attend this closed session.

The Assistant Secretary for Administration of the Department of Commerce with the concurrence of its General Counsel, formally determined on December 20, 1979, pursuant to Section 10(d) of the Federal Advisory Committee Act, that the agenda items covered in the closed session may be exempt from the provisions of the Act relating to open meetings and public participation therein, because items will be concerned with matters that are within the purview of 5 U.S.C. 552b(c)(1) and 96), as information which is properly classified pursuant to Executive Order or disclosure of which constitute a clearly unwarranted invasion of privacy. (A copy of the determination is available for public inspection and copying in the Public Reading Room, Central Reference and Record Inspection Facility, Room 5317, Department of Commerce).

Dated: January 2, 1980.

Winfred H. Meibohm,
Executive Director, National Marine Fisheries Service.

[FR Doc. 80-429 Filed 1-4-80; 8:45 am]
BILLING CODE 3510-22-M

Pacific and North Pacific Fishery Management Councils Scientific and Statistical Committees; Public Meeting

AGENCY: National Marine Fisheries Service, NOAA.

SUMMARY: The Pacific and North Pacific Fishery Management Councils, established by Section 302 of the Fishery Conservation and Management Act of 1976 (Public Law 94-265), have established Scientific and Statistical Committees (SSC's) which will hold a

² WestAir did not reply on its experienced traffic results because of recent significant increases in capacity.

joint meeting to: (1) Discuss salmon management problems facing both Councils; (2) Hold a public comment period beginning at 3:30 p.m. on January 23; and (3) Conduct other business that may involve the committees of both Councils.

DATES: The meeting will convene on Wednesday, January 23, 1980, at 10 a.m., reconvene on Thursday, January 24, 1980, at 9 a.m., and will adjourn at approximately 5 p.m. on both days. The meeting is open to the public.

ADDRESS: The meeting will take place in the auditorium of the Northwest and Alaska Fisheries Center, 2725 Montlake Boulevard East, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT:

Pacific Fishery Management Council, 526 SW Mill Street, Second Floor, Portland, Oregon 97201. Telephone: (503) 221-6352; or North Pacific Fishery Management Council, 333 W. Fourth Avenue, Suite 32, P.O. Box 3136DT, Anchorage, Alaska 96813. Telephone: (907) 271-4064.

Dated: January 2, 1980.

Winfred H. Meibohm,
Executive Director, National Marine Fisheries Service.

[FR Doc. 80-428 Filed 1-4-80; 8:45 am]

BILLING CODE 3510-22-M

COUNCIL ON WAGE AND PRICE STABILITY

Pay Advisory Committee; Notice of Meeting

Authority of committee: The Pay Advisory Committee was established by the Council on Wage and Price Stability pursuant to Executive Order 12161 (44 FR 56683).

Time and place of meeting: The Pay Advisory Committee will meet on January 22, 1980, at 2:00 p.m. at a location in Washington, D.C., to be announced.

Purpose of the meeting: The Committee will continue its discussion of the pay standard for the anti-inflation program and consideration of recommendations to the Council.

Public participation: The meeting of the Pay Advisory Committee will be open to the public. Public attendance will, however, be limited by available space; persons will be seated on a first-come, first-served basis. Persons attending the meeting will not be permitted to speak or participate in the Committee's deliberations. Interested persons may file written statements with the Committee by mail or personal delivery to the Office of the General Counsel, Council on Wage and Price Stability, 600 17th Street, NW., Washington, D.C. 20506.

Additional information: For additional information, please telephone the Office of Public Affairs at (202) 456-6756.

Dated: January 3, 1980.

Sally Katzen,

Advisory Committee Management Officer.

[FR Doc. 80-598 Filed 1-4-80; 10:17 am]

BILLING CODE 3175-01-M

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF Scientific Advisory Board; Meeting

January 2, 1980.

The USAF Scientific Advisory Board Space Division Advisory Group will meet on January 23 & 24, 1980 at Headquarters Space Division, Los Angeles AFS, CA. The purpose of the meeting is to review Satellite Systems Survivability and Transition to Shuttle. The Advisory Group will meet from 8:00 a.m. to 4:00 p.m. the first day and from 8:00 a.m. to 2:00 p.m. the second day.

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.

Carol M. Rose,

Air Force Federal Register Liaison Officer.

[FR Doc. 80-444 Filed 1-4-80; 8:45 am]

BILLING CODE 3910-01-M

Corps of Engineers

Intent To Prepare a Draft Environmental Impact Statement for the Bear Creek, La Quinta, Riverside County, Calif., Project

AGENCY: U.S. Army Corps of Engineers, Department of Defense.

ACTION: Notice of Intent to Prepare a Draft Environmental Impact Statement.

SUMMARY: 1. Proposed Action: The proposed action is to provide measures to reduce damages from a standard project flood and provide wildlife enhancement of Bear Creek, La Quinta, Riverside County, California.

2. Alternatives: Plans for flood control and environmental mitigation have been considered during Stage 2 planning. Those alternatives are as follows:

a. A flood control dam (earth) at .5 mile south of the development La Quinta on Bear Creek; placement of stone on existing levee; Oleander Reservoir and an evacuation channel which is to be constructed and maintained by the

Coachella Valley County water district. This plan is the tentatively selected plan.

b. A diversion levee at Bear Creek .5 mile south of the development La Quinta which would divert the floodflows to Dike No. 2; a pipeline to carry flows from Dike No. 2 to Dike No. 4; and an evacuation channel from Dike No. 4 along Avenue 64 to the Whitewater River.

c. An earth-bottom channel that extends to the Whitewater River whose inlet is controlled by two levees at Bear Creek .5 mile south of the development of La Quinta.

c. The nonstructural plans consisted of: (1) Zoning; (2) Flood insurance; and (3) Floodproofing.

Mitigation measures are under study and will be finalized during the Stage 3 studies. Possible mitigation measures would be designated to reduce possible indirect impacts on rare, threatened, or endangered animal and plant species, and preserve natural areas. These include transplanting of trees and native plants, enhancement through revegetation using native plants; flagging and avoidance of natural areas not directly impacted by construction to reduce indirect building impacts; an attempt to limit construction to the lesser critical periods of the year in regards to the reproductive cycle of rare or endangered animal species in the area; enhancement of the dam as a barrier to motorized traffic, and guzzlers for the big horn sheep.

3. Scoping Process. The study will be conducted in three planning stages. They are: Stage 1—reconnaissance study (completed January 1979); Stage 2—development of intermediate plans (complete September 1979); and Stage 3—development of the recommended plan. An extensive public involvement program was initiated during the Stage 2 studies and will be continued in Stage 3. This program included a series of public work shops, information pamphlets, tours, and newsletters. Coordination with the U.S. Fish and Wildlife Service and the California Department of Fish and Game will include a number of briefings and meetings to discuss potential environmental problems and mitigation plans.

4. Future Public Meetings. A public meeting will be scheduled in January 1980 to discuss the alternatives and receive public input as to the plan to be implemented. In November of 1980 a "Late Stage" public meeting and workshop will be conducted.

5. Publication of DEIS. The draft environmental impact statement is expected to be available to concerned agencies and the interested public for review and comment by the end of 1980.

6. Address. Questions about the proposed action and draft environmental impact statement can be answered by Mr. Dionicio Gonzales, Water Resources Branch, U.S. Army Corps of Engineers, P.O. Box 2711, Los Angeles, California 90053.

Dated: December 29, 1979.

Gwynn A. Teague,
Colonel, CE, District Engineer.

[FR Doc. 80-335 Filed 1-4-80; 8:45 am]

BILLING CODE 3710-KF-M

Office of the Secretary of Defense

Defense Science Board Task Force on MX

The Defense Science Board Task Force on MX will meet in closed session on 24-25 January 1980 in Washington, D.C.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Research and Engineering on scientific and technical matters as they affect the perceived needs to the Department of Defense.

A meeting of the Task Force on MX has been scheduled for 24-25 January 1980 critically to review current designs, operational modes, and alternatives.

In accordance with 5 U.S.C. App. I 10(d) (1976), it has been determined that this Defense Science Board Task Force meeting concerns matters listed in 5 U.S.C. 552b(c)(1)(1976), and that accordingly, this meeting will be closed to the public.

H. E. Lofdahl,

Deputy Director, Correspondence and Directives, Washington Headquarters Services, Department of Defense.

January 2, 1980.

[FR Doc. 80-427 Filed 1-4-80; 8:45 am]

BILLING CODE 3810-70-M

DEPARTMENT OF ENERGY

Voluntary Agreement and Plan of Action To Implement the International Energy Program; Meetings

In accordance with Section 252(c)(1)(A)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6201 *et seq.*) notice is hereby provided of the following meetings:

I. A meeting of the Industry Working Party (IWP) to the International Energy Agency (IEA) will be held on January 15, 1980, at the offices of the IEA, 2 rue Andre Pascal, Paris, France, beginning at 9:30 a.m. The agenda for the meeting is as follows:

1. Status of Standing Group on the Oil Market (SOM) and IWP activities and arrangement for future meetings.
2. Aspects of the proposed oil products register.

II. A meeting of the Industry Working Party (IWP) to the International Energy Agency (IEA) will be held on January 15, 16, and 17, 1980, at the offices of the IEA, 2 rue Andre Pascal, Paris, France, beginning at 3:00 p.m. on January 15. The purpose of this meeting is to permit attendance by representatives of the IWP at meetings of the IEA Standing Group on the Oil Market (SOM) and an *ad hoc* group of the SOM, which are being held at Paris on those dates.

The agenda for the meeting is under the control of SOM and its *ad hoc* group. It is expected that the IWP representatives will be asked to discuss the following subject:

Aspects of the proposed oil products register.

As provided in section 252(c)(1)(A)(ii) of the Energy Policy and Conservation Act, this meeting will not be open to the public.

Issued in Washington, D.C., December 28, 1979.

Craig S. Bamberger,

Acting Assistant General Counsel,
International Trade and Emergency Preparedness.

[FR Doc. 80-399 Filed 1-4-80; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

Refiners Crude Oil Allocation Program; Supplemental Notice for Allocation Period of October 1, 1979, through March 31, 1980, and Notice of Issuance of Emergency Allocations

The notice specified in 10 CFR 211.65(g) of the refiners' crude oil allocation (buy/sell) program for the allocation period of October 1, 1979, through March 31, 1980, was issued September 21, 1979 (44 FR 55943, September 28, 1979). Subsequent to the publication of that Notice, the Economic Regulatory Administration (ERA) of the Department of Energy (DOE) assigned emergency allocations pursuant to 10 CFR 211.65(c)(2) to a number of small refiners and issued supplemental buy/sell lists on October 17, 1979 (44 FR 60786, October 22, 1979) and on November 6, 1979, (44 FR 65625, November 14, 1979), and December 7, 1979 (44 FR 72625, December 14, 1979). The ERA hereby issues a fourth supplemental buy/sell list for the allocation period of October 1, 1979, through March 31, 1980, which sets forth new emergency allocations assigned pursuant to 10 CFR 211.65 (c)(2), as

amended on April 27, 1979, (44 FR 26060, May 4, 1979).

The supplemental buy/sell list for the allocation period October 1, 1979, through March 31, 1980, is set forth as an appendix to this notice. The list includes the names of the small refiners granted emergency allocations and their eligible refineries; the quantity of crude oil each refiner is eligible to purchase; the fixed percentage share for each refiner-seller; and the additional sales obligation of each refiner-seller, which reflects each refiner-seller's sales obligation for the emergency allocations listed herein.

The allocations for the small refiners on the supplemental buy/sell list were determined in accordance with 10 CFR 211.65(c)(2). Sales obligations for refiner-sellers were determined in accordance with 10 CFR 211.65 (e) and (f).

The buy/sell list covers PAD Districts I through V, and amounts shown are in barrels of 42 gallons each, for the specified period. Pursuant to 10 CFR 211.65(f), each refiner-seller shall offer for sale during an allocation period, directly or through exchanges to refiner-buyers, a quantity of crude oil equal to that refiner-seller's sales obligation plus any volume that the ERA directs the refiner-seller to sell pursuant to 10 CFR 211.65(j).

Pursuant to 10 CFR 211.65(h), each refiner-buyer and refiner-seller is required to report to ERA in writing or by telegram the details of each transaction under the buy/sell list within forty-eight hours of the completion of arrangements therefore. Each report must identify the refiner-seller, the refiner-buyer, the refineries to which the crude oil is to be delivered, the volumes of crude oil sold or purchased, and the period over which the delivery is expected to take place.

The procedures of 10 CFR 211.65(j) provide that if a sale is not agreed upon subsequent to the date of publication of this notice, a refiner-buyer that has not been able to negotiate a contract to purchase crude oil may request that the ERA direct one or more refiner-sellers to sell a suitable type of crude oil to such refiner-buyer. Such request must be received by the ERA no later than 20 days after the publication date of this supplemental buy/sell notice. Upon such request, the ERA may direct one or more refiner-sellers that have not completed their required sales to sell crude oil to the refiner-buyer.

In directing refiner-sellers to make such sales, ERA will consider the percentage of each refiner-seller's sales obligation for the allocation period that has been sold as reported pursuant to § 211.65(h), as well as the refiner-seller or sellers that can best be expected to

consummate a particular directed sale. If, in ERA's opinion, a valid directed sale request cannot reasonably be expected to be consummated by a refiner-seller that has not completed all or substantially all of its sales obligation for the allocation period, the ERA may issue one or more directed sales orders that would result in one or more refiner-sellers selling more than their published sales obligations for that allocation period. In such cases, the refiner-seller or sellers will receive a barrel-for-barrel reduction in their sales obligations for the next allocation period pursuant to 10 CFR 211.65(f)(3)(ii).

If the refiner-buyer declines to purchase the crude oil specified by ERA, the rights of that refiner-buyer to purchase that volume of crude oil are forfeited during this allocation period, provided that the refiner-seller or refiner-sellers have fully complied with the provision of 10 CFR 211.65.

Refiner-buyers making requests for directed sales must document their inability to purchase crude oil from refiner-sellers by supplying the following information to ERA:

(i) Name of the refiner-buyer and of the person authorized to act for the refiner-buyer in buy/sell program transactions.

(ii) Name and location of the refineries for which crude oil has been sought, the amount of crude oil sought for each refinery, and the technical specifications of crude oils that have historically been processed in each refinery.

(iii) Statement of any restrictions, limitations, or constraints on the refiner-buyer's purchases of crude oil, particularly concerning the manner or time of deliveries.

(iv) Names and locations of all refiner-sellers from which crude oil has been sought under the buy/sell notice, the refineries for which crude oil has been sought, and the volume and specifications of the crude oil sought from each refiner-seller.

(v) The response of each refiner-seller to which a request to purchase crude oil has been made, and the name and telephone number of the individual contacted at each such refiner-seller.

(vi) Such other pertinent information as ERA may request.

All reports and applications made under this notice should be addressed to:

Chief, Crude Oil Allocation Branch, 20th Street Postal Station, P.O. Box 19028, Washington, D.C. 20036.

Section 211.65(c)(2)(ii) states in part that applications for emergency allocations "must be submitted by the

fifteenth day of the month prior to the month(s) for which an allocation is sought." This provision was intended to permit ERA to receive applications and issue emergency allocations in a timely fashion. Recently, ERA has had difficulty meeting this goal because of the manner in which some applications for emergency allocations have been filed. Therefore, ERA believes it appropriate to offer the following comments on the emergency crude oil application process in the hope that they will clarify the application process for those applying for emergency allocations.

First, most applications have not been received in the Crude Oil Allocation Branch until the fifteenth of the month. The fifteenth of the month is meant as a deadline not a filing date. It is desirable for refiners to file their applications earlier than the fifteenth of the month, which would permit ERA to begin processing applications sooner. Except in unusual circumstances, ERA would expect applications to be filed by the tenth of the month. It should be noted that ERA would generally consider applications filed earlier than the fifth of a month to have been filed too early to present an accurate picture of a refiner's crude oil supply for succeeding months.

Second, applications should be completed by the fifteenth of the month in which they are filed. Applications that are not substantially complete by the fifteenth of the month will be dismissed with prejudice.

Third, ERA requires all applicants for emergency allocations to serve copies of their applications on refiner-sellers. Comments regarding an application will be accepted if received within eight days of receipt of the application. Applicants are required to serve copies of their application (and any amendments thereto) on refiner-sellers simultaneously with the filing of the application with ERA; that is, *refiner-sellers must receive their copies of emergency applications on the same date the application is filed with ERA*. Refiner-sellers must submit their comments on the applications to the Crude Oil Allocation Branch within eight days of the refiner-sellers' receipt of the application, or no later than the twenty-third of the month in which the application is filed. If the fifteenth or the twenty-third of the month falls on a weekend or holiday, the deadline would be the next working day.

As has been stated in previous notices, if an applicant claims confidentiality for any of the information contained in its application, the basis for the claim must be clearly stated. ERA does not consider the

names of potential suppliers contacted in unsuccessful attempts to obtain crude oil or offers of crude oil that the applicant has rejected to be proprietary.

Finally, ERA emphasizes that an application for an emergency allocation must contain a *detailed* statement as to why the applicant believes it has exhausted all supply possibilities. Applications which fail to make this statement will be dismissed with prejudice.

Copies of the decisions and orders assigning the emergency allocations listed herein may be obtained from:

Economic Regulatory Administration, Public Information Office, 2000 M Street, N.W., Rm. B110, Washington, D.C. 20461, (202) 634-2170.

This notice is issued pursuant to Subpart G of DOE's regulations governing its administrative procedures and sanctions, 10 CFR Part 205. Any person aggrieved hereby may file an appeal with DOE's Office of Hearings and Appeals in accordance with Subpart H of 10 CFR Part 205. Any such appeal shall be filed on or before February 6, 1980.

Issued in Washington, D.C., December 28, 1979.

Doris J. Dewton,

Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

Appendix

The Buy/Sell list for the period October 1, 1979, through March 31, 1980, is hereby amended to reflect emergency allocations for the months of January, February, and March 1980, an adjustment to refiners' prior allocations, an Office of Hearings and Appeals decision, and the resulting changes in sales obligations of refiner-sellers. The amended list sets forth the name of each refiner-seller, the additional volumes of crude oil that each such refiner-seller is required to offer for sale to small refiners. The list also sets forth emergency allocations, and adjustment to a refiner's prior emergency allocation, and an allocation issued pursuant to an Office of Hearings and Appeals decision.

Crude Oil Allocation Program Additional Sales Obligations Resulting From New Emergency Allocations For The Period October 1, 1979-March 31, 1980

Refiner-sellers	Share*	Additional sales obligation
Amoco Oil Co.....	.105	2,250,996
Atlantic Richfield Co.....	.077	1,653,013
Chevron U.S.A., Inc.....	.101	2,182,741
Cities Service Co.....	.025	528,632

Crude Oil Allocation Program Additional Sales Obligations Resulting From New Emergency Allocations For The Period October 1, 1979-March 31, 1980—Continued

Refiner-sellers	Share*	Additional sales obligation
Continental Oil Co.....	.004	85,963
Exxon Co., U.S.A.....	.089	1,912,687
Getty Refining & Marketing Co.....	.021	455,929
Gulf Refining & Marketing Co.....	.091	1,958,076
Marathon Oil Co.....	.022	491,174
Mobil Oil Corp.....	.094	2,021,847
Phillips Petroleum Co.....	.041	889,185
Shell Oil Co.....	.113	2,441,749
Sun Co.....	.055	1,192,678
Texaco Inc.....	.114	2,443,748
Union Oil Co. of California.....	.046	982,347
Total additional sales obligation.....		21,490,865

*All Refiner-Sellers' percentage shares have been changed to reflect the Continental Oil Company and Exxon Company, U.S.A. Decision and Order dated March 20, 1979. Case numbers are FEX-0184 and FEX-0185.

Office of Hearings and Appeals Decision

In a Decision and Order issued on December 14, 1979, the Office of

Hearings and Appeals ordered ERA, on or before December 21, 1979, to issue an Order providing Industrial Fuel and Asphalt (IFAI) an emergency allocation of 2,000 B/D of crude oil for the months of December 1979 and January 1980. On December 21, 1979, ERA issued a Decision and Order granting IFAI crude oil allocations of 62,000 barrels for December 1979 and 62,000 barrels for January 1980 for its Hammond, Indiana, refinery.

Adjustments to Prior Allocations

Based on recently submitted actual runs data and updated supply estimates, ERA has adjusted OKC's December 1979 emergency allocation from 150,939 barrels to 128,464 barrels and OKC's January 1980 emergency allocation from 155,589 barrels to 35,019 barrels.

In addition, ERA issued a Decision and Order on December 27, 1979, increasing Pride's October 1979-March 1980 allocation from 508,498 barrels to 558,492 barrels.

New Emergency Allocations for January-March 1980

Refiner/buyer	Refinery location	January allocation (barrels)	February allocation (barrels)	March allocation (barrels)
Bruin Ref.....	St. James, LA.....	207,421	194,039	211,761
Caribou Four Corners.....	Woods Cross, UT.....	11,873	11,107	11,873
Crystal Ref.....	Carson City, MI.....	73,005	68,295	73,005
Ergon Ref.....	Vicksburg, MS.....	149,479	161,704	172,856
Gladieux Refining.....	Fort Wayne, IN.....	171,492	160,428	171,492
Hudson Ref. Co., Inc.....	Cushing, OK.....	439,425	411,075	439,425
Indiana Farm Bureau.....	Mt. Vernon, IN.....	260,493	258,187	268,243
Lakeside Ref.....	Kalamazoo, MI.....	40,872	39,121	40,889
Murphy.....	Superior, WI.....	239,041	223,619	239,041
NCRA.....	McPherson, KS.....	514,978	624,892	667,988
Pacific Resources.....	Oahu, HI.....	853,926	979,997	865,911
Peerless Pet., Inc.....	Penuelas, PR.....	164,951	154,309	164,951
Poster Refining Co.....	El Dorado, KS.....	326,089	303,601	319,734
Rock Island Refinery.....	Indianapolis, IN.....	696,291	651,369	680,791
Shepherd Oil, Inc.....	Jennings, LA.....	36,146	33,814	36,146
Southern Union Ref. Co.....	Lovington, NM.....	85,195	97,643	80,755
Texas City Ref., Inc.....	Texas City, TX.....	1,558,525	1,985,021	2,152,516
United Refining.....	Warren, PA.....	999,626	906,134	969,556
Total.....		6,828,628	7,264,355	7,366,933

Additional Allocations for the Oct. 1, 1979-Mar. 31, 1980, Allocation Period

	Barrels
Industrial fuel adjustment.....	124,000
OKC adjustment.....	(143,045)
Pride adjustment.....	49,994
New January emergency allocations.....	6,828,628
New February emergency allocations.....	7,264,355
New March emergency allocations.....	7,366,933
Total allocations.....	21,490,865

Texas Eastman Co.; Petrochemical Feedstock Use of Propane

AGENCY: Economic Regulatory Administration.

ACTION: Notice of Request for Comments.

SUMMARY: On August 15, 1979, the Texas Eastman Company petitioned the Department of Energy, Economic Regulatory Administration (ERA) for an adjustment to its base period use of propane for use as petrochemical feedstock. This notice requests comments to assist the ERA in evaluating Texas Eastman Company's petition under ERA's Regulations for the allocation of propane and other natural gas liquids for petrochemical feedstock use.

DATES: Written comments to be submitted by February 1, 1980.

ADDRESS: Comments should be submitted to: Box XQ, Economic Regulatory Administration, Office of Public Hearings Management, Room 2313, 2000 M Street, NW., Washington, D.C. 20461.

FOR FURTHER INFORMATION CONTACT:

Bruce D. Starnes (Office of Petroleum Operations), Department of Energy, Economic Regulatory Administration, 2000 M Street, NW., Room 8318, Washington, D.C. 20461, (202) 254-6030.

Verlette Gatlin (Freedom of Information Reading Room), Department of Energy, Forrestal Building, 1000 Independence Avenue, SW., Room GA-152, Washington, D.C. 20461, (202) 252-5968.

SUPPLEMENTAL INFORMATION: Texas Eastman Company has anticipated the need to increase its production of petrochemicals to meet an anticipated increase in demand for petrochemicals. Accordingly, Texas Eastman Company requests that the ERA adjust its base period volume of 11,947,545 barrels of propane to 14,381,000 barrels of propane, or an increase of 2,433,455 barrels of propane (an increase of 6,667 barrels per day).

Texas Eastman Company petitioned the ERA for an adjustment to its base period volume pursuant to 10 CFR 211.84 (44 FR 60638, October 19, 1979).

Comment Procedure

A file containing all pertinent information and data filed in conjunction with the Texas Eastman Company's petition, other than confidential information which ERA has determined to be exempt from the disclosure requirements of 5 USC 552, is available for public inspection and copying at the DOE Freedom of

Information Reading Room, Room GA-152, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. Written comments regarding the Texas Eastman Company's petition will be accepted and considered if filed by 4:30 p.m. on January 25, 1980. Any person submitting written comments with respect to the Texas Eastman Company's petition should submit ten (10) copies to the ERA and should comply with the requirements of the ERA procedural regulations set forth at 10 CFR 205.9 *et seq.* Comments should be submitted to the Office of Public Hearings Management, Room 2313, 2000 M Street, N.W., Washington, D.C. 20461, Attention Box XQ. Comments should be identified on the outside of the envelope and on the documents submitted to ERA with the designation "Petrochemical Feedstock Use of Propane by the Texas Eastman Company". One copy of each comment with confidential information deleted should be submitted to each of the following: The Texas Eastman Company, P.O. Box 7444, Longview, Texas 75602, Attention: Eugene S. Coddow, and Baker & Botts, Counsel for the Texas Eastman Company, 1701 Pennsylvania Avenue, N.W., Washington, D.C. 20006, Attention John K. McDonald.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, in one copy only, in accordance with procedures set forth in 10 CFR 205.9(f). Any material not accompanied by a statement of confidentiality will be considered to be nonconfidential. The Economic Regulatory Administration reserves the right to determine the confidential status of the information or data and to treat it according to its determination.

Issued in Washington, D.C. on December 31, 1979.

Doris J. Dewton,

Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

[FR Doc. 80-397 Filed 1-4-80; 8:45 am]

BILLING CODE 6450-01-M

Frank W. Michaux; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of action taken and opportunity for comment on Consent Order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces action taken to execute a Consent Order and provides an opportunity for public comment on the Consent Order and on potential claims against the refunds deposited in an escrow account established pursuant to the Consent Order.

DATES: Effective Date: December 19, 1979.

COMMENTS BY: February 6, 1980.

ADDRESS: Send comments to: Wayne I. Tucker, District Manager of Enforcement, Southwest District, Department of Energy, P.O. Box 35228, Dallas, Texas 75235.

FOR FURTHER INFORMATION CONTACT: Wayne I. Tucker, District Manager of Enforcement, Southwest District, Department of Energy, P.O. Box 35228, Dallas, Texas 75235, phone 214/767-7745.

SUPPLEMENTARY INFORMATION: On December 19, 1979, the Office of Enforcement of the ERA executed a Consent Order with Frank W. Michaux of Houston, Texas. Under 10 CFR 205.199(j)(b), the Consent Order which involves a sum of less than \$500,000 in the aggregate, excluding penalties and interest, becomes effective upon its execution.

I. The Consent Order

Frank W. Michaux, with its office located in Houston, Texas, is a firm engaged in crude oil production, and is subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR Parts 210, 211, 212. To resolve certain civil actions which could be brought by the Office of Enforcement of the Economic Regulatory Administration as a result of its audit of crude oil sales, the Office of Enforcement, ERA, and Frank W. Michaux, entered into a Consent Order, the significant terms of which are as follows:

1. The period covered by the audit was November 16, 1973 through December 31, 1975, and it included all sales of crude oil which were made during that period.
2. Frank W. Michaux allegedly misapplied the provisions of 6 CFR Part 150, Subpart L, and 10 CFR Part 212, Subpart D, when determining the prices to be charged for crude oil; and as a consequence, charged prices in excess of the maximum lawful sales prices resulting in overcharges to its customers.
3. In order to expedite resolution of the disputes involved, the DOE and Frank W. Michaux have agreed to a settlement in the amount of \$147,482.14. The negotiated settlement was

determined to be in the public interest as well as the best interest of the DOE and Frank W. Michaux.

4. Because the sales of crude oil were made to refiners and the ultimate consumers are not readily identifiable, the refund will be made through the DOE in accordance with CFR Part 205, Subpart V as provided below.

5. The provisions of 10 CFR 205.199, including the publication of this Notice, are applicable to the Consent Order.

II. Disposition of Refunded Overcharges

In this Consent Order, Frank W. Michaux agrees to refund, in full settlement of any civil liability with respect to actions which might be brought by the Office of Enforcement, ERA, arising out of the transactions specified in I.1. above, the sum of \$147,482.14 on or before December 31, 1979. Refunded overcharges will be in the form of a certified check made payable to the United States Department of Energy and will be delivered to the Assistant Administrator for Enforcement, ERA. These funds will remain in a suitable account pending the determination of their proper disposition.

The DOE intends to distribute the refund amounts in a just and equitable manner in accordance with applicable laws and regulations. Accordingly, distribution of such refunded overcharges requires that only those "persons" (as defined at 10 CFR 205.2) who actually suffered a loss as a result of the transactions described in the Consent Order receive appropriate refunds. Because of the petroleum industry's complex marketing system, it is likely that overcharges have either been passed through as higher prices to subsequent purchasers or offset through devices such as the Old Oil Allocation (Entitlements) Program, 10 CFR 211.67. In fact, the adverse effects of the overcharges may have become so diffused that it is a practical impossibility to identify specific, adversely affected persons, in which case disposition of the refunds will be made in the general public interest by an appropriate means such as payment to the Treasury of the United States pursuant to 10 CFR 205.199(a).

III. Submission of Written Comments

A. Potential Claimants: Interested persons who believe that they have a claim to all or a portion of the refund amount should provide written notification of the claim to the ERA at this time. Proof of claims is not now being required. Written notification to the ERA at this time is requested primarily for the purpose of identifying

valid potential claims to the refund amount. After potential claims are identified, procedures for the making of proof of claims may be established. Failure by a person to provide written notification of a potential claim within the comment period for this Notice may result in the DOE irrevocably disbursing the funds to other claimants or to the general public interest.

B. Other Comments: The ERA invites interested persons to comment on the terms, conditions, or procedural aspects of this Consent Order. You should send your comments or written notification of a claim to Wayne I. Tucker, District Manager of Enforcement, Southwest District, Department of Energy, P.O. Box 35228, Dallas, Texas 75235. You may obtain a free copy of this Consent Order by writing to the same address or by calling 214/767-7745.

You should identify your comments or written notification of a claim on the outside of your envelope and on the documents you submit with the designation, "Comments on Frank W. Michaux Consent Order." We will consider all comments we received by 4:30 p.m., local time, on February 6, 1980. You should identify any information or data which, in your opinion, is confidential and submit it in accordance with the procedures in 10 CFR 205.9(f).

Issued in Dallas, Texas on the 20th day of December 1979.

Wayne I. Tucker,
District Manager, Southwest District
Enforcement, Economic Regulatory
Administration.

[FR Doc. 80-334 Filed 1-4-80; 8:45 am]
BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. RP80-59]

Caprock Pipeline Co.; Notice of Proposed Change for Rates

December 31, 1979.

Take notice that on *December 19, 1979* Caprock Pipeline Company ("Caprock") filed herein the following Revised Tariff Sheets to Rate Schedule S-3 of its FERC Original Gas Tariff, Original Volume No. 2:

First Revised Sheet No. 27; First Revised Sheet No. 28. Said tariff sheets are proposed to become effective on January 19, 1980.

Caprock states that it purchases residue gas from the United States Government, acting through the Department of Interior ("Interior"), at the outlet of Interior's helium plant located near Amarillo, Texas, pursuant to the terms of a Gas Purchase

Agreement dated May 17, 1929, as amended. The most recent amendment to the original gas purchase agreement was entered into on July 1, 1979. Among other things, the amendment provides that Caprock will pay Interior the maximum lawful price allowed under Section 104 of the Natural Gas Policy Act of 1978 ("NGPA"), and a gathering fee of one cent per Mcf of gas delivered to Caprock at the outlet of the helium plant.

Through an exchange arrangement with El Paso Natural Gas Company ("El Paso"), Caprock delivers the volumes purchased from Interior to El Paso for redelivery to Caprock at various delivery plants in Texas. Caprock then sells the exchange volumes to Pioneer Natural Gas Company ("Pioneer") pursuant to Caprock's Rate Schedule S-3.

The rates currently charged by Caprock to Pioneer under Rate Schedule S-3 are significantly less than the price paid by Caprock to Interior. Caprock states that the proposed increase in rates sought through this filing reflects only the increased cost of gas to Caprock plus the gathering fee charged by Interior.

Any person desiring to be heard and to make any protest with reference to said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 C.F.R. 1.8, 1.10). All such petitions or protest should be filed on or before January 16, 1980.

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. Caprock's filing is on file with the Commission and available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-383 Filed 1-4-80; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. ER80-141]

Florida Power & Light Co.; Notice of Filing

December 31, 1979.

The filing company submits the following:

Take notice that Florida Power & Light Company (FPL), on December 21, 1979, tendered for filing an Amendment, entitled "Amendment Number Three to

Agreement To Provide Specified Transmission Service Between Florida Power & Light Company and New Smyrna Beach Utilities Commission."

FPL states that under the Amendment FPL will transmit power and energy for New Smyrna Beach Utilities Commission (New Smyrna) as is required by New Smyrna in the implementation of its interchange agreements with the City of Lakeland, Florida, the Tampa Electric Company, and the City of Gainesville, Florida. A letter from New Smyrna requesting that the Amendment be filed is attached to the filing.

FPL requests that the 60 day filing requirement be waived and that the Amendment take effect immediately. According to FPL, copies of the filing were served on New Smyrna's Director of Utilities.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rule of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 21, 1980. 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 inspections.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-384 Filed 1-4-80; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. RP73-14 (PGA 79-2)]

Michigan Wisconsin Pipe Line Co.; Notice of Proposed Changes in FERC Gas Tariff

December 31, 1979.

Take notice that on December 21, 1979, Michigan Wisconsin Pipe Line Company (Michigan Wisconsin) tendered for filing Substitute first Revised Sheet Nos. 40, 41, 42 and 43, Substitute Third Revised Sheet No. 7 and Substitute Fourth Revised Sheet No. 7 to its FERC Gas Tariff, Original Volume No. 1. Michigan Wisconsin proposed an effective date of November 1, 1979 for said tariff sheets, except for Substitute Fourth Revised Sheet No. 7 which proposed effective date is November 3, 1979.

These tariff sheets, reflect: (1) revisions to correct imperfections in language in Sections 15.1 and 15.2 of Michigan Wisconsin's FERC Gas Tariff, Original volume No. 1; and (2) revisions to rate increase filings which Michigan Wisconsin made on September 14, 1979 and October 12, 1979 to reflect such revised language.

Michigan Wisconsin further states that it requests a waiver of the requirements of Part 154 of the Commission's Regulations under the Natural Gas Act to the extent that such waiver may be necessary to permit this filing of Substitute First Revised Sheet Nos. 40, 41, 42 and 43, and substitute third Revised Sheet No. 7 to become effective November 1, 1979; with Fourth Revised Sheet No. 7 to become effective November 3, 1979.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules and Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 14, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-385 Filed 1-4-80; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. EC80-4]

Minnesota Power & Light Co.; Notice of Application

December 31, 1979.

The filing Company submits the following:

Take notice that Minnesota Power & Light Company on December 16, 1979 tendered for filing an application for Commission approval of the sale of certain transmission facilities. The purchaser of a portion of the Forbes and Hibbing 69 kV substation facilities and 69 kV number 10 and 20 lines and the 69 kV Liscomb Substation is to be United Power Association, a Minnesota Cooperative Corporation.

Any person desiring to be heard or to

protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 21, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-386 Filed 1-4-80; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. ER80-138]

The Montana Power Co.; Notice of Filing

December 27, 1979.

The filing Company submits the following:

Take notice that on December 17, 1979, The Montana Power Company tendered for filing in compliance with the Federal Power Commission's Order of May 6, 1977, a summary of sales made under the Company's FPC Electric Tariff M-1 during November 1979, along with cost justification for the rate charged.

Any person desiring to be heard or to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 14, 1980. 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. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-387 Filed 1-4-80; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. RM79-3]

Natural Gas Policy Act of 1978; Notice of Receipt of Application for Approval of Alternative Filing Requirements: the Commonwealth of Pennsylvania, Department of Environmental Resources, Division of Oil and Gas Regulation

Issued December 31, 1979

Take notice that on December 4, 1979, the Commonwealth of Pennsylvania, Department of Environmental Resources, Division of Oil and Gas Regulation (Pennsylvania) filed with the Federal Energy Regulatory Commission (Commission) an Application for Approval of Alternative Filing Requirements under 18 C.F.R. 274.207.

Under the Commission's regulations implementing the Natural Gas Policy Act of 1978 (NGPA), the applicant for a new natural gas well determination must include the filing of detailed geological evidence. As an alternative plan, Pennsylvania proposes to delete the filing of geological evidence under 18 C.F.R. 274.202(d) for its shallow wells and to redefine the Commission's definition of a "new onshore reservoir".

Pennsylvania asserts that its shallow gas fields are tight formations and that the communication between wells is negligible. Accordingly, Pennsylvania requests that the area within a circle having a diameter of 3,200 feet be presumed to be a new onshore reservoir. Thus, Pennsylvania would only require the filing of geological information for shallow well applications when the new well is less than 3,200 feet from a well which produced or could have produced gas prior to April 20, 1977.

Copies of this application are on file with the Commission and are available for public inspection in the Office of Public Information, Room 1000. Any interested person may file written comments regarding this application with the Commission, 825 North Capitol Street NE., Washington, D.C. 20426 on or before January 15, 1980.

It is reasonable and consistent with the public interest to allow this shortened period for comment. All comments filed by this date will be considered prior to Commission action on the application.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-395 Filed 1-4-80; 8:45 am]
BILLING CODE 6450-01-M

[Docket Nos. RP71-107 (Phase II), and RP72-127 (PGA79-1)]

Northern Natural Gas Co.; Notice of Changes in PGA Provision of Northern Tariff

December 31, 1979.

Take notice that on December 26, 1979, Northern Natural Gas Company (Northern) in compliance with the Commission's Order dated December 7, 1979, at Docket Nos. RP71-107 (Phase II), RP72-127, (PGA-1) and (PGA-2) filed tariff sheets to become part of its F.E.R.C. Gas Tariff Third Revised Volume No. 1 and Original Volume No. 2.

These particular tariff sheets implemented more accurate tracking of gas purchased costs as set forth in Northern's Stipulation and Agreement filed on September 25, 1979.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rule of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 16, 1980. 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 inspections.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-388 Filed 1-4-80; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. RP80-60 (IPR80-1)]

Oklahoma Natural Gas Gathering Corp.; Notice of Filing of Revised Tariff Sheets

December 31, 1979.

Take notice that on December 19, 1979, Oklahoma Natural Gas Gathering Corporation (Gathering Corporation) filed revised tariff sheets 58 through 64. The filing reflects the Company's incremental pricing tariff provisions required by Order No. 49. Further, Gathering Corporation requests that the Commission waive its rules to allow the sheets to become effective as of January 1, 1980. The filing is made contingent on the Commission's resolution of the Company's requested adjustment for an

exemption from the incremental pricing regulations in Docket No. SA80-12.

Gathering Corporation states that copies of this filing were served upon all its jurisdictional customers, as well as interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 815 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 C.F.R. 1.8 and 1.10). All such petitions or protests should be filed on or before January 16, 1980. 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. 80-389 Filed 1-4-80; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. ER80-140]

Public Service Co., of New Hampshire; Notice of Rate Increase Filing

December 31, 1979.

The filing Company submits the following:

Take notice that on December 21, 1979 Public Service Company of New Hampshire ("PSNH") tendered for filing a resale rate increase in two steps. PSNH is requesting that the first step increase, which amounts to \$3,566,540, or 8.36%, on the basis of a 1980 test year, be assigned an effective date of January 21, 1980 and suspended for the minimum one day period. It is asking that the second step increase, which amounts to an additional \$727,449, be made effective on April 1, 1980. The total increase resulting from both steps is \$4,293,989, or 10.1% above the level of existing rates.

The affected customers are the New Hampshire Electric Cooperative, Inc., the Town of Wolfeboro, New Hampshire, the Town of Ashland, New Hampshire, the New Hampton (New Hampshire) Village Precinct, Exeter and Hampton Electric Company and Concord Electric Company.

PSNH states that the proposed rate increase is needed to meet a near-term financial emergency. PSNH states that since March 1979 it has been engaged in an effort to reduce its present 50% interest in the Seabrook project to a

level that can be financed under New Hampshire law, which prohibits PSNH from including any construction work in progress ("CWIP") in rate base in setting its retail rates in New Hampshire. According to PSNH, it is firming up commitments from other utilities to acquire from it a 15% interest in the project, which would reduce its ownership share to 35%, but cannot begin to reduce its 50% interest until various regulatory approvals are obtained. Such regulatory approvals, according to PSNH, are not expected before late spring, 1980 at the earliest and may not be obtained before the end of 1980. In the meantime, PSNH states that it has been struggling to raise the large cash requirements to support 50% of the Seabrook construction program while its earnings, coverages and internal cash flow available to meet those requirements have deteriorated rapidly.

Without immediate rate relief from each of its jurisdictions, PSNH states that it will not be able to carry the construction program beyond mid-January, 1980 and that the project will have to be slowed down or shut down. Further, even if it is shut down or slowed down, PSNH states that its cash requirements would still greatly exceed its present financing capabilities, under existing rates, with the result that it would be unable to meet its financial obligations.

PSNH proposes to increase its monthly demand, energy and customer charges in the existing rate as follows:

	Existing rate	Step 1 rate	Step 2 rate
Demand charge per KVA	\$4.40	\$5.00	\$5.00
Energy charge per KWH	.02139	.2344	.02391
Customer charge per delivery point	65	90	90

The design of the fuel clause and the low voltage delivery clause as presently effective would not be changed, according to PSNH.

PSNH states that copies of its filing have been served on the affected wholesale customers, the New Hampshire Public Utilities Commission, and the Vermont Public Service Board.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 21, 1980. Protests will be considered by the Commission in determining the appropriate action to be

taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-390 Filed 1-4-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. RP80-55]

Sea Robin Pipeline Co.; Order Accepting for Filing and Suspending Proposed Rate Increases, Summarily Disposing of Issue, and Initiating a Hearing

Issued: December 28, 1979.

Before Commissioners: Charles B. Curtis, Chairman; Georgiana Sheldon, Matthew Holden, Jr., and George R. Hall.

Sea Robin Pipeline Company (Sea Robin), on November 30, 1979, filed revised tariff sheets to its FERC Gas Tariff, Original Volume No. 1,¹ which would increase annual jurisdictional revenues by \$4, 145, 107, or 1.08 percent. Sea Robin proposes an effective date of January 1, 1980 for these tariff sheets. The proposed increase is based upon Sea Robin's actual jurisdictional costs of service for the test period consisting of the twelve months ended on July 31, 1979, adjusted for known and measurable changes to occur through April 30, 1980. Sea Robin states that the purpose of the rate increase is to reflect increases in the costs of capital, the cost of operation and maintenance expenses, and depreciation expense. The proposed rate increase would result in Sea Robin receiving an overall rate of return of 11.36% which would yield a return of 15.00% on common equity which Sea Robin states comprises 45.42% of the total capitalization.

Public notice of the filing was issued on December 5, 1979 providing for the filing of protests or interventions by December 19, 1979.

Based upon review of Sea Robin's filing the Commission finds that the proposed rate increase has not been shown to be just and reasonable and may be unjust unreasonable, and unduly discriminatory or otherwise unlawful. The Commission will accept for filing Sea Robin's tariff sheets, subject to certain conditions discussed below, suspend the effective date of the sheets for five months until May 1, 1980 when the rate increase may be collected

subject to refund. The issues raised by the proposed rate increase will be set for hearing.

In its filing Sea Robin included in its rate base \$8,553,300 of additional facilities which had not been certified and in service at the time of filing. Under Section 154.63(e)(2)(ii) of the Commission's Regulations (18 CFR 154.63(e)(2)(ii)) only facilities which have been certificated by the filing date and placed in service by the end of the test period can be included. The Commission, however, will waive this regulation and accept Sea Robin's filing including such uncertificated facilities provided that 30 days prior to the end of the test period Sea Robin files revised tariff sheets eliminating all costs associated with any facilities that are not in service by April 30, 1980. This waiver is granted upon the condition that Sea Robin shall not be permitted to make offsetting adjustments other than those made pursuant to Commission approved tracking provisions, those adjustments required by this order, and those required by other Commission orders.

In addition, Sea Robin has included \$16,388,451 attributable to the Louisiana First Use Tax (LFUT), the validity of which is an issue currently before the courts. The inclusion of this item raises an issue, as to its appropriateness, which is properly the subject of summary disposition. In Order Nos. 10, 10-A and 10-B the Commission considered the appropriate rate treatment of the Louisiana First Use Tax. In Order No. 10-B, the Commission amended paragraph (h) of Section 154.38 of the Commission's Regulations to clearly prohibit the inclusion of costs attributable to the Louisiana First Use Tax in a pipeline's general Section 4 rate application prior to the time the tax is finally determined to be valid and constitutional. The Commission has provided a mechanism, in Section 154.38 (h)(2), by which pipeline companies can collect the amount of the Louisiana First Use Tax, subject to refund. Sea Robin has on file, and in effect, as part of its FERC Gas Tariff, Original Volume No. 1, a tracking mechanism for the recovery of the Louisiana First Use Tax, consistent with Section 154.38(h) of the Regulations. Accordingly, the Commission finds that all of the factors which ordinarily indicate the appropriateness of employing summary disposition are present here.² There are no material issues of fact in dispute and

¹See, *United Gas Pipe Line Co. v. FPC*, 551 F.2d 460 (D.C. Cir. 1977); *Pennsylvania Gas and Water Co. v. FPC* 463 F.2d 1242 (D.C. Cir. 1972), and *Citizens for Allegan County, Inc. v. FPC*, 414 F.2d 1125 (D.C. Cir. 1969).

the Commission's policy and requirements with respect to the collection of the tax are clear and well settled. In accordance with the Commission's policy and regulations, Sea Robin must revise its tariff filing, including the tariff sheets and supplemental cost and revenue data, to eliminate the Louisiana First Use Tax from its cost of service and its proposed revised base tariff rate. This action is without prejudice to Sea Robin's right to track Louisiana First Use Tax costs through its LFUT tariff tracking provision. The tariff filing is accepted subject to this condition.

The Commission orders: (A) Subject to the conditions set forth in paragraph (B) below requiring Sea Robin to revise its tariff filing, the Commission shall accept for filing Sea Robin's Revised Tariff Sheets Nos. 3, 4, and 4-A to its FERC Gas Tariff, Original Volume No. 1, and suspend for five months the effective date of such tariff sheets to May 1, 1980, when they may become effective subject to refund.

(B) Sea Robin shall file revised tariff sheets to:

(1) eliminate all costs associated with facilities which will not be in service by April 30, 1980; such revised filing to be made 30 days before April 30, 1980,

(2) eliminate from its proposed base tariff rates all costs attributable to or associated with the Louisiana First Use Tax without prejudice to Sea Robin's right to track LFUT costs through its LFUT tariff tracking provision.

(C) The Commission grants waiver of Section 154.63(e)(2)(ii) of its Regulations to the extent necessary to permit compliance with paragraph (B)(1) above. This waiver is granted upon the condition that Sea Robin shall not be permitted to make offsetting adjustments other than those made pursuant to Commission approved tracking provisions, those adjustments required by this order, and those required by other commission orders.

(D) The Commission Staff shall prepare and serve top sheets on all parties on or before March 31, 1980.

(E) A Presiding Administrative Law Judge, to be designated by the Chief Administrative Law Judge, shall convene a conference in this proceeding, within 10 days after the service of Staff top sheets, to be held in a hearing or conference room of the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. The Presiding Administrative Law Judge is authorized to set such further procedural dates as may be necessary, and to rule upon all motions (except motions to consolidate, sever, or dismiss) as provided for in the

²Fourth Revised Sheet No. 3, Twenty-Third Revised Sheet No. 4, Fourth Revised Sheet No. 4-A.

Commission's Rules of Practice and Procedure.

By the Commission.
Kenneth F. Plumb,
Secretary.

[FR Doc. 80-391 Filed 1-4-80; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. TC80-43]**Tennessee Natural Gas Lines, Inc.; Notice of Tariff Filing**

December 31, 1979.

Take notice that on December 10, 1979, Tennessee Natural Gas Lines, Inc. (TNGL), 814 Church Street, Nashville, Tennessee 37203, in Docket No. TC80-43 tendered for filing pursuant to Order No. 55 and Section 281.302, *et seq.*, of the Commission's Regulations under the Natural Gas Policy Act of 1978 (NGPA) the following sheets of its FERC Gas Tariff, First Revised Volume No. 1:

First Revised Sheet No. 32
First Revised Sheet No. 33
First Revised Sheet No. 34

TNGL proposes the sheets to be effective January 1, 1980, and alleges that its filing is being made in accordance with the FERC's Alternate Fuel Determination adopted by Order No. 55 issued on October 26, 1979, in Docket No. RM79-40 prescribing which fuels the Commission has determined to be economically practicable and available as a substitute for the essential agricultural use of natural gas during the 1979-1980 winter heating season and how certain essential agricultural users of natural gas must remove from their priority 2 entitlements those volumes of gas for which there is an alternative fuel. Order No. 55 implemented the provisions of Section 401(b) of the NGPA.

TNGL states that only one consumer was affected by said Order, and that no waiver of any Commission rule or regulation is required. TNGL states that it will notify all its customers and the affected state regulatory commission.

Any person desiring to be heard or to protest said tariff filings should on or before January 14, 1980, file a petition to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, 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 protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing thereon must file a

petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-392 Filed 1-4-80; 8:45 am]
BILLING CODE 6450-01-M

[Docket Nos. TA80-1-18 (PGA80-1) (DCA80-1) (LFUT80-1) (AP80-1)]**Texas Gas Transmission Corp.; Notice of Proposed Changes in FPC Gas Tariff**

December 31, 1979.

Take notice that Texas Gas Transmission Corporation, on December 21, 1979, tendered for filing Twenty-Eighth Revised Sheet No. 7 and First Revised Sheet No. 7-B to its FPC Gas Tariff, Third Revised Volume No. 1.

These sheets are being issued to reflect (1) changes in the cost of purchased gas pursuant to Texas Gas' Purchased Gas Adjustment Clause; (2) the recovery of demand charge adjustments pursuant to the terms of Section 10.5 of the General Terms and Conditions of Texas Gas' Tariff; and (3) changes in the Louisiana First Use Tax, pursuant to the provisions of Section 25 of Texas Gas' Tariff, as approved by Commission Order issued May 9, 1979 in Docket No. RP79-31. The filing also reflects changes in costs associated with advance payments, the cost of transportation of gas by others and the Louisiana property tax, all pursuant to the provisions of Article IX, XI and VIII of the Stipulation and Agreement approved by Commission order issued October 11, 1979 in Docket No. RP78-94.

Copies of the filing were served upon the company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 16, 1980. 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. 80-393 Filed 1-4-80; 8:45 am]
BILLING CODE 6450-01-M

[Dockets Nos. RP77-108 and TA80-1-29 (PGA80-1 and IPR80-1)]**Transcontinental Gas Pipe Line Corp.; Notice of Tariff Filing**

December 31, 1979.

Take notice that Transcontinental Gas Pipe Line Corporation (Transco) on December 21, 1979, tendered for filing certain revised tariff sheets to its FERC Gas Tariff, Second Revised Volume No. 1 and original Volume No. 2 to be effective on January 1, 1980.

Transco states that on November 16, 1979 in Docket No. RP77-108 revised tariff sheets were submitted for filing to be effective January 1, 1980 to reflect (1) an advance payment "tracking" rate reduction of 0.3¢ per dt and (2) an increase of 0.13¢ per dt in the Gas Research Institute (GRI) charge.

Transco also states that on November 30, 1979 in Docket No. TA80-1-29 (PGA80-1 & IPR80-1), revised tariff sheets were submitted for filing to be effective January 1, 1980 to implement incremental pricing pursuant to Section 282.602 of the Commission's regulations and Transco's PGA clause. Such filing was made on top of Transco's tariff sheets filed on November 16, 1979.

Transco further states that in its filing of November 16, 1979, the above-mentioned rate changes were applied to approved settlement rates in Docket No. RP77-108 adjusted for, among other things, new zone differentials determined on a mileage basis pursuant to Commission Opinion No. 59. As stated in the filing motions were pending in the United States Court of Appeals for the District of Columbia Circuit to stay the effect of such opinion, and revisions to those tariff sheets may be required should a stay be granted by the Court. The Court of Appeals on December 10, 1979 issued an Order granting a partial stay of Opinion No. 59. Transco states that the purpose of this filing, therefore, is to revise certain of the tariff sheets in the aforesaid November 16, 1979 and November 30, 1979 filings to conform the rates contained therein to those required by the Court's partial stay.

In order for the substitute tariff sheets to become effective as proposed, Transco requests waiver of the 30-day notice requirement and waiver of any Commission regulations which may be necessary.

Transco states that copies of the instant filing have been mailed to each of its jurisdictional customers and interested State Commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825

North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 16, 1980. 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 proceedings. 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 inspections.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-394 Filed 1-4-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. TC80-53]

**Alabama-Tennessee Natural Gas Co.;
Tariff Filing Pursuant to Order No. 55**

January 2, 1980.

Take notice that on December 26, 1979, Alabama-Tennessee Natural Gas Company (Alabama-Tennessee), P.O. Box 918, Florence, Alabama 35630, in Docket No. TC80-53 tendered for filing pursuant to Order No. 55 and Section 281.302, *et seq.*, of the Commission's Regulations under the Natural Gas Policy Act of 1978 (NGPA) the following sheet as part of its FERC Gas Tariff, Third Revised Volume No. 1:

Second Revised Sheet No. 36-E-2

Alabama-Tennessee proposes this sheet to be effective January 1, 1980, and alleges that its filing is being made in accordance with the FERC's Alternative Fuel Determination adopted by Order No. 55 issued on October 26, 1979, in Docket No. RM79-40 prescribing which fuels the Commission has determined to be economically practicable and available as a substitute for the essential agricultural use of natural gas during the 1979-1980 winter heating season and how certain essential agricultural users of natural gas must remove from their priority 2 entitlements those volumes of gas for which there is an alternative fuel. Order No. 55 implemented the provisions of Section 401(b) of the NGPA.

Alabama-Tennessee states that the revised tariff sheet consists of an index of end use volumes for 1979-1980 compiled in accordance with Order No. 55.

Any person desiring to be heard or to protest said tariff filings should on or before January 14, 1980, file a petition to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington,

D.C. 20426, 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 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.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-406 Filed 1-4-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. RP75-62]

**Cities Service Gas Co.; Settlement
Conference**

January 2, 1980.

Take notice that on January 17, 1980, at 9:30 a.m., a further session of the settlement conference that began on December 6, 1979, will be held at the offices of the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. Parties to the instant proceeding should arrive prepared to discuss the revised outline of settlement presented by Cities Service and the reactions to the revised proposal expressed at the December 19, 1979, session.

Customers and other interested persons will be permitted to attend, but if such persons have not previously been permitted to intervene in this matter by order of the Commission, attendance will not be deemed to authorize intervention as a party in these proceedings.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-407 Filed 1-4-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. RP79-76]

**Cities Service Gas Co.; Informal
Settlement Conference**

January 2, 1980.

Take notice that on January 15, 1980, and if necessary, January 16, 1980, at 10:00 a.m. there will be an informal conference of all interested persons for the purpose of continued settlement discussions in these proceedings. The meeting place for the conference will be Hearing Room F at the offices of the Interstate Commerce Commission at 12th Street and Constitution Avenue, N.W., Washington, D.C.

Customers and other interested persons will be permitted to attend, but if such persons have not previously been permitted to intervene by Order of the Commission or the Presiding Administrative Law Judge, attendance will not be deemed to authorize intervention as a party in these proceedings.

All parties will be expected to come fully prepared to discuss the merits of the issues arising in these proceedings and to make commitments with respect to such issues and to any offers of settlement or stipulation discussed at the conference.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-408 Filed 1-4-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. EL80-2]

**City of Gallup, N. Mex. v. Public Service
Co. of New Mexico; Withdrawal of
Complaint**

January 2, 1980.

The filing Company submits the following:

Take notice that on December 18, 1979, the City of Gallup, New Mexico (the City), filed a "Notice of Withdrawal of Complaint" in the above styled proceeding.

The City is withdrawing its complaint because all matters in dispute have been resolved via an agreement between the parties, dated December 10, 1979.

Any person desiring to be heard or to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such protests should be filed on or before January 15, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-409 Filed 1-4-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. TC80-50]

**Midwestern Gas Transmission Co.;
Tariff Filing Pursuant to Order No. 55**

January 2, 1980.

Take notice that on December 26, 1979, Midwestern Gas Transmission / company (Midwestern), 1100 Milam

Building, P.O. Box 2511, Houston, Texas 77001, in Docket No. TC80-50 tendered for filing pursuant to Order No. 55 and Section 281.302, *et seq.*, of the Commission's Regulations under the Natural Gas Policy Act of 1978 (NGPA) the following sheets of its FERC Gas Tariff, Third Revised Volume No. 1:

Second Revised Sheet No. 90
Second Revised Sheet No. 95B
First Revised Sheet No. 115
First Revised Sheet No. 116
First Revised Sheet No. 117
First Revised Sheet No. 124
First Revised Sheet No. 128
First Revised Sheet No. 134

Midwestern proposes the sheets to be effective January 1, 1980, and alleges that its filing is being made in accordance with the FERC's Alternate Fuel Determination adopted by Order No. 55 issued on October 26, 1979, in Docket No. RM79-40 prescribing which fuels the Commission has determined to be economically practicable and available as a substitute for the essential agricultural use of natural gas during the 1979-1980 winter heating season and how certain essential agricultural users of natural gas must remove from their priority 2 entitlements those volumes of gas for which there is an alternative fuel. Order No. 55 implemented the provisions of Section 401(b) of the NGPA.

Midwestern requests a waiver of the thirty-day notice requirement of § 154.22 of the Commission's Regulations so that the revised tariff sheets may become effective on January 1, 1980 as proposed.

Midwestern states that the revisions consist of a revision to the definition of "Essential Agricultural" set forth in its curtailment plan and a revision to Midwestern's Index of End-Use Volumes for its Southern and Northern systems to reflect the exclusion from priority category 2 of the essential agricultural requirements in excess of 300 Mcf per day for which the essential agricultural user has the installed capability to use No. 5 or No. 6 fuel oil or coal as an alternative fuel.

Any person desiring to be heard or to protest said tariff filings should on or before January 14, 1980, file a petition to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, 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 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.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-410 Filed 1-4-80; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. TC80-56]

National Fuel Gas Supply Corp.; Tariff Filing Pursuant to Order No. 55

January 2, 1980.

Take notice that on December 26, 1979, National Fuel Gas Supply Corporation (National Supply) 10 Lafayette Square, Buffalo, New York 14203, in Docket No. TC80-56 tendered for filing pursuant to Order No. 55 and Section 281.302, *et seq.*, of the Commission's Regulations under the Natural Gas Policy Act of 1978 (NGPA) the following sheets to its FERC Gas Tariff, Original Volume No. 1:

First Revised Sheet No. 32(B)
First Revised Sheet No. 32(C)
First Revised Sheet No. 32(D)
First Revised Sheet No. 32(E)

National Supply proposes the sheets to be effective January 1, 1980, and alleges that its filing is being made in accordance with the FERC's Alternative Fuel Determination adopted by Order No. 55 issued on October 26, 1979, in Docket No. RM79-40 prescribing which fuels the Commission has determined to be economically practicable and available as a substitute for the essential agricultural use of natural gas during the 1979-1980 winter heating season and how certain essential agricultural users of natural gas must remove from their priority 2 entitlements those volumes of gas for which there is an alternative fuel. Order No. 55 implemented the provisions of Section 401(b) of the NGPA.

National Supply states that it has notified its customers and the affected state regulatory Commissions of the instant filing.

Any person desiring to be heard or to protest said tariff filings should on or before January 14, 1980, file a petition to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, 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 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.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-411 Filed 1-4-80; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. TC80-54]

South Georgia Natural Gas Co.; Tariff Filing Pursuant to Order No. 55

January 2, 1980.

Take notice that on December 26, 1979, South Georgia Natural Gas Company (South Georgia), Post Office Box 2563, Birmingham, Alabama 35202, in Docket No. TC80-54 tendered for filing pursuant to Order No. 55 and Section 281.302, *et seq.*, of the Commission's Regulations under the Natural Gas Policy Act of 1978 (NGPA) the following sheets of its FERC Gas Tariff, First Revised Volume No. 1:

Second Revised Sheet No. 44
Second Revised Sheet No. 45
Second Revised Sheet No. 46
Second Revised Sheet No. 47

South Georgia proposes the sheet to be effective January 1, 1980, and alleges that its filing is being made in accordance with the FERC's Alternate Fuel Determination adopted by Order No. 55 issued on October 26, 1979, in Docket No. RM79-40 prescribing which fuels the Commission has determined to be economically practicable and available as a substitute for the essential agricultural use of natural gas during the 1979-1980 winter heating season and how certain essential agricultural users of natural gas must remove from their priority 2 entitlements those volumes of gas for which there is an alternative fuel. Order No. 55 implemented the provisions of Section 401(b) of the NGPA.

Any person desiring to be heard or to protest said tariff filings should on or before January 14, 1980, file a petition to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, 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 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.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-412 Filed 1-4-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. TC80-55]

Southern Natural Gas Co.; Tariff Filing Pursuant to Order No. 55

January 2, 1980.

Take notice that on December 26, 1979, Southern Natural Gas Company (Southern), P.O. Box 2563, Birmingham, Alabama 35202, in Docket No. TC80-55 tendered for filing pursuant to Order No. 55 and Section 281.302, *et seq.*, of the Commission's Regulations under the Natural Gas Policy Act of 1978 (NGPA) the following sheets of its FERC Gas Tariff, Sixth Revised Volume No. 1:

Substitute Seventh Revised Sheet No. 62
Substitute Original Sheet No. 62A
Substitute Eighth Revised Sheet No. 63
Substitute Original Sheet No. 63A
Substitute Eighth Revised Sheet No. 64
Substitute Original Sheet No. 64A
Substitute Fifth Revised Sheet No. 65
Substitute Original Sheet No. 65A
Substitute Seventh Revised Sheet No. 66
Substitute Original Sheet No. 66A
Substitute Eighth Revised Sheet No. 67
Substitute Original Sheet No. 67A
Substitute Eighth Revised Sheet No. 71
Substitute Original Sheet No. 71A
Substitute Sixth Revised Sheet No. 73
Substitute Original Sheet No. 73A
Substitute Seventh Revised Sheet No. 74
Substitute Original Sheet No. 74A
Substitute Seventh Revised Sheet No. 75
Substitute Original Sheet No. 75A
Substitute Fifth Revised Sheet No. 76
Substitute Original Sheet No. 76A
Substitute Seventh Revised Sheet No. 77
Substitute Original Sheet No. 77A
Substitute Eighth Revised Sheet No. 78
Substitute Original Sheet No. 78A
Substitute Eighth Revised Sheet No. 82
Substitute Original Sheet No. 82A

Southern alleges that its filing is being made in accordance with the FERC's Alternative Fuel Determination adopted by Order No. 55 issued on October 26, 1979, in Docket No. RM79-40 prescribing which fuels the Commission has determined to be economically practicable and available as a substitute for the essential agricultural use of natural gas during the 1979-1980 winter heating season and how certain essential agricultural users of natural gas must remove from their priority 2 entitlements those volumes of gas for which there is an alternative fuel. Order No. 55 implemented the provisions of Section 401(b) of the NGPA.

Southern states that Docket No. TC80-26 was assigned to its October 2, 1979

filing implementing Order No. 29. By order dated October 31, 1979 the Commission, *inter alia*, accepted Southern's tariff sheets for filing and suspended their effectiveness for five months. Thereafter, Southern states, it filed, by letter dated November 16, 1979, an Application for Permission to Withdraw Suspended Tariff Sheets.

Southern states that the subject revised tariff sheets are also being filed in Docket No. SA80-59 which is assigned to Southern's December 26, 1979 Application for an Adjustment under section 502(c) of the Natural Gas Policy Act of 1978 (NGPA).

Southern therefore requests that the tariff sheets in the instant docket be accepted for filing and made effective upon the effective date of the grant of the adjustment applied for in Docket No. SA80-59. The current effective date of the tariff sheets as filed is January 1, 1980.

Any person desiring to be heard or to protest said tariff filings should on or before January 14, 1980, file a petition to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, 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 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.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-413 Filed 1-4-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. TC80-51]

Tennessee Gas Pipeline, a Division of Tenneco, Inc.; Tariff Filing Pursuant to Order No. 55

January 2, 1980.

Take notice that on December 26, 1979 Tennessee Gas Pipeline, a Division of Tenneco, Inc. (Tennessee), in Docket No. TC80-51 tendered for filing pursuant to Order No. 55 and Section 281.301, *et seq.*, of the Commission's Regulations under the Natural Gas Policy Act of 1978 (NGPA) the following sheets to its FERC Gas Tariff, Ninth Revised Volume No. 1 and Original Volume No. 1A:

Ninth Revised Volume No. 1

Sixth Revised Sheet No. 213K.

Original Volume No. 1A

First Revised Sheets Nos. 2, 4, 9, 10, 14, 16, 22-24, 31-34, 43, 54, 57, 61, 75, 85, 87, 91-93, 96, 97, 111, 118, 121, 122, 124, and 125.

Tennessee proposes the sheets to be effective January 1, 1980, and alleges that its filing is being made in accordance with the FERC's Alternative Fuel Determination adopted by Order No. 55 issued on October 26, 1979, in Docket No. RM79-40 prescribing which fuels the Commission has determined to be economically practicable and available as a substitute for the essential agricultural use of natural gas during the 1979-1980 winter heating season and how certain essential agricultural users of natural gas remove from their priority 2 entitlements those volumes of gas for which there is an alternative fuel. Order No. 55 implemented the provisions of Section 401(b) of the NGPA.

Tennessee states that it has mailed to all its customers and the affected state regulatory Commissions a copy of the instant filing.

Any person desiring to be heard or to protest said tariff filings should on or before January 14, 1980, file a petition to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, 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 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.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-414 Filed 1-4-80; 8:45 am]

BILLING CODE 6450-01-M

Office of Hearings and Appeals

Issuance of Decisions and Orders; Week of October 9 Through October 12, 1979

Notice is hereby given that during the week of October 9 through October 12, 1979, the Decisions and Orders summarized below were issued with respect to Appeals and Applications for Exception or other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions which were dismissed by

the Office of Hearings and Appeals and the basis for the dismissal.

Appeals

Bonray Oil Co., Oklahoma City, Okla., crude oil, DRA-0178

Bonray Oil Company filed an appeal from a Revised Remedial Order which the Region VI Office of Enforcement issued to the firm on April 20, 1978. In the Revised Remedial Order, the Regional Office found that Bonray had misclassified three of its properties as stripper well properties and had as a consequence sold crude oil produced from these properties at prices in excess of applicable maximum allowable ceiling prices. In considering the Bonray appeal, the DOE rejected Bonray's contention that the Regional Office had improperly calculated down time for wells located on two of its properties. However, the DOE determined that the Regional Office had erroneously concluded that Bonray had misclassified the third property as a stripper well property. In this connection, the DOE found that the single well producing from this property produced crude oil in addition to natural gas and natural gas condensate, and that the property therefore was eligible for the stripper well property exemption. Accordingly, the DOE concluded that the Bonray appeal should be granted in part and denied in part.

Fusion Energy Foundation, Washington, D.C., Freedom of Information, DFA-0454

Fusion Energy Foundation filed an Appeal from a partial denial by the Director of the Office of Classification of a Request for Information which the firm has submitted under the Freedom of Information Act (the FOIA). In considering the Appeal, the DOE found that the documents which had been withheld as classified material had been properly classified and were exempt from disclosure under exemption (b)(1) and (b)(3). The DOE also found that portions of one document which had been withheld under exemption (b)(5) were more properly exempt from disclosure under exemption (b)(4). Important issues that were considered in the Decision and Order were: (i) whether the provisions of exemption (b)(4) apply to documents pertaining to the subject matter of scientific conferences, and (ii) the relationship of exemptions (b)(4) and (b)(5) to non-confidential portions of documents that contain classified material.

Malcolm J. Harkins, Washington, D.C., Freedom of Information, DFA-0492

Malcolm J. Harkins filed an Appeal from a denial by the ERA Assistant Administrator for Enforcement of a Request for Information which the firm had submitted under the Freedom of Information Act (FOIA). In considering the Appeal, the DOE found that certain of the documents which were initially withheld under Exemptions 4 and 5 should be released to the public but that one document was properly withheld pursuant to Exemption 2.

James L. Miller, Tampa, Fla., Freedom of Information, DFA-0602

James L. Miller filed an Appeal from a denial by the Acting Assistant Administrator

of Energy Data for the DOE Energy Information Administration of a Request for Information which the firm had submitted under the Freedom of Information Act (FOIA). In considering the Appeal, the DOE found that copies of completed Forms EIA-25 requested by Mr. Miller were properly withheld under Exemption 4.

Williams & Connolly, Washington, D.C., Freedom of Information, DFA-0504

Williams & Connolly filed an Appeal from a determination by the Director of the Petroleum Price Regulations Section of the Office of Regulations and Emergency Planning of the DOE Economic Regulatory Administration (the Director) that identification and location of the materials sought in a request for information under the Freedom of Information Act would be unreasonably burdensome and disruptive of DOE operations. In considering the Appeal, the DOE determined that in its initial request Williams & Connolly had adequately described the categories of documents it sought, and had therefore complied with the requirements of 10 CFR 1004.4(c)(1). The DOE remanded the matter to the Director to identify the documents in his possession which were responsive to Williams & Connolly's request and to release such documents to the firm or to issue a written justification explaining why any documents withheld were properly exempt from mandatory disclosure and why their release would be contrary to the public interest.

Petition for Special Redress

United Independent Oil Co., Tacoma, Wash., Crude Oil, DSG-0070 DES, DST-0284

C & H Refinery, Inc., Lusk, Wyo., DSG-0067, DRS, DRT-0124

United Independent Oil Company (UIOC) and C & H Refinery, Inc. (C & H) filed Applications for Stay and Temporary Stay pending determinations with respect to their Petitions for Special Redress. The UIOC and C & H submissions were filed in connection with a Notice of Probable Violation (NOPV) issued to the firms as well as two other refiners on July 13, 1979 by the DOE's Office of Enforcement. If granted, the Applications for Stay and Temporary Stay would have resulted in the issuance of an Order staying the provisions of the DOE Procedural Regulations which require the recipients of an NOPV to respond to allegations contained in an NOPV within a designated time period, or be deemed to have admitted the accuracy of its factual allegations and legal conclusions. The Petitions for Special Redress, if granted, would have resulted in an Order quashing the July 13 NOPV. In considering the Petitions, the DOE determined that the legal questions and arguments raised by UIOC and C & H were more appropriately raised within the context of replies to the July 13 NOPV. The Petitions for Special Redress were therefore dismissed without prejudice. In considering the Applications for Stay and Temporary Stay, the DOE determined that neither UIOC nor C & H had demonstrated that it would suffer an irreparable injury in the absence of stay relief. The DOE further determined that the dismissal of the Petitions for Special Redress

had removed the requests underlying the stay applications and had therefore eliminated any likelihood of success on the merits of those Petitions. The DOE also rejected the applicants' contention that the exercise of their Fifth Amendment rights against self-incrimination prevented the firms from fashioning a response to the NOPV. Accordingly, the Applications for Stay and Temporary Stay were denied.

Requests for Exception

S. Earl Feick, Necedah, N. Dak., Temperature Restrictions, DEE-7553

S. Earl Feick filed an Application for Exception from the provisions of the Emergency Building Temperature Restrictions in which the applicant sought permission to raise the maximum winter temperature in his place of employment to 69°F. In considering the request, the DOE found that in the absence of exception relief Mr. Feick would be exposed to serious risk to his health. The DOE therefore granted the S. Earl Feick exception request.

J. M. Huber Corp., Houston, Tex., crude oil, DXE-8069

The J. M. Huber Corporation (Huber) filed an Application for Exception from the provisions of 10 CFR, Part 212, Subpart D. The exception request if granted, would result in an extension of exception relief previously granted and would permit the firm to continue to sell a certain portion of the crude oil which it produces from the Pure-State No. 1 Well at upper tier ceiling prices. J. M. Huber Corporation, 3 DOE

Par. (1979). In considering the exception application, the DOE found that Huber continued to incur increased operating expenses at the Pure-State No. 1 Well and that, in the absence of exception relief, the working interest owners would lack an economic incentive to continue the production of crude oil at that well. In view of this determination and on the basis of the operating data which Huber had submitted for the most recently completed fiscal period, the DOE concluded that exception relief should be continued to permit Huber to sell at upper tier ceiling prices 100 percent of the crude oil produced from the Pure-State No. 1 Well for the benefit of the working interest owners for a six-month period.

Texaco, Inc., White Plains, N.Y., motor gasoline, DEE-6985

Texaco, Inc. filed an Application for Exception with the Office of Hearings and Appeals of the Department of Energy in which the firm sought an allocation of motor gasoline for the purpose of supplying fuel for its employee van pool program. In considering the request, the DOE found that the van pool program achieved a significant reduction in the volume of motor gasoline used by the employees in commuting to and from work and that as a result the failure to approve the requested allocation would be contrary to national energy policy objectives. Consequently, the Texaco request was granted.

Texaco, Inc., White Plains, N.Y., motor gasoline, DEE-1858

Texaco, Inc. filed an Application for

Exception from the provisions of 10 CFR 212.83(c) which, if granted, would permit the firm to adjust the manner in which it calculates its increased marketing costs after it implemented a planned divestiture of a number of its marketing operations. In its Application, Texaco indicated that it intended to convert all of its commission agents to branded independent jobbers, and to sell its company-owned bulk plants to those new independent jobbers. Texaco therefore requested that it be permitted to deduct all of the costs associated with the divested properties from its May 1973 marketing costs. In considering the firm's request, the DOE found that, following the divestitures, Texaco would no longer incur certain costs in connection with the divested properties, and that as a consequence it would be grossly inequitable to compare its May 1973 marketing costs with its marketing costs after divestiture. The DOE determined therefore that Texaco should be permitted to deduct from its May 1973 non-product marketing costs on a monthly basis, costs directly associated with properties which it divested prior to August 1, 1979. The DOE further determined, however, that Texaco should not be permitted to deduct indirect costs, since it was not certain that the costs would in fact be eliminated as a result of divestiture. A Proposed Decision and Order in which the DOE tentatively determined to grant Texaco's exception request in part was issued to the firm on January 30, 1979. On March 27, 1979, Texaco objected to the January 30 Proposed Decision and Order. The firm requested that the exception relief granted in the Proposed Decision be extended to include all consignee conversions which would take place after August 1, 1979. Texaco further requested that certain semi-annual reporting requirements which the DOE had imposed in the Proposed Decision be simplified and only be required on an annual basis. In its final Decision and Order, the DOE determined that the exception relief which had been granted to the firm in the Proposed Decision should have been extended to include all conversions prior to December 31, 1981, the scheduled completion date for Texaco's conversion project. The DOE further determined Texaco's proposals for the simplification of reporting requirements had substantial merit. Accordingly, the Texaco, Inc. exception request was granted in part.

Request for Temporary Exception

Newark Intermodal Truck Stop, Inc., Newark, N.J., diesel fuel DEL-7745

Newark Intermodal Truck Stop, Inc. filed an Application for Temporary Exception from the provisions of 10 CFR, Part 211 in which the firm sought the assignment of a supplier of 350,000 gallons of No. 2 diesel fuel per month pending consideration of its Application for Exception, Case No. DEE-7745, in which it requested the same relief on a permanent basis. In considering the request, the DOE found that the firm had not presented any material which indicated that the difficulties that the firm had experienced in securing adequate supplies of diesel fuel were the result of a DOE regulatory activity. Accordingly, the firm's request for temporary

exception relief was denied. The Office of Hearings and Appeals noted, however, that the firm would be afforded another opportunity to demonstrate that it would be appropriate for the DOE to grant exception relief involving the allocation of diesel fuel, a product no longer covered by DOE regulations, in the course of proceedings which would be conducted with respect to its exception request.

Requests for Stay

Lehigh Oil Co., Norwich, Conn., motor gasoline, DES-0284

Lehigh Oil Company filed an Application for Stay which, if granted, would stay an Assignment Order issued to the firm by the Economic Regulatory Administration Region I on August 22, 1979 pending a final determination with respect to an Appeal that the firm has also filed. The August 22 Order assigned Lehigh as the base period supplier of motor gasoline to two retail outlets located in the Springfield, Massachusetts area. In considering the Lehigh stay request, the DOE concluded that Lehigh had failed to demonstrate that it would suffer an irreparable injury in the absence of the stay relief or that its Appeal of the August 22 Assignment Order would be successful on its merits. The DOE also found that the public interest required that Lehigh supply the two outlets with motor gasoline pending a determination of its Appeal. Accordingly, the Lehigh stay request was denied.

Mobil Oil Corp., New York, N.Y., DST-0564, DES-0564

Mobil Oil Corporation filed Applications for Temporary Stay and Stay of a June 25, 1979 Assignment Order in which the Economic Regulatory Administration Region I had ordered Cantro Petroleum Corporation of East Hartford, Connecticut, to supply motor gasoline to Beshara's Self Service of Torrington, Connecticut. Mobil, which supplies Cantro Petroleum, sought a stay of the Assignment Order pending a determination on its Appeal of that Order. In considering the Applications, the DOE determined that Mobil had failed to demonstrate that it would suffer an irreparable injury in the absence of stay relief or that its Appeal of the June 25 Assignment would be successful on its merits. Mobil's Applications for Temporary Stay and Stay of the Assignment Order to Cantro Petroleum Corporation were therefore denied.

Request for Temporary Stay

Mobil Oil Corp., New York, N.Y., crude oil, DST-0073

Mobil Oil Corporation (Mobil) filed an Application for Reconsideration or Temporary Stay of a Decision and order issued to the Commonwealth Oil Refining Co., Inc. (Corco) on September 12, 1979. In that Decision, the DOE approved Corco's request for a temporary exception and directed Mobil and five other firms to supply crude oil to Corco during the period from September 1, 1979 through December 31, 1979. In considering the Mobil Application, the DOE determined that Mobil did not have standing to request a reconsideration of the

September 12 Order. The DOE also found that Mobil had not demonstrated that it would experience an irreparable injury in the absence of a temporary stay. The Mobil request for reconsideration was therefore dismissed, and the Mobil request for temporary stay was denied.

Interlocutory Order

The District of Columbia, Washington, D.C., motor gasoline, DEZ-0058

The District of Columbia filed an Application for Temporary Exception in which it requested a four percent increase in the motor gasoline allocation of each retail service station within the District. In considering the District's Application, the DOE collected information from a number of sources in order to determine whether the District was in fact disadvantaged by the operation of the DOE allocation program. After reviewing this data, the DOE issued an Interlocutory Order to the District. In that Order, the DOE reviewed the data in detail. In addition, the DOE set forth the criteria that it would apply in analyzing requests which it received from a metropolitan area for additional gasoline supplies, and offered the District an opportunity to challenge these criteria or demonstrate that it satisfied them.

Protective Orders

The following firms filed Applications for Protective Orders. The applications, if granted would result in the issuance by the DOE of the proposed Protective Order submitted by the firm. The DOE granted the following applications and issued the requested Protective Order as an Order of the Department of Energy:

Name, Case No., and Location

Tenneco Oil Co., DEZ-0068; Washington, D.C.

Interim Orders

The following firms were granted Interim Exception relief which implements the relief which the DOE proposed to grant in an order issued on the same date as the Interim Order:

Company Name, Location, and Case No.

Duane's Chevron, Hattiesburg, Miss.; DEN-7011.
Nick Quintana, Miami, Fla.; DEN-7122.
Saint George Oil, Los Angeles, Calif.; DEN-3489.
Hinson's Crossroads General Store, Carryville, Fla.; DEN-5602.
Monk's Shoppette, Carrollton, Ga.; DEN-7514.

Petitions Involving the Motor Gasoline Allocation Regulations

The following firms filed Applications for Exception from the provisions of the Motor Gasoline Allocation Regulations. The requests, if granted, would result in an increase in the firms' base period allocation of motor gasoline. The DOE issued Decisions and Orders which determined that the requests be granted.

Company Name, Location, and Case No.
Kann's Service, Auburn, Mass.: DEO-0297.

Petitions Involving the Motor Gasoline Allocation Regulations

The following firms filed Applications for Exception from the provisions of the Motor Gasoline Allocation Regulations. The request, if granted, would result in an increase in the firms' base period allocation of motor gasoline. After reviewing the material presented by these firms, the DOE issued Decisions and Orders which determined that each of these petitions should be dismissed without prejudice to a refiling at a later date.

Company Name, Location, and Case No.
Buddy's Mascot, Charleston, W. Va.: DEE-7129.

The following submissions were dismissed without prejudice to refiling at a later date:

Company Name, and Case No.

Becker Pet. Co., Inc., DEE-2642.
Brandywine Exxon, DEE-4425.
Brian's Auto Repair, DEE-7049.
Chalmette Shell DEE-6568; DES-6568.
Continental Fuel Co., DEE-5216; DES-5216.
Dickson Oil Co., DEE-5214; DES-5214.
Kohler Oil Co., DEE-4041; DES-4041.
A&A Minimart DEE-6600; DES-6600.
Airport Exxon, DEE-3964.
Aluma-Kool Aluminum Products, DEE-5859.
Barry Kaye Assoc., DEE-7506.
Bowers & Burrows Inc., DEE-5012; DST-5012.
Craig's Fina Station, DEE-4894.
Champion Internat'l, DEE-6453.
City of Morganfield, DEE-8165.
City of Sanborn, DEE-8260; DES-8260.
Doug's Exxon, DEE-6764.
Gable's Mini-Market, DEE-7612.
Geo. J. Switzer Co., DEE-6687.
Harper Hgts. Gas Co., DEE-8299.
J. L. Jones Oil Co., DEE-4409.
Laytonville 66 Inc., DEE-6711.
Macek-Silvia, DEE-7091.
Malco Products, Inc., DEE-7455; DEE-7456; DEE-7457.
Malibu Petroleum, DEE-5243.
Marilyn Corp., DEE-6924.
Nelson-Wilson, Inc., DEE-2503.
N.C. Div. of Forest Resources, DEE-0064.
Pargas, Inc., DEE-8301.
Pearman Stiller Oil Co., Inc. DEE-5564; DST-5564.
Pete Loupe Mobil, DEE-6899.
Plaza Gas, DEE-4016.
River Exxon, DEE-4311.
S.O.K.'s Serv. Sta. & Grocery, Inc., DEE-4657.
Sol's Gas, DEE-5241.
The Card Mart, DEE-8025.
The City Tavern Club, DEE-8026.
Tresler Oil Co., DEE-3523; DES-3523; DST-3523.
Union 76 Service, DEE-5860.
W. W. Fowler Oil Co., DEE-2515.
Whitaker Oil Co., DSG-0054.
Whitfield Oil Co., DEE-7106.
Crew Distributing, DEE-4373; DST-4373.
Crocker's Transportation, Inc., DEE-5618.

Damson Oil Corp., DEE-1954.
Dillman's Arco, DEE-6010.
Five Star Service, DEE-8278.
Howard Cook, DEE-6895.
James A. Thomas, DEE-4958.
Jarmon's Bridge Texaco, DEE-6513.
Keystone Arco, DEE-6486.
M & R Enterprises, DEE-5429.
Monts Texaco, DEE-7892.
Norristown Heat & Fuel Co., DEE-3720.
Rice Oil Co., Inc. DEE-2696.
Robert N. Rosenthal & Associates, DEE-5745.
Roland's Gulf, DEE-5844.
Ruthinowski & Warner, DEE-2983.
Saveway Oil Co., DEE-4572.
Smitty's All Service, DEE-5300.
Summit Texaco, DEE-6705.
Tulio's Auto Enterprises DEE-6105.
U.S.A. Pet., Inc., DEE-1461.
UV Industries, DEE-5194.
Weekly's Exxon, DXE-7903.
West Gulf Maritime Association, DEE-8304.
Zimm's Exxon, DEE-5076.
Cities Service, DEA-0490.
Covington Bros. Bldg. Systems, DEE-3840.
Dave's Arco, DEE-4523; DES-4523.
Ecurie Shirlee Corp., DEE-5770.
George Wolf, Inc., DEE-5662.
Green River Enterprises, Inc., DEE-3379.
Jack Hayley's Tire Service, DEE-5485.
L. H. Smith Oil Corp., DEE-3375.
Lasco Truck Rental, DEE-5317.
Leon L. Moore Oil Co., DEE-4193; DES-4193.
McDermitt Mine, DEE-6552.
Metropolitan Pet. Co., DEE-2372; DST-2372.
Ox Bow Marina, Inc., DEE-5424.
Pacific Resources, DEE-2811.
Ralph M. Parsons Co. DEE-5827.
Robins Marina, Inc., DEE-6282.
Stinson Tire Co., DEE-7138.
T. A. Teal (Mrs.), DEE-5741.

Copies of the full text of these Decisions and Orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B-120, 2000 M Street, NW., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., e.s.t., except Federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

Melvin Goldstein,
Director, Office of Hearings and Appeals.
December 21, 1979.

[FR Doc. 80-400 Filed 1-4-80; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

Pesticide Programs; Renewal of Temporary Tolerances for Glyphosate

[FRL 1385-2; PP 6G1679/T225]

On August 6, 1976, the Environmental Protection Agency (EPA) announced (41 FR 32949) the establishment of temporary tolerances for combined residues of the herbicide glyphosate (N-

phosphonomethyl)glycine and its metabolite aminomethylphosphonic acid in or on the crop groupings cucurbits, forage legumes, fruiting vegetables, small fruits and the raw agricultural commodity hops at 0.1 part per million (ppm). The residues may have resulted from application of the herbicide to the banks of small water impoundments, irrigation ditch banks, and drainage ditch banks.

Subsequently, the petitioner, Monsanto Co., 800 N. Lindbergh Blvd. St. Louis, MO 63116, amended the petition by adding a temporary tolerance for combined residues of glyphosate and its aminomethylphosphonic acid in or on the raw agricultural commodity fish at 0.15 ppm (June 22, 1977; 42 FR 31644). These tolerances were established in response to pesticide petition 6G1679, and they expired July 28, 1977.

Monsanto Co. has requested a one-year renewal of these temporary tolerances both to permit continued testing to obtain additional data and to permit the marketing of the above crop groupings and raw agricultural commodities when treated in accordance with the provisions of the experimental use permit (524-EUP-29) that is being renewed concurrently under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended in 1972, 1975, and 1978 (92 Stat. 819; 7 U.S.C. 136). (A related document establishing a food additive regulation for residues of glyphosate in potable water appears elsewhere in today's *Federal Register*.)

The scientific data reported and all other relevant material have been evaluated, and it has been determined that a renewal of the temporary tolerances will protect the public health. Therefore, the temporary tolerances are renewed on condition that the pesticide is used in accordance with the experimental use permit with the following provisions:

1. The total amount of the pesticide to be used must not exceed the quantity authorized by the experimental use permit.

2. Monsanto Co. must immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The firm will also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

The temporary tolerances expire December 21, 1980. Residues not in excess of 0.1 ppm remaining in or on cucurbits, forage legumes, fruiting vegetables, small fruits, and hops and 0.15 ppm remaining in or on fish after

this expiration date will not be considered actionable if the pesticide is legally applied during the term of and in accordance with the provisions of the experimental use permit and temporary tolerances. These temporary tolerances may be revoked if the experimental use permit is revoked or if any scientific data or experience with this pesticide indicate such revocation is necessary to protect the public health. Inquiries concerning this notice may be directed to Mr. Robert Taylor, Product Manager 25, Registration Division (TS-767), Office of Pesticide Programs, 401 M St., SW, Washington, DC 20460 (202/755-2196).

Statutory Authority: Section 408(j) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 3469(j)].

Dated: December 21, 1979.

Douglas D. Camp,

Director, Registration Division.

[FR Doc. 80-368 Filed 1-4-80; 8:45 am]

BILLING CODE 6560-01-M

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket 78-331]

Interconnection of Communications Equipment or Security Devices to the Public Switched Telephone Network; Order

Adopted: December 28, 1979.

Released: December 31, 1979.

By the Chief, Common Carrier Bureau: In the matter of applications by the Federal Executive Agencies of the U.S. Government for (1) authority to qualify for the inter-connection of communications equipment or security devices to the public switched telephone network pursuant to § 68.2(d) of the Commission's rules; and (2) request for special temporary authority to qualify for the interconnection of communications equipment or security devices to the public switched telephone network pursuant to § 68.2(d) of the Commission's rules.

1. The Commission's Order (FCC 79-728) released November 14, 1979 (44 FR 66825, Nov. 21, 1979), amended § 68.2 of the Commission's rules and regulations, 47 CFR 68.2, to permit governmental departments, agencies or administrations to connect communications equipment or security devices to the public switched telephone network without compliance with Part 68 of the rules provided that proper written certification is made to the appropriate common carrier and provided proper written certification has

been approved in writing by the Commission pursuant to § 68.2(d).

2. On December 19, 1979 we received a request for permanent authority and a request for special temporary authority to qualify for the interconnection of communications equipment or security devices to the public switched telephone network pursuant to § 68.2(d) of the Commission's rules on behalf of:

Department of State
Department of Defense
General Services Administration
Department of Treasury
Central Intelligence Agency
Federal Bureau of Investigation
Department of Justice
Department of Commerce
Department of Transportation
Federal Reserve Board

3. These requests state that each of these organizations employ communications equipment and security devices which connect to the public switched telephone network in support of at least one of the following purposes:

- Communications support of the President and other senior U.S. government officials;
- Communications support of the U.S. intelligence activities; including counter-intelligence;
- Communications support of criminal investigative activities; and
- Communications support of other classified/sensitive U.S. government activities.

Authority for the above-named governmental entities to act pursuant to § 68.2(d) is being requested to avoid the public release of classified information regarding communications equipment or security devices employed in support of the above purposes.

4. Our Order indicated that a list of governmental departments, agencies or administrations filing requests to act pursuant to § 68.2(d) will be published in the **Federal Register** and that the Commission would act on such request only upon the expiration of 30 days after such publication. Our Order also instructed American Telephone & Telegraph Company to amend all applicable tariffs to implement the national security exemption from Part 68 effective January 1, 1980. The Order stated that the Commission may grant on less than the normal notice or without notice, special temporary authority not to exceed 90 days for governmental departments, agencies or administrations that wish to qualify for interconnection of equipment or security devices pursuant to § 68.2(d).

5. As Part 68 of the Commission's Rules becomes fully effective on January 1, 1980, insufficient time remains for granting the requested permanent

exemption authority under the procedures described in our Order (FCC 79-728). Therefore, pursuant to the delegated authority provided in § 0.291 of the Commission's rules and regulations, 47 CFR 0.291, it is hereby ordered that special temporary authority is granted to the Federal Executive Agencies identified in Paragraph (2) above for exemption to Part 68 of the Commission's rules and regulations, as provided in § 68.2(d) (47 CFR 68.2(d)) effective January 1, 1980. Notice of this action and the concomitant request for permanent exemption authority will be published in the **Federal Register**.

Philip L. Verveer,

Chief, Common Carrier Bureau.

[FR Doc. 80-369 Filed 1-4-80; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL RESERVE SYSTEM

Farmers & Merchants Holding Co., Inc.; Formation of Bank Holding Company

Farmers and Merchants Holding Company, Inc., Beach, North Dakota has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 51 percent of the voting shares of Farmers and Merchants Bank, Beach, North Dakota. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than January 31, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, December 31, 1979.

Theodore E. Allison,

Secretary of the Board.

[FR Doc. 80-333 Filed 1-4-80; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

National Advisory Council on the Education of Disadvantaged Children; Addendum to Meeting Notice

This notice is an addendum to the Notice of Meeting of the National Advisory Council on the Education of Disadvantaged Children which appeared in the *Federal Register* on Thursday, December 20, 1979, page 75523. Pursuant to the Federal Advisory Committee Act, Public Law 92-463, Section 10(a)(2), notice is hereby given that the meeting of the National Advisory Council scheduled to be held on January 11 and 12, 1980 will be held in the John Hay Room of the Hay Adams Hotel, located at 800-16th Street, N.W., Washington, D.C.

The National Advisory Council on the Education of Disadvantaged Children is established under 196 of the Elementary and Secondary Education Act (20 U.S.C. 2852) to advise the President and the Congress on the effectiveness of compensatory education to improve the educational attainment of disadvantaged children.

Additional information regarding the above meeting may be obtained by contacting the Council office at area code 202/724-0114.

Signed at Washington, D.C. on January 2, 1980.

Gloria B. Strickland,

Acting Executive Director.

[FR Doc. 80-421 Filed 1-4-80; 8:45 am]

BILLING CODE 4110-02-M

National Advisory Council on Vocational Education; Public Hearings

AGENCY: National Advisory Council on Vocational Education.

ACTION: Notice of Public Hearings.

SUMMARY: This notice sets forth the schedule and purpose of two forthcoming hearings of the National Advisory Council on Vocational Education and describes the functions of the Council. Notice of these hearings is required under the Federal Advisory Committee Act, (5 U.S. Code, Appendix I, section 10(a)(2)). This document is intended to notify the general public of its opportunity to attend.

DATES: (a) February 21 and 22, 1980; (b) March 13 and 14, 1980.

ADDRESSES: (a) The Court Room of the Criminal Justice Center, Sam Houston State University, Avenue I and 16th Street, Huntsville, Texas; (b) Room 1194,

State Office Building, 350 McAllister Street, San Francisco, California.

The National Advisory Council on Vocational Education was established under section 104 of the Vocational Education Amendments of 1968, Pub. L. 90-576. The Council is directed to:

(a) advise the President, Congress, the Secretary, and the Commissioner concerning the administration of, preparation of general regulations for, and operation of, vocational education programs supported with assistance under this title;

(b) review the administration and operation of vocational education programs under this title, including the effectiveness of such programs in meeting the purposes for which they are established and operated, make recommendations with respect thereto, and make annual reports of its findings and recommendations (including recommendations for changes in the provisions of this title) to the Secretary for transmittal to the Congress; and

(c) conduct independent evaluations of programs carried out under this title and publish and distribute the results thereof.

On Thursday, February 21, 1980, from 9:00 a.m. to 4:30 p.m. and on Friday, February 22, 1980, from 9:00 a.m. to 12:30 p.m., the National Advisory Council on Vocational Education, in conjunction with the National Institute of Education, will hold the third of four regional hearings on the status of vocational education in correctional institutions. This hearing will be held in the Court Room of the Criminal Justice Center (Avenue I and 16th Street) of Sam Houston State University in Huntsville, Texas. The fourth and final hearing will be held in San Francisco, California on Thursday, March 13, 1980, from 9:00 a.m. to 4:30 p.m. and on Friday, March 14, 1980, from 9:30 a.m. to 12:30 p.m. in Room 1194 of the State Office Building at 350 McAllister Street.

The purpose of these hearings is to examine the adequacy of vocational education programs for youth and adult offenders, and to explore ways to improve both the programs themselves and access to them. Specifically, the hearings will address the issues of: (1) Federal policy as it relates to vocational education in corrections; (2) the use of federal funds for vocational programs and operations; (3) legislative provisions for corrections in the Vocational Education Amendments of 1976 and other acts; (4) the legal, attitudinal, and procedural barriers to providing access to quality vocational programs; (5) programs and activities which have found solutions to the barriers; and, (6) recommendations for change.

Records shall be kept of the four Council hearings and shall be developed into a final report and made available to the public through the office of the National Advisory Council on Vocational Education, located at 425 13th Street, N.W., Suite 412, Washington, D.C. 20004. In addition, the submittal of written testimony directly to the National Advisory Council is encouraged and will be accepted through April 14, 1980.

Anyone interested in testifying at the hearings, and anyone seeking more information should call Ralph Bregman or Sarah Bennett at the National Council office (202) 376-8873.

Signed in Washington, D.C., on December 17, 1979.

Raymond C. Parrott,

Executive Director, National Advisory Council on Vocational Education.

[FR Doc. 80-435 Filed 1-4-80; 8:45 am]

BILLING CODE 4110-02-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

California Desert Conservation Area Advisory Committee; Meeting and Field Review

Notice is hereby given in accordance with Pub. L. 92-463 and 94-579 that the California Desert Conservation Area Advisory Committee to the Bureau of Land Management, U.S. Department of the Interior, will hold a meeting and field review in Victorville, California, and portions of the California Desert Conservation Area February 8 and 9, 1980. The purpose of the meeting and field review is to elect Committee officers for 1980 and discuss other routine business, including the meeting schedule for the year. The field review will be primarily concerned with areas used for off-road vehicle recreation, including El Mirage Dry Lake, a motorcycle use-area near Cuddeback Lake, and the Soda Mountain area.

The business meeting will be held in the Holiday Inn, 15494 Palmdale Road, Victorville, California 92392, beginning at 7:00 p.m. on Friday, February 8. The field review on Saturday, February 9, is open to the public but will not include formal meetings or opportunities to present statements. Members of the public who wish to participate in the field review must furnish their own lodging and meals. Further information regarding the field review and meeting agenda may be obtained from the Chairman, California Desert Conservation Area Advisory Committee, c/o Desert Plan Staff,

Bureau of Land Management, 3610
Central Avenue, Suite 402, Riverside,
California 92506.

Dated December 28, 1979.

James B. Ruch,

Acting State Director

(FR Doc 80-336 Filed 1-4-80; 8:45 am)

BILLING CODE 4310-84-M

California Desert Conservation Area; Amendments and Clarifications of Designated Wilderness Study Areas

December 1979.

Under authority delegated by the Director Bureau of Land Management, the public lands administered by the Bureau of Land Management within the designated California Desert Conservation Area (CDCA) have been inventoried according to the provisions of Sections 201(a) and 603 of the Federal Land Policy and Management Act of 1976 (Pub. L. 94-579) and Section 2(c) of the Wilderness Act of 1964 (Pub. L. 88-577).

The Final California Desert Conservation Area Wilderness Inventory decisions were announced by a Federal Register Notice dated March 30, 1979. At the same time, the *California Desert Conservation Area, Wilderness Inventory, Final Descriptive Narratives* report dated March 31, 1979 was mailed to all persons on the Desert wilderness mailing list. That notice and report listed as Wilderness Study Areas all or portions of 138 inventory units that met the wilderness criteria of Section 2(c) of Pub. L. 88-577.

Both the Federal Register Notice and the final report gave procedures for the filing of protests to these decisions. Within the 30 day period before they became final, the filing of a protest stayed my decision on that particular unit. As a result of the information received and evaluated during the protest period, specific amendments have been made to several wilderness inventory decisions.

The purpose of this Federal Register Notice is to give the present status of each wilderness inventory unit within the California Desert Conservation Area.

In addition to this notice, everyone on the CDCA wilderness mailing list is being informed of the present status of this inventory effort by being sent a package of "Amendments and Clarifications of the Final Descriptive Narratives and Maps California Desert Conservation Area Wilderness Inventory December 1979." It is available from the BLM Desert Plan staff at Suite 402, 3610 Central Avenue, Riverside, California 92506.

My previously announced inventory decisions can be divided into three categories based on their present status.

1. *Final Decisions.* The wilderness inventory decisions published in the March 31, 1979 report are now final on all those areas which have not been changed or appealed. Those inventory units or parts of units listed below which were identified as not having wilderness values are no longer under the interim management requirements of Section 603-C of FLPMA. The inventory units or parts thereof listed below, which were identified as having wilderness values have been designated as Wilderness Study Areas and will continue to be managed under the requirements of Section 603-C of FLPMA.

The wilderness inventory decisions are final on the following inventory units:

Areas—100, 100A, 101, 102, 103, 104, 105, 107A, 109, 110, 111, 112, 115, 116, 117A, 118, 119, 120, 121, 122, 123, 124, 127, 129, 130, 132, 132A, 132B, 133, 134, 137, 138, 138A, 139, 140, 142, 144, 146, 147, 148, 149, 149A, 150A, 151, 154, 154A, 157, 157A, 157B, 159A, 160, 160A, 160B, 160C, 161, 162, 163, 164, 165, 165A, 166, 167, 168, 169, 170, 171, 173, 173A, 174, 175, 176, 177, 178, 179, 179A, 180, 181, 182, 182A, 183, 185, 185A, 186, 186A, 186B, 186C, 187, 188, 189, 190, 191, 192, 192A, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207A, 208, 209, 210, 210A, 211, 212, 213, 214, 215, 216, 217A, 218, 218A, 219, 220, 221A, 222A, 223, 224, 225, 225A, 226, 228, 228A, 228B, 229, 230, 231, 232, 232A, 233, 233A, 233B, 234, 235, 235A, 236, 237, 237A, 237B, 238A, 238B, 239, 240, 241, 241A, 243, 244, 245, 246, 247, 248, 249, 250, 252, 253, 254, 254A, 255, 255A, 256, 257, 258, 258A, 259, 260, 261, 261A, 261B, 261C, 262, 264A, 267, 267A, 267B, 267C, 268, 269, 269A, 270, 272, 273, 274, 275, 275A, 276, 276A, 277, 277A, 278, 278A, 279, 280, 280A, 281, 282, 283, 284, 285, 286, 287, 288, 288A, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299A, 299B, 300, 300A, 300B, 301, 302, 303, 303A, 303B, 304, 304A, 306, 307, 309, 309A, 310, 310A, 311, 312, 313, 317, 318, 319, 320, 322, 323, 324, 325A, 325B, 326, 327, 328, 329, 330, 331, 332, 332A, 333, 334A, 335, 336, 336A, 337, 338, 339A, 339B, 340, 341, 341A, 342, 344, 345, 346, 347, 349, 350, 351, 351A, 352, 352A, 353, 354, 355, 355A, 356, 357, 358, 359, 360, 361, 362, 364, 365, 366, 368, 369, 370, 371, 372, 373, 374, 375, 367A and 377.

2. *Amended Decisions.* Based on information obtained from protests and evaluations conducted during the protest period, several inventory unit decisions have been amended. The amended inventory decisions are for Areas 145, 159, 184, 184A and 184B. Areas 184A and 184B were separated from Area 184 by roads verified in response to a protest. These changes are described in the "Amendments and Clarifications of the Final Descriptive Narratives and Maps, California Desert Conservation Area, Wilderness

Inventory" being sent to all persons on the CDCA wilderness inventory mailing list.

The California State Director's decision on these amended Wilderness Inventory unit decisions becomes final 30 days following publication of this notice in the Federal Register, unless formally and publically amended and published in the Federal Register by the State Director, based upon new information received as a result of new protests.

Persons adversely affected by my amended decision on any of these five wilderness inventory areas shall have 30 days after this publication in the Federal Register to file a written notice of protest. Protests should address the specific inventory unit protested, must include a clear and concise statement of reasons for the protest, and must furnish supporting data. The protest should be addressed to, and filed with, the State Director, Bureau of Land Management, 2800 Cottage Way, Sacramento, CA 95825. It must be received not later than February 5, 1980. Protests received after this date will also be accepted if postmarked by February 5, 1980. The State Director, California, will render a written decision on any protest so received.

This 30 day protest period applies only to the amended changes of these five inventory units—Areas 145, 159, 184, 184A and 184B, not to the entire area. Protests on any other unit or issue will not be accepted. Any person adversely affected by the State Director's decision on such written protest filed by such person may appeal such decision by following normal administrative procedures applicable to formal appeals in effect at that time.

In addition to the above inventory units, tentative amendments have been proposed to my final wilderness inventory decision for Areas, 131, 207, 325 and 348. However my decisions on these inventory units have been appealed to the Interior Board of Land Appeals, therefore no amendment for these units can be made until the appeal process is concluded.

3. *Appealed Decisions.* Appeals were filed with the Interior Board of Land Appeals, Office of the Secretary, Department of the Interior on 30 inventory units. Accordingly, the wilderness inventory decisions on these units are stayed while they are under appeal. The interim management requirements of Section 603-C of FLPMA (Federal Land Policy and Management Act of 1976) remains in effect on all of these units while they are under appeal. These 30 inventory units are: Areas 117, 131, 136, 137A, 143, 150,

156, 158, 172, 207, 217, 221, 222, 227, 242, 251, 251A, 263, 264, 265, 266, 271, 299, 305, 321, 325, 334, 343, 348 and 376. These involve a total of 3,197,000 acres of public land of which 2,318,000 acres were proposed as WSAs in the March 31, 1979 report.

After the appeal process has been concluded, a separate mailing and Federal Register Notice will announce the status of the above units.

James B. Ruch,

State Director, California.

[FR Doc. 80-2 Filed 1-4-80; 8:45 am]

BILLING CODE 4310-84-M

California Wilderness Inventory Program; Final Intensive Inventory Report

December 28, 1979.

Under authority delegated to the State Director, California by the Director, Bureau of Land Management, I hereby determine that the public lands administered by the Bureau of Land Management, California, outside the California Desert Conservation Area, as described in the Final Intensive Inventory Report of December 1979, have been inventoried according to the provisions of the Bureau's Wilderness Inventory Handbook of September 27, 1978; and that 93 intensive inventory units or parts thereof have been found to meet the criteria for Wilderness Study Area identification. Two hundred and thirty intensive inventory units or parts thereof have been found to *not* meet the criteria.

This determination is based upon Wilderness Intensive Inventory completed for each intensive inventory unit and an analysis of public comments received prior to and during the formal public review and comment period conducted July 16-October 15, 1979. California's Draft Initial Inventory Report was released March 1, 1979, notice of which was published in the Federal Register dated March 5, 1979. California's Final Initial and Draft Intensive Report was released and notice published in the Federal Register July 16, 1979.

When effective those portions of 230 intensive inventory units determined not to meet the criteria for identification as Wilderness Study Areas will no longer be subject to the management restrictions imposed by Section 603-C of the Federal Land Policy and Management Act of 1976, Pub. L. 94-579. The 93 intensive inventory units designated as Wilderness Study Areas will continue to be subject to the interim management restrictions of this act.

This completes the wilderness inventory phase on these public lands in California, outside the California Desert Conservation Area. Each WSA will be studied by BLM using the BLM land-use planning system to analyze and evaluate all values, resources, and uses within the WSA.

These inventory units are identified and findings regarding them are summarized in the above report published December 1979. Copies of this report have been sent to more than 6,000 persons on BLM's California Statewide wilderness mailing list. This report is available from the California State Director, Bureau of Land Management (Wilderness), Room E-2841, 2800 Cottage Way, Sacramento, California 95825.

These final intensive inventory determinations are effective February 5, 1980. For the purposes of this determination, each inventory unit is considered individually and separately from every other inventory unit. Should any amendment to these determinations be made by the BLM State Director, California, as a result of new information received following this publication, that amendment will be formally published in the Federal Register and will become effective 30 days following such publication. This 30 day extension will apply only to the amendment and not to the original designations.

Persons wishing to protest any of the determinations of the final intensive inventory units made herein shall have 30 days after this publication in the Federal Register, up to and including February 5, 1980 to file a written protest. Protests should address a specific inventory unit, must include a clear and concise statement of reasons for the protest, and must furnish supporting data to the State Director, Bureau of Land Management, Room E-2841, 2800 Cottage Way, Sacramento, California 95825. Protests must be received by the State Director by February 5, 1980, protests received after that date will not be accepted unless postmarked on or before February 5, 1980. The State Director, California, will render a written decision on any protest so received.

Any person adversely affected by the State Director's decision on a written protest may appeal such decisions by following normal administrative procedures applicable at that time.

Final Initial Inventory

All Initial Wilderness Inventory decisions contained in California's Final Initial Inventory Report of July 16, 1979, are final with the exception of:

1. The following twelve inventory units which have been formally appealed:

CA-010-031, 033, 047, 069, 087, 101,
CA-020-701, 901, 1001,
CA-030-300, 400, and 500.

2. The following seven inventory units which have been further analyzed as part of our intensive inventory effort in order to permit a more complete analysis of possible wilderness characteristics:

CA-010-084, 091 (Paoha Island only)
CA-020-305, 307, 610, 802, and 803.

James B. Ruch,

State Director, California.

[FR Doc. 80-1 Filed 1-4-80; 8:45 am]

BILLING CODE 4310-84-M

[U-8134]

Utah; Order Providing for Opening of Public Lands

1. In an exchange of lands made under the provision of Section 8 of the Act of June 28, 1934, 48 Stat. 1269, 1272, as amended and supplemented, 43 U.S.C. 315g (1964), the following lands have been reconveyed to the United States:

Salt Lake Meridian, Utah

T. 33 S., R. 12 W.,

Sec. 20, W 1/2;

Sec. 30, E 1/2.

T. 33 S., R. 13 W.,

Sec. 24, E 1/2 SE 1/4;

Sec. 25, E 1/2 E 1/2.

T. 34 S., R. 13 W.,

Sec. 10, E 1/2;

Sec. 16, W 1/2 NE 1/4, SE 1/4 SE 1/4; (Excluding

R.R. Right-of-Way)

Sec. 26, N 1/2. (Excluding R.R. Right-of-Way)

The described lands aggregate 1,632.09 acres.

2. The mineral rights in the lands were reserved and are not affected by this order.

3. The lands shall be open to operation of the public land laws generally at 10 a.m. on February 22, 1980 subject to valid existing rights, the provision of existing withdrawals, and provisions of the Bureau of Land Management classification for multiple-use management.

4. Inquiries concerning the lands should be addressed to the State Director, Bureau of Land Management, University Club Building, 136 East South Temple, Salt Lake City, Utah 84111.

Gerald E. Magnuson,

Acting State Director.

[FR Doc. 80-338 Filed 1-4-80; 8:45 am]

BILLING CODE 4310-84-M

Alaska Outer Continental Shelf; Locations and Dates of Public Hearings Regarding Proposed OCS Oil and Gas Lease Sale No. 46

In accordance with 43 CFR 3314.1, public hearings will be held in Kodiak and Anchorage, Alaska for the purpose of receiving comments and suggestions relating to the draft environmental statement concerning a proposed Outer Continental Shelf (OCS) oil and gas lease sale offshore Kodiak, Alaska.

The hearing to be held in Kodiak is scheduled for Tuesday, February 5, 1980, in the Borough Assembly Chambers. It will begin at 10:00 A.M. and adjourn at 5:00 P.M. The hearing will re-convene at 6:30 P.M. and conclude when all those present who wish to testify have done so.

The hearing to be held in Anchorage is scheduled for Thursday, February 7, 1980, in the Yukon Room of the Sheraton Anchorage Hotel. It will begin at 9:00 A.M. and conclude at 4:30 P.M., or earlier if all scheduled witnesses have testified, and all those present who wish to testify, have done so.

The hearings will provide the Secretary of the Interior with additional information from government agencies and public and private sectors to help evaluate the potential effects of the proposed offering of 564 tracts east and southeast of Kodiak Island, Alaska. Comments are solicited concerning the effects of exploration, development and production resulting from the proposed sale on the marine, cultural, recreational and other resources of the Kodiak region.

The draft environmental statement concerning proposed Sale No. 46 was made available to the public on December 7, 1979. Copies of this statement can be obtained from the Bureau's Alaska Outer Continental Shelf Office, P.O. Box 1159, Anchorage, Alaska 99510, and from the Office of Public Affairs, Bureau of Land Management (130), Washington, D.C. 20240.

Interested individuals, representatives of organizations, and public officials wishing to testify at the hearings are requested to contact the Manager, Alaska Outer Continental Shelf Office, Bureau of Land Management at the above address by 4:00 P.M., Friday, February 1, 1980. Written comments from those unable to attend the hearings should also be addressed to the Manager, Alaska Outer Continental Shelf Office, at the above address. The Bureau will accept written comments on the draft environmental statement until 4:00 P.M., Friday, February 15, 1980. This will allow time for those unable to

testify at the hearing to make their views known and for those presenting oral testimony to submit supplemental materials. Time limitations make it necessary to limit the length of oral presentations to ten (10) minutes. An oral statement may be supplemented, however, by a more complete written statement which should be submitted to a hearing official at the time of oral presentation. Written statements will be considered for inclusion in the hearing record. To the extent that time is available after presentation of oral statements by those who have given advance notice, the hearing officer will give others present an opportunity to be heard.

After all testimony and comments have been received and considered, a final environmental statement will be prepared.

Ed Hastey,
Associate Director, Bureau of Land Management.

[FR Doc. 80-390 Filed 1-4-80; 8:45 am]

BILLING CODE 4310-84-M

Butte District Grazing Advisory Board; Meeting

Notice is hereby given, in accordance with Pub. L. 92-463, that a meeting of the Butte District Grazing Advisory Board will be held on Thursday, February 7, 1980.

The meeting will begin at 9 a.m. in the conference room of the Butte District Office at 106 North Parkmont (Industrial Park), Butte, Montana.

The agenda for the meeting will include: (1) election of officers; (2) a discussion of the East Pioneer Experimental Stewardship Program; (3) a discussion of FY 80 and FY 81 range improvement projects; (4) the current status of allotment management planning in the Mountain Foothills Range Environmental Statement area; (5) the status of planning and allotment management plan development in the Headwaters Resource Area; (6) planning for a summer 1980 field tour; (7) an update on the District's wilderness review program and its impact on AMP development; (8) the role of the Butte District's youth programs in range improvement efforts; (9) a discussion of the District's Multiple Use Advisory Council and its relationship to the Grazing Advisory Board; (10) a report on the progress of wild horse management efforts in the District as they relate to allotment management planning; (11) an overview of the Bureau's four-year authorization process; (12) arrangement for the next meeting.

The meeting is open to the public. Interested persons may make oral statements to the board between 1 and 2 p.m. on February 7, or file written statements for the board's consideration. Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, P.O. Box 308, Butte, Montana 59701 by February 5, 1979. Depending on the number of persons wishing to make oral statements, a per person time limit may be established by the District Manager.

Summary minutes of the board meeting will be maintained in the District Office and will be available for public inspection and reproduction, during regular business hours, within 30 days following the meeting.

Dated: December 26, 1979.

Jack A. McIntosh,
District Manager.

[FR Doc. 80-371 Filed 1-4-80; 8:45 am]

BILLING CODE 4310-84-M

[W-70260]

Wyoming; Application

December 26, 1979.

Notice is hereby given that pursuant to Sec. 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Stauffer Chemical Company of Wyoming filed an application for a right-of-way to construct an 8" and 10" pipeline for the purpose of transporting natural gas across the following described public lands:

Sixth Principal Meridian, Wyoming

T. 20 N., R. 113 W.

Sec. 14: NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 20: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,

N $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 30: Lot 3, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$,

SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 19 N., R. 114 W.

Sec. 4: Lot 4;

Sec. 6: Lots 1, 2, 3, 4.

T. 20 N., R. 114 W.

Sec. 34: S $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 36: NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,

SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 19 N., R. 115 W.

Sec. 2: Lots 1, 2, 3, 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 4: SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 6: S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 19 N., R. 116 W.

Sec. 10: S $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 12: N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$,

NW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 28: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 32: SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 19 N., R. 117 W.

Sec. 18: S $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 20: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$,

NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 26: N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 28: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 19 N., R. 118 W.

Sec. 14: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 20: SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22: E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
 N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 24: N $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 30: Lot 6, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 17 N., R. 119 W.

Sec. 4: Lot 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 14: SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22: NE $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 18 N., R. 119 W.

Sec. 8: E $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 16: SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,
 NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 28: E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 19 N., R. 119 W.

Sec. 26: N $\frac{1}{2}$ S $\frac{1}{2}$.

The proposed pipeline will transport natural gas from the Overthrust Belt to the applicant's existing Maxa Arch pipeline at a point in the SE $\frac{1}{4}$ of section 7, T. 20 N., R. 112 W., 6th P.M., Lincoln 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, P.O. Box 1869, Highway 187 North, Rock Springs, Wyoming 82901.

Harold G. Stinchcomb,

Chief, Branch of Lands and Minerals
 Operations.

[FR Doc. 80-373 Filed 1-4-80; 8:45 am]

BILLING CODE 4310-84-M

Heritage Conservation and Recreation Service

National Registry of Natural Landmarks; Notification of Potential National Natural Landmarks

The areas listed below have been identified as potential national natural landmarks by the HCRS Division of Natural Landmarks in accordance with the provisions of 36 CFR 1212.4. Pursuant to § 1212.5(b)(1) of 36 CFR Part 1212, written comments concerning the potential designation of these areas as national natural landmarks may be forwarded to the Acting Associate Director for Natural Programs, Heritage Conservation and Recreation Service, U.S. Department of the Interior, Washington, D.C., 20243. Written comments or a request for additional time should be received no later than February 6, 1980.

Dated: January 2, 1980.

Robert A. Ritsch,
 Acting Associate Director for Natural
 Programs.

CALIFORNIA

Monterey County

Cone Peak—Limekiln Creek; approximately 45 miles S of Carmel.

Hopkins Marine Reserve; an area of Monterey Bay located off Hopkins Marine Station in Pacific Grove.

Monterey Submarine Canyon Complex; extends from about 0.6 mile from the Carmel coastline at a depth of 50 feet to over 100 miles offshore and a depth of 12,000 feet.

San Luis Obispo County

Montana de Oro-Point Buchon; lies between Morro Bay and Diablo Canyon about 10 miles W of San Luis Obispo.

San Mateo County

Ano Nuevo Point and Island; area covers 1620 acres of land and water 20 miles N of Santa Cruz.

COLORADO

Boulder County

White Rocks; 8 miles NE of Boulder.

Douglas County

Roxborough Park site; 30 miles SW of Denver.

Las Animas County

Purgatoire Canyon and Red Rock Canyon; 25 miles S of La Junta.

Mineral county

Creede Caldera; less than one mile S of Creede.

San Miguel county

Ophir Needles; located adjacent to State Highway 145 between Telluride and Rico.

Weld County

Chalk Bluffs—Eagle Rock; 25 miles NE of Fort Collins.

Pawnee Buttes and Adjoining Escarpment; approximately 47 miles NW of Sterling.

KANSAS

Douglas County

Baldwin Woods; 11 miles S of Lawrence.

Stafford County

Quivera Salt Marsh; 19 miles SE of Great Bend.

MISSOURI

Clay County

Maple Woods Nature Preserve; located in the NE corner of Gladstone.

Crawford County

Onondaga Cave; 5 miles SE of Leasburg.

Oregon County

Greer Spring; 52 miles W of Poplar Bluff.

Taney County

Tumbling Creek Cave; 55 miles SW of Springfield.

MONTANA

Chouteau County

Square Butte; 49 miles E of Great Falls.

Jefferson County

Lewis and Clark Caverns; 35 miles E of Butte.

Lewis and Clark County

Gates of the Rocky Mountains; 17 miles N of Helena.

Sheridan County

Medicine Lake Site; 1 mile S of Medicine Lake.

Teton County

Freezeout Lake; 5 miles W of Fairfield.

NEBRASKA

Grant County

Nebraska Sand Hills; immediately S of Hyannis.

Sioux County

Toadstool Park; 30 miles W of Chadron.

NORTH CAROLINA

Beaufort County

Goose Creek State Park Natural Area; approximately 10 miles E of Washington.

Hyde County

Salter's Ridge Research Natural Area; approximately 5 miles E of Swanquarter.

Onslow County

Hammocks Beach State Park; located SE of Swansboro.

NORTH DAKOTA

Stutsman County

Fischer Lakes; approximately 25 miles NW of Jamestown.

OREGON

Deschutes and Linn Counties

Belknap Crater; 30 miles NE of Bend.

Jefferson County

Metolius Research Natural Area; 18 miles NW of Sisters.

Klamath County

Goodlow Mountain Research Natural Area; 30 miles E of Klamath Falls.

SOUTH CAROLINA

Charleston County

Bulls Island Natural Area; 20 miles NE of Charleston.

WASHINGTON

Asotin County

Grande Ronde Feeder Dikes; 25 miles S of Clarkston.

Grand and Adams Counties

Saddle Mountain Landslide; 36 miles N of Richland.

Okanogan County

Wolf Creek Research Natural Area; 34 miles
NW of Okanogan.

Skamania County

Cedar Flats Research Natural Area; 44 miles
NE of Vancouver.

[FR Doc. 80-363 Filed 1-4-80; 8:45 am]

BILLING CODE 4310-03-M

DEPARTMENT OF JUSTICE**United States Committee on the
Selection of Federal Judicial Officers;
Meeting**

The nominating panel for the United States Committee on Selection of Federal Judicial Officers will meet on Friday, January 21, 1980 at 9:30 a.m. in the United States Court of Claims, 717 Madison Place NW., Washington, D.C. The purpose of the meeting will be to nominate candidates to fill a judicial vacancy.

The morning session will be an orientation meeting and open to the public; the afternoon session will be given to a discussion of candidates and will be closed to the public pursuant to Pub. L. 92-463, section 10(d) as amended. (CFR 5 U.S.C. 552b(c)(6).)

Phillip B. Cover,

Advisory Committee Control Officer.

[FR Doc. 80-339 Filed 1-4-80; 8:45 am]

BILLING CODE 4410-01-M

**Law Enforcement Assistance
Administration****Neighborhoods Together, Inc.; Hearing**

Notice is hereby given that on April 2, 1979, the Law Enforcement Assistance Administration, Department of Justice, issued to Neighborhoods Together, Inc. a Notice of Intent to Terminate funding under grant #78-CA-AX-0132.

Written request for a hearing having been filed with the Law Enforcement Assistance Administration within ten days of receipt of said Notice of Intent to Terminate by Neighborhoods Together, Inc., notice is hereby given that a hearing in this matter will be held at 10:00 a.m. on Wednesday, January 16, 1980. The hearing will be held in Room 368 (conference room A) 633 Indiana Avenue NW., Washington, D.C.

Henry S. Dogin,
Administrator.

[FR Doc. 80-372 Filed 1-4-80; 8:45 am]

BILLING CODE 4410-18-M

**NATIONAL ADVISORY COMMITTEE
ON OCEANS AND ATMOSPHERE****Meeting**

January 2, 1980.

Pursuant to sec. 10(a)(2), of the Federal Advisory Committee Act, 5 U.S.C. (App. 1976), notice is hereby given that the National Advisory Committee on Oceans and Atmosphere (NACOA) will meet on Thursday and Friday, January 17-18, 1980. The Committee will meet in Room B-100, Page Building Number 1, 2001 Wisconsin Avenue, NW., Washington, D.C. The sessions will convene at 9:00 a.m. on both days and will be open to the public. The Thursday session will adjourn at 5:00 p.m., and the session on Friday will adjourn at 3:00 p.m.

The Committee, consisting of 18 non-Federal members, appointed by the President from State and local government, industry, academia, and other appropriate areas, was established by Pub. L. 95-63, on July 5, 1977. Its duties are to: (1) undertake a continuing review, on a selective basis, of national ocean policy, coastal zone management, and the status of the marine and atmospheric science and service programs of the United States; (2) advise the Secretary of Commerce with respect to the carrying out of the programs of the National Oceanic and Atmospheric Administration; (3) submit an annual report to the President and to the Congress setting forth an assessment, on a selective basis, of the status of the Nation's marine and atmospheric activities, and submit such other reports as may from time to time be requested by the President or the Congress.

The general agenda includes the following topics:

January 17, 1980

9:00-9:30 Plenary Session
Opening Remarks, Chairman
Plans for the Meeting
Panel Meetings
9:30-12:00 Decade of Ocean Resource Use
and Management
12:00 Lunch
1:00-2:00 NOAA Organic Act Panel
2:00-4:00 Ocean Dumping Panel

January 18, 1980

9:00-12:00 Weather and Climate Panel
12:00-1:00 Lunch
1:00-3:00 Plenary Session
Reports of Panel Chairmen

Persons desiring to attend will be admitted to the extent seating is available. Persons wishing to make formal statements should notify the Chairman in advance of the meeting. The Chairman retains the prerogative to impose limits on the duration of oral

statements and discussions. Written statements may be submitted before or after each session.

Additional information concerning this meeting may be obtained through the Committee's Executive Director, Mr. Steven N. Anastasion, whose mailing address is: National Advisory Committee on Oceans and Atmosphere, 3300 Whitehaven Street, NW. (Suite 438, Page Building #1), Washington, D.C., 20235. The telephone number is (202) 653-7818.

Samuel H. Walinsky,
Executive Officer.

[FR Doc. 80-430 Filed 1-4-80; 8:45 am]

BILLING CODE 3510-12-M

NATIONAL SCIENCE FOUNDATION**Advisory Committee for Physiology,
Cellular, and Molecular Biology;
Subcommittee on Cell Biology;
Meeting**

In accordance with the Federal Advisory Committee Act, as amended, Pub. L. 92-463, the National Science Foundation announces the following meeting:

Name: Subcommittee on Cell Biology, of the
Advisory Committee for Physiology,
Cellular, and Molecular Biology.
Date and time: January 28, 29 and 30, 1980;
9:00 a.m. to 5:00 p.m. each day.
Place: Room 338, National Science
Foundation, 1800 G. Street, NW.,
Washington, DC 20550.
Type of Meeting: Closed.

Contact Person: Dr. J. Eugene Fox, Program
Director, Cell Biology Program, Room 333,
National Science Foundation, Washington,
DC 20550. Telephone: 202/632-4718.

Purpose of Subcommittee: To provide advice
and recommendations concerning support
for research in Cell Biology.

Agenda: To review and evaluate research
proposals as part of the selection process
of awards.

Reason for Closing: The proposals being
reviewed include information of a
proprietary or confidential nature,
including technical information; financial
data, such as salaries; and personal
information concerning individuals
associated with the proposals. These
matters are within exemptions (4) and (6)
of 5 U.S.C. 552b(c), Government in the
Sunshine Act.

Authority to Close Meeting: This
determination was made by the Committee
Management Officer pursuant to provisions
of Section 10(d) of Pub. L. 92-463. The
Committee Management Officer was
delegated the authority to make such
determinations by the Director, NSF, on
July 6, 1979.

Dated: January 2, 1980.

M. Rebecca Winkler,
Committee Management Coordinator.

[FR Doc. 80-375 Filed 1-4-80; 8:45 am]

BILLING CODE 7555-01-M

DOE/NSF Nuclear Science Advisory Committee; Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, the National Science Foundation announces the following meeting:

Name: DOE/NSF Nuclear Science Advisory Committee.

Date and time: February 7, 1980, 9:00 am-6:00 pm; February 8, 1980, 9:00 am-6:00 pm; February 9, 1980, 9:00 am-1:00 pm.

Place: February 7 and 8, Conference Room 540, February 9, Conference Room 543, National Science Foundation, Washington, D.C. 20550.

Type of Meeting: February 7, 1980, 9:00 am-10:00 am—Closed; 10:00 am-6:00 pm—Open; February 8, 1980, 9:00 am-6:00 pm—Open; February 9, 1980, 9:00 am-1:00 pm—Closed.

Contact Person: Dr. Harvey B. Willard, Program Director for Intermediate Energy Physics, National Science Foundation, Washington, D.C. 20550.

Summary Minutes: May be obtained from Ms. Lynn Martin, Physics Division, National Science Foundation, Washington, D.C. 20550.

Purpose of Committee: To provide advice on a continuing basis to both DOE and NSF on support for basic nuclear science in the United States.

Agenda:

February 7, 1980

Closed Session (9:00 am-10:00 am)

Discussion of projects under consideration for funding

Open session (10:00 am-6:00 pm)

Discussion of Long Range Planning and Priorities Report; Universities Subcommittee; and FY 80 and FY 81 budgets for Nuclear Science. Presentations by research groups of proposed projects, and discussion thereof.

February 8, 1980

Open Session (9:00 am-6:00 pm)

Continuation of previous day's activities

February 9, 1980

Closed Session (9:00 am-1:00 pm)

Discussion of projects under consideration for funding

Reason for Closing: The projects being reviewed include information of a proprietary or confidential nature, including technical information, financial data such as salaries, and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b (c), Government in the Sunshine Act.

Authority to Close Meeting: This determination was made by the Committee Management Officer, pursuant to provisions of Section 10(d) of Pub. L. 92-463. The Committee Management Officer

was delegated the authority to make such determinations by the Director, NSF on July 6, 1979.

Dated: January 2, 1980.

M. Rebecca Winkler,
Committee Management Coordinator.

[FR Doc. 80-378 Filed 1-4-80; 8:45 am]

BILLING CODE 7555-01-M

Subcommittee for Sensory Physiology and Perception; Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Science Foundation announces the following meeting:

Name: Advisory Committee for Behavioral and Neural Sciences Subcommittee for Sensory Physiology and Perception.

Date and time: January 31 and February 1, 1980, 9:00 a.m. to 5:00 p.m. both days.

Place: Room 1224, National Science Foundation, 1800 G Street, NW., Washington, D.C. 20550.

Type of Meeting: Closed.

Contact Person: Dr. Terrence R. Dolan, Program Director, Sensory Physiology and Perception, Room 310, National Science Foundation, Washington, D.C. 20550, Telephone (202) 634-1624.

Summary Minutes: May be obtained from the Contact Person, Dr. Terrence R. Dolan, at the above stated address.

Purpose of Subcommittee: To provide advice and recommendations concerning support for research in sensory physiology and perception.

Agenda: To review and evaluate research proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information, financial data, such as salaries, and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b(C), Government in the Sunshine Act.

Authority to Close Meeting: This determination was made by the Committee Management Officer pursuant to provisions of Section 10(d) of Pub. L. 92-463. The Committee Management Officer was delegated the authority to make such determinations by the Director, NSF, July 6, 1979.

Dated: January 2, 1980.

M. Rebecca Winkler,
Committee Management Coordinator.

[FR Doc. 80-376 Filed 1-4-80; 8:45 am]

BILLING CODE 7555-01-M

Subcommittee on Population Biology and Physiological Ecology; Meeting

In accordance with the Federal Advisory Committee Act, as amended, Pub. L. 92-463, the National Science

Foundation announces the following meeting:

Name: Subcommittee on Population Biology and Physiological Ecology of the Advisory Committee for Environmental Biology.

Date and time: January 31 and February 1, 1980; 8:30 a.m. to 5:00 p.m. each day.

Place: Room 321, National Science Foundation, 1800 G St. NW, Washington, D.C. 20550.

Type of Meeting: Closed.

Contact Person: Dr. Donald W. Kaufman, Associate Program Director, Population Biology and Physiological Ecology Program, Room 336, National Science Foundation, Washington, D.C. 20550, telephone (202) 632-7317.

Purpose of Subcommittee: To provide advice and recommendations concerning support for research in population biology and physiological ecology.

Agenda: To review and evaluate research proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b(c), Government in the Sunshine Act.

Authority to close Meeting: This determination was made by the Committee Management Officer pursuant to provisions of Section 10(d) of Pub. L. 92-463. The Committee Management Officer was delegated the authority to make such determinations by the Director, NSF, on July 6, 1979.

Dated: January 2, 1980.

M. Rebecca Winkler,
Committee Management Officer.

[FR Doc. 80-377 Filed 1-4-80; 8:45 am]

BILLING CODE 7555-01-M

Advisory Committee for International Programs; Renewal

Pursuant to the Federal Advisory Committee Act, Pub. L. 92-463, it is hereby determined that the renewal of the Advisory Committee for International Programs is necessary and is in the public interest in connection with the performance of duties imposed upon the National Science Foundation by the National Science Foundation Act of 1950, as amended, and other applicable law. This determination follows consultation with the Committee Management Secretariat Staff, General Services Administration, pursuant to Section 14(a)(1) of the Federal Advisory Committee Act and OMB Circular No. A-63, Revised.

Authority for this advisory committee shall expire on January 20, 1982, unless the Director of the National Science

Foundation formally determines that continuance is in the public interest.

Richard C. Atkinson,

Director.

January 2, 1980.

[FR Doc. 80-401 Filed 1-4-80; 8:45 am]

BILLING CODE 7555-01-M

Advisory Committee for Policy Research and Analysis and Science Resources Studies; Renewal

Pursuant to the Federal Advisory Committee Act, Pub. L. 92-463, it is hereby determined that the renewal of the Advisory Committee for Policy Research and Analysis and Science Resources Studies is necessary and is in the public interest in connection with the performance of duties imposed upon the National Science Foundation by the National Science Foundation Act of 1950, as amended, and other applicable law. This determination follows consultation with the Committee Management Secretariat Staff, General Services Administration, pursuant to Section 14(a)(1) of the Federal Advisory Committee Act and OMB Circular No. A-63, Revised.

Authority for this advisory committee shall expire on January 3, 1982, unless the Director of the National Science Foundation formally determines that continuance is in the public interest.

Richard C. Atkinson,

Director.

January 2, 1980.

[FR Doc. 80-402 Filed 1-4-80; 8:45 am]

BILLING CODE 7555-01-M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review

Background

December 31, 1979.

When executive departments and agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Federal Reports Act (44 U.S.C., Chapter 35). Departments and agencies use a number of techniques including public hearings to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibility under the Act also considers comments on the forms and recordkeeping requirements that will affect the public.

List of Forms Under Review

Every Monday and Thursday OMB publishes a list of the agency forms received for review since the last list was published. The list has all the entries for one agency together and grouped into new forms, revisions, extensions, or reinstatements. Some forms listed as revisions may only have a change in the number of respondents or a reestimate of the time needed to fill them out rather than any change to the content of the form. The agency clearance officer can tell you the nature of any particular revision you are interested in. Each entry contains the following information:

The name and telephone number of the agency clearance officer (from whom a copy of the form and supporting documents are available);

The office of the agency issuing this form;

The title of the form;

The agency form number, if applicable;

How often the form must be filled out;

Who will be required or asked to report;

An estimate of the number of forms that will be filled out;

An estimate of the total number of hours needed to fill out the form; and

The name and telephone number of the person or office responsible for OMB review.

Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. Our usual practice is not to take any action on proposed reporting requirements until at least ten working days after notice in the *Federal Register* but occasionally the public interest requires more rapid action.

Comments and Questions

Copies of the proposed forms and supporting documents may be obtained from the agency clearance officer whose name and telephone number appear under the agency name. The agency clearance officer will send you a copy of the proposed form, the request for clearance (SF83), supporting statement, instructions, transmittal letters, and other documents that are submitted to OMB for review. If you experience difficulty in obtaining the information you need in reasonable time, please advise the OMB reviewer to whom the report is assigned. Comments and questions about the items on this list should be directed to the OMB receiver or officer listed at the end of each entry.

If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments

promptly, you should advise the reviewer of your intent as early as possible.

The timing and format of this notice have been changed to make the publication of the notice predictable and to give a clearer explanation of this process to the public. If you have comments and suggestions for further improvements to this notice, please send them to Stanley E. Morris, Deputy Associate Director for Regulatory Policy and Reports Management, Office of Management and Budget, 726 Jackson Place, Northwest, Washington, D.C. 20503.

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper—447-6201

New Forms

Food and Nutrition Service
WIC Evaluation Telephone Interview Instrument
Single time
Directors of local WIC agencies; 1,500 responses; 450 hours
Charles A. Eilett, 395-5080

Revisions

Agricultural Marketing Service
Request for Cotton Classification
CN-357
On occasion
Cotton industry; 3,000 responses; 250 hours
Charles A. Eilett, 395-5080

Reinstatements

Food and Nutrition Service
Monthly report of lunch service operations in commodity only schools
FNS-130
Monthly
School food authorities in schools and residential insts.; 2,754 responses; 1,377 hours
Charles A. Eilett, 395-5080

DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward Michals—377-3627

New Forms

Bureau of the Census
1980 Decennial Census Applied Behavior Analysis Survey
D-896
Single time
Households in mail-out, mail-back census areas; 6,000 responses; 2,000 hours
Office of Federal Statistical Policy and Standard, 673-7974

Reinstatements

Maritime administration
Presidential Oil Pollution Insurance Study

Single time
Oil pollution insurance buyers and
sellers; 13,305 responses; 25,280 hours
Richard Sheppard, 395-3211

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Agency Clearance Officer—William
Riley—245-7488

New Forms

Office of the Secretary
Interview Guide for State Service
Conditional Support Programs
OS-26-79
Single time
State service conditional programs; 100
responses; 26 hours
Richard Eisinger; 395-3214

Revisions

Center for Disease Control
Tuberculosis Statistics and Program
Evaluation Activity
CDC 5.61; 5.62; 5.63; 5.4018-1, -5; 5.1393;
and 7.43
Other (See SF-83)
State and local health departments;
22,070 responses; 2,635 hours
Richard Eisinger; 395-3214

National Institutes of Health
Cost of Cancer Care
Single time
Households; 980 responses; 980 hours
Richard Eisinger; 395-3214
Office of Human Development
Survey of Head Start Handicapped
Efforts Annually
Handicapped children, their parents and
teachers; 1,900 responses; 1,900 hours
Barbara F. Young, 395-6132

DEPARTMENT OF JUSTICE

Agency Clearance Officer—Donald E.
Larue—633-3526

New Forms

Law Enforcement Assistance
Administration
Assessment of Criminal Justice Training
LEAA 5000
Single time
Former training participants and their
agency administration; 80 responses;
34 hours
Laverne V. Collins, 395-3214

DEPARTMENT OF LABOR

Agency Clearance Officer—Philip M.
Oliver—523-6341

Revisions

Employment Standards Administration
Miners' Claim for Benefits and
Reimbursement
CM-911, CM-911A, and CM-915
On occasion
Current and former coal miners; 510,000
responses; 140,000 hours

Arnold Strasser, 395-5080

Extensions

Labor Management and Service
Administration
Survey Instrument to Collect Data on
Private Pension Plan Benefits
LMSA-92T
Single time
Private pension plan administrators;
1,500 responses; 7,800 hours
Arnold Strasser, 395-5080

DEPARTMENT OF STATE (EXC. AID)

Agency Clearance Officer—Gail J.
Cook—632-3538

Revisions

Nontransfer and use certificate
DSP-83
On occasion
Exporters of munitions list items; 2,000
responses; 500 hours
Laverne V. Collins, 395-3214

DEPARTMENT OF TRANSPORTATION

Agency Clearance Officer—Bruce H.
Allen—426-1887

New forms

Federal Highway Administration
Instruction Manual for Preparation of
the 1981 Estimate of the Cost of
Completing the Interstate System
Tables A, B, C-1, C-2, C-3, and D
Other (See SF-83)
State highway agencies; 25 responses;
183,000 hours
Arnold Strasser, 395-5080

ENVIRONMENTAL PROTECTION AGENCY

Agency Clearance Officer—Paul
Elston—755-2744

New forms

EPA Open Dump Inventory
Single time
State solid waste agencies; 56
responses; 8,960 hours
Edward H. Clarke, 395-5867

FEDERAL RESERVE SYSTEM

Agency Clearance Officer—Carolyn B.
Doying—452-3512

New forms

Report of Foreign Exchange Turnover
FR 3012B
Single time
Foreign exchange backers; 17 responses;
595 hours
Marsha D. Traynham; 395-6140

RAILROAD RETIREMENT BOARD

Agency Clearance Officer—Pauline
Lohens—312-751-4693

Revisions

Supplemental Doctor's Statement

SI-7

On occasion
Physicians; 50,000 responses; 4,167 hours
Barbara F. Young, 395-6132

Application and Statement of
Sickness—Pregnancy, Miscarriage, or
Childbirth

SI-2

On occasion
Maternity benefit applicants—doctors;
2,000 responses; 833 hours
Barbara F. Young, 395-6132

Certification Regarding Rights to
Unemployment Benefits

UI-45

On occasion
Railroad employees; 3,500 responses;
817 hours
Barbara F. Young, 395-6132

Extensions

Claim for Credit for Military Service (By
persons entering service during war or
war service periods)

UI-44

On occasion
Railroad employees; 300 responses; 25
hours
Barbara F. Young, 395-6132

UNITED STATES INTERNATIONAL TRADE COMMISSION

Agency Clearance Officer—Charles
Ervin—523-0267

New Forms

Fresh Cut Rose Growers' Questionnaire
Single time
Fresh cut rose growers; 250 responses;
2,500 hours
Marsha D. Traynham, 395-6140

Nonrubber Footwear Importers' Survey
Annually
Importer; 129 responses; 4,515 hours
Marsha D. Traynham, 395-6140

Fresh Cut Rose Wholesalers'
Questionnaire

Single time
Sample of large fresh cut rose
wholesalers in East, U.S.; 30
responses; 240 hours
Marsha D. Traynham, 395-6140

Fresh Cut Rose Importers' Questionnaire
Single time
All importers of fresh cut roses; 30
responses; 240 hours
Marsha D. Traynham, 395-6140

VETERANS ADMINISTRATION

Agency Clearance Officer—R. C.
Whitt—389-2282

New Forms

State Cemetery Grants Program Survey
FL 40
Single time
Governors offices and 5 territories; 55
responses; 14 hours

Richard Eisinger, 395-3214

Stanley E. Morris,

Deputy Associate Director for Regulatory Policy and Reports Management.

[FR Doc. 80-431 Filed 1-4-80; 8:45 am]

BILLING CODE 3110-01-M

Agency Forms Under Review

Background

January 2, 1980.

When executive departments and agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Federal Reports Act (44 USC, Chapter 35). Departments and agencies use a number of techniques including public hearings to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibility under the Act also considers comments on the forms and recordkeeping requirements that will affect the public.

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The title of the form;

The agency form number, if applicable;

How often the form must be filled out;

Who will be required or asked to report;

An estimate of the number of forms that will be filled out;

An estimate of the total number of hours needed to fill out the form and

The name and telephone number of the person or office responsible for OMB review.

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DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward Michals—377-3627

Reinstatements

Economic Development Administration Preliminary Plan for Interview guide for Indian Economic Development Evaluation

ED-446Q

Single time

Members of Indian tribes; 380 responses; 190 hours

Richard Sweppard, 395-3211

DEPARTMENT OF ENERGY

Agency Clearance Officer—John Gross—633-9118

Reinstatements

Information Requirements for Special rule for Crude Oil Buy/Sell

ERA-183R

On occasion

Small refiners; 160 responses; 960 hours
Jefferson B. Hill, 395-5867

Sales of Liquefied Petroleum Gases EIA-174

Annually

LPG producers, processors and dealers; 3,100 responses; 6,200 hours

Jefferson B. Hill, 395-5867

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Agency Clearance Officer—William Riley—245-6511

New Forms

Office of Human Development

State Plan on Aging

Other (See SF-83)

State agencies on aging; 57 responses; 8,550 hours

Barbara F. Young, 395-6132

Reinstatements

Social Security Administration

Vocational Survey Form—Disability Insurance Program

HA-625

On occasion

Employ. in labor markets relat. to reconsideration of claims; 551 responses; 1,102 hours

Barbara F. Young, 395-6132

DEPARTMENT OF JUSTICE

Agency Clearance Officer—Donald E. Larue—633-3526

New Forms

Law Enforcement Assistance

Administration

State Court Organization Survey

LEAA 3350

Annually

State court administrators; 55 responses; 440 hours

Off. of Federal Statistical Policy and Standard, 673-7974

DEPARTMENT OF LABOR

Agency Clearance Officer—Philip M. Oliver—523-6341

New Forms

Employment and Training

Administration

Employment Security Automated

Reporting System Validation

Methodology Study

MT-1075

Single time

Employers and applicants placed by the employment service; 1,200 responses; 240 hours

Arnold Strasser; 395-5080

Employment and Training

Administration

Baseline Employers Survey for the

Employment Opportunity Pilot Projects

MT 300-B
Single time
For-prof. bus. establishmt. in 30 EOPP
pilot and cont. sites; 6,600 responses;
4,620 hours
Arnold Strasser; 395-5080

Reinstatements

Employment and Training
Administration
Semimonthly Weatherization Report
ETA-RC27
Monthly
State and local agencies; 4,248
responses; 1,062 hours
Arnold Strasser; 395-5080

Employment and Training
Administration
Employment and Training
Administration Manual—EEC
Reporting System
ETA 7152, 7153, and 7154 451A
Semi-annually
ETA contractors and grantees; 6,704
responses; 3,352 hours
Arnold Strasser; 395-5080

Mine Safety and Health Administration
Coal Operator's Application for Field
Approval of Electrical Operated
Mining Equipment
MESA 2000-38
On occasion
Coal mine operators; 29 responses; 5
hours
Arnold Strasser; 395-5080

FEDERAL EMERGENCY MANAGEMENT AGENCY

Agency Clearance Officer—Linda
Shiley—254-9515

New Forms

Application for Disaster Recovery
Assistance
90-1
On occasion
Disaster victims; 5,000 responses; 20,000
hours
Edward H. Clarke, 395-5867
Stanley E. Morris,
Deputy Associate Director for Regulatory
Policy and Reports Management.
[FR Doc. 80-432 Filed 1-4-80; 8:45 am]
BILLING CODE 3110-01-M

OHIO RIVER BASIN COMMISSION

Allegheny River Basin Water and
Related Land Resources Study Report
and Draft Environmental Impact
Statement; (Comprehensive
Coordinated Joint Plan)

Pursuant to section 204(3) of the
Water Resources Planning Act of 1965
(Pub. L. 89-80), the Ohio River Basin
Commission has prepared the Allegheny
River Basin Water and Related Land

Resources Study Report (CCJP) and
Draft Environmental Impact Statement.
This Plan constitutes the Allegheny
portion of the Ohio River Region's
Comprehensive Coordinated Joint Plan.
The Report/Draft EIS is under 90-day
review by the Governors and the head
of each federal and interstate agency
from which a member has been
appointed to the Commission.

Views, comments and
recommendations are requested by
April 7, 1980. Copies are available on
request from the Ohio River Basin
Commission, 36 East Fourth Street,
Cincinnati, Ohio 45202.

Fred J. Krumboltz,
Chairman.

[FR Doc. 80-370 Filed 1-4-80; 8:45 am]
BILLING CODE 8410-01-M

SELECT COMMISSION ON IMMIGRATION AND REFUGEE POLICY

Public Hearing—New York, N.Y.

The Select Commission on
Immigration and Refugee Policy will
hold the fifth of 12 regional hearings on:
Date: January 21, 1980.
Place: The Auditorium, Police Department—
The City of New York, One Police Plaza,
New York, New York 11038.
Time: 9:00-5:00; 7:00-9:00 p.m.

The New York hearing will be chaired
by Representative Elizabeth Holtzman.

The major portion of this hearing will
be devoted to testimony from invited
witnesses addressing issues relating to
the impacts of undocumented or illegal
aliens; enforcement and service
functions of the Immigration and
Naturalization Service; and
consideration of the preference system
for immigrant visas.

There will also be an "Open Mike" in
the evening from 7:00-9:00 p.m. available
to anyone wishing to address any
immigration issue before the
Commission. Written statements will be
accepted for a period of 7 days following
the hearing from people unable to
appear in person.

The public is cordially invited to
attend both the day and evening
discussions.

The Select Commission on
Immigration and Refugee Policy was
created by public law to provide a
comprehensive review of U.S.
immigration laws, policies, and
procedures. The regional hearings are
being held to assure that a wide range of
views are heard and considered by the
Commission. Regional hearings are
being held in Baltimore, Boston,
Chicago, Denver, Los Angeles, Miami,

New Orleans, New York, Phoenix, San
Antonio, and San Francisco.

Members of the Commission include
four Cabinet officers, eight members of
Congress with four members selected
from each Judiciary Committee, and four
members appointed by the President.

Anyone wishing more information
about the New York hearing or about
testifying at the evening session should
contact:

John Jones, Select Commission on
Immigration and Refugee Policy, New
Executive Office Building, Suite 2020, 726
Jackson Place, N.W., Washington, D.C.
20506, Telephone: (202) 395-5615.

Dr. Lawrence H. Fuchs,
Executive Director.

[FR Doc. 80-349 Filed 1-4-80; 8:45 am]
BILLING CODE 6820-AR-M

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area No.
1748]

Nebraska; Declaration of Disaster Loan Area

The following 3 Counties and adjacent
counties within the State of Nebraska
constitute a disaster area as a result of
natural disaster as indicated:

County, Natural disaster(s) and Date(s)

Brown, High Winds and Heavy Wet Snow,
October 30, 1979;
Keya Paha, High Winds and Heavy Wet
Snow, October 30, 1979;
Rock, High Winds and Heavy Wet Snow,
October 30, 1979.

Eligible persons, firms and
organizations may file applications for
loans for physical damage until the close
of business on June 23, 1980, and for
economic injury until the close of
business on September 22, 1980, at Small
Business Administration, District Office,
Empire State Bldg., 19th and Farnam
Streets., 2nd Floor, Omaha, Nebraska
68102 or other locally announced
locations.

(Catalog of Federal Domestic Assistance
Program Nos. 59002 and 59008.)

Dated: December 21, 1979.

A. Vernon Weaver,
Administrator.

[FR Doc. 80-426 Filed 1-4-80; 8:45 am]
BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area No.
1744]

Texas; Declaration of Disaster Loan Area

The following 5 counties and adjacent
counties within the State of Texas

constitute a disaster area as a result of natural disaster as indicated:

County, Natural Disaster(s) and Date(s)

Andrews, Dry Weather, July 20, 1979–November 15, 1979;
Andrews, Heavy Frost, October 24, 1979–October 31, November 1–3, 1979, November 11–13, 1979;
Andrews, High Winds, September 15, 1979–November 15, 1979;
Dallam, Snow, High Winds, October 30, 1979;
Deaf Smith, High Winds, Hail, Lightning and Snowstorm, October 29, 1979–October 30, 1979;
Oldham, Drought, December 31, 1978–November 8, 1979;
Oldham, High Winds, October 9, 1979, October 20–21, 1979;
Oldham, Hail, May 20, 1979, July 15, 1979, July 21, 1979, July 30, 1979, August 1, 1979, August 15, 1979, August 24, 1979;
Oldham, Snowstorm and Blizzard, October 29, 1979–October 30, 1979;
Sherman, Snowstorm and Blizzard, October 30, 1979.

Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on June 26, 1980, and for economic injury until the close of business on September 26, 1980, at Small Business Administration, District Office, 1205 Texas Avenue, Room 712, Lubbock, Texas 79401 or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.)

Dated: December 26, 1979.

A. Vernon Weaver,
Administrator.

[FR Doc. 80-425 Filed 1-4-80; 8:45 am]

BILLING CODE 8025-01-M

[License No. 05/08-0015]

Retailers Growth Fund, Inc.; Notice of Filing of Application for Transfer of Control

Notice is hereby given that an Application has been filed with the Small Business Administration (SBA) pursuant to § 107.701 of the Regulations governing Small Business Investment Companies (13 CFR 107.701(1979)) for transfer of control of Retailers Growth Fund, Inc. (RGF), 5100 Gamble Drive, Minneapolis, Minnesota 55416, a federal Licensee under the Small Business Investment Act of 1958 (the Act), as amended (15 U.S.C. 661 *et seq.*). The proposed transfer of control of RGF, which was licensed October 4, 1962, is subject to the prior written approval of SBA.

Pursuant to agreements between Lease Moore Equipment, Inc. (LME) and RGF, LME has offered to purchase all of the issued and outstanding shares of

RGF's common stock from Gamble-Scogmo, Inc.

Assuming consummation of the proposed transfer of ownership and control, the management and stockholders of RGF will be:

Officers, Directors and Shareholder and Percent of Stock Ownership

Lease Moore Equipment, Inc., 360 West Larpentur Avenue, St. Paul, Minnesota 55164; Shareholder—100 percent.
Mr. Cornell L. Moore, 2727 Dean Parkway, Minneapolis, Minnesota 55416; Chairman of the Board, President, Director.
Charles R. Schumacher, 26 Walden, Burnsville, Minnesota 55337; Director.
Judith Freske, 5100 Gamble Drive, Minneapolis, Minnesota 55416; Secretary, Director.

Mr. Cornell L. Moore is the sole shareholder of LME.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed new shareholders and management, and the probability of successful operations of the company under such management (including profitability and financial soundness) in accordance with the Act and Regulations.

Notice is further given that any person may, not later than 15 days from the date of publication of this Notice, submit written comments on the proposed transfer of ownership and control to the Acting Associate Administrator for Finance and Investment, Small Business Administration, 1441 "L" Street, N.Y., Washington, D.C. 20416.

A copy of this Notice will be published in a newspaper of general circulation in Minneapolis, Minnesota.

(Catalog of Federal Domestic Assistance program N. 59.011 Small Business Investment Companies).

Dated: December 28, 1979.

Peter F. McNeish,

Acting Associate Administrator for Finance and Investment.

[FR Doc. 80-424 Filed 1-4-80; 8:45 am]

BILLING CODE 8025-01-M

[License No. 05/05-0112]

Intercapco, Inc.; Notice of Filing of an Application for Approval of a Conflict of Interest Transaction

Notice is hereby given that Intercapco, Inc. (Intercapco), One Erieview Plaza, Cleveland, Ohio 44114, a Federal Licensee under the Small Business Investment Act of 1958, as amended (Act), has filed an application pursuant to § 107.1004 of the Regulations governing small business investment companies (13 CFR 107.1004 (1979)) for

an exemption from the provisions of the conflict of interest regulation.

The exemption, if granted, will permit Intercapco to provide a total financing of \$150,000 which has been allocated as follows:

- A. \$135,000 as the consideration for 27 Limited Partnership Units of \$5,000 each in Olympia Associates East (Olympia), an Ohio limited partnership.
- B. \$5,000 as the consideration for 50 Common Shares of National Fitness Centers, Inc. (NFC), an Ohio corporation and principal general partner of Olympia.
- C. \$10,000 in consideration for the issuance by NFC to Intercapco of Promissory Notes in the principal amount of \$10,000.

The names of the persons and the nature of the affiliations between Intercapco and NFC are as follows:

	Intercapco affiliation	NFC affiliation
Glenn Golenberg.	Officer, Director and 7.5 percent Shareholder.	Director and 5 percent Shareholder.
Ronald E. Weinberg.	Officer, Director and 7.5 percent Shareholder.	1 percent Shareholder.
Robert B. Haas.	Officer, Director and 3 percent Shareholder.	2 percent Shareholder.
Sidney Dworkin.	Director and 1.25 percent Shareholder.	Chairman of the Board of Directors and 8 percent Shareholder.

Pursuant to Paragraph (f) of the definition of "Associate of a Licensee" in § 107.3 of the Regulations, NFC is considered to be an Associate of Intercapco. As such, the transaction will require an exemption pursuant to § 107.1004(b)(1) of the Regulations.

Notice is hereby given that any person may, not later than January 22, 1980, submit to the Small Business Administration, in writing, relevant comments on the proposed transaction. Any such communications should be addressed to: Acting Associate Administrator for Finance and Investment, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Cleveland, Ohio.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: January 2, 1980.

Peter F. McNeish,

Acting Associate Administrator for Finance and Investment.

[FR Doc. 80-423 Filed 1-4-80; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[FRA Waiver Petition Docket No. RST-79-3]

Chicago, Milwaukee, St. Paul and Pacific Railroad

In accordance with 49 CFR 211.41 and 211.9, notice is hereby given that the Chicago, Milwaukee, St. Paul and Pacific Railroad (Milwaukee) has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance with certain provisions of the Track Safety Standards (49 CFR Part 213). The petition requests that Milwaukee be granted authority to continue operations over certain segments of track that do not comply with the minimum provisions of the FRA Track Safety Standards.

The Milwaukee has identified approximately three thousand (3,000) miles of track where portions of the line fail to meet the minimum safety standards. These lines are generally the subject of abandonment proceedings that have been initiated before the Interstate Commerce Commission (ICC). The lines are located in the States of Idaho, Illinois, Indiana, Iowa, Minnesota, Montana, North Dakota, South Dakota, Washington, and Wisconsin. These lines are divided into forty-eight segments and are identified below by the towns nearest to the site of the affected track together with the designated ICC abandonment proceeding involving that segment.

1. Green Island, Iowa to Dove, Iowa (ICC Docket AB-7, Sub. 81).
2. Delmar, Iowa to Maquoketa, Iowa (ICC Docket AB-7, Sub. 81).
3. Louisa, Iowa to Tama, Iowa (ICC Docket AB-7, Sub. 82).
4. Parlata, Iowa to Hopkinton, Iowa (ICC Docket AB-7, Sub. 43).
5. Sparta, Wisconsin to Viroqua, Wisconsin (ICC Docket AB-7, Sub. 37).
6. Monroe, Wisconsin to Mineral Point, Wisconsin (ICC Docket AB-7, Sub. 49).
7. Milton, Wisconsin to Waukesha, Wisconsin (ICC Docket AB-7, Sub. 59).
8. Iron Ridge, Wisconsin to Ford Du Lac, Wisconsin (ICC Docket AB-7, Sub. 50).
9. Ripon, Wisconsin to Oshkosh, Wisconsin (ICC Docket AB-7, Sub. 71).
10. Farmington, Minnesota to Le Center, Minnesota (ICC Docket AB-7, Sub. 55).
11. Rockwell City, Iowa to Storm Lake, Iowa (ICC Docket AB-7, Sub. 55).
12. Napa, South Dakota to Platte, South Dakota (ICC Docket AB-7, Sub. 73).
13. Jackson, Minnesota to Egan, South Dakota (ICC Docket AB-7, Sub. 61).
14. Ortonville, Minnesota to Fargo, North Dakota (ICC Docket AB-7, Sub. 68).
15. Aberdeen, South Dakota to Linton, North Dakota (ICC Docket AB-7, Sub. 76).
16. Roscoe, South Dakota to Linton, North Dakota (ICC Docket AB-7, Sub. 75).

17. Andover, South Dakota to Brampton, North Dakota (ICC Docket AB-7, Sub. 79).
18. Madison, South Dakota to Bryant, South Dakota (ICC Docket AB-7, Sub. 41).
19. Fairfield, Montana to Agawama, Montana (ICC Docket AB-7, Sub. 78).
20. Lewistown, Montana to Winifred, Montana (ICC Docket AB-7, Sub. 69).
21. Tacoma, Washington to Chehalis, Washington (ICC Docket AB-7, Sub. 86).
22. Harlowton, Montana to Great Falls, Montana (ICC Docket AB-7, Sub. 86).
23. Great Falls, Montana to Fairfield, Montana (ICC Docket AB-7, Sub. 86).
24. Saint Maries, Idaho to Purdue, Idaho (ICC Docket AB-7, Sub. 86).
25. Miles City, Montana to Harlowtown, Montana (ICC Docket AB-7, Sub. 86).
26. Harlowton, Montana to Deer Lodge, Montana (ICC Docket AB-7, Sub. 86).
27. Deer Lodge, Montana to Alberton, Montana (ICC Docket AB-7, Sub. 86).
28. St. Regis, Montana to Foraker, Montana (ICC Docket AB-7, Sub. 86).
29. Plummer, Idaho to Rosalia, Washington (ICC Docket AB-7, Sub. 86).
30. Othello, Washington to Kittitas, Washington (ICC Docket AB-7, Sub. 86).
31. Easton, Washington to Maple Valley, Washington (ICC Docket AB-7, Sub. 86).
32. Bellingham, Washington to Sumas, Washington (ICC Docket AB-7, Sub. 86).
33. Dishman, Washington to Spokane, Washington (ICC Docket AB-7, Sub. 86).
34. Tiflis, Washington to Marcellus, Washington (ICC Docket AB-7, Sub. 86).
35. Cedar Falls, Washington to Snoqualmie, Washington (ICC Docket AB-7, Sub. 86).
36. Port Angeles, Washington to Port Townsend, Washington (ICC Docket AB-7, Sub. 86).
37. Frederickson, Washington to Morton, Washington (ICC Docket AB-7, Sub. 86).
38. Ringling, Montana to Dorsey, Montana (ICC Docket AB-7, Sub. 86).
39. Marion, Iowa to Rutledge, Iowa (ICC Docket AB-7, Sub. 54).
40. Steward Junction, Illinois to Ladd, Illinois (No Pending ICC Docket Identified).
41. Manilla, Iowa to Sioux City, Iowa (No Pending ICC Docket Identified).
42. Woodward Junction, Iowa to Clive, Iowa (No Pending ICC Docket Identified).
43. Des Moines, Iowa to Herndon, Iowa (No Pending ICC Docket Identified).
44. Herndon, Iowa to Spencer, Iowa (No Pending ICC Docket Identified).
45. Faithorn, Illinois to Fayette, Indiana (No Pending ICC Docket Identified).
46. Rockston, Illinois to Kittredge, Illinois (No Pending ICC Docket Identified).
47. Austin, Minnesota to Mason City, Iowa (No Pending ICC Docket Identified).
48. Sturtevant, Wisconsin to Beloit, Wisconsin (No Pending ICC Docket Identified).

The Milwaukee notes no passenger service is provided over these lines and that it has embargoed the movement of hazardous materials on all of the segments except for segments numbered 1 through 10 listed above.

The Milwaukee indicates that the severe financial problems of the railroad have caused deferred maintenance of

these lines and that current estimates indicate that it would require approximately \$10.3 million dollars to bring these segments into compliance with the minimum safety requirements. The requested waiver is basically sought to permit continued operations over these lines until the ICC abandonment proceedings are completed and the Milwaukee estimates that a temporary waiver of one year would be sufficient for this purpose. The Milwaukee does not propose any rehabilitation effort for this trackage but believes that safe operations can be conducted over the trackage. The granting of a waiver would be in the public interest according to the Milwaukee's petition, in order to prevent a cessation of rail services on these lines.

The petition does not identify the precise conditions that exist on these segments and the Milwaukee does not indicate the particular factors that cause any segment to fall below the minimum conditions of the standards. The petition generally does not indicate the level of service being provided on these lines.

Interested persons are invited to participate in these proceedings by submitting written data, views or comments. FRA does not anticipate scheduling an opportunity for oral comment on these petitions since the facts do not appear to warrant it. All communications concerning this petition must identify the appropriate Docket Number (e.g., FRA Waiver Petition Docket Number RST-79-3) and should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590.

Communications received before January 31, 1980, will be considered by the FRA before final action is taken. Comments received after that date will be considered to the extent practicable. All comments received will be available for examination during regular business hours (9:00 a.m.-5:00 p.m.), both before and after the closing date for comments, in Room 8211, Nassif Building at the above address.

(Sec. 202, Federal Railroad Safety Act of 1970, as amended (45 U.S.C. 431); Sec. 1.49(n), Regulations of the Office of the Secretary of Transportation (49 CFR 1.49(n))).

Issued in Washington, D.C., on December 28, 1979.

Robert H. Wright,
Acting Chairman, Railroad Safety Board.

[FR Doc. 80-374 Filed 1-4-80; 8:45 am]

BILLING CODE 4910-06-M

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

Fair Housing Lending Enforcement;
Public Meeting

AGENCY: Comptroller of the Currency, Treasury Department.

ACTION: Notice of Public Meeting.

SUMMARY: Settlement of *National Urban League et al. v. Office of the Comptroller of the Currency et al.* (Civil Action No. 76-0718) provides that a semi-annual meeting will be held to review the fair housing lending enforcement program of the Office of the Comptroller of the Currency. Members of the public are invited to attend this meeting.

DATE: January 24, 1980, 10:00 a.m.

ADDRESS: 490 L'Enfant Plaza, SW., Washington, DC 20219. Individuals who plan to attend this meeting should be present at the 3rd Floor Conference Room "B" prior to 10:00 a.m.

FOR FURTHER INFORMATION CONTACT: Patrick J. Marr, Fair Lending Specialist, Office of the Comptroller of the Currency, Washington, DC 20219, phone 202/447-1600.

SUPPLEMENTARY INFORMATION:

Settlement of *National Urban League et al. v. Office of the Comptroller of the Currency et al.* (Civil Action No. 76-0718) provides that a semi-annual meeting will be held to review the fair housing lending enforcement program of the Office of the Comptroller of the Currency. Representatives of the Comptroller of the Currency will discuss their fair housing program and any changes made or proposed therein and will receive and consider suggestions from the National Urban League.

Members of the public are invited to attend this meeting and will be given an opportunity to make comments and suggestions with respect to the enforcement program of the Comptroller of the Currency.

Dated: January 3, 1980.

Robert R. Klinzing,

Acting Assistant Deputy Comptroller for Customer and Community Programs.

[FR Doc. 80-559 Filed 1-4-80; 8:45 am]

BILLING CODE 4810-33-M

Customs Service

Viscose Rayon Staple Fiber From
Austria; Preliminary Countervailing
Duty Determination

AGENCY: U.S. Customs Service, Treasury Department.

ACTION: Preliminary Countervailing Duty Determination.

SUMMARY: This notice is to inform the public that a countervailing duty investigation has resulted in a preliminary determination that the Government of Austria has given benefits which may constitute bounties or grants on the manufacture, production or exportation of viscose rayon staple fiber. A final determination will be made no later than March 17, 1980, as provided by section 102(a)(2) of the Trade Agreements Act of 1979, effective January 1, 1980. Interested persons are invited to comment on this action.

EFFECTIVE DATE: January 7, 1980.

FOR FURTHER INFORMATION CONTACT:

Donald W. Eiss, Economist, U.S. Commerce Department, 15th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20220, (202-566-8256).

SUPPLEMENTARY INFORMATION: On June 18, 1979, a notice of "Receipt of Countervailing Duty Petition and Initiation of Investigation" was published in the *Federal Register* (44 FR 35073-35074). The notice stated that a petition had been filed by Avtex Fibers, Inc., Valley Forge, Pennsylvania, alleging that benefits conferred by the Government of Austria upon the manufacture, production or exportation of viscose rayon staple fiber constitute the payment or bestowal of bounties or grants, directly or indirectly, within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303) (referred to in this notice as "the Act"). Imports covered by this investigation are classifiable under item numbers 309.4320 and 309.4325, Tariff Schedules of the United States Annotated (TSUSA).

On the basis of an investigation conducted pursuant to § 159.47(c) of the Customs Regulations (19 CFR 159.47(c)), it has been preliminarily determined that the following programs of the Government of Austria provide benefits to the sole manufacturer/exporter of viscose rayon staple fiber, Chemiefaser Lenzing (Lenzing), which may constitute a bounty or grant within the meaning of section 303 of the Act:

1—Long Term Loans for: (a) *Market Adaptation and Rationalization*—Under the Improvement of Structure of Commerce Act of 1969, Austrian firms may receive federally funded loans at interest rates lower than those otherwise commercially available in order to facilitate adapting to changing business and marketing conditions.

(b) *Pollution Control*—Austrian firms may obtain loans from the Government

of Austria in order to assist the construction or expansion of industrial water purification facilities. These loans are made at a 3 percent interest rate for up to 10 years.

(c) *Research and Development*—Low cost credit is available to Austrian firms for commercial industrial research from the government funded Research Promotion Fund for Trade and Industry. These loans are also made at rates lower than those otherwise commercially available in Austria.

Eligibility for loans under these three programs is not contingent upon export performance but is freely available to all Austrian manufacturers whether they produce for the domestic or export markets. The Treasury Department has in the past countervailed such non-export oriented programs only if it was determined that a preponderance of the merchandise which received benefits was exported and/or the total amount of the benefits received was significant in relation to the total value of the goods exported. However, in the case of *ASG Industries v. United States*, C.A.D. 1237 (Nov. 29, 1979), the Court of Customs and Patent Appeals asserted that such programs constitute bounties or grants within the meaning of section 303 of the Act, regardless of the percentage of production exported.

The Treasury Department has also determined that funding provided under "Research and Development" programs may be countervailable depending upon the nature of the project to which the funding was applied. In the recent case involving *Optic Liquid Level Sensing Systems from Canada* (44 FR 1728), the Treasury Department stated that "a determination of whether a bounty or grant has been bestowed requires an examination of the particular uses to which the funds were put. The mere fact that those activities might fall under the generally accepted conception of "R&D", * * * is not controlling". There is at this stage insufficient information available to make a precise determination of the nature and uses of the Austrian funds in question. Pending such analysis, the Austrian Research and Development loans to Lenzing are considered countervailable.

Therefore, since Lenzing continues to have loans under all three programs outstanding, the benefits bestowed in the form of preferential interest rates are considered countervailable for the purposes of this preliminary determination. The *ad valorem* benefit is estimated to be 0.35 percent.

2—Export Sales Reserve—Section 123 of the Austrian Income Tax has permitted Austrian companies to defer the payment of income tax on a

percentage of their accounts receivables related to export sales. The petitioner has alleged that, rather than an income tax deferral, the program operates as an income tax exemption, which provides significantly higher benefits to Lenzing. While Treasury does not at this stage have a sufficient basis for adopting the petitioner's view, the program will be subject to further investigation prior to a final determination.

For the purposes of this preliminary determination, the Reserve will be treated as a tax deferral in the form of an interest-free loan; an *ad valorem* benefit from this program of 0.23 percent has been calculated.

It is further preliminarily determined that the following two programs do not constitute the bestowal of bounties or grants within the meaning of section 303 of the Act.

1—Freight rates charged on Lenzing's rayon stapler fiber export sales—At this stage the Treasury Department has no information which indicates that Lenzing receives preferential freight rates, as alleged by the petitioners, on its export sales of viscose rayon staple fiber vis-à-vis either other manufacturers or its own domestic shipments. Without any evidence of preferential treatment provided to Lenzing's export sales, the Treasury does not consider this to constitute a bounty or grant.

2—Long Term Loans under the European Recovery Program Counterpart Settlement Agreement—Eligible Austrian firms can obtain loans funded from a special account maintained by the Government of Austria as a result of an Agreement between the United States and the Government of Austria in 1962. The account was created using monies originally provided to the Austrian Government by the United States in the late 1940's under the European Recovery Program (Marshall Plan). The fund must be separately identified in the Austrian budget and cannot be supplemented with additional Austrian funding. Section 303 of the countervailing duty law states that a countervailing duty should be imposed, "Whenever any country * * * shall pay or bestow * * * any bounty or grant upon the manufacture or production or export of any article or merchandise manufactured or produced in such country * * *". This language ties the determination that a countervailable subsidy exists to a payment or a bestowal by the country in which the good is produced. In the case of the ERP loans in question, it is clear that the payment or bestowal is from the U.S. Government (through the original Marshall Plan grant) to the Austrian

manufacturers utilizing the program, with no contribution from the Austrian government. Therefore, this program is preliminarily determined, as a matter of law, not to constitute a bounty or grant within the meaning of section 303 of the Act (19 U.S.C. 1303).

Accordingly, it is preliminarily determined that bounties or grants within the meaning of section 303 of the Act, are being paid or bestowed, directly or indirectly, upon the manufacture, production or exportation of viscose rayon staple fiber from Austria.

On January 1, 1980, the Trade Agreements Act of 1979 (Pub. L. 96-39) goes into effect and pursuant to this law, estimated duties in the form of cash deposits, bonds or other security will be required for each entry of merchandise, equal to the estimated amount of the net subsidy. The amount has been estimated to be 0.58 percent *ad valorem*.

In accordance with section 102(a)(2) of the Trade Agreements Act of 1979, (19 U.S.C. 1671 note), a final determination will be made no later than March 17, 1980.

Before a final determination is made, consideration will be given to relevant data, views, or arguments submitted in writing with respect to this preliminary determination.

Submissions should be addressed to the Assistant Secretary for Trade Administration, Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230. Submissions should be received no later than February 6, 1980. Any request to present oral views should accompany such submission and a copy of all submissions should be delivered to counsel that has heretofore represented any party to these proceedings.

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

Pursuant to Reorganization Plan No. 26 of 1950 and Treasury Department Order No. 101-5, May 16, 1979, the provisions of Treasury Department Order No. 165, Revised, November 2, 1954, and section 159.47 of the Customs Regulations (19 CFR 159.47), insofar as they pertain to the issuance of a preliminary countervailing duty determination by the Commissioner of Customs, are hereby waived.

Robert H. Mundheim,
General Counsel of the Treasury.
December 31, 1979.

[FR Doc. 80-403 Filed 1-4-80; 8:45 am]

BILLING CODE 4810-22-M

INTERSTATE COMMERCE COMMISSION

Motor Carrier Temporary Authority Applications

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the Federal Register publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the Federal Register. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the ICC Field Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

[Notice No. 224]

MC 2202 (Sub-620TA), filed November 5, 1979. Applicant: ROADWAY EXPRESS, INC., P.O. Box 471, Akron, OH 44309. Representative: William O. Turney, Suite 1010, 7101 Wisconsin Ave., Washington, DC 20014. Common carrier: regular routes: *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 all points located in York County, PA as an off-route point in

connection with applicant's present authority, for 180 days. Applicant will tack with MC 2202 and all Subs thereto and will interline with other carriers at all points of interchange. Supporting shipper(s): There are 8 supporting shippers to this application. Their statements may be examined at the office listed below and Headquarters. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 2202 (Sub-621TA), filed November 8, 1979. Applicant: ROADWAY EXPRESS, INC., P.O. Box 471, Akron, OH 44309. Representative: William O. Turney, Suite 1010, 7101 Wisconsin Ave., Washington, DC 20014. *Petroleum and petroleum products, in bulk*, from Aspen, CO to Henderson, WV, for 180 days. Supporting shipper: Nevada Airlines, Inc., 5030 Paradise Rd., Las Vegas, NV 89119. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 2392 (Sub-132TA), filed September 26, 1979. Applicant: WHEELER TRANSPORT SERVICE, INC., 7722 "F" Street, Omaha, NE 68127. Representative: Keith D. Wheeler, P.O. Box 14248, West Omaha Station, Omaha, NE 68124. *Tallow* from Schuyler, NE to Rush City, NE for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Spencer Foods, Inc., Don Brink, P.O. Box 544, Schuyler, NE 68661. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 2962 (Sub-71TA), filed November 14, 1979. Applicant: A & H TRUCK LINE, INC., 1111 East Louisiana Street, Evansville, IN 47711. Representative: Robert H. Kinker, P.O. Box 402, Frankfort, KY 40602. *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 Cincinnati, OH and Terre Haute, IN serving the junction of Interstate Hwy 465 and Indiana Hwy 37 for the purpose of Joinder only as an alternate route for operating convenience only, in connection with carrier's existing regular-route operations, serving no intermediate points: from Cincinnati, OH over Interstate Hwy 74 to the junction of Interstate Hwy 465, then over Interstate Hwy 465 to the junction of Interstate Hwy 70 and then over Interstate Hwy 70 to Terre Haute, IN and return over the same route for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: A & H Truck Line Inc., 1111 East Louisiana Street, Evansville, IN 47711.

Send protests to: Beverly J. Williams, ICC, 429 Federal Bldg., 46 E. Ohio Street, Indianapolis, IN 46204.

MC 3062 (Sub-45TA), filed October 26, 1979. Applicant: INMAN FREIGHT SYSTEM, INC., 321 N. Spring Ave., Cape Girardeau, MO 63701. Representative: Guy H. Boles (address same as applicant). *Common, regular routes: General commodities*, with the usual exceptions, serving the facilities of Soundesign Corporation at or near Santa Claus, IN as an off-route point in connection with carrier's otherwise authorized regular route operations, for 180 days. Supporting shipper: Soundesign Corporation, P.O. Box 61, Route 162, Santa Claus, IN 47579. Send protests to: Peter E. Binder, DS, ICC, Rm. 1465, 210 N. 12th St., St. Louis, MO 63101.

MC 4963 (Sub-94TA), filed October 16, 1979. Applicant: JONES MOTOR CO., INC., Bridge Street & Schuylkill Rd., Spring City, PA 19475. Representative: William H. Peiffer (same address as applicant). *Iron and steel articles and metals* (except commodities in bulk and commodities the transportation of which because of size or weight require the use of special equipment), between the plantsite of Bethlehem Steel Corporation at or near Johnstown, PA and points in NY, OH, WV, KY, IN, IL, MI, WI and MD, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Bethlehem Steel Corporation, Bethlehem, PA 18016. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 4963 (Sub-95TA), filed October 16, 1979. Applicant: JONES MOTOR CO., INC., Bridge Street & Schuylkill Rd., Spring City, PA 19475. Representative: William H. Peiffer (same address as applicant). *Cast iron pipe, pipe fittings and related articles; plastic pipe, fittings and related articles*, between the facilities of Charlotte Pipe and Foundry Company at Charlotte and Bakers, NC, on the one hand, and on the other, points in AL, GA, IL, IN, IA, KY, MD, MO, NJ, NY, PA, SC, TN, WV and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Charlotte Pipe & Foundry Co., P.O. Box 4430, Charlotte, NC 28204. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 4963 (Sub-96TA), filed October 18, 1979. Applicant: JONES MOTOR CO., INC., Bridge Street & Schuylkill Rd., Spring City, PA 19475. Representative: William H. Peiffer (same address as applicant). *Iron or steel articles*, between the facilities of Edgewater Steel Company at Oakmont, PA and York, SC, on the one hand, and on the

other, points in PA, NY, OH, WV, KY, IN, IL, MI, WI and MD, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Edgewater Steel Company, Oakmont, PA 15139. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 4963 (Sub-97TA), filed October 16, 1979. Applicant: JONES MOTOR CO., INC., Bridge Street & Schuylkill Rd., Spring City, PA 19475. Representative: William H. Peiffer (same as applicant). *Iron and steel articles, metals and metal products, paper and paper products, and lumber*, between Galloway, TN, on the one hand, and, on the other, TN, PA, WV, IN, WI, MI, AL, KY, MO, NC, SC, MD, DE, and IA, for 180 days. Service at Galloway, TN, is restricted to plantsites, warehouses and other facilities of Galloway Aluminum Products. An underlying ETA seeks 90 days authority. Supporting shipper(s): Galloway Aluminum Products, Galloway, TN. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 4963 (Sub-98TA), filed October 16, 1979. Applicant: JONES MOTOR CO., INC., Bridge Street & Schuylkill Rd., Spring City, PA 19475. Representative: William H. Peiffer (same as applicant). *Refractory products, materials and supplies used in the manufacture thereof*, between points in AL, DE, IN, KY, MD, MI, IL, NJ, NY, OH, PA, WI, NC, TN, GA, VA, WV, SC and MO, for 180 days. Service is restricted to shipments from or to the plantsites of Borden Brick and Tile Company, H F Refractories Company, Inc. and Swenk Refractories. An underlying ETA seeks 90 days authority. Supporting shipper(s): Swenk Refractories, 420 Rouser Rd., Airport Office Park, Corapolis Hts., PA 15108; HF Refractories Company, Inc., 3670 Werk Rd., Bldg. No. 5, Cincinnati, OH 45211; Borden Brick & Tile Company, P.O. Box 11558, Durham, NC 27703. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 4963 (Sub-99TA), filed October 16, 1979. Applicant: JONES MOTOR CO., INC., Bridge Street & Schuylkill Rd., Spring City, PA 19475. Representative: William H. Peiffer (same as applicant). *Glass containers and fibreboard boxes*, between Charlotte, MI, on the one hand, and, on the other, PA, NY, MD, NJ, VA, DE, and OH, for 180 days. Service at Charlotte, MI is restricted to plantsites, warehouses and facilities of Owens-Illinois. An underlying ETA seeks 90 days authority. Supporting shipper(s): Owens-Illinois, Inc., P.O. Box 1035, Toledo, OH 43666. Send protests to:

I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 4963 (Sub-100TA), filed October 9, 1979. Applicant: JONES MOTOR CO., INC., Bridge Street and Schuylkill Rd., Spring City, PA 19475. Representative: William H. Peiffer (same as applicant). *Molding, wooden staircases partially and/or completely assembled and broken down (disassembled); millworks and supplies used in the manufacture and installation of such commodities,* between Florence, SC, on the one hand, and, on the other, SC, NC, VA, DC, MD, DE, PA, NJ, NY, CT, RI, MA, NH, ME, VT, OH, WV, TN, KY, GA, AL, IN, MI, IL, WI, MN, IA, and MO, for 180 days. Service at Florence, SC is restricted to plantsites, warehouses and other facilities of Driwood Molding Co., Inc. Supporting shipper(s): Driwood Molding Co., Inc., P.O. Box 1729, Florence, SC 29503. Send protests to: ICC, 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 4963 (Sub-101TA), filed October 18, 1979. Applicant: JONES MOTOR CO., INC., Bridge Street & Schuylkill Rd., Spring City, PA 19475. Representative: William H. Peiffer (same as applicant). *Plumbing fixtures: vitreous china bowls, tank and lavatories,* between Mansfield and Shelby, OH, on the one hand, and, on the other, WI, IN, KY, TN and IL, for 180 days. The service at Mansfield and Shelby, OH is restricted to plantsites, warehouses and facilities of Artesian Industries. An underlying ETA seeks 90 days authority. Supporting shipper(s): Artesian Industries, 201 E. Fifth St., Mansfield, OH 44901. Send protests to: I.C.C., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 4963 (Sub-102TA) filed October 16, 1979. Applicant: JONES MOTOR CO., INC., Bridge Street & Schuylkill Rd., Spring City, PA 19475. Representative: William H. Peiffer (same as applicant). *Weights counter balance not machined (iron and steel),* between Charlotte, MI, on the one hand, and on the other, PA and IL for 180 days. Restriction: Service at Charlotte, MI is limited to the plantsite of Johnson Iron Industries. An underlying ETA seeks 90 days authority. Supporting shipper(s): Johnson Iron Industries, Charlotte, MI. Send protests to: I.C.C., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 4963 (Sub-103TA) filed October 16, 1979. Applicant: JONES MOTOR CO., INC., Bridge Street & Schuylkill Rd., Spring City, PA 19475. Representative: William H. Peiffer (same as applicant). *Auto frames; railway car parts, bodies, dumping and/or dumping devices and parts thereof; iron or steel articles,* between Milwaukee, WI, on the one hand, and on the other, IL, IN, MI, OH,

KY, NY, PA, MD, DE, NJ, VA, WV, NC, AL, GA, MA, SC, MO, CT and RI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Heil Co., 3000 W., Montana, Milwaukee, WI 53201; A. O. Smith Corporation, P.O. Box 584, Milwaukee, WI 53201; Babcock & Wilcox Company, 3839 West Burnham Street, Milwaukee, WI 53215. Send protests to: I.C.C., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 4963 (Sub-104TA) filed October 31, 1979. Applicant: JONES MOTOR CO., INC., Bridge Street & Schuylkill Rd., Spring City, PA 19475. Representative: William H. Peiffer (same as applicant). *Refractory products, materials and supplies used in the manufacture thereof,* between the plantsite of A. P. Green Refractories Co., Climax, (Porter Township, Clarion County), PA, on the one hand, and on the other, points in AL, DE, GA, IL, IN, KY, MD, MI, MO, NC, NJ, NY, OH, SC, TN, VA, WI and WV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): A.P. Green Refractories Co., Green Blvd., Mexico, MO 65265. Send protests to: I.C.C., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 4963 (Sub-105TA) filed October 25, 1979. Applicant: JONES MOTOR CO., INC., Bridge Street & Schuylkill Rd., Spring City, PA 19475. Representative: William H. Peiffer (same as applicant). *Iron and steel articles,* between Warren, OH on the one hand, and, on the other, AL, KY, IL, IN, PA, and TN, service at Warren, OH restricted to plantsites, warehouses and facilities of Copperweld Steel Co., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Copperweld Steel Co., P.O. Box 351, Warren, OH 44482. Send protests to: I.C.C., 101 N. 7th St., Phila., PA 19106.

MC 4963 (Sub-106TA) filed October 29, 1979. Applicant: JONES MOTOR CO., INC., Bridge Street & Schuylkill Rd., Spring City, PA 19475. Representative: William H. Peiffer (same as applicant). *Empty L.P. Gas cylinders and electric hot water heaters,* between Crossville, TN, on the one hand, and on the other, points in WI, NY, NJ, GA, IN, MO, IL, OH and VA for 180 days. Service at Crossville, TN is restricted to the plantsites, warehouses and other facilities of Energy Products Div., Phillips Industries, Inc. An underlying ETA seeks 90 days authority. Supporting shipper(s): Phillips Industries, Inc., 4801 Springfield St., Dayton, OH 45401. Send protests to: I.C.C., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 4963 (Sub-107TA), filed October 25, 1979. Applicant: JONES MOTOR CO., INC., Bridge St. & Schuylkill Rd., Spring

City, PA 19475. Representative: William H. Peiffer (same address as applicant). *Metals* between Cleveland, OH on the one hand, and, on the other, points in the states of MI, PA, KY, IN, TN, and NY, for 180 days. Service at Cleveland, OH is restricted to plantsites, warehouses, and facilities of Apex International Alloy. An underlying ETA seeks 90 days authority. Supporting shipper: Apex International Alloy, 6700 Grant Ave., Cleveland, OH 44105. Send protests to: I.C.C., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 4963 (Sub-108TA), filed November 21, 1979. Applicant: JONES MOTOR CO., INC., Bridge St. & Schuylkill Rd., Spring City, PA 19475. Representative: William H. Peiffer (same address as applicant). *Aluminum ingots,* between Massena, NY, on the one hand, and, on the other, OH, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Aluminum Co. of America, 1501 Aloca Bldg., Pittsburgh, PA 15219. Send protests to: ICC, 101 N. 7th St., Philadelphia, PA 19106.

MC 15242 (Sub-10TA), filed October 31, 1979. Applicant: CAUTHEN GIN & BAG CO., Rt. 4, Box 550, Monroe, NC 28110. Representative: Eric Meierhoefer, Suite 423, 1511 K Street, NW, Washington, DC 20005. *Textile products* (1) from points in AL, GA, NC, SC and TN to the facilities of Sandaway Trading Co., Inc., located at or near New York, NY and the facilities of Hanes Converting Co., located at or near Brooklyn, NY and (2) from the facilities of Sandaway Trading Co., Inc. located at or near New York, NY and the facilities of Hanes Converting Co., located at or near Brooklyn, NY to points in and east of MS, TN, KY, IL, WI and MI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sandaway Trading Co., Inc., 622 Broadway, NY, NY 10012. Hanes Converting Co., 350 DeWitt Ave., Brooklyn, NY 11207. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd.-Rm CC516, Charlotte, NC 28205.

MC 29563 (Sub-3TA), filed October 26, 1979. Applicant: ROCKFORD MILWAUKEE DISPATCH, INC., 1318 18th Ave., Rockford, IL 61106. Representative: Michael J. Chiodini (same address as applicant). Regular routes: *General commodities,* except those of unusual value, and except dangerous explosives, household goods as defined in practices of motor common carriers of household goods, 17 M.C.C. 367, commodities in bulk, commodities requiring special equipment, and those injurious of contaminating to other lading. (1) Between Milwaukee Wisconsin on US Highway 141 to

Sheboygan, Wisconsin, and Sheboygan Falls, Wisconsin and Kohler, Wisconsin, then north on US Highway 141 to Manitowoc, Wisconsin and Two Rivers, Wisconsin, then over US Highway 10 to junction with Wisconsin Highway 55 to Kaukauna, Wisconsin or over US Highway 10 to Appleton, Wisconsin, or Wisconsin Highway 96 to Appleton, Wisconsin out of Kaukauna, Wisconsin, then over US Highway 41 from Appleton, Wisconsin to Neenah, Wisconsin, then over US Highway 41 to Oshkosh, Wisconsin, then over US Highway 41 to Fond Du Lac, Wisconsin, and then back to Milwaukee, Wisconsin over US Highway 41, and return over same route's. (2) Between Milwaukee, Wisconsin on US Highway 57 out of Grafton, Wisconsin to junction of Wisconsin Highway 23 to Plymouth, Wisconsin and then back on US Highway 57 to junction with US Highway 10 to Appleton, Wisconsin, and serving the intermediate points of Kiel, Wisconsin, and New Holstein, Wisconsin, and returning over the same route's. (3) Between Sheboygan, Wisconsin on Wisconsin Highway 23 to Fond Du Lac, Wisconsin and return over the same route's. (4) Between Fond Du Lac, Wisconsin over US Highway 151 to Beaver Dam, Wisconsin, then over Wisconsin Highway 28 to junction with Wisconsin Highway 26 to Watertown, Wisconsin, then over US Highway 16 to Oconomowoc, Wisconsin, and then over US Highway 16 to Milwaukee, Wisconsin, and return over the same route's. (5) Between Rockford, Illinois over Interstate Highway 90 to junction with Wisconsin Highway 26 north of Janesville, Wisconsin, then over Wisconsin Highway 26 to Watertown, Wisconsin, and return over the same route's. (6) Between Rockford, Illinois over US Highway 51 to junction with Illinois Highway 75 at S. Beloit, Illinois then on Illinois Highway 75 to junction with Interstate 90 and then to junction with Wisconsin Highway 15 to junction with Wisconsin Highway 50 to Kenosha, Wisconsin, then over Wisconsin Highway 31 to Racine, Wisconsin, and then back to Milwaukee, Wisconsin, and return over the same route's. (7) Between Rockford, Illinois over US Highway 51 to junction with Illinois Highway 75 at So. Beloit, Illinois, and then to junction with Interstate 90 to junction with Wisconsin Highway 15 to junction with Wisconsin Highway 11 to Racine, Wisconsin, and serving the intermediate point of Burlington, Wisconsin, and return over the same route. (8) To serve all the intermediated points of all the routes listed above. Supporting shipper(s): There are 21

supporting shippers. Their applications can be reviewed at the address below or headquarters. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 31533 (Sub-16TA), filed October 19, 1979. Applicant: SOUTH BEND FREIGHT LINE, INC., 1200 South Olive Street, South Bend, IN 46624. Representative: Richard P. Wright (same address as applicant). *Metal castings; machined parts; machinery parts; and equipment, materials and supplies used in the manufacture thereof; except commodities in bulk, and those requiring special equipment serving the plantsite of Beloit Foundry Company, Division of Beloit Corporation, South Beloit, IL, as an off route point, in connection with carriers regular route operations between Chicago, IL and Freeport, IL for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper: Beloit Foundry Co., 429 Gardner St., South Beloit, IL. Send protests to: Beverly J. Williams, ICC, 429 Federal Bldg., 46 E. Ohio Street, Indianapolis, IN 46204.*

MC 32882 (Sub-131TA), filed Sept. 21, 1979. Applicant: MITCHELL BROS. TRUCK LINES, 4851 N. Columbia Blvd., P.O. Box 17039, Portland, OR 97217. Representative: David J. Lister, 3841 N. Columbia Blvd., Portland, OR 97217. *Building materials, lumber, lumber mill products and wood products from CA, OR, WA, ID and MT to NE, KS, OK, TX, IA, IL, WI, IN and MO. Restriction: Restricted to shipments originating at the facilities used by Slaughter Brothers, Inc., 11300 Central Expressway, Dallas, TX 675225. For 180 days. A Permanent is pending. Supporting shipper: Slaughter Brothers, Inc., P.O. Box 38670, Dallas, TX 75238. Send protests to: R. V. Dubay, D/S, ICC, 114 Pioneer Courthouse, Portland, OR 97204.*

MC 32882 (Sub-132TA), filed Oct. 25, 1979. Applicant: MITCHELL BROS. TRUCK LINES, 3841 N. Columbia Blvd., Portland, OR 97217. Representative: David J. Lister, P.O. Box 17039, Portland, OR 97217. *Fireplace logs, from Park County, MT to points in and west of MI, IL, MO, AR, and TX, excluding MT, AK, and HI. Restriction: Restricted to shipments originating at the facilities of Northwest Forest Fuels, Inc. for 180 days. A corresponding ETA is in effect and will expire 1/22/80 and a permanent is pending. Supporting shipper: Northwest Forest Fuels, Inc., P.O. Box 680, Livingston, MT 59047. Send protests to: D. Merine Galbraith, T/A, ICC, 114 Pioneer Courthouse, Portland, Oregon 97204.*

MC 32882 (Sub-133TA). Applicant: MITCHELL BROS. TRUCK LINES, 3841

North Columbia Boulevard, Post Office Box 17039, Portland, Oregon 97217. Representative: David J. Lister (same as above). (1) *Self-propelled tractors (except truck tractors); Loaders; Backhoes; and Dozers; and (2) Parts, Attachments, and Accessories for commodities in (1) above. From the facilities of J. I. Case Company located at or near Burlington and Bettendorf, IA to points in AZ, UT, WY, ID, NV, CA, OR, NM, CO, and WA, including ports of entry on the United States and Canadian border to serve points in the province of British Columbia, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: J. I. Case Company, 700 State St., Racine, WI 53404. Send protests to: D. Merine Galbraith, ICC, T/A, 114 Pioneer Courthouse, Portland, OR 97204.*

MC 32752 (Sub-5TA), filed October 29, 1979. Applicant: LEROY K. TRUCKING CO., INC., 99 Evergreen Avenue, Newark, NJ 07114. Representative: Lawrence Burstein, 1 World Trade Center, Suite 2373, New York, NY 10048. Irregular routes: Bronze, Brass, Copper and Nickel Products and in connection therewith, materials and supplies used in the manufacture of such products, for 180 days. An underlying ETA seeks for 90 days authority. Between: Bayway, N.J. and New York, N.Y. From: Bayway, N.J. To: Points and places in Nassau, Suffolk, Westchester, Dutchess, Ulster, Sullivan, Rockland and Orange Counties, N.Y., Philadelphia, Pa., and points and places in Pennsylvania within 15 miles of Philadelphia, and Bridgeport, New Haven, and Waterbury, Conn. Salvaged, damaged or returned shipments of Bronze, Brass, Copper, and Nickel Products, and materials and supplies used in the manufacture of such products. From: Points and places in Nassau, Suffolk, Westchester, Dutchess, Ulster, Sullivan, Rockland and Orange Counties, N.Y., Philadelphia, Pa., and points and places in Pennsylvania within 15 miles of Philadelphia and Bridgeport, New Haven and Waterbury, Conn. To: Bayway, N.J. Bronze, Brass, Copper and Nickel Products and in connection therewith, materials and supplies used in the manufacture thereof. Between: Elizabeth, N.J. and New York, N.Y. From: Elizabeth, N.J. to points in Nassau, Suffolk, Westchester, Dutchess, Ulster, Sullivan, Rockland and Orange Counties, N.Y., Philadelphia, Pa.; and points in Pennsylvania within 15 miles of Philadelphia, and Bridgeport, New Haven and Waterbury, Conn. Salvaged, damaged or returned shipments of the above described commodities. From: Points in Nassau, Suffolk, Westchester, Dutchess,

Ulster, Sullivan, Rockland, and Orange Counties, N.Y., Philadelphia, Pa., and points in Pennsylvania within 15 miles of Philadelphia and Bridgeport, New Haven and Waterbury, Conn. To: Elizabeth, N.J. Bronze, Brass, Copper and Nickel Products, and in connection therewith materials and supplies used in the manufacture of such products. Between: The site of the plant of the Phelps Dodge Copper Products Corporation at or near South Brunswick Township, Middlesex County, N.J. and New York, N.Y. From: The above located plant site of the Phelps Dodge Copper Products Corporation. To: Points in Nassau, Suffolk, Westchester, Dutchess, Ulster, Sullivan, Rockland and Orange Counties, N.Y., to Philadelphia, Pa., and points in Pennsylvania within 15 miles of Philadelphia, and Bridgeport, New Haven, and Waterbury, Conn. Salvaged, damaged and returned shipments of Bronze, Brass, Copper, and Nickel Products and materials and supplies used in the manufacture of such products. From: Points in Nassau, Suffolk, Westchester, Dutchess, Ulster, Sullivan, Rockland and Orange Counties, N.Y., and Philadelphia, Pa., and points in Pennsylvania within 15 miles of Philadelphia, and Bridgeport, New Haven and Waterbury, Conn., to the site of the plant of the Phelps Dodge Copper Products Corporation at or near South Brunswick Township, Middlesex County, N.J. Between: The plant site of Phelps Dodge Copper Products Corporation, at or near South Brunswick Township, Middlesex County, N.J., on the one hand, and, on the other, points in the New Jersey portion of the New York, N.Y. Commercial Zone, as defined by the Commission. Aluminum Products, and in connection therewith, materials and supplies used in the manufacture of such products (except commodities in bulk, in tank vehicles). Between: Bayway, N.J. and the plant site of the Phelps Dodge Copper Products Corporation at or near South Brunswick Township, Middlesex County, N.J., on the one hand, and, on the other hand, points in the New York, N.Y. Commercial Zone. From: Bayway, N.J. and the plant site of the Phelps Dodge Copper Products Corporation, at or near South Brunswick Township, Middlesex County, N.J., to points in Nassau, Suffolk, Westchester, Dutchess, Ulster, Sullivan, Rockland and Orange Counties, N.Y., Philadelphia, Pa., and points in Pennsylvania within 15 miles thereof, and Bridgeport, New Haven, and Waterbury, Conn. Irregular Routes: Aluminum Products, and in connection therewith, materials used in the manufacture of such products (except

commodities in bulk, in tank vehicles). Salvaged, damaged and returned shipments of the above-described commodities. From: Points in Nassau, Suffolk, Westchester, Dutchess, Ulster, Sullivan, Rockland and Orange Counties, N.Y., Philadelphia, Pa., and points in Pennsylvania within 15 miles thereof, and Bridgeport, New Haven, and Waterbury, Conn., to Bayway, N.J., and the plant site of the Phelps Dodge Copper Products Corporation, at or near South Brunswick Township, Middlesex County, N.J. Restriction: Under continuing contract with Phelps Dodge Copper Products Company, a division of Phelps Dodge Industries, Inc. Supporting shipper: Phelps Dodge Copper Products Company, 300 Park Avenue, New York, NY. Send protests to: Irwin Rosen, TS, ICC, 744 Broad Street, Room 522, Newark, NJ. 07102.

MC 36473 (Sub-79TA), filed November 19, 1979. Applicant: CENTRAL TRUCK LINES, INC., 3825 Henderson Blvd., Tampa, FL 33679. Representative: P. J. Meloy (same address as applicant). Common Carrier—Regular Route: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities which because of size or weight, require special handling or use of special equipment) from Atlanta, GA over Interstate Highway 85 to Montgomery, AL, thence over Interstate Hwy. 65 to Mobile, AL and return over the same route, with no service at intermediate points, as an alternate route for operating convenience only, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are eleven supporting shippers. Their statements may be examined at the office listed below and Headquarters. Send protests to: Donna M. Jones, T/A, ICC, Suite 101, 8410 N.W. 53rd Ter., Miami, FL 33166.

Note.—Applicant proposes to interline at Atlanta, GA, Mobile, AL, New Orleans, LA, Akron, OH, and Cleveland, OH. Applicant indicates it intends to tack the authority sought with its existing authority.

MC 44913 (Sub-18TA), filed November 7, 1979. Applicant: E. ROSCOE WILLEY, INC., P.O. Box 116, Secretary, MD 21664. Representative: Walter T. Evans, 7961 Eastern Ave., Silver Springs, MD 20910. *Unfrozen foodstuffs* from the facilities of RJR Foods, Inc. at or near Cambridge, MD to Tampa, FL, Atlanta, GA, Kansas City, KS, Kenner, LA, and Garland and Houston, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: RJR Foods, Inc., P.O. Box 3637, Winston Salem, NC 27102.

Send protests to: ICC, 101 N. 7 St., Philadelphia, PA 19106.

MC 47583 (Sub-112TA), filed August 11, 1979. Applicant: TOLLIE FREIGHTWAYS, INC., 1020 Sunshine Road, Kansas City, KS 66115. Representative: D. S. Hults, P.O. Box 225, Lawrence, KS 66044. *Foodstuffs (except commodities in bulk)*. From Battle Creek, MI; Lancaster and Sharonville, OH to Denver, CO and Oklahoma City, OK, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ralston-Purina Company, Checkerboard Square, St. Louis, MO 63188. Send protest to: Vernon Coble, D/S, 600 Fed. Bldg., 911 Walnut St., Kansas City, MO 64106.

MC 47583 (Sub-113TA), filed August 11, 1979. Applicant: TOLLIE FREIGHTWAYS, INC., 1020 Sunshine Road, Kansas City, KS 66115. Representative: D. S. Hults, P.O. Box 225, Lawrence, KS 66044. *Canned goods and non-alcoholic mixes, except in bulk*. From the facilities of Master of Mixers, Inc., at or near Byhalia, MS to points in AL, CT, DE, DC, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MN, MO, MI, NE, NH, NJ, NY, NC, ND, OH, OK, PA, RI, SC, SD, TN, TX, VT, VA, WV and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Master of Mixers, Inc., 10975 Grandview St., Bldg. 27, Suite 120, Overland Park, KS 66210. Send protests to: Vernon Coble, D/S, 600 Fed. Bldg., 911 Walnut St., Kansas City, MO 64106.

MC 47583 (Sub-116TA), filed November 28, 1979. Applicant: TOLLIE FREIGHTWAYS, INC., 1020 Sunshine Road, Kansas City, KS 66115. Representative: D. S. Hults, P.O. Box 225, Lawrence, KS 66044. *Such commodities as are dealt in or used by retail, discount department and variety stores (except commodities in bulk)* from points in NJ and NY to Fort Worth, TX. Restricted to traffic originating in NJ and NY and destined to Fort Worth, TX, for 180 days. Supporting shipper(s): Dillard's Department Stores, P.O. Box 671, Little Rock, AR 72203. Send protests to: Vernon V. Coble, DS, ICC, 600 Fed. Bldg. 911 Walnut, Kansas City, MO 64106.

MC 52793 (Sub-41TA), filed October 17, 1979. Applicant: BEKINS VAN LINES CO., 333 South Center Street, Hillside, IL 60162. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Penn. Ave. & 13th St., NW., Washington, D.C. 20004. *Microfoam and related articles*, from the facilities of E. I. du Pont de Nemours at or near Wurtland, KY, to CT, DE, ME, MD, MA, NH, NJ, NY, OH, PA, RI and VT for 180 days. An underlying ETA seeks 90 days authority.

Supporting shipper(s): E. I. du Pont de Nemours & Co., 1007 Market St., Wilmington, DE 19898. Send protests to: Irene Carlos, TA, ICC, 1321 Federal Building, 300 North Los Angeles St., Los Angeles, CA 90012.

MC 52793 (Sub-42TA), filed October 17, 1979. Applicant: BEKINS VAN LINES CO., 333 South Center Street, Hillside, IL 60162. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Penn. Ave. & 13th St., NW., Washington, DC 20004. *New furniture, store and office fixtures and equipment*, from Avenel, NJ, to points in VA, OH, MI, IN, WI, IL, MN, IA, MO, AR, TX, OK, KS, NE, SD, ND, MT, WY, CO, NM, AZ, UT, NV for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Seymour Franks General Woodworking, Inc., 135 Essex Avenue East, Avenel, NJ. Send protests to: Irene Carlos, TA, ICC, 1321 Federal Building, 300 North Los Angeles St., Los Angeles, CA 90012.

MC 52793 (Sub-43TA), filed October 17, 1979. Applicant: BEKINS VAN LINES CO., 333 South Center Street, Hillside, IL 60162. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Penn. Ave. & 13th St., NW., Washington, DC 20004. *Office furniture, parts and equipment used in connection therewith*, from Bronx, NY, to points in IN, MI, IL and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Art Steel Company Inc., 170 West 233rd Street, Bronx, NY 10463. Send protests to: Irene Carlos, TA, ICC, 1321 Federal Building, 300 North Los Angeles St., Los Angeles, CA 90012.

MC 52793 (Sub-44TA), filed October 17, 1979. Applicant: BEKINS VAN LINES CO., 333 South Center Street, Hillside, IL 60162. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Penn. Ave. & 13th St., NW., Washington, DC 20004. *New furniture*, from points in Hampden County, MA, to points in IL, IN, and MI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Columbia Manufacturing Company, 1 Cycle Street, Westfield, MA 01085. Send protests to: Irene Carlos, TA, ICC, 1321 Federal Building, 300 North Los Angeles St., Los Angeles, CA 90012.

MC 52793 (Sub-45TA), filed October 17, 1979. Applicant: BEKINS VAN LINES CO., 333 South Center Street, Hillside, IL 60162. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Penn. Ave. & 13th St., NW., Washington, DC 20004. *New furniture*, from Philadelphia, PA, to points in KS, OK, TX, AR, MO, IA, MN, WI, IL, MI, IN, KY and TN for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Cramco, Inc., 2200 East Ann Street,

Philadelphia, PA 19134. Send protests to: Irene Carlos, TA, ICC, 1321 Federal Building, 300 North Los Angeles St., Los Angeles, CA 90012.

MC 52793 (Sub-46 TA), filed October 17, 1979. Applicant: BEKINS VAN LINES CO., 333 South Center Street, Hillside, IL 60162. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Penn. Ave. & 13th St., NW., Washington, DC 20004. *New furniture, including institutional furniture*, from Red Lion, PA, to points in MI, IN, WI, IL, KY, TN, AR, MO, IA, MN, KS, OK, TX, NM, CO, UT, NV and AZ for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Thonet Industries, Div. Simmons, U.S.A., 419 East Princess St., York, PA 17405. Send protests to: Irene Carlos, TA, ICC, 1321 Federal Building, 300 North Los Angeles St., Los Angeles, CA 90012.

MC 52793 (Sub-47TA), filed October 18, 1979. Applicant: BEKINS VAN LINES CO., 333 South Center Street, Hillside, IL 60162. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Penn. Ave. & 13th St., NW., Washington, DC 20004. *Cabinets*, (1) From Lakewood, NJ, to points in KS, OK, TX, LA, AR, MO, IA, WI, IL, IN, OH, MI and VA; and (2) From Shelbyville, IN, to points in KS, OK, TX, LA, AR, MO, IA, WI, IL, IN, OH, MI, AL, GA, FL, SC, NC, TN, KY, WV, VA, MD, DE, PA, NJ, NY, CT, RI, MA, VT, NH and DC for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Excel Wood Products Co., Inc., P.O. Box 819, Lakewood, NJ 08701. Send protests to: Irene Carlos, TA, ICC, 1321 Federal Building, 300 North Los Angeles St., Los Angeles, CA 90012.

MC 52793 (Sub-48TA), filed October 18, 1979. Applicant: BEKINS VAN LINES CO., 333 South Center Street, Hillside, IL 60162. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Penn. Ave. & 13th St., NW., Washington, D.C. 20004. *Office furniture, fixtures and related equipment*, from the facilities of Corry Jamestown Corp., Division of Hon Industries, at or near Corry, PA, to points in OH, MI, IN, IL, WI, MN, IA, MO, AR, TN, KY, TX, OK, KS, NE, CO, NM, AZ, UT, NV, CA and OR for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Corry Jamestown Corp., Division Hon Industries, 84 E. Columbus Ave., US Rt. 6, Corry, PA 16407. Send protests to: Irene Carlos, TA, ICC, 1321 Federal Building, 300 North Los Angeles St., Los Angeles, CA 90012.

MC 52793 (Sub-49TA), filed October 18, 1979. Applicant: BEKINS VAN LINES CO., 333 South Center Street, Hillside, IL

60162. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Penn. Ave. & 13th St., NW., Washington, D.C. 20004. *Store fixtures and equipment*, from York, PA, to points in VT, NH, MA, CT, RI, NY, NJ, DE, MD, VA, WV, NC, SC, GA, FL, AL, MS, LA, AR, TN, KY, MO, IL, IN, OH, MI, WI, MN, IA, KS, OK, TX, NM, CO, UT, NV and AZ for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Zell Brothers, Inc., Church Lane, P.O. Box 327, Red Lion, PA 17356. Send protests to: Irene Carlos, TA, ICC, 1321 Federal Building, 300 North Los Angeles St., Los Angeles, CA 90012.

MC 52793 (Sub-50TA), filed October 18, 1979. Applicant: BEKINS VAN LINES CO., 333 South Center Street, Hillside, IL 60162. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Penn. Ave. & 13th St., NW., Washington, D.C. 20004. *Office furniture, metal frames, copy machine bases, postal table sorters, computer frames and panels, computer sub assemblies and component parts, and files*, from Corry, PA, to points in MN, WI, IA, MO, AR, TX, NM, AZ, NV, UT, CO, KY, TN, IL, IN, MI, OK, KS, CA, OH, NY, VT, NH, MA, RI, NJ, VA, MS, AL, GA, NC, SC, FL, DE, MD, WV and DC for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Corry Contract, Inc., 21 Maple Avenue, Corry, PA 16407. Send protests to: Irene Carlos, TA, ICC, 1321 Federal Building, 300 North Los Angeles St., Los Angeles, CA 90012.

MC 52793 (Sub-51TA), filed October 18, 1979. Applicant: BEKINS VAN LINES CO., 333 South Center Street, Hillside, IL 60162. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Penn. Ave. & 13th St., NW., Washington, D.C. 20004. (1) *New furniture, mattresses and box springs*, from Elizabeth, NJ, to points in OH, MI, IN, IL, WI, and VA; and (2) *Materials, equipment and supplies used in the manufacture of new furniture, mattresses and box springs (except commodities in bulk)*, from Elizabeth, NJ, to Columbus, OH for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Simmons, USA, Brunswick Ave., Elizabeth, NJ 07207. Send protests to: Irene Carlos, TA, ICC, 1321 Federal Building, 300 North Los Angeles St., Los Angeles, CA 90012.

MC 52793 (Sub-52TA), filed October 18, 1979. Applicant: BEKINS VAN LINES CO., 333 South Center Street, Hillside, IL 60162. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Penn. Ave. & 13th St., NW., Washington, D.C. 20004. *New furniture*, (1) From Feasterville, PA, to points in MI, IL, IN and WI; and (2) From Elgin, IL, to points

in WI, IN, MI, OH, MO, KS and IA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Paulson Abbot, Inc.—Ease and Comfort Division, 1621 Loretta, Feasterville, PA 19047. Send protests to: Irene Carlos, TA, ICC, 1321 Federal Building, 300 North Los Angeles St., Los Angeles, CA 90012.

MC 52793 (Sub-TA), filed November 26, 1979. Applicant: BEKINS VAN LINES CO., 3090 Via Mondo, Compton, CA 90221. Representative: Knapp Grossman & Marsh, 707 Wilshire Blvd., Suite 1800, Los Angeles, CA 90017. *New furniture, cartoned and uncartoned*, from Dallas, TX to CA, AZ, NV, UT, OR, ID, MT, CO and WA, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper: Kroehler Mfg. Co., 222 E. Fifth Avenue, Naperville, IL 60540. Send protests to: Irene Carlos, T/A, I.C.C., 300 N. Los Angeles St., Rm. 1321, Los Angeles, CA 90012.

MC 52793 (Sub-54TA), filed November 28, 1979. Applicant: BEKINS VAN LINES CO., 3090 Via Mondo, Compton, CA 90221. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Penn. Ave. & 13th St., NW., Washington, DC 20004. *New furniture*, from Leeds, AL, to points in CT, MA, RI, NH, VT, ME, NY, NJ, DE, IN, OH, IL, WI, MI, KY and MO, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper: United Chair, Traffic Manager, 114 Churchill Ave., NW., P.O. Box 96, Leeds, AL 35094. Send protests to: Irene Carlos, TA, ICC, Room 1321, Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 56553 (Sub-34TA), filed November 19, 1979. Applicant: PULASKI HIGHWAY EXPRESS, INC., 640 Hamilton Avenue, Nashville, TN 37203. Representative: Roland M. Lowell, 618 United American Bank Bldg., Nashville, TN 37219. *Common carrier: regular routes: General commodities (except those of unusual value, classes A & B explosives, household goods, commodities in bulk and those requiring special equipment)*, serving the facilities of Pioneer, Inc., at or near Spring Hill, TN as an off-route point in connection with carrier's otherwise authorized regular-route operations, for 180 days. Supporting shipper: Pioneer, Inc., P.O. Box 338, Spring Hill, TN 37174. Send protests to: Glenda Kuss, TA, ICC, A-422 U.S. Court House, 801 Broadway, Nashville, TN 37203.

Note.—Applicant proposes to tack the authority herein applied for to another authority held by it and to interline with other carriers at Nashville and Memphis, TN

and Tuscumbia. An underlying ETA seeks 90 days authority.

MC 148753 (Sub-1TA), filed November 13, 1979. Applicant: YANKS, INC., 229 S. Cedar Street, Lansing, MI 48912. Representative: Karl L. Gotting, 1200 Bank of Lansing Building, Lansing, MI 48933. *Parts, materials and equipment utilized in the manufacture, production and assembly of motor vehicles*, from the facilities of General Motors at Lansing, MI and points within 5 miles thereof to the Detroit Willow Run Airport and Detroit Metropolitan Airport for subsequent movement by air, Restricted to express shipments with no package exceeding 75 pounds and no shipment exceeding 500 pounds from one consignor to one consignee in the same day, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: General Motors Corporation (Oldsmobile Division) 920 Townsend, Lansing, MI 48921. Send protests to: C. R. Flemming, D/S, ICC, 201 Corr Building, 300 E. Michigan, Lansing, MI 48933.

MC 148943 (Sub-TA) filed September 26, 1979. Applicant: TEJAS OESTE TRUCK LINES, INC., 5000 Love Rd., El Paso, TX 79922. Representative: Greg J. Evans (same as above). *Common, Regular routes, general commodities, freight of all kinds other than bulk liquid commodities in tank vehicles* between El Paso, TX, Carlsbad, Hobbs, Lovington, Eunice and Jal, NM; Kermit, Monahans, Odessa, Midland, and Pecos, TX, over Hwys 62/180; 18; IS Hwy 20; and IS Hwy 10. Interline at El Paso, Odessa, and Midland, TX; and at Carlsbad, and Hobbs, NM for 180 days. Underlying ETA filed. Supporting shipper(s): There are nine (9) supporting shippers. Send protests to: Opal M. Jones, TCS, ICC, 9A27 Federal Bldg., 819 Taylor St., Fort Worth, TX 76102.

[Notice No. 225]

MC 63562 (Sub-61TA), filed September 28, 1979. Applicant: BN TRANSPORT INC., 6775 E. Evans Avenue, Wellshire Sta., Denver, CO 80222. Representative: Cecil L. Goettsch, 1100 Des Moines Bldg., Des Moines, IA 50309. *Plastic Pipe or Tube and Aluminum Pipe or Tube*, from Grand Island, NE to points in MN, ND, and SD, for 180 days. An underlying 90 days ETA seeks indentical authority. Supporting shipper: Gifford-Hill & Company, Inc., P.O. Box 1608, Grand Island, NE 68801. Send protests to: H. C. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 63562 (Sub-62TA), filed October 5, 1979. Applicant: BN TRANSPORT INC., 6775 East Evans Avenue, P.O. Box 22694—Wellshire Station, Denver, CO

80224. Representative: Cecil L. Goettsch, 1100 Des Moines Bldg., Des Moines, IA 50307. *Transformers and transformer parts*, between facilities of RTE Corporation near Waukesha, WI and points in WA, OR, ID, CO, WY, MT, SD, ND, IA and MN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): RTE Corporation, 1900 E. North St., Waukesha, WI 53186. Send protests to: H. C. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 63562 (Sub-63TA), filed November 14, 1979. Applicant: BN TRANSPORT INC., 6775 East Evans Ave., P.O. Box 22694, Denver, CO 80222. Representative: Cecil L. Goettsch, 1100 Des Moines Bldg., Des Moines, IA 50309. *Plastic containers and materials and supplies used or useful in the production and marketing thereof* from Denver, CO to Columbus, OH, Franklin, IN and points in MT, WY, NE, KS, TX, NM, AZ and UT, for 180 days. Underlying ETA filed seeking 90 days authority. Supporting shipper: Hoover Universal, Inc., P.O. Box 39307, 4990 Ironston St., Denver, CO 80239. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 64932 (Sub-608TA), filed October 23, 1979. Applicant: ROGERS CARTAGE CO., 10735 South Cicero Avenue, Oak Lawn, IL 60453. Representative: William F. Farrell (same address as applicant). *Vegetable oil, in bulk, in tank vehicles*, from the facilities of A. C. Trask and Co. at Bedford Park, IL to Houston, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Arthur C. Trask & Co., 7666 West 63rd St., Summit, IL 60501. Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 71593 (Sub-49TA), filed December 3, 1979. Applicant: FORWARDERS TRANSPORT, INC., 1608 East Second Street, Scotch Plains, NJ 07076. Representative: Ronald S. Potter, 1608 East Second Street, Scotch Plains, NJ 07076. *Table sauces and materials and supplies used in the manufacture and distribution thereof (except commodities in bulk) (1) between the facilities of Serv-A-Portion at Chatsworth, CA, on the one hand, and, on the other, points in CT, GA, IL, IN, KS, KY, MD, MA, MN, MO, NE, NJ, NY, NC, ND, OH, OK, PA, SC, SD, TN, TX and WI and (2) between the facilities of Serv-A-Portion at Cincinnati, OH, on the one hand, and, on the other, points in CT, GA, IL, IN, KS, KY, MD, MA, MN, MO, NE, NJ, NY, NC, ND, OK, PA, SC, SD, TN, TX and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Serv-A-Portion, Inc., 9140 Lurine*

Avenue, Chatsworth, CA 91311. Send protests to: Robert E. Johnston, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 71593 (Sub-50TA), filed December 5, 1979. Applicant: FORWARDERS TRANSPORT, INC., 1608 East Second Street, Scotch Plains, NJ 07076. Representative: Ronald S. Potter, 1608 East Second Street, Scotch Plains, NJ 07076. *Automotive equipment, parts and supplies; mufflers and necessary parts for installation; steel tubing* from Atlanta, GA to points in the states of DE, DC, MD, NC, SC and VA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Midas International Corporation, 4101 W. 42nd Place, Chicago, IL 60632. Send protests to: Robert E. Johnston, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 76993 (Sub-29TA), filed November 8, 1979. Applicant: EXPRESS FREIGHT LINES, INC., 4924 S. 13th St., Milwaukee, WI 53221. Representative: Wayne Wilson, 150 E. Gilman St., Madison, WI 53703. Common carrier; regular routes; *General commodities, except those of unusual value, classes A and B explosives, household goods, commodities in bulk, and those requiring special equipment:* (1) Between Milwaukee, WI and Two River, WI, from Milwaukee over I-43 to its jct. with US Hwy. 141, then over US Hwy. 141 to Jct. with W.S. Hwy. 42, then over W.S. Hwy. 42 to Two Rivers and return over the same route. (2) Between Sheboygan, WI and Manitowoc, WI over W.S. Hwy. 42. (3) Between Milwaukee, WI and Howards Grove, WI over W.S. Hwy. 32. (4) Between Milwaukee, WI and Chilton, WI over W.S. Hwy. 57. (5) Between W.S. Hwy. 57 and I-43 over W.S. Hwy. 144. (6) Between Howards Grove, WI and W.S. Hwy. 57 over W.S. Hwy. 32. (7) Between Plymouth, WI and Sheboygan, WI over W.S. Hwy. 23. Serving all intermediate points on Routes (1) through (7) and the off-route points of Fredonia, Belgium, Oostburg, Kohler and Haven. Applicant proposes to combine service over Routes (1)-(7) with all existing authorized service routes, for 180 days. Supporting shipper(s): There are 37 shippers. Their statements may be examined at the office listed below and Headquarters. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 80653 (Sub-26TA), filed October 26, 1979. Applicant: DAVID GRAHAM CO., P.O. Box 254, Old Rt. 13, Levittown, PA 19059. Representative: Lois Philipkosky (same address as applicant). *Iron and steel articles*, from Perth

Amboy, NJ to points in CT, MD, NJ, NY, PA, DC, WV, VA, NC, OH, IN, IL, MI, KY, and TN, and *equipment, materials and supplies used in the manufacture and distribution of iron and steel articles (except commodities in bulk)* in the reverse direction, for 180 days. Supporting shipper(s): Raritan River Steel Co., 225 Elm St., Perth Amboy, NJ 08862. Send protests to: I.C.C., 101 N. 7th St., Philadelphia, PA 19106.

MC 80653 (Sub-27TA), filed December 3, 1979. Applicant: DAVID GRAHAM COMPANY, P.O. Box 254, Levittown, PA 19059. Representative: Richard C. McGinnis, 711 Washington Bldg., Washington, DC 20005. *Crude silicon carbide and crude silicon carbide briquettes*, from the facilities of The Carborundum Company, at Niagara Falls, NY, to points in PA, NJ, MD, VA and OH, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Carborundum Company, P.O. Box 337, Niagara Falls, NY 14302. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 82063 (Sub-113TA), filed December 5, 1979. Applicant: KLIPSCH HAULING CO., 10795 Watson Rd., Sunset Hills, MO 63127. Representative: W. E. Klipsch, (same address as above). *Chemicals*, in bulk, in tank vehicles, from points in the US to Sedalia, MO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Alcolac, Inc., 3440 Fairfield Rd., Baltimore, MD 21226. Send protests to: P. E. Binder, DS, ICC, Rm. 1465, 210 N. 12th St., St. Louis, MO 63101.

MC 82492 (Sub-248TA), filed September 20, 1979. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., P.O. Box 2853, Kalamazoo, MI 49003. Representative: Jack H. Blanshan, Suite 200, 205 W. Touhy Avenue, Park Ridge, IL 60068. *Foodstuffs (except in bulk)* from points in MN and WE to points in IL, IN, Lower Peninsula of MI, MO, OH, points in NY on and west of Interstate 81 and points in PA on and west of U.S. 219 and Altoona and Emporium, PA, Burlington, Clinton, Davenport and Dubuque, IA and Kansas City, KS and points in their respective commercial zones. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are approximately 29 supporting shippers. Their statements may be examined at the office listed below and at Headquarters. Send protests to: C. R. Flemming D/S, I.C.C., Room 201 Corr Building, 300 East Michigan Avenue, Lansing, MI 48933.

MC 82492 (Sub-249TA), filed October 2, 1979. Applicant: MICHIGAN &

NEBRASKA TRANSIT, INC., 2109 Olmstead Road, Kalamazoo, MI 49003. Representative: Jack H. Blanshan, Suite 200, 205 West Touhy Ave., Park Ridge, IL 60068. *Magazines and catalogs and parts thereof*, from the facilities of Printing Division, Meredith Corporation at Des Moines, IA to points in NY, on and west of Interstate 81; OH; points in PA on and west of U.S. 219, Wisconsin and Altoona, PA and Wheeling, IL and points in their commercial zones. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Printing Division, Meredith Corporation, Box 1394, Des Moines, IA 50305. Send protests to: C. R. Flemming, D/S, I.C.C., 201 Corr Building, 300 East Michigan Ave., Lansing, MI 48933.

MC 82492 (Sub-251TA), filed October 23, 1979. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., P.O. Box 2853, Kalamazoo, MI 49003. Representative: Jack H. Blanshan, Suite 200, 205 West Touhy Avenue, Park Ridge, IL 60068. *Meats*, from the facilities of Country Smoked Meats, Inc. at Wooster, OH and points in its commercial zone to Salina, KS; St. Louis, MO; Bay City, Detroit and Grand Rapids, MI and Altoona, PA and points in their commercial zones; points in NY on and west of Interstate 81 and points in PA on and west of U.S. Hwy. 219. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Country Smoked Meats, Inc., Wooster, OH 44691. Send protests to: C. R. Flemming, D/S, I.C.C., 201 Corr Building, 300 E. Michigan Ave., Lansing, MI 48933.

MC 82492 (Sub-252TA), filed November 8, 1979. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., P.O. Box 2853, Kalamazoo, MI 49003. Representative: Dewey R. Marselle (same address as above). *Boxes or sheets; Fibreboard, Paperboard or Pulpboard, NOI, without wood frames, Corrugated*, from the plantsite of Weyerhaeuser Co. at or near Cedar Rapids, IA, to Detroit, MI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Weyerhaeuser Company, 100 S. Wacker Drive, Chicago, IL 60606. Send protests to: C.R. Flemming, D/S, ICC, Room 201 Corr Building, 300 E Michigan, Lansing, MI 4933.

MC 82492 (Sub-253TA), filed November 7, 1979. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., P.O. Box 2853, Kalamazoo, MI 49003. Representative: Dewey Marselle (same address as applicant). *Foodstuffs (except in bulk)*, from Chicago, IL and points in its Commercial Zone to IN, IA, KS, KY, MI, MN, MO, NE, OH, TN, WI, points in NY in and west of Broome,

Cortland, Onondaga and Oswego Counties and points in PA on and west of U.S. Highway 219, restricted to the transportation of traffic originating at the facilities of Chicago Dietetics, Inc., Guernsey Dell, Inc., Health Foods, Inc., and Prime Packing Co., Inc., for 180 days. Supporting shipper(s): Chicago Dietetics, Inc., Shawmut Road, LaGrange, IL 60525; Guernsey Dell, Inc., 3800 W. 42nd Street, Chicago, IL 60632; Health Foods, Inc., 155 Old Higgins Road, Des Plaines, IL 60018; Prime Packing Co., Inc., 4170 South Union Street, Chicago, IL 60609. An underlying ETA seeks 90 days authority. Send protests to: C. R. Flemming, D/S, ICC, Room 201 Corr Building, 300 E. Michigan, Lansing, MI 48933.

MC 92983 (Sub-546TA), filed November 13, 1979. Applicant: AMERICAN BULK TRANSPORT CO., P.O. Box 1408, Kansas City, MO 64141. Representative: William J. O'Neill (same as applicant). *Chemicals, in bulk and tank vehicles*, from Des Moines, IA to Blountsville, AL for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Kemin Industries, Inc., 2100-Maury, Des Moines, IA 50301. Send protests to: Vernon Coble D/S, 600 Fed. Bldg., 911 Walnut St., Kansas City, MO 64106.

MC 92983 (Sub-547TA), filed November 16, 1979. Applicant: AMERICAN BULK TRANSPORT CO., P.O. Box 1408, Kansas City, MO 64141. Representative: William J. O'Neill (same as applicant). *Chemicals, in bulk and tank vehicles*, from Moss Point, MS to points in KY, NJ, NY and PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Thiokol Corporation, Specialty Chemicals Div., P.O. Box 8296, Trenton, NJ 08650. Send protests to: Vernon Coble D/S, 600 Fed. Bldg., 911 Walnut St., Kansas City, MO 64106.

MC 96992 (Sub-21TA), filed November 29, 1979. Applicant: HIGHWAY PIPELINE TRUCKING CO., P.O. Box 1517, Edinburg, TX 78539. Representative: Kenneth R. Hoffman, 810 Vaughn Building, Austin, TX 78701. *Gasoline, in bulk, in tank vehicles*, from the facilities of Atlas Processing Co., at or near Shreveport, LA to Overton, TX for 180 days. An underlying ETA seeks 90 days filed. Supporting shipper(s): Pep Oil Co., P.O. Box 368, White Oak, TX 75693. Send protests to: Opal M. Jones, TCS, ICC, 9A27 Federal Bldg., 819 Taylor St. Fort Worth, TX 76102.

MC 98952 (Sub-76TA) filed September 21, 1979. Applicant: GENERAL TRANSFER COMPANY, 2880 North Woodford St., Decatur, IL 62526. Representative: CHARLES

CARNAHAN, JR., 2880 North Woodford St., Decatur, IL 62526. Common carrier-irregular route, *candy or confectionery in mechanically refrigerated equipment*, from the plantsite of Standard Brands, Inc., Ft. Wayne, IN to the warehouse facilities of Standard Brands, Inc. within the Chicago Commercial Zone. Restricted to the traffic originating at the named origin destined to the indicated destinations. No corresponding ETA authority sought. Supporting shipper(s): Standard Brands, Inc., 7001 South Harlem Ave., Chicago, IL 60638. Send protests to: Jacquelyn L. Banks, TA, ICC, 219 South Dearborn St., Chicago, IL 60604.

MC 98952 (Sub-77TA), filed October 29, 1979. Applicant: GENERAL TRANSFER COMPANY, 2880 North Woodford St., Decatur, IL 62526. Representative: Charles Carnahan, Jr., (same address as applicant). *Foodstuffs, in mechanically refrigerated equipment, except in bulk*, from the facilities of Louisville Freezer Center in Louisville, KY to points in IL, IN, OH, MI, WI, IA, and MO. Restricted to traffic originating at named origin and destined to named destinations for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Louisville Freezer Center, Div. Omniway Service Company, 2000 South Ninth Street, Louisville, KY 40208. Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 96813 (Sub-4TA), filed November 14, 1979. Applicant: FISK TRUCKING AND TRANSFER COMPANY, 716 San Fernando Road, Los Angeles, CA 90065. Representative: Glenn Fisk (same address as above). *Tile and plastic sheets*, from Los Angeles, and Orange County, CA to points and places in Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara and Ventura Counties, CA, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper: Butler-Johnson Corp, P.O. Box 619, Paramount, CA 90723. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 103373 (Sub-10TA), filed November 2, 1979. Applicant: HOWARD MARTIN, INC., 4315 Meyer Road, Ft. Wayne, IN 46801. Representative: Leonard R. Kofkin, 39 South La Salle Street, Chicago, IL 60603. *Such commodities, which, because of size or weight, require the use of special equipment or special handling* between points in OH, IN, MI, and those in Lake, Cook, and Dupage Counties, IL on the one hand, and, on the other, AL, AR, CO, CT, DE, FL, GA, ID, IL, IA, KY, LA,

ME, MD, MA, MT, MN, MS, MO, NE, NH, NJ, NY, NC, ND, OK, OR, PA, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, WY, and DC for 180 days. Supporting shipper(s): 48 shippers. Send protests to: Beverly J. Williams, ICC, 429 Federal Bldg., 46 East Ohio Street, Indianapolis, IN 46204.

MC 103993 (Sub-1019F), filed November 1, 1979. Applicant: MORGAN DRIVE-AWAY, INC., 28651 U.S. 20 West, Elkhart, IN 46515. Representative: James B. Buda (same address as applicant). *Lumber and lumber mill products (except commodities in bulk)* from the facilities of Walnut Products, Inc., at or near St. Joseph, MO to points in the United States in and east of the states of ND, SD, NE, KS, OK and TX for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Walnut Products, Inc., 2801 Walnut Drive, St. Joseph, MO 64503. Send protests to: Beverly J. Williams, ICC, 429 Federal Bldg., 46 E. Ohio St., Indianapolis, IN 46204.

MC 103993 (Sub-1020TA), filed November 9, 1979. Applicant: MORGAN DRIVE-AWAY, INC., 28651 U.S. 20 West, Elkhart, IN 46515. Representative: James B. Buda (same address as applicant). *Trailers except those designed to be drawn by passenger automobiles in initial movements* from the facilities of Fruehauf Corporation at or near Ft. Worth, TX to points in the United States (except Alaska and Hawaii) for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Fruehauf Corporation, 10900 Harper, Detroit, MI 48223. Send protests to: Beverly J. Williams, ICC, 429 Federal Bldg., 46 E. Ohio St., Indianapolis, IN 46204.

MC 103993 (Sub-1021TA), filed November 20, 1979. Applicant: MORGAN DRIVE AWAY, INC., 28651 US 20 W, Box 1168, Elkhart, IN 46515. Representative: James B. Buda (same address as applicant). (1) *Farm implements and (2) steel, materials and supplies used in the manufacture of farm implements* between the facilities of Forrest City Machine Works, located at or near Forrest City, AR, (and) points in the states of AL, LA, IN, IL, OH, MI, and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Forrest City Machine Works, P.O. Box 984, Forrest City, AR 72335. Send protests to: Beverly J. Williams, ICC, 429 Federal Bldg., 46 East Ohio Street, Indianapolis, IN 46204.

MC 103993 (Sub-1022TA), filed November 20, 1979. Applicant: MORGAN DRIVE AWAY, INC., 28651 U.S. 20 West, Elkhart, IN 46515. Representative: James B. Buda (same

address as applicant). *Trailers (except those designed to be drawn by passenger automobiles)* from the facilities of Aztec Products, Inc., at or near Mansfield, TX, to all points in the United States (excluding Alaska and Hawaii) for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Aztec Products, Inc., 102 Sentry Drive, P.O. Box 659, Mansfield, TX 76063. Send protests to: Beverly J. Williams, ICC, 429 Federal Bldg., 46 E. Ohio Street, Indianapolis, IN 46204.

MC 103993 (Sub-1023TA), filed November 5, 1979. Applicant: MORGAN DRIVE AWAY, INC., 28651 U.S. 20 West, Box 1168, Elkhart, IN 46515. Representative: James B. Buda (same address as applicant). *Trailers (except those designed to be drawn by passenger automobiles)* between points in the United States (including AK, but excluding HI for 180 days. Restricted to traffic dealt in by Transport International Pool. An underlying ETA seeks 90 days authority. Supporting shipper: Transport International Pool, #2 Bala Cynwyd Plaza, Bala Cynwyd, PA 19004. Send protests to: Beverly J. Williams, ICC, 429 Federal Bldg., 46 E. Ohio Street, Indianapolis, IN 46204.

MC 103993 (Sub-1025TA), filed October 10, 1979. Applicant: MORGAN DRIVE AWAY, INC., 28651 U.S. 20 West, Elkhart, IN 46515. Representative: James B. Buda (same address as applicant). *Lumber, lumber products and wood products* from the facilities of W. R. Bullington Lumber Co. Inc., at or near Russellville, AL to points in the States of TN, KY, IN, OH, IL, MI, WI, PA, VA, WV, NY, MO, IA, and KS for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: W. R. Bullington Lumber Co., Inc., P.O. Box E, Russellville, AL 35653. Send protests to: Beverly J. Williams, ICC, 429 Federal Bldg., 46 E. Ohio Street, Indianapolis, IN 46204.

MC 104683 (Sub-50TA), filed November 14, 1979. Applicant: TRANSPORT, INC., P.O. Box 1524, Hattiesburg, MS 39401. Representative: Donald B. Morrison, P.O. Box 22682, Jackson, MS 39205. *Liquefied petroleum gas*, in bulk, in tank vehicles, from the facilities of Dixie Pipeline at or near Demopolis, AL and from the facilities of Placid Oil Co. at or near Womack Hill, AL to points in MS, for 180 days. Supporting shipper: There are 5 statements in support attached to this application which may be examined at the I.C.C. in Washington, D.C. or copies of which may be examined in the field office named below. Send protests to: Alan Tarrant, D/S, ICC, Fed. Bldg., Suite

1441, 100 W. Capitol St., Jackson, MS 39201.

MC 106603 (Sub-213TA), filed November 14, 1979. Applicant: DIRECT TRANSIT LINES, INC., P.O. Box 8099, Grand Rapids, MI 49508. Representative: Edwin M. Snyder, 22375 Haggerty Road, P.O. Box 400, Northville, MI 48167. *Fibrous glass products and materials, mineral wool, mineral wool products and materials; insulated air ducts, insulating products and materials; glass fibre rovings, yarn and strands; glass fibre mats and matings; flexible air ducts* (except commodities in bulk) from Shelby and Marion, OH to point in IL, IN, MI, KY and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Certain-Teed Corporation, P.O. Box 860, Valley Forge, PA 19482. Send protests to: C. R. Flemming, D/S, ICC, Room 201 Corr Building, 300 E. Michigan, Lansing, MI 48933.

MC 107002 (Sub-561TA), filed October 23, 1979. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, MS 39205. Representative: Larry M. Ford (same as applicant). *Cement and concrete mixtures*, dry, from Memphis, TN to points in TN restricted to traffic having a prior or subsequent movement by rail, and to points in AL, AR, KY, IL, LA, MS, MO and TN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Marquette Co., 2200 First American Center, Nashville, TN 37238. Send protests to: Alan Tarrant, D/S, ICC, Fed. Bldg., Suite 1441, 100 W. Capitol St., Jackson, MS 39201.

MC 107002 (Sub-563TA), filed November 9, 1979. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, MS 39205. Representative: Larry M. Ford (same as applicant). *Sodium chlorate solution* from Columbus, MS to South Texarkana, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Hooker Chemical Company, P.O. Box 4289, Houston, TX 77210. Send protests to: Alan Tarrant, D/S, ICC, Fed. Bldg., Suite 1441, 100 W. Capitol St., Jackson, MS 39201.

MC 107002 (Sub-564TA), filed November 27, 1979. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, MS 39205. Representative: Larry M. Ford (same as applicant). *Chemicals*, in bulk, in tank vehicles, from Tuscaloosa, AL to NE, ND, SD and OH, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Falleg-Lankro Corp., P.O. Box H, Tuscaloosa, AL 35404. Send protests to: Alan Tarrant, D/S, ICC, Fed. Bldg.,

Suite 1441, 100 W. Capitol St., Jackson, MS 39201.

MC 107012 (Sub-466TA), filed October 17, 1979. Applicant: NORTH AMERICAN VAN LINES, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same address as applicant). *Screenhouses* from the facilities of General Aluminum Products, Inc. at or near Charlotte, MI to points in the United States (except AK and HI) for 180 days. Supporting shipper(s): General Aluminum Products, Inc., Charlotte, MI 48813. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 429 Federal Bldg., 46 E. Ohio Street, Indianapolis, IN 46204.

MC 107012 (Sub-467TA), filed October 25, 1979. Applicant: NORTH AMERICAN VAN LINES, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same address as applicant). *Air coolers, air conditioners, humidifiers, heat pumps, air cleaners, and parts and accessories for air coolers, air conditioners, humidifiers, heat pumps and air cleaners* from the facilities of General Electric Co., located at or near Tyler, TX to points in AR, AZ, CA, CO, FL, GA, IA, KS, MN, MS, ND, OR, SD, UT, VA, and WA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): General Electric Co., 6200 Troup Highway, Tyler, TX 75701. Send protests to: Beverly J. Williams, ICC, 429 Federal Bldg., 46 E. Ohio Street, Indianapolis, IN 46204.

MC 107012 (Sub-468TA), filed October 26, 1979. Applicant: NORTH AMERICAN VAN LINES, P.O. Box 988, Ft. Wayne, IN 46801. Representative: David D. Bishop (same address as applicant). *Cabinet doors and parts for kitchen cabinets*, from Atkins, VA to Adrian, MI and Lakeville, MN for 180 days. Restricted to traffic originating at and destined to the facilities of Merillat Industries, Inc. Supporting shipper(s): Merillat Industries, Inc., 2075 West Beecher Blvd., Adrian, MI 49221. Send protests to: Beverly J. Williams, ICC, 429 Federal Bldg., 46 E. Ohio St., Indianapolis, IN 46204.

MC 107012 (Sub-469TA), filed November 7, 1979. Applicant: NORTH AMERICAN VAN LINES, P.O. Box 988, Ft. Wayne, IN 46801. Representative: Bruce W. Boyarko (same address as applicant). *Appliances* from the facilities of Amana Refrigeration, Inc., located at or near Amana, IA, to Denver CO; Phoenix, AZ; Las Vegas, NV; and Los Angeles and San Francisco, CA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Amana Refrigeration, Inc., Amana, IA. Send protests to: Beverly J. Williams, ICC, 429

Federal Bldg., 46 E. Ohio St., Indianapolis, IN 46204.

MC 107162 (Sub-60TA), filed November 13, 1979. Applicant: NOBLE GRAHAM TRANSPORT, INC., Rural Route 1, Brimley, MI 49715. Representative: Michael S. Varda, 121 South Pinckney Street, Madison, WI 53703. *Fabricated metal products*, from Kincheloe, Lansing and Grand Ledge, MI to points in OH and IN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Olofsson Fabricating Services, Inc., Building 427, Block 5007, Kincheloe, MI 49788. Send protests to: C. R. Flemming, D/S, ICC, Room 201, Corr Building, 300 E. Michigan, Lansing, MI 48933.

MC 107162 (Sub-61TA), filed November 13, 1979. Applicant: NOBLE GRAHAM TRANSPORT, INC., Rural Route 1, Brimley, MI 49715. Representative: Michael S. Varda, 121 South Pinckney Street, Madison, WI 53703. *Fruit juices and non-alcoholic beverages*, from Lakeland, FL to points in the Upper Peninsula of MI and points in WI on and north of U.S. Hwy. 10, for 180 days. An underlying ETA seeks 90 days temporary authority. Supporting shipper(s): Four Seasons Beer Distributing, Inc., 1330 South Jackson, Iron Mountain, MI 49801. Send protests to: C. R. Flemming, D/S, ICC, Room 201, 300 East Michigan, Lansing, MI 48933.

MC 107403 (Sub-1286TA), filed October 11, 1979. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same address as applicant). *Petroleum products, in bulk, in tank vehicles*, (1) from Sidney, NE to Morgan County, CO, Goshen County, WY, and Shannon County, SD; (2) from Scottsbluff, NE to Sedgwick, Logan, Phillips, Yuma, Washington and Morgan Counties, CO; Goshen County, WY; and Shannon County, SD; and (3) from Denver, CO and points within 25 miles of Denver, CO to points in that part of NE west of a north-south line centering in N. Platte, NE and including N. Platte, NE, for 180 days. Supporting shipper(s): Spruce Oil Corp., 1776 Lincoln, Denver, CO 80217. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Philadelphia, PA 19106.

MC 107403 (Sub-1287TA), filed October 23, 1979. Applicant: MATLACK, INC., 10 West Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same as applicant). *Natural gasoline, in bulk, in tank vehicles*, from Fall Rock, KY to Lyle, IN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Daylight Plastics Inc., R. R. #2, Elberfeld, IN 47613. Send protests to:

I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 107403 (Sub-1288TA), filed November 8, 1979. Applicant: MATLACK, INC., 10 West Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same as applicant). *Copper chloride*, in bulk, in tank vehicles, from the facilities of Texas Eastman Company at or near Longview, TX, to all points in NJ, for 180 days. Supporting shipper(s): Texas Eastman Co., Division Eastman Kodak Co., P.O. Box 7444, Longview, TX 75602. Send protests to: I.C.C., 101 N. 7th St., Philadelphia, PA 19106.

MC 107403 (Sub-1289TA), filed November 9, 1979. Applicant: MATLACK, INC., Ten West Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same as applicant). *Wheat flour, in bulk, in tank vehicles*, from Columbus, OH to Jackson, TN for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): International Multifoods Corp., 1200 Multifoods Bldg., Minneapolis, MN 55402. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 107403 (Sub-1290TA), filed November 13, 1979. Applicant: MATLACK, INC., Ten West Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same as applicant). *Paint and liquid resins, in bulk, in tank vehicles*, from Kankakee, IL to points in OH, KY, IN, WI, MI and PA, for 180 days. Supporting shipper(s): Mobil Chemical Co., Chemical Coatings Div., Div. of Mobil Oil Corp., 1024 South Ave., Plainfield, NJ 07062. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 107403 (Sub-1291TA), filed November 19, 1979. Applicant: MATLACK, INC., Ten West Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same as applicant). *Liquid chemicals, in bulk, in tank vehicles*, from the facilities of United States Steel Corp. at Neville Island, PA to CT, DE, DC, FL, MD, MS, NJ, NY, RI and VA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): United States Steel Corp., 600 Grant St., Pittsburgh, PA 15230. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 107403 (Sub-1292TA), filed October 3, 1979. Applicant: MATLACK, INC., Ten West Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same as applicant). *Sulfuric acid, in bulk, in tank vehicles*, from Little Rock, AR to points in LA, TX,

TN, MS and AL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Olin Corporation, 120 Long Ridge Rd., Stamford, CT 06904. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 107403 (Sub-1293TA), filed November 21, 1979. Applicant: MATLACK, INC., Ten West Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same as applicant). *Petroleum products*, in bulk, in tank vehicles, from Owensboro, KY; Memphis and Nashville, TN; Oakland City, Evansville and Mt. Vernon, IN; Wood River, IL and West Memphis, AR to points in AR, IN, IL, KY, MO and TN, for 180 days. Supporting shipper(s): Industrial Petroleum Supply, Inc., P.O. Box 1572, Owensboro, KY 42301. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 107403 (Sub-1294TA), filed November 20, 1979. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same address as applicant). *Salt, in bulk*, from Lyons, KY to Ashtabula, OH for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Union Carbide Corp., 270 Park Ave., New York, NY 10017. Send protests to: ICC, 101 N. 7th St., Philadelphia, PA 19106.

MC 107403 (Sub-1295TA), filed September 18, 1979. Applicant: MATLACK, INC., Ten W. Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same as applicant). *Calcined alumina, in bulk, in tank vehicles*, from Bauxite, AR, to Paulsboro, NJ, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Mobil Oil Corporation, 150 E. 42nd St., New York, NY 10017. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 108223 (Sub-25TA), filed October 24, 1979. Applicant: CENTURY-MERCURY MOTOR FREIGHT, INC., P.O. Box 43050, St. Paul, MN 55164. Representative: Robert S. Lee, 1000 First National Bank Bldg., Minneapolis, MN 55402. *General commodities, except those of unusual value, Classes A and B explosives, household goods, commodities in bulk and those requiring special equipment*, serving Kenosha, WI as an off-route point in connection with carrier's regular route operations between Minneapolis-St. Paul, MN and Chicago, IL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Anaconda Company, Brass Div., 1420 63rd St., Kenosha, WI

53140. Koos, Inc., 4500 13th Court, Kenosha, WI 53141. Send protests to: Judith L. Olson, TA, ICC, 414 Fed. Bldg., 110 S. 4th St., Minneapolis, MN 55401.

MC 108223 (Sub-27TA), filed October 19, 1979. Applicant: CENTURY-MERCURY MOTOR FREIGHT, INC., P.O. Box 43050, St. Paul, MN 55164. Representative: Julius F. Bonello (same address as applicant). *Common carrier*: regular routes: *General commodities (except those of unusual value, Classes A and B explosives, household goods, commodities in bulk, and those requiring special equipment)* (1) between St. Paul, MN and Des Moines, IA, as an alternate route in connection with carrier's regular route operations, for operating convenience only, serving no intermediate points: from St. Paul, MN over Interstate Highway 35 to Des Moines, IA, and return over the same route; (2) between St. Paul, MN and Davenport, IA, as an alternate route in connection with carrier's regular route operations for operating convenience only, serving no intermediate points: from St. Paul, MN over U.S. Highway 52 to the junction with U.S. Highway 61 at Dubuque, IA thence over U.S. Highway 61 to Davenport, IA, and return over the same route, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): None. Send protests to: Judith L. Olson, TA, ICC, 414 Fed. Bldg., 110 S. 4th St., Minneapolis, MN 55401.

MC 108473 (Sub-53TA), filed November 14, 1979. Applicant: ST. JOHNSBURY TRUCKING COMPANY, INC., 87 Jeffrey Avenue, Holliston, MA 01746. Representative: Harry J. Jordan, Suite 502 Solar Building, 1000 16th Street, N.W., Washington, D.C. 20036. *Common carrier*: regular routes: *General Commodities, except those of unusual value, classes A and B explosives, household goods, commodities in bulk, and those requiring special equipment*: between Binghamton, NY, and Wilkes-Barre, PA. From Binghamton over U.S. Hwy 11 to Wilkes-Barre and return over the same route, as an alternate route for operating convenience only and with the right of joinder with existing authority at Binghamton and Wilkes-Barre. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): 13 supporting shippers which can be examined at the Field Office listed below or headquarters in DC. Send protests to: John B. Thomas, DS, ICC, 150 Causeway Street, Boston, MA 02114.

MC 108523 (Sub-12TA), filed November 13, 1979. Applicant: POLMAN TRANSFER, INC., Rt. 3, Box 470, Wadena, MN 56482. Representative: Robert P. Sack, P.O. Box 6010, W. St. Paul, MN 55118. *Contract carrier*:

irregular routes: *Cut timber, treated or untreated, wooden posts, poles, pilings, snow fences and culverts, wooden bridges, bridge parts, bridge accessories, wood treating compounds and salt (except commodities in bulk)* between points in the U.S. (except AK and HI), under a continuing contract(s) with Wheeler Division-St. Regis Paper Company, for 180 days. Supporting shipper: Wheeler Division-St. Regis Paper Co., P.O. Box 160, 1100 Hoak Dr., W. Des Moines, IA 50265. Send protests to: Judith L. Olson, TA, ICC, 414 Fed. Bldg., 110 S. 4th St., Minneapolis, MN 55401.

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MC 20356 (Sub-15TA), filed October 1, 1979. Applicant: BADGER FREIGHTWAYS, INC., 2720 N. 19th Ave., Sheboygan, WI 53081. Representative: Stanley A. Pinski, 2200 S. Laflin St., Chicago, IL 60608. See attached. Supporting shipper: Badger Freightways, Inc., 2200 S. Laflin St., Chicago, IL 60608. (On behalf of all shippers who interline shipments with Motor Transport Co.) Send protests to: John E. Ryden, DS, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202. *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 Rockford, IL, and Portage, WI, serving the intermediate points of Beloit, Janesville, Edgerton, Madison, Arlington and Poynette. From Rockford over U.S. Hwy 51 to Portage and return over the same route. (2) Between Beloit, WI, and Milwaukee, WI serving all intermediate points. From Beloit, WI over U.S. Hwy 15 to Milwaukee and return over the same route. (3) Between Harvard, IL, and Janesville, WI, serving all intermediate points. From Harvard over U.S. Hwy 14 to Janesville and return over the same route. (4) Between Richmond, IL, and Madison, WI, serving all intermediate points. From Richmond over U.S. Hwy 12 to Madison and return over the same route. (5) Between Janesville, WI, and Racine, WI serving all intermediate points. From Janesville over U.S. Hwy 11 to Racine and return over the same route. (6) Between Lake Geneva, WI and Milwaukee, WI serving all intermediate points. From Lake Geneva, WI over WI Hwy 36 to Milwaukee, WI and return over the same route. (7) Between North Chicago, IL and Milwaukee, WI serving all intermediate points. From North Chicago over IL Hwy 42 to the WI-IL state line, then over WI Hwy 42 from the

WI-IL state line to Milwaukee and return over the same route. (8) Between Racine, WI and Whitewater, WI serving all intermediate points. From Racine over WI Hwy 20 to Whitewater and return over the same route. (9) Between Milwaukee, WI and Madison, WI serving all intermediate points. From Milwaukee over U.S. Hwy 18 to Madison and return over the same route. (10) Between Madison, WI and Milwaukee, WI serving all intermediate points. From Madison over I-94 to Milwaukee and return over the same route. (11) Between Shorewood, WI and Portage, WI serving all intermediate points. From Shorewood over WI Hwy 190 to Powaukee, WI, then over U.S. Hwy 16 to Portage, WI and return over the same route. (12) Between Watertown, WI and Madison, WI serving all intermediate points. From Watertown to Madison over WI Hwy 19 and return over the same route. (13) Between Grafton, WI and Arlington, WI serving all intermediate points. From Grafton over WI Hwy 60 to Arlington, WI and return over the same route. (14) Between Port Washington, WI and Beaver Dam, WI serving all intermediate points. From Port Washington over WI Hwy 33 to Beaver Dam and return over the same route. (15) Between Milwaukee, WI and Manitowoc, WI serving all intermediate points. From Milwaukee over I-43 to Manitowoc and return over the same route. (16) Between Chilton, WI and Milwaukee, WI serving all intermediate points. From Milwaukee over WI Hwy 57 to Chilton and return over the same route. (17) Between Sheboygan, WI and Plymouth, WI serving all intermediate points. From Sheboygan, WI over WI Hwy 23 to Plymouth and return over the same route. (18) Between Oconomowoc, WI and Mayville, WI serving all intermediate points. From Oconomowoc over WI Hwy 67 to Mayville and return over the same route. (19) Between Fort Atkinson, WI and Jct. WI Hwy 33 serving all intermediate points. From Fort Atkinson over WI Hwy 26 to Jct. WI Hwy 33 and return over the same route. (20) Between Kenosha, WI and Burlington, WI serving all intermediate points. From Kenosha over WI Hwy 50 to Jct. WI Hwy 83, then over Hwy 83 to Burlington and return over the same route. Service in connection with Route (1) through (20), *supra*, is authorized at all points in Kenosha, Racine, Walworth, Jefferson, Waukesha, Dodge, Washington and Ozaukee Counties in connection with said carrier's regular route operations, for 180 days. An underlying ETA seeks 90 days authority.

MC 26396 (Sub-307TA), filed October 3, 1979. Applicant: POPELKA TRUCKING CO. d.b.a. THE WAGGONERS, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. *Agricultural equipment and supplies* from the facilities of Westguard Industries, Inc. at Cheyenne, WY to points in MT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Westguard Industries, Inc., P.O. Box 2696, Cheyenne, WY 82001. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 26396 (Sub-308TA), filed October 29, 1979. Applicant: POPELKA TRUCKING CO. d.b.a. THE WAGGONERS, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. (1) *Audio speaker systems* from Punxsutawney, PA to points in CT, DE, GA, IL, IN, KY, ME, MD, MA, MI, NH, NJ, NC, OH, RI, SC, TN, VT, VA, WV, and WI; and (2) *Materials, equipment and supplies used in the manufacture and distribution of audio speaker systems* from points in CT, DE, GA, IL, IN, KY, ME, MD, MA, MI, NH, NJ, NC, OH, RI, SC, TN, VT, VA, WV and WI to Punxsutawney, PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Rola, Division of Pemcor, Horatio Street, Punxsutawney, PA 15767. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 26396 (Sub-309TA), filed October 31, 1979. Applicant: POPELKA TRUCKING CO. d.b.a. THE WAGGONERS, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. *Agricultural chemicals (except commodities in bulk)* from points in IA to points in ND and MN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Monsanto Company, 800 North Lindbergh Blvd., St. Louis, MO 63166. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 26396 (Sub-310TA), filed November 5, 1979. Applicant: POPELKA TRUCKING CO. d.b.a. THE WAGGONERS, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. (1) *Irrigation systems* from the facilities of Olson Brothers Manufacturing Company, Inc., in Holt County, NE to points in CO, ID, IL, IN, IA, MN, MT, NM, ND, OR, SD, TX, UT, WA and WY; and (2) *materials, supplies and equipment (except commodities in bulk)* utilized in the manufacture, sale

and distribution of irrigation systems, from points in IL, KY, IN and TN to the facilities of Olson Brothers Manufacturing Company, Inc. in Holt County, NE, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Olson Brothers Manufacturing Company, Inc., Route 4, Atkinson, NE 68713. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 26396 (Sub-311TA), filed November 15, 1979. Applicant: POPELKA TRUCKING CO. d.b.a. THE WAGGONERS, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. *Mausoleum crypts and precast concrete* (1) from Bluffton, OH to points in IN, KY, MI, PA, and VA; and (2) from Laurel, MD to points in DE, NC, NY, NJ, PA, SC, VA and WV for 180 days. Supporting shipper: Duwe Mausoleum Sales Corp., 1770 S. Koeller Rd., Oshkosh, WI. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 30446 (Sub-14TA), filed October 29, 1979. Applicant: BRUCE JOHNSON TRUCKING CO., INC., 3408 North Graham St., Charlotte, NC 28225. Representative: Leon Thompson (same as above). *Plastic materials, other than expanded, in bulk* from Earl, NC to Savannah, GA and Charleston, SC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Celanese Fibers Group, P.O. Box 32414, Charlotte, NC 28232. Send protests to: Sheila Reece, TA, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 42146 (Sub-25TA), filed October 16, 1979. Applicant: A. G. BOONE COMPANY, P.O. Box 668126, Charlotte, NC 28266. Representative: Floyd C. Hartsell (same as applicant). *Contract carrier, irregular routes: Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses and in connection therewith, equipment, materials, and supplies used in the conduct of such business for the account of Rainbo Baking Company* between points in Mecklenburg County, NC and Washington County, TN, on the one hand, and, on the other hand, points in AL, GA, IN, KY, MI, MS, OH, PA and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Rainbo Baking Company, 4825 Hovis Rd., Charlotte, NC 28208. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd-Rm CC516, Charlotte, NC 28205.

MC 45656 (Sub-23TA), filed October 9, 1979. Applicant: ANDERSON TRUCK LINE, INC., P.O. Box 1196, Lenoir, NC

28645. Representative: Dan E. Anderson (same as above). *New furniture and furniture parts* from Sumter, SC to points in Caldwell and Catawba, NC for 180 days. An underlying ETA seeks 90 days authority. Applicant intends to tack the authority here applied for to MC-45656 and subs thereto. Applicant does intend to interline with other carriers at Caldwell and Catawba counties, NC. Supporting shipper(s): Sumter Cabinet Co., Div. Korn Inds., Inc., P.O. Box 100, Sumter, SC 29150. Caldwell Freight Lines, Inc., P.O. Box 620, Lenoir, NC 28645. W & L Motor Lines, Inc., P.O. Box 3467, Hickory, NC 28601. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd-Rm CC516, Charlotte, NC 28205.

MC 51146 (Sub-779TA), filed November 6, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil Dufardin (same address as applicant). *Animal, fish and poultry feed* from Richmond, IN to Boston, MA; Baltimore and Walkersville, MD; Lemoyne, PA; and Central Islip, Staten Island, Ronkonkoma and Stone Ridge, NY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Ralston Purina Co., Checkerboard Square, St. Louis, MO 63188. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 55896 (Sub-127TA), filed October 10, 1979. Applicant: R-W SERVICE SYSTEM, INC., 20225 Goddard Road, Taylor, MI 48180. Representative: John C. Scherbarth, 22375 Haggerty Road, P.O. Box 400, Northville, MI 48067. *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 Chicago, IL to points in OH, on and South and West of a line beginning at the OH-IN Border and U.S. Highway 30 then along U.S. Highway 30 to Junction U.S. Highway 23, and then along U.S. Highway 23 to OH-KY border (See Rider 1) for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are ten supporting shippers. Their application can be reviewed at the address below or headquarters. Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 60066 (Sub-16TA), filed October 9, 1979. Applicant: BEE LINE MOTOR FREIGHT, INC., 1804 Paul Street, Omaha, NE 68102. Representative: Donald L. Stern, Suite 610, 7171 Mercy Road, Omaha, NE 68106. (1) *Shock*

absorbers from Cozad, NE to Detroit, MI and Batavia, IL; and (2) *Parts and related materials used in the manufacture of shock absorbers* from Toledo, OH to Cozad, NE for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Monroe Auto Equipment Co., Carl Hafner, Transportation Manager, International Drive, Monroe, WI 48161. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 15th St., Omaha, NE 68102.

MC 61016 (Sub-55TA), filed October 2, 1979. Applicant: PETER PAN BUS LINES, INC., 1776 Main Street, Springfield, MA 01103. Representative: Peter Picknelly (same address). *Passengers and their baggage and express and newspapers in the same vehicle with passengers*, between West Hartford, CT and Springfield, MA via I-84 and I-91 and return, serving all intermediate points, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are forty-five shippers. Their statements may be examined at the office listed below and Headquarters. Send protests to: David M. Miller, DS, ICC, 436 Dwight Street, Springfield, MA 01103.

MC 75406 (Sub-50TA), filed November 1, 1979. Applicant: SUPERIOR FORWARDING COMPANY, INC., 2600 S. 4th Street, St. Louis, MO 63118. Representative: James M. Duckett, 927 Pyramid Life Bldg., Little Rock, AR 72201. Joseph E. Rebman, 314 N. Broadway, Suite 1330, St. Louis, MO 63102. *Common carrier, regular routes: 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 Arkadelphia, AR, and Longview, TX: from Arkadelphia, AR, over Interstate Hwy 30 to junction U.S. Hwy 259, then over U.S. Hwy 259 to Longview, TX, and return over the same route, serving the intermediate point of Texarkana, AR/TX; (2) between Arkadelphia, AR, and Longview, TX: from Arkadelphia, AR, over U.S. Hwy 67 to junction U.S. Hwy 259, then over U.S. Hwy 259 to Longview, TX, and return over the same route, serving the intermediate point of Texarkana, AR/TX; (3) between Magnolia, AR, and junction U.S. Hwy 82 and Interstate Hwy 30: Over U.S. Hwy 82 serving the intermediate point of Texarkana, AR/TX; (4) between El Dorado, AR, and Longview, TX: from El Dorado, AR, over U.S. Hwy 167 to the AR-LA State Line, then over LA Hwy 9 to junction U.S. Hwy 79, then over U.S. Hwy 79 to junction U.S. Hwy 80, then over U.S. Hwy 80 to Longview, TX, and return

over the same route, serving the intermediate point of Shreveport, LA; (5) between El Dorado, AR, and Longview, TX: from El Dorado, AR, over U.S. Hwy 167 to the AR-LA State Line, then over LA Hwy 9 to junction U.S. Hwy 79, then over U.S. Hwy 79 to junction Interstate Hwy 20, then over Interstate Hwy 20 to junction U.S. Hwy 259, then over U.S. Hwy 259 to Longview, TX, and return over the same route, serving the intermediate point of Shreveport, LA; (6) between Magnolia, AR, and junction U.S. Hwy 79 and LA Hwy 9 at or near Homer, LA: over U.S. Hwy 79; (7) between Magnolia, AR, and junction LA 7 and Interstate Hwy 20 and U.S. Hwy 80: from Magnolia, AR, over AR Hwy 132 to the AR-LA State Line, then over LA Hwy 7 to junction Interstate Hwy 20 and U.S. Hwy 80, and return over the same route; (8) between junction Interstate Hwy 30 and AR Hwy 29 at or near Hope, AR, and Shreveport, LA: from junction Interstate Hwy 30 and AR Hwy 29 at or near Hope, AR, over AR Hwy 29, to the AR-LA State Line, then over LA Hwy 3 to Shreveport, LA and return on the same route; (9) between Texarkana, AR/TX and Shreveport, LA: over U.S. Hwy 71; and (10) between Texarkana, AR/TX and junction U.S. Hwy 59 and Interstate Hwy 20 and U.S. Hwy 80: over U.S. Hwy 59; with service at designated highway junctions for purposes of joinder only, for 180 days.

Note.—Applicant proposes to tack the authority in routes (1) through (10) with its existing authority and to interline with other carriers.

Supporting shipper(s): There are 263 support shippers. Their statements may be examined at the office listed below and Headquarters. Send protests to: P. E. Binder, DS, ICC, Rm. 1465, 210 N. 12th Street, St. Louis, MO 63101.

MC 76266 (Sub-131TA), filed October 10, 1979. Applicant: ADMIRAL-MERCHANTS MOTOR FREIGHT, INC., 215 S. 11th St., Minneapolis, MN 55403. Representative: James E. Ballenthin, 630 Osborn Bldg., St. Paul, MN 55102.

Common carrier, regular routes:

Appendix 111(b)

Regular routes: 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 Two Rivers, Wis., and North Chicago, Ill., as follows: from Two Rivers over Wisconsin Highway 42 to Manitowoc, Wis., thence over U.S. Highway 141 to junction Milwaukee County Highway B, thence over Milwaukee County Highway B to Milwaukee, Wis., thence over Wisconsin Highway 42 via Racine, Wis.,

to the Wisconsin-Illinois State line, and thence over Illinois Highway 42 to North Chicago; from Two Rivers to Milwaukee as specified above, thence over Milwaukee County Highway H to junction Wisconsin Highway 38, thence over Wisconsin Highway 38 to Racine, Wis., and thence to North Chicago as specified above; from Two Rivers to Milwaukee as specified above, thence over Milwaukee County Highway AA to junction Milwaukee County Highway Z, thence over Milwaukee County Highway Z to junction Wisconsin Highway 42, thence to North Chicago as specified above; and return over these routes to Two Rivers. Service is authorized to and from the off-route points in Milwaukee County, Wis., between points and places in Wisconsin as follows: from Sheboygan over Wisconsin Highway 32 to Kiel, Wis., thence over Wisconsin Highway 57 to Chilton; from Sheboygan over Wisconsin Highway 23 to Plymouth; from Sheboygan over Wisconsin Highway 28 to Sheboygan Falls; from Milwaukee over Wisconsin Highway 19 to Sun Prairie, Wis., thence over U.S. Highway 151 to Madison; from Milwaukee over Wisconsin Highway 15 to Beloit, Wis., and thence over U.S. Highway 51 to South Beloit, Ill.; from Milwaukee over U.S. Highway 41 to junction Wisconsin Highway 36, thence over Wisconsin Highway 36 to Lake Geneva, Wis., and thence over U.S. Highway 12 to Genoa City; from Racine over Wisconsin Highway 11 to Janesville; service is authorized to and from the off-route point of Williams Bay, Wis. From Racine over Wisconsin Highway 20 to Rochester; from Milwaukee over U.S. Highway 18 to Waukesha, Wis., (also from Milwaukee over Wisconsin Highway 59 to Waukesha) thence over Wisconsin Highway 59 to Milton, Wis., and thence over Wisconsin Highway 26 to Janesville; service is authorized to and from the off-route point of Genesee Depot, Wis. From Watertown over U.S. Highway 16 to Portage; service is authorized to and from the off-route points of Clyman, Reeseville, Fall River, and Pardeeville, Wis.: From Watertown over Wisconsin Highway 26 to junction Wisconsin Highway 33, thence over Wisconsin Highway 33 to Beaver Dam, Wis., thence over U.S. Highway 151 to Columbus, Wis., and thence over U.S. Highway 16 to Portage; from Watertown over Wisconsin Highway 26 to Fort Atkinson, Wis., thence over U.S. Highway 12 to Whitewater; from Watertown over County Highway A to Lake Mills, Wis., thence over Wisconsin Highway 30 to junction Wisconsin

Highway 26; from Lake Geneva over Wisconsin Highway 36 to Williams Bay, Wis., thence over County Highway H to junction Wisconsin Highway 50, and thence over Wisconsin Highway 50 to Delavan; and return over these routes to the above-specified origin points. Service is authorized to and from all intermediate points on the above-specified routes. Between points in Wisconsin, as follows: From Milwaukee over unnumbered highways via Hales Corners, Muskego, Big Bend, Caldwell, and Lake Beulah, Wis., to junction Wisconsin Highway 15 near East Troy, Wis.; from Hales Corners over unnumbered highway to St. Martin; from junction unnumbered highway and Wisconsin Highway 83 near Lake Beulah over Wisconsin Highway 83 to Mukwonago; from Burlington over Wisconsin Highway 83 to junction unnumbered highway south of Salem; from Genoa City over unnumbered highways to junction unnumbered highway north of Twin Lakes; from junction Wisconsin Highway 83 and unnumbered highway south of Salem over unnumbered highway to Wilmot; from Wilmot over unnumbered highway to junction Wisconsin Highway 83 south of New Munster; from junction Wisconsin Highway 83 and unnumbered highway northeast of Silver Lake over unnumbered highway to junction unnumbered highway north of Twin Lakes; from Kenosha over Wisconsin Highway 50 to junction Wisconsin Highway 83; from junction Wisconsin Highway 50 and unnumbered highway over unnumbered highway to Pleasant Prairie; from junction Wisconsin Highway 50 and U.S. Highway 45 over U.S. Highway 45 to Bristol; from junction unnumbered highways north of Lake Elizabeth over unnumbered highway to Lake Elizabeth, and return over these routes to the above-specified Wisconsin points. All intermediate points. Between Gibbssville, Wis., and Milwaukee, Wis.: From Gibbssville over Wisconsin Highway 42 to junction Milwaukee County Highway B, thence over Milwaukee County Highway B to Milwaukee, and return over the same route. Service is authorized to and from the intermediate point of Cedar Grove, Wis., and the off-route point of Oostburg, Wis. Between junction Wisconsin Highway 30 and Wisconsin Highway 19, and Madison, Wis.: From junction Wisconsin Highway 30 and Wisconsin Highway 19, over Wisconsin Highway 30 to Madison, and return over the same route. Service is authorized to and from the intermediate point of Delafield, Wis. Between junction U.S. Highway 141 and Wisconsin Highway

57 and junction Wisconsin Highway 144 and U.S. Highway 141: From junction U.S. Highway 141 and Wisconsin Highway 57 over Wisconsin Highway 57 to junction Wisconsin Highway 144, thence over Wisconsin Highway 144 to junction U.S. Highway 141, and return over the same route. Service is not authorized to or from the intermediate between junction Racine County Highway K and Wisconsin Highway 38, East of Franksville, Wis., and junction U.S. Highway 41 and Wisconsin Highway 36, southwest of Milwaukee, Wis., and all intermediate points: From junction Racine County Highway K and Wisconsin Highway 38 over Racine County Highway K to Thompsonville, Wis., thence over U.S. Highway 41 to junction Wisconsin Highway 36, and return over the same route. Between Beaver Dam, Wis., and Markesan, Wis., and the off-route points of Manchester and Kingston, Wis. From Beaver Dam over Wisconsin Highway 33 to junction County Highway A at Randolph, Wis., thence over County Highway A to Markesan (also from junction Wisconsin Highway 33 and County Highway A westward over Wisconsin Highway 33 to junction Wisconsin Highway 73, thence over Wisconsin Highway 73 to junction Wisconsin Highway 44, east of Manchester, Wis., and thence over Wisconsin Highway 44 to Markesan), and return over the same route. Between Minnesota Jct., Wis., on the one hand, and, on the other, Port Washington, Wis.: From Minnesota Jct. over Wisconsin Highway 33 to Port Washington, and return over the same route. Between Oconomowoc, Wis., on the one hand, and, on the other, Horicon, Wis., with service at Horicon for the purpose of joinder only: From Oconomowoc over Wisconsin Highway 67 via Iron Ridge, Wis., to Mayville, Wis., thence over Wisconsin Highway 28 to Horicon, and return over the same route. Between junction Wisconsin Highways 33 and 73, on the one hand, and, on the other, Portage, Wis., with service at junction Wisconsin Highways 33 and 73 for the purpose of joinder only: From junction Wisconsin Highways 33 and 73 over Wisconsin Highway 33 to Portage, and return over the same route. Between junction Wisconsin Highways 33 and 44, on the one hand, and, on the other, Wyocena, with service at junction Wisconsin Highways 33 and 44 for the purpose of joinder only: From junction Wisconsin Highways 33 and 44 over Wisconsin Highway 44 to Wyocena, and return over the same route; Between junction Wisconsin Highway 44 and County Highway P, northeast of Pardeeville, Wis., on the one hand, and,

on the other, junction Wisconsin Highways 33 and 73, north of Randolph, Wis., with service at the termini for purpose of joinder only: From junction Wisconsin Highway 44 and County Highway P over County Highway P to Randolph, thence over Wisconsin Highway 73 to junction Wisconsin Highway 33, and return over the same route. Between junction Wisconsin Highways 33 and 146, on the one hand, and, on the other, Cambria, with service at the termini for the purpose of joinder only: From junction Wisconsin Highways 33 and 146 over Wisconsin Highway 146 to Cambria, and return over the same route. Between Juneau, Wis., on the one hand, and, on the other, Hartford, Wis., with service at Hartford for the purpose of joinder only: From Juneau over Wisconsin Highway 115 to junction Wisconsin Highways 115, 67, and 60, north of Neosho, Wis., thence over Wisconsin Highway 60 to Hartford, and return over the same route. Irregular routes: General Commodities, with exceptions as specified above, between points and places in Racine, Kenosha, Burlington, Waukesha, Watertown, Port Washington, Sheboygan, and East Troy, Wis., and those in Milwaukee County, Wis. Supporting shipper(s): There are 22 statements of support attached to this application which may be examined at the ICC in Washington, DC or the field office named below. Send protests to: Judith L. Olson, TA, ICC, 414 Fed. Bldg., 110 S. 4th St., Minneapolis, MN 55401.

MC 95876 (Sub-324TA), filed November 1, 1979. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. No., St. Cloud, MN 56301. Representative: William L. Libby (same address as applicant). (1) *Knocked down steel buildings and parts thereof*, (a) from LaGrange, GA to points in AR, DE, IN, KY, LA, MD, NJ, OH, PA, TX, VA and WV; and (b) from Houston, TX to points in MN and WI; and (2) *Iron and steel articles*, (a) from Ashland, KY, Sparrows Point and Baltimore, MD, Ecorse and Detroit, MI and the St. Louis, MO Commercial Zone to Terre Haute, IN and LaGrange, GA; and (b) from the Chicago, IL Commercial Zone to Terre Haute, IN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: National Steel Products Co., P.O. Box 40490, Houston, TX 77060. Send protests to: Judith L. Olson, TA, ICC, 414 Fed. Bldg., 110 S. 4th St., Minneapolis, MN 55401.

MC 95876 (Sub-325TA), filed November 15, 1979. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. N., St. Cloud, MN 56301. Representative: William L. Libby (address same as applicant). *Silica*

sand, in bulk, in tank vehicles equipped with pneumatic discharge from Ottawa, MN to Brighton, CO, Vernal, UT, and Rock Springs, WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: The Western Company of North America, P.O. Box 186, Fort Worth, TX 76101. Send protests to: Judith L. Olson, TA, ICC, 414 Fed. Bldg., 110 S. 4th St., Minneapolis, MN 55401.

MC 100666 (Sub-501TA), filed October 11, 1979. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, LA 71107. Representative: Paul L. Caplinger (same address as applicant). *Air conditioning and heating units, components, parts and accessories* from the facilities of Heil Quaker Corporation in Davidson County, TN to points in IL, IN, IO, MO, and WI, for 180 days. Applicant has filed an underlying ETA seeking 90 days. Supporting shipper: Heil-Quaker Corporation, 1714 Heil-Quaker Blvd., La Vergne, TN. Send protests to: Robert J. Kirspe, DS, ICC, T-9038 Federal Bldg., 701 Loyola Avenue, New Orleans, LA 70113.

MC 100666 (Sub-502TA), filed October 12, 1979. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, LA 71107. Representative: Paul L. Caplinger (same address as applicant). *Iron and steel articles* from Baytown, TX to points in AL, AR, FL, GA, LA, MS, TN, and TX, for 180 days. Supporting shipper: United States Steel Corporation, 600 Grant St., Pittsburgh, PA 15230. Send protests to: Robert J. Kirspe, DS, ICC, T-9038 Federal Bldg., 701 Loyola Ave., New Orleans, LA 70113.

MC 100666 (Sub-503TA), filed November 5, 1979. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, LA 71107. Representative: Paul L. Caplinger (same address as applicant). *Asbestos cement pipe, fittings and materials and supplies used in the installation thereof (except in bulk)* from St. Louis County, MO to points in AR, CO, KS, NE, OK, LA, and TX, for 180 days. Applicant has filed an underlying ETA seeking 90 days. Supporting shipper: CertainTeed Corporation, Pipe & Plastic Group, P.O. Box 1100, Blue Bell, PA 19422. Send protests to: Robert J. Kirspe, DS, ICC, T-9038 Federal Bldg., 701 Loyola Ave., New Orleans, LA 70113.

MC 102567 (Sub-246TA), filed October 25, 1979. Applicant: McNAIR TRANSPORT, INC., P.O. Drawer 5357, Bossier City, LA 71111. Representative: Joe C. Day, 13403 Northwest Freeway—Suite 130, Houston, TX 77040. *Calcium bromide, in bulk, in tank vehicles*, from the facilities of Velsicol Chemical Corp.,

at or near Beaumont, TX to points in LA, for 180 days. Supporting shipper: Velsicol Chemical Corp., 341 E. Ohio, Chicago, IL 60611. Send protests to: Robert J. Kirspe, DS, ICC, T-9038 Federal Bldg., 701 Loyola Ave., New Orleans, LA 70113.

MC 105566 (Sub-215TA), filed November 9, 1979. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1120, Cape Girardeau, MO 63701. Representative: Thomas F. Kilroy, Suite 406, 6901 Old Keene Mill Rd., Springfield, VA. *Clothing*, from Henderson, NV to Newnan, GA; Erlanger and Florence, KY; Cincinnati, OH, and Fort Worth, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Levi Strauss & Company, 501 Conestoga Way, Henderson, NV 89015. Send protests to: P. E. Binder, DS, ICC, Rm. 1465, 210 N. 12th St., St. Louis, MO 63101.

MC 107496 (Sub-1257TA), filed October 30, 1979. Applicant: RUAN TRANSPORT CORPORATION, 666 Grand Ave., Des Moines, IA 50309. Representative: E. Check (same address as applicant). *Mineral spirits, in bulk, in tank vehicles*, from Watertown, WI, to Davenport, IA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Do Corporation, P.O. Box 476, Watertown, WI 53094. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 108676 (Sub-151TA), filed November 5, 1979. Applicant: A. J. METLER HAULING & RIGGING, INC., 117 Chicamauga Ave., Knoxville, TN 37917. Representative: Mark S. Roach (same address as applicant). *Iron and steel articles*, between the facilities of Volunteer Structures, Inc. at or near Nashville, TN on the one hand, and, on the other, points in the United States (except AK and HI), for 180 days. Supporting shipper: Volunteer Structures, Inc., 4108 Dakota Ave., Nashville, TN 37209. Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, TN 37203.

MC 108676 (Sub-152TA), filed November 9, 1979. Applicant: A. J. METLER HAULING & RIGGING, INC., 117 Chicamauga Ave., Knoxville, TN 37917. Representative: Mark S. Roach (same address as applicant). *Iron and steel articles*, between the facilities of Boyce Steel at or near Kingston Springs, TN on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Boyce Steel, Inc., P.O. Box B, Kingston Springs, TN 37082.

Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, TN 37203.

MC 109026 (Sub-24TA), filed Oct. 12, 1979. Applicant: MANNING MOTOR EXPRESS, INC., P.O. Box 685, Glasgow, KY 42141. Representative: Walter Harwood, Attorney, P.O. Box 15214, Nashville, TN 37215. *Magazines, printed matter and related articles* used in manufacture thereof, from the facilities of R. R. Donnelley & Sons Co., at or near Glasgow, KY, to Plymouth, MI, and its commercial zone. Supporting shipper: Paul R. Linn, Jr., Traffic, Mgr., R. R. Donnelley & Sons., Donnelley Dr., Glasgow, KY, 42141. Send protests to: Ms. Clara L. Eyl, T/A, ICC, 426 Post Office Bldg., Louisville, KY 40202.

MC 109026 (Sub-25TA), filed Oct. 23, 1979. Applicant: MANNING MOTOR EXPRESS, INC., P.O. Box 685, Glasgow, KY 42141. Representative: Walter Harwood Atty., P.O. Box 15214, Nashville, TN 37215. *Magazines, printed matter, and related articles* used in the manufacture thereof, from the facilities of R. R. Donnelley & Sons Company, at or near Glasgow, KY, to the facilities of R. R. Donnelley & Sons Co., at or near Lancaster, PA. Supporting shipper(s): Paul R. Linn, Jr., R. R. Donnelley & Sons Co., Donnelley Dr., Glasgow, KY 42141. Send protests to: Ms. Clara L. Eyl, T/A, ICC, 426 Post Office Bldg., Louisville, KY 40202.

MC 110166 (Sub-25TA), filed Oct. 3, 1979. Applicant: TENNESSEE CAROLINA TRANSPORTATION, INC., 40 Nance Lane, P.O. Box 100943, Nashville, TN 37210. Representative: Donald E. Cross, 918 16th St., NW., Washington, DC 20006. *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 Memphis, TN, and Fort Smith, AR, serving Memphis, TN for joinder only and serving the intermediate point of Little Rock, AR: From Memphis over Interstate Hwy 40 to Fort Smith, AR, and return over the same route. Between Little Rock, AR, and Harrison, AR serving the intermediate points of Conway, Clinton, Marshall: From Little Rock over Interstate Hwy 40 to its junction with U.S. Hwy 65, then over U.S. Hwy 65 to Harrison, and return over the same route. Between Memphis, TN, and Harrison, AR, serving Memphis, TN for joinder only and serving the intermediate points of Mountain Home, Gassville, and Yellville: From Memphis over Interstate Hwy. 40 to Junction Interstate Hwy 55, then over Interstate to its junction with U.S. Hwy 63, then

over U.S. Hwy 63 to its junction with U.S. Hwy 62, then over U.S. Hwy 62 to its junction with U.S. Hwy 65, then over U.S. Hwy 65 to Harrison, AR, and return over the same route. Between Little Rock, AR, and Jacksonville, AR: From Little Rock over U.S. Hwy. 67 and U.S. Hwy 167 to Jacksonville, AR, and return over the same route, for 180 days. Supporting shipper(s): "There are (140) shippers. Their statements may be examined at the office listed below and Headquarters." Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 110686 (Sub-62TA), filed September 28, 1979. Applicant: McCORMICK DRAY LINE, INC., Avis, PA 17721. Representative: David A. Sutherland, 1150 Connecticut Ave., NW., Suite 400 Washington, D.C. 20036. (1) *Boat Keels*, from Lairdsville, PA to points in FL, MA, MI, NH, NJ, NY, OH, RI, and TX; and (2) *Materials and supplies used in the manufacture of boat keels*, from points in GA, IL, LA, MD, MA, MI, NJ, NY, OH, RI, SC, TX and VA, to Lairdsville PA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Lycoming Marine Products, Inc., Lairdsville, PA 17742. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 113106 (Sub-85TA), filed September 27, 1979. Applicant: THE BLUE DIAMOND CO., 4401 East Fairmount Ave., Baltimore, MD 21224. Representative: Chester A. Zyblut, 366 Executive Bldg., 1030 Fifteenth St., NW., Washington, D.C. 20005. *Glass containers and accessories* from Youngwood and South Connellsville, PA, to Mt. Jackson, Winchester, Mauertown and Front Royal, VA, and points in their respective commercial zones for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: Anchor Hocking Corp., 109 N. Broad St., Lancaster, OH 43130. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm 620, Philadelphia, PA 19106.

MC 114416 (Sub-11TA), filed November 13, 1979. Applicant: WESTERN TRANSPORT CRANE & RIGGING, Route 11, Grant Creek Road, Missoula, MT 59801. Representative: Theodore F. Anno (same address as applicant). *Contractors and mining equipment, materials and supplies* between points in AZ, CA, CO, ID, KS, MT, ND, NV, NM, NE, OR, OK, SD, TX, UT, WA and WY, restricted to the transportation of shipments originating at or destined to the facilities of Pathfinder Mines Corporation, for 180

days. An underlying ETA seeks 90 days authority. Supporting shipper: Pathfinder Mines Corporation, 1030 Donegal, Casper, WY 82601. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 117686 (Sub-279TA), filed October 22, 1979. Applicant: HIRSCHBACH MOTOR LINES, INC., 5000 South Lewis Boulevard, P.O. Box 417, Sioux City, IA 51102. Representative: George L. Hirschbach, (same address as applicant). (1) *Trousers* from Miami, OK to LeMars, Sheldon, Sioux City, Spencer and Storm Lake, IA and Amarillo, TX and (2) *Cloth and materials and supplies used in the manufacture, sale and distribution of goods produced from cloth* from Eufaula, Lanett, Opelika and Sylacauga, AL; Osceola, AR; Atlanta, Augusta, Columbus, Decatur, Lindale and Trion, GA; Lawrenceburg and Louisville, KY; Stonewall, MS; St. Louis and Kansas City, MO; Erwin, Greensboro, Haw River, Mount Holly, Salisbury and Yadkin, NC; Graniteville, Greenville, Orangeburg, Rock Hill and Ware Shoals, SC; Centerville, Knoxville, Memphis and Nashville, TN; and Brenham and New Braunfels, TX to Miami, OK for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Aalfs Manufacturing Company, William E. Rodawig, Executive Vice President, 1005 E. 4th St., P.O. Box 3038, Sioux City, IA 51102. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 117786 (Sub-74TA), filed October 30, 1979. Applicant: RILEY WHITTLE, INC., P.O. Box 19038, Phoenix, AZ 85005. Representative: A. Michael Bernstein, 1441 E. Thomas Rd., Phoenix, AZ 85014. *Malt beverages and related advertising materials* from Jefferson County, CO to AZ and TX, and *empty used beverage containers and materials and supplies used in and dealt with by breweries* from AZ and TX to Jefferson County, CO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Adolph Coors Company, Golden, CO 80401. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025. Supporting shipper: Adolph Coors Company, Golden, CO 80401. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 118516 (Sub-6TA), filed October 31, 1979. Applicant: MAMMOTH OF ALASKA, INC., 1048 Whitney Rd., Anchorage, AK 99501. Representative: Arthur Ronald Hauver, Esq., 810 W. Second Ave., Anchorage, AK 99501. *Commodities in bulk and commodities requiring special equipment*, between

Anchorage, AK, on the one hand, and, on the other points in AK except those in southeastern AK (the Alaska Panhandle). Supporting Shipper: Totem Ocean Trailer Express, Inc., 2333 Tidewater Rd., Anchorage, AK 99501. Send protests to: Roy S. Ehrhart II D/S, ICC, 701 C St., Box 7, Anchorage, AK 99513.

MC 121496 (Sub-39 TA). Applicant: CANGO CORPORATION, 1100 Milam Bldg., Suite 2900, Houston, TX 77002. Representative: Tom E. Davis (same as applicant). *Calcium bromide*, in bulk, in tank vehicles from the facilities of Velsicol Chemical Corp., at or near Beaumont, TX to points in LA., for 180 days. Supporting shipper: Velsicol Chemical Corp., 341 E. Ohio, Chicago, IL 60611. Send protests to: John F. Mensing, DS, ICC, 515 Rusk Ave. #8610, Houston, TX 77002.

MC 124236 (Sub-102TA), filed November 14, 1979. Applicant: CHEMICAL EXPRESS CARRIERS, INC., 4645 North Central Expressway, Dallas, TX 75205. Representative: Joe A. Morgan (address same as carrier). *Aviation gasoline and jet fuels*, in bulk, in tank vehicles from Beaumont, TX to points in LA for 180 days. Underlying ETA for 90 days has been filed. Supporting shipper: Mobil Oil Corporation, 8350 N. Central Expressway, Campbell Centre, Suite 522, Dallas, TX 75206. Send protests to: Opal M. Jones, TCS, ICC, 9A27 Federal Bldg., 819 Taylor St., Ft. Worth, TX 76102.

MC 126276 (Sub-209TA), filed October 18, 1979. Applicant: FAST MOTOR SERVICE, INC., 9100 Plainfield Road, Brookfield, IL 60513. Representative: JAMES C. HARDMAN, 33 N. LaSalle St., Chicago, IL 60602. *Contract carrier: irregular routes: Such commodities as are dealt in by manufacturers of paper and plastic articles (except commodities in bulk and those which because of size or weight require the use of special equipment)*, from Chicago, IL to points in the U.S. in and east of ND, SD, NE, KS, OK and TX, under a continuing contract or contracts with the Bondware Division of Continental Plastic Industries of The Continental Group, Inc. for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: The Continental Group, Inc., 800 E. Northwest Highway, Palatine, IL 60067. Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 126736 (Sub-129TA), filed November 8, 1979. Applicant: FLORIDA ROCK AND TANK LINES, INC., 155 East 21st Street, P.O. Box 1559, Jacksonville, FL 32201. Representative: M. J. Van Malsen (address same as applicant). *Crude zirconian silicate*

sand, in bulk, in pneumatic vehicles, from Starke, FL to Luling, TX for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: E. I. du Pont de Nemours & Co., P.O. Box 753, Starke, FL 32091. Send protests to: Jean King, TA, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

MC 128016 (Sub-9TA), filed November 1, 1979. Applicant: BRUCE G. BESH, d.b.a. BRUCE G. BESH TRUCKING, 4101 Center St., Cedar Falls, IA 50613. Representative: James M. Christenson, 4444 IDS Center, 80 South 8th St., Minneapolis, MN 55402. Contract carrier—irregular routes *lumber and wood products (except in bulk)* between the facilities of Weyerhaeuser Company at or near Cedar Falls, IA, and the facilities of the Weyerhaeuser Company located in St. Paul, MN, under contract with Weyerhaeuser Company, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Weyerhaeuser Company, 100 South Wacker Drive, Chicago, IL 60606. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 128616 (Sub-29TA), filed November 14, 1979. Applicant: GELCO COURIER SERVICES, INC., P.O. Box 1975, St. Paul, MN 55111. Representative: Sally G. Galway (address same as applicant). Contract carrier: irregular routes: *Commercial papers, documents, and written instruments (except currency and negotiable securities) as are used in the business of banks and banking institutions* between Scotts Bluff, NE, on the one hand, and on the other, Lusk, WY, for the account of the Omaha National Bank, Western Nebraska Computer Center, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: The Omaha National Bank, Western Nebraska Computer Center, 1914 Broadway, Scotts Bluff, NE 69361. Send protests to: Judith L. Olson, TA, ICC, 414 Fed. Bldg., 110 S. 4th St., Minneapolis, MN 55401.

MC 133327 (Sub-3TA), filed October 4, 1979. Applicant: MELBURN TRUCK LINES (TORONTO) CO. LTD., P.O. Box 306, Station U, Toronto, Ontario M8Z 5P7. Representative: John W. Frame, Box 626, 2207 Old Gettysburg Rd., Camp Hill, PA 17011. *Empty intermodal cargo containers, having a prior movement in foreign commerce*, between ports of entry in the United States on the US/Canada border at or near Buffalo, Massena, Niagara Falls and Alexandria Bay, NY and Detroit, MI, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), for 180 days. An underlying ETA seeks 90 days authority. Supporting

shipper(s): There are six shippers. Their statements may be examined at the office listed below and Headquarters. Send protests to: Anne C. Siler, TA, ICC, 910 Federal Bldg., 111 West Huron Street, Buffalo, NY 14202.

MC 133376 (Sub-2TA), filed September 25, 1979. Applicant: THOMAS A. GARRETT, d.b.a. GARRETT TRUCKING, P.O. Box 224, RR 2, Owensville, IN 47665. Representative: Walter F. Jones, 601 Chamber of Commerce Bldg., Indianapolis, IN 46204. Contract Carrier: Irregular Routes: *Blacks (carbon gas or oil) granular 17# cu. ft. from Westlane, LA and Tate Cove, LA to Terre Haute, IN for 180 days.* An underlying ETA seeks 90 days authority. Supporting shipper(s): Ampacet Corporation, 3701 N. Fruitridge Avenue, Terre Haute, IN 47805. Send protests to: Beverly J. Williams, ICC, 429 Federal Bldg., 46 E. Ohio St., Indianapolis, IN 46204.

MC 133566 (Sub-149TA), filed September 26, 1979. Applicant: GANGLOFF & DOWNHAM TRUCKING CO., INC., P.O. Box 479, Logansport, IN 46947. Representative: Thomas J. Beener, One State Street Plaza, New York, NY 10004. *Foodstuffs (except in bulk)* from Buffalo, NY; Appleton, WI; Murfreesboro, TN; Winchester, VA; Fogelsville, and Pottstown, PA to Logansport, IN for 180 days. Restricted to traffic originating at the facilities of Rich Products Corporation. An underlying ETA seeks 90 days authority. Supporting shipper(s): Rich Products Corporation, 1145 Niagara Street, Buffalo, NY 14213. Send protests to: Beverly J. Williams, ICC, 429 Federal Bldg., 46 E. Ohio Street, Indianapolis, IN 46204.

MC 134286 (Sub-133TA), filed November 6, 1979. Applicant: ILLINI EXPRESS, INC., P.O. Box 1564, Sioux City, IA 51102. Representative: Julie Humbert (same address as applicant). *Gas or electrical appliances and parts, materials, supplies and equipment used in the distribution or repair of appliances* from the facilities of Whirlpool Corporation at Evansville, IN to all points in CT, DE, FL, GA, IA, ME, MD, MA, NH, NJ, NY, NC, PA, RI, SC, TX, VT, VA, WV and D.C. for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Whirlpool Corporation, Carl R. Anderson, Director, Corporate Transportation, 2000 U.S. 33, North, Benton Harbor, MI 49022. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 134286 (Sub-134TA), filed November 6, 1979. Applicant: ILLINI EXPRESS, INC., P.O. Box 1564, Sioux

City, IA 51102. Representative: Julie Humbert (same address as applicant). *Bakery goods (except in bulk)* from the facilities of Burry Division of Quaker Oats at Elizabeth, NJ to points in IL, IN, IA, KS, KY, MI, MO, NE, NC, SC, TN, TX and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Burry Division of Quaker Oats, Joseph Dolobach, Traffic Manager, 1265 Durant Street, Elizabeth, NJ 07208. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 136786 (Sub-185TA), filed October 16, 1979. Applicant: ROBCO TRANSPORTATION, INC., 4475 N.E. 3rd St., Des Moines, IA 50313. Representative: Stanley C. Olsen, Jr., Suite 411, 7400 Metro Blvd., Edina, MN 55435. *Foodstuffs (not frozen); cleaning, scouring, or washing compounds; methanol, solidified; paper articles; plastic articles; scourers; toothpicks; chef hats; and straws* from Dorsey, MD, to Elk Grove Village, IL; Kansas City, KS; Minneapolis, MN; and Dallas and Houston, TX, for 180 days, restricted to shipments originating at or destined to the facilities of John Sexton & Company. Supporting shipper: John Sexton & Company, P.O. Box JS, Chicago, IL 60690. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 136786 (Sub-186TA), filed October 17, 1979. Applicant: ROBCO TRANSPORTATION, INC., P.O. Box 10375, Des Moines, IA 50306. Representative: Larry D. Knox, 600 Hubbell Bldg., Des Moines, IA 50309. *Cheese, cheese foods, and cheese spreads* from LaCrosse, WI, to Richmond and Santa Fe Springs, CA; Carthage, MO; Garland and Houston, TX; Denver, CO; Landover, MD; and Bellevue, WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Safeway Stores, Inc., 5725 East 14th St., Oakland, CA 94660. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 136786 (Sub-187TA), filed October 25, 1979. Applicant: ROBCO TRANSPORTATION, INC., P.O. Box 10375, Des Moines, IA 50306. Representative: Larry D. Knox, 600 Hubbell Bldg., Des Moines, IA 50309. *Paint, varnish, solvents, and applicators for paint products* from Chicago and Wheeling, IL, to Portland, OR; Seattle, WA; and Carson, CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: The Enterprises Paint Cos., 1191 Souther Wheeling Rd., Wheeling, IL 60090.

MC 136786 (Sub-188TA), filed November 2, 1979. Applicant: ROBCO TRANSPORTATION, INC., 4475 N.E. 3rd St., Des Moines, IA 50313. Representative: Stanley C. Olsen, Jr., Suite 411, 7400 Metro Blvd., Edina, MN 55435. *Foodstuffs* from Hollister, Oakland, and San Jose, CA, to points in IA, IL, IN, KS, MA, MD, MN, MO, ND, NE, NY, OH, PA, VA, and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Glorietta Foods, 570 Race St., San Jose, CA 95126. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 138026 (Sub-31TA), filed November 6, 1979. Applicant: LOGISTICS EXPRESS, INC. d.b.a. LOGEX, Etiwanda & Slover Avenues, Fontana, CA 92335. Representative: Patricia M. Schnegg, Knapp, Grossman & Marsh, 707 Wilshire Boulevard, Suite 1800, Los Angeles, CA 90017. *Argon*, from Plaquemine, LA to Oak Ridge, TN, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper: Big Three Industries, Inc., Assistant to the Vice President of Operations and Dist., 3535 West 12th Street, Houston, TX 77008. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 139206 (Sub-64TA), filed November 1, 1979. Applicant: F.M.S. TRANSPORTATION, INC., 2564 Harley Dr., Maryland Heights, MO 63043. Representative: Richard C. Mitchell (address same as applicant). *Iron pipe fittings, iron body valves, iron stop cock or valve boxes, Bdl. rods for same, bdl. iron handles, iron meter box covers, fire hydrants and parts and materials used in the production and distribution of these commodities*, between Decatur, IL, Chattanooga, TN, and Albertsville, AL, and points and places in the U.S. except AK and HI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Mueller Company, 500 W. El Dorado St., Decatur, IL. Send protests to: P. E. Binder, DS, ICC, Rm. 1465, 210 N. 12th St., St. Louis, MO 63101.

MC 140546 (Sub-5TA), filed September 18, 1979. Applicant: BLAND TRUCKING, INC., 1000 S. Loop 12, Irving, TX 75060. Representative: James H. Bland (same as above). (1) *Such merchandise as is dealt in by wholesale, retail, chain grocery and food business houses and agricultural feed houses, soy products, paste flour products, dairy based products, and (2) Materials, ingredients and equipment and supplies used in development, manufacture, distribution and sale of items in (1) above except*

commodities in bulk between the facilities used by Ralston Purina Co. at or near Oklahoma City, OK and points in AR, LA, MS, TN, and TX for 180 days. Underlying ETA filed. Supporting shipper(s): Ralston Purina Company, 13700 N. Lincoln Blvd., Edmond, OK 73034. Send protests to: Opal M. Jones, TCS, ICC, 9A27 Federal Bldg., 819 Taylor St., Ft. Worth, TX 76102.

MC 140806 (Sub-3TA), filed October 10, 1979. Applicant: HERMS TRUCKING, INC., 620 Pear Street, Trenton, NJ 08648. Representative: Alan Kahn, Esquire, 1920 Two Penn Center Plaza, Philadelphia, PA 19102. Contract, irregular. (1) *Lighting fixtures, parts, accessories, materials and supplies used in the manufacture or distribution of lighting fixtures*. From the facilities owned or utilized by Keystone Lighting Corporation in Philadelphia and Bucks County, PA to points in CT, DE, IL, IN, KY, ME, MD, MA, MI, MS, NH, NJ, NY, OH, RI, TN, VT, VA and WV. (2) *Parts, accessories, materials and supplies used in the manufacture or distribution of lighting fixtures from Chicago, IL, Patterson, NJ and Mendenhall, MS to the facilities owned or utilized by Keystone Lighting Corporation in Philadelphia and in Bucks County, PA*. Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract or contracts with Keystone Lighting Corporation, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Keystone Lighting Corporation, 1119 Beaver St., Bristol, PA 19007. Send protests to: Irwin Rosen, T/S, ICC, 744 Broad St., Room 522, Newark, NJ 07102.

MC 142606 (Sub-10TA), filed October 30, 1979. Applicant: WESCO TRANSPORTATION, INC., 4290 Elton Street, Baldwin Park, CA 91706. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609. Contract: Irregular: *Furniture parts*, (1) From Leitchfield, KY to Kansas City, MO; and (2) From High Point, NC to Cerritos and Vernon, CA, under a continuing contract(s) with Hoover Universal, Inc., Hardware Systems Division, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Hoover Universal, Inc., Hardware Systems Division, Route 2—Tri Port Road, Georgetown, KY 40324. Send protests to: Irene Carlos, TA, ICC, Room 1321, Federal Bldg., 300 No. Los Angeles St., Los Angeles, CA 90012.

MC 143236 (Sub-45TA), filed November 15, 1979. Applicant: WHITE TIGER TRANSPORTATION, INC., 40 Hackensack Avenue, Kearny, NJ 07032.

Representative: Elizabeth Eleanor Murphy, 40 Hackensack Avenue, Kearny, NJ 07032. Commodities as are dealt in by retail department stores and including materials, supplies and equipment (except in bulk) between the facilities of Child World Inc. at or near Avon, MA; Obetz, OH and Kansas City, MO and points in the states east of and including TX, OK, KS, IA and MN; and Los Angeles, CA and its commercial zone for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Child World, 25 Littlefield Road, Avon, MA 02322. Send protests to: Robert E. Johnston, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 143276 (Sub-24TA), filed October 25, 1979. Applicant: WEAVER TRANSPORTATION COMPANY, 5452 Oakdale Rd., Smyrna, GA 30080. Representative: James L. Brazee, Jr., P.O. Box 32309, Decatur, GA 30032. *Roofing and roofing materials, except commodities in bulk, in tank vehicles*, from the facilities of Elk Corporation of Alabama, in Tuscaloosa, AL, to all points in the states of GA, FL, TN, and SC for 80 days. Supporting shipper(s): Elk Corporation of Alabama, P.O. Box 2450, Tuscaloosa, AL 35401. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

MC 143616 (Sub-19TA), filed November 1, 1979. Applicant: M & S TRANSPORT LINES, INC., P.O. Box 417, Sultana, CA 93666. Representative: Dwight L. Koerber, Jr., 805 McLachlen Bank Building, 666 Eleventh Street, N.W., Washington, DC. 20001. Contract: Irregular; *such commodities as are dealt in by retail department stores*, from the facilities of Lear Siegler, Inc., at Seymour, Indiana, to points in Nevada, Washington, Oregon, California, Arizona, Idaho, Utah, Colorado, under a continuing contract with Lear Siegler, Inc., for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Lear Siegler, Inc., Traffic Manager, 9th & Chestnut, Seymour, Indiana 47274. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 144616 (Sub-6TA), filed November 16, 1979. Applicant: TRUCKS, INC., P.O. Box 79113, Saginaw, TX 76179. Representative: Harry F. Horak, Suite 115, 5001 Brentwood Stair Road, Fort Worth, TX 76112. *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 West Coast Shippers

Association in Philadelphia, PA and Hoboken, NJ to points in AR, CA, IA, KS, LA, MN, NE, NM, OK, SD and TX for 180 days. Underlying ETA for 90 days has been filed. Supporting shipper(s): West Coast Shippers Association, 2000 South 71st St., Philadelphia, PA 19142. Send protests to: Marianne Minnich, TCS, ICC, 9A27 Federal Bldg., 819 Taylor St., Ft. Worth, TX 76102.

MC 144876 (Sub-4TA), filed October 2, 1979. Applicant: J & R TRUCKING, INC., 300 Second Avenue Northwest, Montgomery, MN 56069. Representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, MN 55403. *Contract carrier: irregular routes: (1) Plastic or rubber articles; and (2) materials and equipment and supplies used in the manufacture thereof, (1) from the facility of Amoco Foam Products Company at Chippewa Falls, WI, to Detroit, Port Huron, Flint and Lake Orion, MI, and Commercial Zones; and (2) from Lake Orion, Detroit, Flint, and Port Huron, MI, and Commercial Zones, to the facility of Amoco Foam Products Company at Chippewa Falls, WI, for the account of Amoco Foam Products Company, for 180 days. Supporting shipper(s): Amoco Foam Products Company, Specialist, Selection/Negotiation, 200 East Randolph Drive, Chicago, IL 60601. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building, 110 South 4th Street, Minneapolis, MN 55401.*

MC 145506 (Sub-7TA), filed November 1, 1979. Applicant: ODOM TRUCKING CO., INC., Route 4, Box 165, Eufaula, AL 36027. Representative: W. K. Martin, 57 Adams Avenue, Montgomery, AL 36104. *Meat, meat products, meat byproducts and articles distributed by meat packing houses as described in Sections A and C of Appendix I to the report in Descriptions of Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hide and commodities in bulk). From the facilities utilized by John Morrell & Co., at or near East St. Louis, IL, to all points in AL., for 180 days. Supporting shipper(s): John Morrell & Co., 1214 North Second St., East St. Louis, IL 60010. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616-2121 Building, Birmingham, AL 35203.*

MC 145516 (Sub-5TA), filed October 22, 1979. Applicant: T. G. STEGALL TRUCKING COMPANY, INC., P.O. Box 1286, Matthews, NC 28105. Representative: T. Gene Stegall, Jr., 8100 East Independence Blvd., Matthews, NC 28105. *Bananas, requiring the use of mechanically refrigerated trailers, (a) from Charleston, SC to Salisbury, NC and (b) from Baltimore, MD to Salisbury, and Charlotte, NC, for 180 days. An*

underlying ETA seeks 90 days authority. Supporting shipper(s): Food Town, Inc., P.O. Box 1330, Salisbury, NC 28144. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd—Rm CC516, Charlotte, NC 28205.

MC 145566 (Sub-11TA), filed September 27, 1979. Applicant: TERRY W. KULTGEN & NORMAN W. KULTGEN d.b.a. B & K ENTERPRISES, 7950 S. 27th St., Oak Creek, WI 53154. Representative: Terry W. Kultgen, 5605 Brookhaven Dr., Racine, WI 53402. *Articles which, because of size or weight, require the use of special equipment or special handling; from the facility of Advance Boiler & Tank Co. at Milwaukee, WI to points in AL, AR, GA, LA, MS, MO, NC, SC, TN and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Advance Boiler & Tank Co., 1711 S. Car ferry Dr., Milwaukee, WI 53207. Send protests to: John E. Ryden, DS, ICC, 517 E. Wisconsin Ave., Rm 619, Milwaukee, WI 53202.*

MC 145566 (Sub-12TA), filed October 2, 1979. Applicant: TERRY W. KULTGEN & NORMAN W. KULTGEN d.b.a. B & K ENTERPRISES, 7950 S. 27th St., Oak Creek, WI 53154. Representative: Terry W. Kultgen, 5605 Brookhaven Dr., Racine, WI 53402. *Articles which, because of size or weight, require the use of special equipment or special handling from the facility of Advance Boiler & Tank Co. at Milwaukee, WI to points in IN, KY, MD, MN, NJ, NY, OH, PA, VA and WV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Advance Boiler & Tank Co., 1711 S. Car ferry Dr., Milwaukee, WI 53207. Send protests to: John E. Ryden, DS, ICC, 517 E. Wisconsin Ave., Rm 619, Milwaukee, WI 53202.*

MC 145716 (Sub-5TA), filed November 5, 1979. Applicant: INTERNATIONAL TRANSPORTATION SERVICE, INC., Suite 1-M, 3300 Northeast Expressway, N.E., Atlanta, GA 30341. Representative: J. Michael May, Suite 508, 1447 Peachtree St., N.E., Atlanta, GA 30309. *Copper tubing, from the facilities of Spartan Copper Products, Inc. at Hillsboro, TX to Belding and Greenville, MI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Spartan Copper Products, Inc., P.O. Box 1138, Hillsboro, TX 76645. Send protests to: Sara K. Davis, T/A, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.*

MC 145976 (Sub-3TA), filed November 8, 1979. Applicant: C & Y LEASING CORPORATION, 475 Swingle Acres, Casper, WY 82601. Representative: Edward A. O'Donnell, 1004—29th Street,

Sioux City, IA 51104. *Machinery, equipment, materials and supplies, and facilities used in or incidental to, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum, and their products and by products; electrical energy, ore, coal, geothermal and nuclear resources. Restricted against the transportation of complete drilling rigs, for 180 days, between points in CO, ID, MT, NE, NV, NM, ND, SD, WY and UT. An underlying ETA seeking 90 days authority has been filed. Supporting shipper(s): There are 10 supporting shippers. Their statements may be examined at the office shown below or at Headquarters Office. Send protests to: Paul A. Naughton, DS, ICC, Rm 105, Federal Bldg., 111 South Wolcott, Casper, WY 82601.*

MC 146056 (Sub-3TA), filed October 25, 1979. Applicant: PURITY TRANSPORTATION COMPANY, 1171 No. Water Street, Decatur, IL 62523. Representative: Robert T. Lawley, 300 Reich Bldg., Springfield, IL 62701. *Contract carrier: irregular routes: Bakery products, for the account of Purity Baking Company, Decatur, from Bloomington, Champaign, Decatur and Rockford, IL to points in IA, MO and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Purity Baking Company, 1171 No. Water St., Decatur, IL 62523. Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.*

MC 146396 (Sub-2TA), filed November 7, 1979. Applicant: COBRA TRUCKING, INC., P.O. Box 2137, Clinton, MS 39056. Representative: John A. Crawford, P.O. Box 22567, Jackson, MS 39205. *Contract carrier: irregular routes: nonalcoholic cocktail mixes from Byhalia, MS to points in GA, IL, IN, KS, LA, MD, MO, NC, OH, SC, TX and VA for the account of Master of Mixers, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Master of Mixers, Inc., 10975 Grandview St., Bldg. 27, Suite 120, Overland Park, Kansas 66210. Send protests to: Supervisor Tarrant, ICC, Fed. Bldg., Suite 1441, 100 W. Capitol St., Jackson, MS 39201.*

MC 146616 (Sub-6TA), filed November 1, 1979. Applicant: B & H MOTOR FREIGHT, INC., 3314 East 51st Street, Suite B, Tulsa, OK 74135. Representative: Fred Rahal, Jr., Suite 305, Reunion Center, 9 East Fourth Street, Tulsa, OK 74103. *Contract carrier: Irregular route: (a) structural steel and steel towers, (b) parts and accessories, and (c) materials and supplies used in the production and*

distribution of the commodities named above, (1) from the facilities of Riverside Industries, Inc., at Tulsa, OK, to points in CA, CO, NV, NE, TX, & WY; and (2) from the facilities of Riverside Industries, Inc., at Clearfield, UT, to points in CA, NV, & OK, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Riverside Industries, Inc., P.O. Box 2265, Tulsa, OK 74101. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 146616 (Sub-7TA), filed November 6, 1979. Applicant: B & H MOTOR FREIGHT, INC., 3314 East 51st Street, Suite B, Tulsa, OK 74135. Representative: Fred Rahal, Jr., Suite 305, Reunion Center, 9 East Fourth Street, Tulsa, OK 74103. *Contract Carrier: Irregular Routes: (1) Agricultural machinery (round hay baling and transporting equipment), and materials, equipment, parts and supplies used in the transportation of agricultural machinery; (2) materials and supplies used in the production of the commodities named in (1) above*. In Part (1) above from the facilities of the Hay Van Company at or near Boswell, OK, to points in AL, KS, MO, & TX; and in part (2) above, from Birmingham, AL, Chicago, IL, Kansas City, MO, Houston, TX and Seguin, TX, to the facilities of the Hay Van Company at or near Boswell, OK, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Hay Van Company, 10200 N. Central Expressway, Suite 300, Dallas, TX 75231. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 146646 (Sub-58TA), filed October 11, 1979. Applicant: BRISTOW TRUCKING CO., INC., P.O. Box 63558, Birmingham, AL 35203. Representative: John R. Frawley, Jr., 5506 Crestwood Blvd., Birmingham, AL 35203. *Electrical appliances, equipment and part: Between the facilities of Gibson-Metalux Corp. located in Americus, GA and Eufaula, AL on the one hand, and all points in the United States on the other, for 180 days. Supporting shipper(s): Gibson-Metalux Corporation, Southerfield Road, Americus, GA 31709. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616—2121 Building, Birmingham, AL 35203.*

MC 146646 (Sub-59TA), filed October 15, 1979. Applicant: BRISTOW TRUCKING CO., P.O. Box 63558, Birmingham, AL 35217. Representative: John R. Frawley, Jr., 5506 Crestwood Blvd., Birmingham, AL 35212. *Carpet, the materials and supplies used in the manufacture, sale and distribution of*

carpet (except commodities in bulk), between the facilities of Greenbrook Carpet Co., Inc. located in Dalton and Calhoun, GA on the one hand and on the other, all points in the United States, for 180 days. Supporting shipper(s): Greenbrook Carpet Co., Inc., P.O. Box 879, Calhoun, GA 30701. Send protests to: Mabel E. Holston, T/A ICC, Room 1616—2121 Building, Birmingham, AL 35203.

MC 146646 (Sub-60TA), filed October 23, 1979. Applicant: BRISTOW TRUCKING COMPANY, P.O. Box 635A, Birmingham, AL 35217. Representative: Henry Bristow, Jr. (same address as above). *Canned and bottled foodstuffs and pepper pulp in drums, between the facilities of Bruce Foods Corp. at Cade & Lozes, LA to points in the states of AL, FL, GA, NC, SC, TN, and MS and from the facilities of Bruce Foods Corp. at Wilson, NC to points in the states of AL, FL, GA, NC, SC, TN, MS and LA, for 180 days. Supporting shipper(s): Bruce Foods Corporation, P.O. Drawer 1030, Highway 182 West, New Iberia, LA 70506. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616—2121 Building, Birmingham, AL 35203.*

MC 146646 (Sub-61TA), filed October 24, 1979. Applicant: BRISTOW TRUCKING COMPANY, P.O. Box 6355A, Birmingham, AL 35217. Representative: Henry Bristow, Jr. (same address as above). *New and used automobile transmission, part and accessories thereto. Between the facilities of Transmission Unlimited, Inc. located at or near Fairhope, AL, and points in the U.S. (restricted to traffic originating at or destined to the above origins and destined to the above destinations). Supporting shipper(s): Transmissions Unlimited, Inc., 451 East Pecan Street, Fairhope, AL 36532. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616—2121 Building, Birmingham, AL 35203.*

MC 147336 (Sub-TA), filed August 31, 1979. Applicant: LAUDERDALE MOVING & STORAGE CO., INC., 2108 A St., Meridian, MS 39301. Representative: Alan F. Wohlstetter, 1700 K St., N.W., Washington, DC 20006. *Used Household Goods between points in Pickens, Greene, Hale, Sumter, Marengo, Choctaw, Clarke, and Washington Counties, AL; and Oktibbeha, Lowndes, Noxubee, Winston, Attala, Scott, Kemper, Neshoba, Leake, Newton, Rankin, Jones, Smith, Lauderdale, Covington, Wayne, Forrest, Jasper and Clarke Counties, MS, restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized, and further restricted to the*

performance of pickup and delivery service in connection with packing, crating and containerization or unpacking, uncrating and decontainerization of such traffic, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Naval Supply Center, Regional Contracting Department, Charleston, SC 29408. Send protests to: Alan C. Tarrant, D/S, ICC, Suite 1441, 100 W. Capitol St., Jackson, MS 39201.

MC 147546 (Sub-TA), filed October 16, 1979. Applicant: DEPENDON, INC., 875 East Rand Road, DesPlaines, IL 60016. Representative: Michael W. O'Hara, 300 Reisch Building, Springfield, IL 62701. *Contract carrier: irregular routes: Paper, copy machines, copy machine parts, copy machine accessories and supplies, for the account of Xerox, Inc., between DesPlaines and Franklin Park, IL on the one hand, and on the other, Denver, CO, Indianapolis, IN, Urbana, IA, Jeffersonton, KY, Warren, Lansing and Livonia, MI, Edina, MN, Earth City & Kansas City, MO, Omaha, NB, Madison & Waukesha, WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Xerox, Inc., 300 DesPlaines Avenue, DesPlaines, IL 60018. Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.*

MC 147566 (Sub-1TA), filed October 9, 1979. Applicant: CHEROKEE TRUCKING, INC., 7300 W. 15th Avenue, Gary, IN 46406. Representative: Kenneth F. Dudley, 1501 East Main, P.O. Box 279, Ottumwa, IA 52501. *Iron and Steel Articles, from points in the St. Louis, MO—East St. Louis, IL Commercial Zone and Winfield, MO to points in IL, IN, MI, MO and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Commerce Pipe & Steel Company, 1015 Locust Street, St. Louis, MO 63101. Mallory Corporation, 333 N. Michigan Avenue, Chicago, IL 60601. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn Room 1386, Chicago, IL 60604.*

MC 148096 (Sub-TA), filed October 23, 1979. Applicant: RON SMITH TRUCKING, INC., R.R. #2, Box 4, Newman, IL 61942. Representative: Douglas G. Brown, P.C., the INB Center—Suite 555, Springfield, IL 62701. *Dry fertilizer, from Vigo County, IN to points in IL and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): FS Services, Inc., 1701 Towanda Avenue, Bloomington, IL. Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.*

MC 148226 (Sub-1TA), filed September 20, 1979. Applicant: SUN CITY

DELIVERY, INC., 6501 Convair, El Paso, TX 79925. Representative: Marie Tarvin (same as above). Contract carrier, regular routes, *air freight—freight of all kinds (FAK)*—from American Airlines, El Paso, TX to American Airlines, Dallas-Fort Worth, and return from American Airlines Dallas-Fort Worth Airport, TX to American Airlines, El Paso, TX, El Paso to DFW Airport, and DFW Airport to El Paso, TX IS 10 to junction 10 miles East of Kent; IS 20 to DFW Airport exit, and return same (in reverse) route for 180 days. Underlying ETA filed. Supporting shipper: American Airlines, P.O. Box 61616, DFW Airport, TX 75261. Send protests to: Opal M. Jones, TCS, ICC, 9A27 Federal Bldg., 819 Taylor St., Fort Worth, TX 76102.

MC 148377 (Sub-1TA), filed July 16, 1979. Applicant: P & W SERVICES, INC., 35301 Farnham Drive, Newark, CA 94560. Representative: Ronald M. Sabraw, 3100 Mowry Avenue, Suite 400, PH (415) 797-8600, Fremont, CA 94538. *Common carrier, regular routes: Sulphuric acid mixture comprised of 45% sulphuric acid, 10% other soaps, 45% water. Substance is used to clean metal. Shipments must be transported in bulk in rubber lined motor vehicle (semi-trailer etc.); between Fremont, CA and Phoenix, AZ for 180 days. Supporting shipper: Amchem Products, Inc., 300 Brookside Ave., Ambler, PA 19002. Send protests to: A. J. Rodriguez, 211 Main Street, Suite 500, San Francisco, CA 94105.*

MC 148386 (Sub-1TA), filed October 5, 1979. Applicant: TED TRUE OF NEW MEXICO, INC., P.O. Box 687, Highway 19 South, Athens, TX 75751. Representative: Trevor D. Rees-Jones, 2300 Republic National Bank Building, Dallas, TX 75201. Contract Carrier, irregular routes, *transport crude and refined petroleum and any other hydrocarbon products*, from to or between Lovington and Monument, NM and points in NM, all points in TX west of IS Hwy 35; all points in OK west of IS Hwy 35; all points in CO south of IS Hwy 76 and east of US Hwy 285; and all points in AZ south of IS Hwy 40, east of IS Hwy 17, east of US Hwy 80 and east of State Hwy 85, such points including all of the greater metropolitan area of the cities located on the above described boundaries for 180 days. Underlying ETA seeks 90 days. Supporting shipper: Southern Union Refining Company, First International Bldg., Suite 1800, Dallas, TX 75270. Send protests to: Opal M. Jones, TCS, ICC, 819 Taylor Street, 9A27 Federal Bldg., Fort Worth, TX 76102.

MC 148406 (Sub-1TA), filed November 6, 1979. Applicant: NORTH CENTRAL

JOBBER, INC., Northwood, ND 58264. Representative: William J. Gambucci, 414 Gate City Bldg., P.O. Box 1680, Fargo, ND 58107. *Lime, salt and calcium chloride*, from the Duluth, MN commercial zone to points in MT, ND and SD, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Cutler Magner Company, 12th Ave. W. and The Waterfront, P.O. Box 60807, Duluth, MN 55802. Send protests to: H. E. Farsdale, DS, ICC, Room 268 Fed. Bldg., 657 2nd Avenue North, Fargo, ND 58102.

MC 148446 (Sub-1TA), filed October 15, 1979. Applicant: MIDWEST FERTILIZER LTD. EXPRESS, Rural Route 2, Rock Rapids, IA 51246. Representative: Edward A. O'Donnell, 1004—29th Street, Sioux City, IA 51104. Contract carrier, irregular routes: *Fertilizers, feed ingredients, and farm machinery* between points in IA, IL, MN, NE, and SD under continuing contract(s) with Midwest Fertilizer Ltd., Rock Rapids, IA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Midwest Fertilizer, Ltd., Theodore Doorenbos, President, Rural Route 2, Rock Rapids, IA 51246. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 148466 (Sub-2TA), filed October 24, 1979. Applicant: WESTARK SPECIALTIES, INC., 7209 Jenny Lind, Ft. Smith, AR 72906. Representative: Don A. Smith, P.O. Box 43, Ft. Smith, AR 72902. Contract carrier over irregular routes: *Plastic articles and paper products*, from the facilities of American Can Company—Dixie Products at Ft. Smith, AR, to the facilities of American Can Company—Dixie Products at Dallas, TX for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: American Can Co., 4411 Midland, Ft. Smith, AR 72901. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 148506 (Sub-1TA), filed October 19, 1979. Applicant: ROAD & RAIL TRUCKING COMPANY, 5565 Chauncey Drive, Belmont, MI 49306. Representative: P. C. Martin, 5565 Chauncey Drive, Belmont, MI 49306. *Carpet and floor covering* (except commodities in bulk) from points in GA to points in MI. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Fineouts Interiors of Engadine, Box 134 Engadine, MI 49827; Delta Home Improvement, Route 3, Box 553 Escanaba, MI 49829; Whitley's Floor Coverings, 204 W. Lincoln Street, Charlovoix, MI 49720; Les Cheneaux Carpets, Cedarville, MI 49719; Schotts Corporation, 433 S. Airwest SE,

Grand Rapids, MI 49508; Flynn's Floor Covering, P.O. Box 423, Munising, MI 49862; and Mel's Carpets, 3891 N. Long Lake Road, Traverse City, MI 49684. Send protests to: C. R. Flemming, D/S, I.C.C., 300 E. Michigan Avenue, Lansing, MI 48933.

MC 148496 (Sub-1TA), filed November 13, 1979. Applicant: O. W. SMITH TRANSPORT, INC., Highway 71 North, DeQueen, AR 71832. Representative: Thomas B. Staley, 1550 Tower Bldg., Little Rock, AR 72201. (1) *Charcoal briquettes*, and (2) *materials and supplies* used in the manufacture and distribution of charcoal briquettes, except commodities in bulk or commodities which because of their size and weight require the use of special equipment, between the facilities of the Weyerhaeuser Company at Dierks, AR, on the one hand, and on the other, points in KS, LA, MS, MO, OK, TN and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Weyerhaeuser Company, 810 Whittington, Hot Springs, AR 71901. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 148516 (Sub-1TA), filed November 8, 1979. Applicant: BRUCE TRANSPORT COMPANY, P.O. Box 607, Bruce, MS 38915. Representative: Cliff R. Easley, Jr., P.O. Box 607, Bruce, MS 38915. *Contract carrier; irregular routes; wood chips* from Weyerhaeuser Co. plant site, Bruce, Calhoun Co., MS to TN River Pulp & Paper Co. plant site at or near Counce, Hardin, Co., TN, for the account of Weyerhaeuser, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Weyerhaeuser Co., P.O. Box 577, Bruce, MS 38915. Send protests to: Alan Tarrant, D/S, ICC, Suite 1441, 100 W. Capitol St., Jackson, MS 39201.

MC 148576 (Sub-1TA), filed October 19, 1979. Applicant: DOTSON TRUCKING CO., INC., 1220 Murphy Ave., S.W., Atlanta, GA 30310. Representative: Brian S. Stern, 2425 Wilson Blvd., Suite 327, Arlington, VA 22201. *Glass, Flat and Automotive* from Nashville, TN to points in AL, FL, GA, KY, MS, NC, SC, and VA, and Hazelwood (near St. Louis), MO. Supporting shipper: Ford Motor Co., Suite 200, Parklane Towers East, Dearborn, MI 48126. Send protests to: Sara K. Davis T/A, ICC, 1252 W. Peachtree St., NW., Atlanta, GA 30309.

MC 148616 (Sub-1TA), filed September 28, 1979. Applicant: TRANSPORT WEST, INC., 3295 Meadow Lane (P.O. Box 2015), Eugene, Oregon 97401. Representative: Nick I. Goyak, & Peter H. Glade of O'Connell, Goyak, Hagen,

Elliott & Krage, PC, 555 Benjamin Franklin Plaza, 1 S.W., Columbia, Portland, Oregon 97258, 503-227-1681. *Limestone, precipitated calcium carbonate and talcs* from Lucerne Valley and Victorville, CA to all points in OR West of Highway 97, for 180 days. Supporting shipper: Pfizer, Inc., 235 NE. 42nd St., New York, N.Y. 10017. Send protests to: A. E. Odoms, DS, ICC, 114 Pioneer Courthouse, Portland, Oregon 97204.

MC 148676 (Sub-1TA), filed November 1, 1979. Applicant: R. F. PETERSON, INC., 3526 Walnut Street, Denver, CO 80205. Representative: Wm. Fred Cantonwine, Commerce Consultants, Inc., 6785 E. 50th Ave., Suite 201, Commerce City, CO 80022. *Sugar, Beet or Cane in packages or bags, and materials and supplies used in the production or distribution of sugar*, between the facilities of Great Western Sugar Co. at Brighton, Denver, Eaton, Ft. Morgan, Greenley, Longmont, Loveland, Ovid and Sterling, CO; and points in AZ, AR, CA, CO, ID, IL, IN, IA, KS, MN, MO, MT, NE, NV, NM, ND, OH, OK, OR, SD, TX, UT, WA, WI and WY, for 180 days. Authority sought for underlying 90-day ETA. Supporting shipper: Great Western Sugar Company, P.O. Box 5308 T.A., Denver, Colorado 80217. Send protests to: District Supervisor R. L. Buchanan, 492 U.S. Customs House, 721 19th Street, Denver, Colorado 80202.

[Notice No. 233] December 14, 1979.

MC 2368 (Sub-101TA), filed October 24, 1979. Applicant: BRALLEY-WILLET TANK LINES, INC., P.O. Box 495, Richmond, VA 23204. Representative: William T. Marshburn (same as applicant). *White oil, in bulk, in tank vehicles*, from Martinsville, VA to Seaford, DE and its commercial zone, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: E. I. du Pont de Nemours & Co., Inc., 1007 Market St., Wilmington, DE 19898. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 8958 (Sub-35TA), filed October 24, 1979. Applicant: YOUNGSTOWN CARTAGE COMPANY, 825 West Federal Street, Youngstown, OH 44501. Representative: Philip J. Cianciolo (same as applicant). *Iron and steel commodities*, from Buffalo, NY to New Castle, PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Rockwell Intl. Corp., Spring Div., Furnace Street, New Castle, PA. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 22179 (Sub-25TA), filed June 29, 1979. Applicant: FREEMAN TRUCK

LINE, INC., 416 Jackson Ave., P.O. Box 925, Oxford, MS 38855. Representative: Douglas C. Wynn, P.O. Box 1295, Greenville, MS 38701. *Agricultural chemicals, Insecticides, Fungicides, Herbicides and Fertilizers* (except commodities in bulk and those requiring special equipment) between Vicksburg, MS, on the one hand, and, on the other, points in Phillips County, AR, for 180 days. An underlying ETA seeks 90 days authority. Applicant intends to tack the authority here in applied for to authority held by in on Docket No. MC 22179 and Subs there under. Supporting shipper: Vertac, Inc., P.O. Box 3, Vicksburg, MS 39180. Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, 100 North Main Building, Suite 2006, 100 North Main Street, Memphis, TN 38103.

MC 28088 (Sub-50TA), filed October 25, 1979. Applicant: NORTH & SOUTH LINES, INC., 2710 S. Main St., Harrisonburg, VA 22801. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., Washington, DC 20004. *Frozen foods* from the facilities of Pet Incorporated, Frozen Foods Division, at Frankfort, Benton Harbor and Hart, MI to points in CT, DE, ME, MA, NH, NJ, RI, and VT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Pet Incorporated, Frozen Foods Division, 400 S. 4 St., St. Louis, MO 63102. Send protests to: ICC, 101 N. 7 St., Philadelphia, PA 19106.

MC 35519 (Sub-12TA), filed September 27, 1979. Applicant: J. W. ATHEY, SR. AND J. W. ATHEY, JR., d.b.a., ATHEY TRUCKING, Route 1, Box 364, Stephens City, VA 22655. Representative: Frank B. Hand, Jr., P.O. Drawer C, Berryville, VA 22611. *Silica Sand*, from Gore, VA to Euclid, OH, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: C. E. Minerals, Division of Combustion Engineering, Inc., P.O. Box 828, Valley Forge, PA 19482. Send protests to: ICC Fed. Res. Bank Bldg., 101 N. 7th Street—Rm 620, Phila., PA 19106.

MC 40978 (Sub-69TA), filed October 30, 1979. Applicant: CHAIR CITY MOTOR EXPRESS COMPANY, 3321 Business 141 S., Sheboygan, WI 53081. Representative: Daniel Dineen, 710 N. Plankinton Ave., Milwaukee, WI 53203. *New furniture* from Owensboro, KY to points in IL, IN, IA, MN, WI, and the UP of MI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Murphy Miller, Inc., 414 E. Third St., Muscatine, IA. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 43448 (Sub-3TA), filed October 5, 1979. Applicant: SAM BERTUCCI, d.b.a.,

TACOMA RAINIER AUTO FREIGHT, 512 54th Avenue East, Tacoma, WA 98424. Representative: Jack R. Davis, 1100 IBM Bldg., Seattle, WA 98101. *General commodities (excluding Class A & B explosives)*, between points in Tacoma, WA, Commercial Zone, on the one hand, and, on the other, points in Pierce, Thurston, and Lewis Counties, WA, for 180 days. Supporting shipper(s): There are 17 statements in support attached to this application which may be examined at the ICC in Washington, D.C., or copies of which may be examined in the field office named below. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 48948 (Sub-20TA), filed October 26, 1979. Applicant: THE HOCKING CARTAGE CO., R.R. 2, P.O. Box 373, Logan, OH 43138. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215. *Flourescent glass tubing* from the facilities of General Electric Co., located at or near Logan, OH to Fairmont, WV for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: General Electric Co., 4504 Nela Park, Cleveland, OH 44112. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 55869 (Sub-56TA), filed October 11, 1979. Applicant: AAA COOPER TRANSPORTATION, Post Office Box 6827, Dothan, AL 36302. Applicant's representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, DC 20014. Authority sought to operate as a *common carrier*, over regular routes, in the transportation of *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 Birmingham, AL and Shreveport, LA over Interstate Hwy 20; (2) Between Montgomery, AL and junction U.S. Hwy 80 and Interstate Hwy 20 over U.S. Hwy 80; (3) Between Mobile, AL and Jackson, MS: From Mobile over U.S. Hwy 98 to junction U.S. Hwy 49, then over U.S. Hwy 49 to Jackson, and return over the same routes; (4) Between Frisco City, AL and Mansfield, LA over U.S. Hwy 84; (5) Between junction U.S. Hwy 84 and LA Hwy 28 and Leesville, LA over LA Hwy 28; (6) Between Bastrop, LA and junction Interstate Hwy 10 over U.S. Hwy 165; (7) Between Mobile, AL and Lake Charles, LA over (1) U.S. Hwy 90 and (2) Interstate Hwy 10; (8) Between Baton Rouge, LA and junction Interstate Hwy 12 and 59 over Interstate Hwy 12; (9) Between Abbeville and Bernice, LA over

U.S. Hwy 167; (10) Between Lake Charles and Shreveport, LA over U.S. Hwy 171; (11) Between Raceland and Vivian, LA over LA Hwy 1; (12) Between Bogalusa and New Roads, LA over LA Hwy 10; (13) Between New Orleans and Bogalusa, LA: From New Orleans over Interstate Hwy 10 to LA Hwy 41, then over LA Hwy 41 to LA Hwy 21, then over LA Hwy 21 to Bogalusa, and return over the same routes; (14) Between Ragley and Hammond, LA over U.S. Hwy 190; (15) Between Monroe and Clayton, LA over LA Hwy 15; (16) Between Vivian and Farriday, LA: From Vivian over LA Hwy 2 to junction U.S. Hwy 65, then over U.S. Hwy 65 to Farriday, and return over the same routes serving in connection with routes (1) and (4) through (16) above all intermediate points in LA and all other points in LA as off-route points for 180 days. Applicant intends to tack the routes sought with each other and with the existing routes of applicant. Applicant intends to interline with other carriers at Monroe, Shreveport, and New Orleans, LA and Mobile, Montgomery, and Birmingham, AL. There are approximately 155 statements of support attached to this application which may be examined at the Interstate Commerce Commission in Washington, D.C. or copies thereof which may be examined at field office named below. Send protests to: Mabel E. Holston, Transportation Assistant, Rm. 1616-2121 Bldg., Birmingham, AL 35203.

MC 72069 (Sub-26TA), filed October 29, 1979. Applicant: BLUE HEN LINES, INC., P.O. Box 280, Milford, DE 19963. Representative: Chester A. Zyblut, 1030 15 St. NW, Washington, DC 20005. *Frozen foodstuffs*, from Pottstown, Philadelphia, Fogelsville, and Lake Winola, PA, to CA, OR, TX, LA, AR, OK, FL, GA, NC, and SC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Mrs. Smith's Pie Co., PO Box 298, Pottstown, PA 19464. Send protests to: I.C.C. 101 N. 7 St., Philadelphia, PA 19106.

MC 78228 (Sub-152TA), filed September 24, 1979. Applicant: J MILLER EXPRESS, INC., 962 Greentree Rd., Pittsburgh, PA 15220. Representative: Henry M. Wick, Jr., 2310 Grant Bldg., Pittsburgh, PA 15219. *Iron and steel, and iron and steel articles*, from Madison, IN to points in IL, IN, MI and OH, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Madison River Terminal, Inc., P.O. Box 253, 140 Vaun St., Madison, IN 47250. Send protests to: I.C.C. Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 108058 (Sub-2TA), filed October 19, 1979. Applicant: TORONTO TRUCKING, INC., 407 Daniels Street, Toronto, OH 43964. Representative: James R. Stiverson, 1396 West Fifth Avenue, Columbus, OH 43212. *Paper, paper products, paper mill supplies, and materials and supplies used in the manufacture and distribution of paper and paper products*, except commodities in bulk, between Toronto, OH on the one hand, and, on the other, points in DC, DE, IL, IN, IA, KS, KY, MD, MO, NJ, NY, OH, PA, VA, WV, WI and the Lower Peninsula of MI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Toronto Paperboard Co., Inc., P.O. Box 219, Toronto, OH 43964. Send protests to: ICC Fed. Res. Bank Bldg., 101 N. 7th St.—Rm. 620, Phila., PA 19106.

MC 109478 (Sub-154TA), filed September 29, 1979. Applicant: WORSTER MOTOR LINES, INC., P.O. Box 110, North East, PA 16428. Representative: Robert D. Gunderman, 710 Statler Bldg., Buffalo, NY 14202. *Paper and paper products*, from Erie and Lock Haven, PA and Oswego, NY to points in ND, SD, NE, KS, MN, IA, MO, AR, IA, TN, NC, SC, GA, FL, AL and MS, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Hammermill Paper Company, Box 1440, Erie, PA 16533. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 109478 (Sub-155TA), filed September 21, 1979. Applicant: WORSTER MOTOR LINES, INC., P.O. Box 110, Gay Road, North East, PA 16428. Representative: Robert D. Gunderman, Esq., 710 Statler Building, Buffalo, NY 14202. *Paper and paper products*, from Erie and Lock Haven, PA and Oswego, NY to points in ND, SD, NE, KS, MN, IA, MO, AR, LA, TN, NC, SC, GA, FL, AL and MS, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Hammermill Paper Company, Box 1440-1540 E. Lake Rd., Erie, PA 16533. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th St., Philadelphia, PA 19106, Room 620.

MC 109689 (Sub-365TA), filed October 24, 1979. Applicant: W. S. HATCH CO., 643 South 800 West, Woods Cross, UT 84087. Representative: Mark K. Boyle, Attorney at Law, 10 West Broadway Bldg., Suite 400, Salt Lake City, UT 84101. *Lumber and lumber mill products*, from OR and WA to CA, CO, UT and WY for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Dier Lumber Company, 291 Roymar Road, Oceanside, CA 92054. Send protests to: L. D. Helfer, DS, ICC,

5301 Federal Bldg., Salt Lake City, UT 84138.

MC 113528 (Sub-47TA), filed October 15, 1979. Applicant: MERCURY FREIGHT LINES, INC., 67 Midtown Park, E., Mobile, AL 36606. Representative: Joy Stephenson (same address as above). *Iron and steel articles*, from Baytown, TX to points in AL, AR, GA, LA, MS, TN, Jacksonville, FL and points in its commercial area, points in FL west of U.S. Hwy 319. Supporting shipper(s): United States Steel Corporation, 600 Grant Street, Pittsburgh, PA 15230. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616-2121 Building, Birmingham, AL 35203.

MC 113828 (Sub-279TA), filed September 24, 1979. Applicant: O'BOYLE TANK LINES, INC., P.O. Box 30006, Washington, DC 20014. Representative: William P. Sullivan, 1320 Fenwick Lane, Silver Spring, MD 21210. *Natural latex*, from Baltimore, MD to Haynesville, LA, for 180 days. Supporting shipper(s): Uniroyal, Inc., Plantation Div., Middlebury, CT 06749. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 114569 (Sub-352TA), filed October 30, 1979. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, PA 17072. Representative: N. L. Cummins (same address as applicant). *Such commodities as are dealt in or used by manufacturers of foodstuffs and food business houses except commodities in bulk, in tank vehicles*, (1) between points in CA, GA, IL, IN, MI, NY, OR, PA, TX, and WV; and (2) from Pottstown, PA to points in the states of MN, MO, NE, and WI, restricted to traffic originating at or destined to the facilities of Mrs. Smith's Pie Co., for 180 days. Supporting shipper(s): Mrs. Smith's Pie Co., Box 298, Pottstown, PA 19464. Send protests to: I.C.C., 101 N. 7 St., Philadelphia, PA 19106.

MC 116229 (Sub-7TA), filed October 15, 1979. Applicant: MONROE TRANSPORT, INC., Box 172, Union, WV 24983. Representative: John M. Friedman, 2930 Putnam Ave., Hurricane, WV 25528. *Animal feed*, in bags and in bulk from Louisville, KY and Circleville, OH to Hinton, Princeton, Roncerverte and Union, WV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ralston Purina Co., 2912 Maple Ave., Pt. Pleasant, WV 25550. Princeton Supply Co., Princeton, WV. Fullen Fertilizer Co., Inc., P.O. Box 172, Union, WV. Park Grove Farms, W. Edgar Ave., Roncerverte, WV. Send

protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 116319 (Sub-14TA), filed October 18, 1979. Applicant: WASHINGTON TRUCKING, INC., P.O. Box 107, Darrington, WA 98241. Representative: George R. LaBissoniere, 1100 Norton Building, Seattle, WA 98241. *Cement in bulk*, from Seattle, WA to points in Multnomah, Clackamas, Washington, and Yamhill Counties, OR, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Lone Star Industries, Inc., 901 Fairview N., Seattle, WA 98109. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 117589 (Sub-68TA), filed September 28, 1979. Applicant: PROVISIONERS FROZEN EXPRESS, INC., 3801 7th Avenue South, Seattle, WA 98108. Representative: Michael D. Duppenthaler, 211 South Washington Street, Seattle, WA 98104. *Malt beverages, (except in bulk, in tank vehicles)*, from points on the International Boundary line between the U.S. and Canada located in WA, ID and MT to points in CO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Mile Hi Wholesale Liquor Co., Inc., 1719 Denargo Market, Denver, CO 80216. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 118879 (Sub-15TA), filed October 18, 1979. Applicant: PENNSYLVANIA TRUCK LINES, INC., 84 Great Valley Parkway, Malvern, PA 19355. Representative: S. Berne Smith, P.O. Box 1166, Harrisburg, PA 17108. *Contract carrier: irregular routes: Diesel locomotive engines, generators, motors, and component parts thereof*, between Altoona, PA; Elizabethport, NJ; and Croton-on-Hudson, NY, on the one hand, and on the other, Jacksonville, FL, under continuing contract or contracts with Consolidated Rail Corporation, Philadelphia, PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Consolidated Rail Corporation, 1528 Walnut Street, Rm. 301, Philadelphia, PA 19102. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 124078 (Sub-1002TA), filed October 29, 1979. Applicant: SCHWERMANN TRUCKING CO., 611 S. 28 St., Milwaukee, WI 53215. Representative: Richard Prevette (same address as applicant). *Silica sand and silica sand products* from North Stonington, CT to Niles, IL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ottawa Silica Co., P.O. Box 577, Ottawa, IL

61350. Send protests to: Gail Daughterty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 124078 (Sub-1003TA), filed October 31, 1979. Applicant: SCHWERMANN TRUCKING CO., 611 S. 28 St., Milwaukee, WI 53215. Representative: Richard Prevette (same address as applicant). *Limestone slurry*, in bulk, in tank vehicles, from Cartersville, GA to Cypress Bend, AR, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Thompson, Weinman & Co., P.O. Box 130, Cartersville, GA 30120. Send protests to: Gail Daughterty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 124679 (Sub-111TA), filed October 17, 1979. Applicant: C. R. ENGLAND & SONS, INC., 975 West 2100 South, Salt Lake City, UT 84119. Representative: Robert H. Cannon (same address as applicant). *Cookies* from the facilities of Langendorf Bakeries at Oakland, CA to points in UT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Langendorf Bakeries, 967 Stanford Ave., Oakland, CA 94608. Send protests to: L. D. Helfer, DS, ICC, 5301 Federal Bldg., Salt Lake City, UT 84138.

MC 127579 (Sub-33TA), filed October 12, 1979. Applicant: HAULMARK TRANSFER, INC., 1100 N. Macon St., Baltimore, MD 21205. Representative: Glenn M. Heagerty (same as applicant). *Such merchandise as is dealt in by retail, wholesale, and chain grocery and food business houses (except in bulk)* from the facilities of Musselman Fruit Products Div. of Pet, Inc. at Adams and Franklin Counties, PA and Berkeley County, WV to AL, FL, GA, LA, MS, NC, SC, TN and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Musselman Fruit Products, Div. of Pet, Inc., Biglerville, PA 17307. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 129759 (Sub-35TA), filed October 15, 1979. Applicant: TRIANGLE TRUCKING CO., P.O. Box 490, McKees Rocks, PA 15136. Representative: A. Charles Tell, 100 East Broad St., Columbus, OH 43215. *Contract carrier: irregular routes: (1) Iron and steel articles and (2) equipment, materials and supplies used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk)*, between the facilities of Atlantic Steel Co. at Atlanta and Cartersville, GA, on the one hand, and on the other, points in IL, IN, KY, MD, MI, MO, NJ, NY, OH, PA, VA, WV, and WI, for 180 days. Restricted to service performed under

continuing contracts with Atlantic Steel Co. Supporting shipper(s): Atlantic Steel Co., P.O. Box 1714, Atlanta, GA 30301. Send protests to: I.C.C. Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 129759 (Sub-36TA), filed October 26, 1979. Applicant: TRIANGLE TRUCKING CO., P.O. Box 490, McKees Rocks, PA 15136. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215. *Contract carrier-irregular routes: (1) fabricated and structural steel articles, and (2) equipment, materials, and supplies used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk)*, between the facilities of Swiss Fabricating, Inc. at Rocky Mount, NC, on the one hand, and, on the other, points in AL, CA, CT, DE, FL, GA, IL, IN, LA, MD, MA, MS, NJ, NY, OH, OR, PA, RI, SC, TX, VA, WA, and WV, under continuing contract(s) with Swiss Fabricating, Inc., Pittsburgh, PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Swiss Fabricating, Inc., 811 Camp Horne Rd., Pittsburgh, PA 15237. Send protests to: I.C.C. Fed. Res. Bank Bldg., 101 N. 7th St., Philadelphia, PA 19106.

MC 133189 (Sub-35TA), filed October 19, 1979. Applicant: VANT TRANSFER, INC., 1257 Osborne Road, Minneapolis, MN 55432. Representative: John B. Van de North, Jr., Briggs and Morgan, 2200 First National Bank Bldg., St. Paul, MN 55101. *(1) Fireplace stoves and fireplace accessory items from the facilities of Thermograte, Inc. located in the Minneapolis-St. Paul, MN Commercial Zone to points in the United States (except AK and HI); and (2) Material, equipment and supplies used in the manufacture and distribution of fireplace stoves and fireplace accessory items in the reverse direction*, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Thermograte, Inc., 2785 N. Fairview Ave., St. Paul, MN 55113. Send protests to: Judith L. Olson, TA, ICC, 414 Fed. Bldg., 110 S. 4th St., Minneapolis, MN 55401.

MC 134599 (Sub-178TA), filed October 25, 1979. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, 2156 West 2200 South, P.O. Box 30303, Salt Lake City, UT 84125. Representative: Richard A. Peterson, 521 South 14th Street, P.O. Box 81849, Lincoln, NE 68501. *Contract Carrier: Irregular Route: Crated office furniture and equipment, materials and supplies used in the manufacture of crated office furniture (except in bulk)*, between Athens, AL, on the one hand, and, on the other, points in the United States (except AK and HI) under

continuing contract with Steelcase, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Steelcase, Inc., P.O. Box 1967, Grand Rapids, MI 49508. Send protests to: L. D. Helfer, DS, ICC, 5301 Federal Bldg., Salt Lake City, UT 84138.

MC 135518 (Sub-25TA), filed October 15, 1979. Applicant: WESTERN CARRIERS, INC., 53 South Dawson, Seattle, WA 98124. Representative: George R. LaBissoniere, 1100 Norton Building, Seattle, WA 98104. *Frozen vegetables and potatoes*, from Napa, ID; Walla Walla and Moses Lake, WA; and Eugene, Salem, Albany, Boardman and Hermiston, OR to Los Angeles and Oakland, CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): H & L Sales, Inc., 410 So. Orchard, Suite 140, Boise, ID 83705. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 135518 (Sub-26TA), filed October 15, 1979. Applicant: WESTERN CARRIERS, INC., 53 South Dawson, Seattle, WA 98124. Representative: George R. LaBissoniere, 1100 Norton Building, Seattle, WA 98104. *Chilled and frozen Mexican foods*, from Tulare, CA to points in OR and WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Don Ricardo Food Co., 1526 S. K Street, Tulare, CA 93274. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 136898 (Sub-6TA), filed October 26, 1979. Applicant: BAKER TRANSPORT, INC., P.O. Box 870, Hartselle, AL 35640. Representative: Robert E. Tate, P.O. Box 517, Evergreen, AL 36401. (1) *Household aluminum foil* from Murfreesboro, TN to points in the United States in and east of ND, SD, NE, KS, OK, and TX and (2) *Materials, supplies and accessories used in the manufacture of household aluminum foil* (except commodities in bulk, in tank vehicles) from points in the United States in and east of ND, SD, NE, KS, OK, and TX to Murfreesboro, TN, for 180 days. Supporting shipper(s): Benham & Company, Inc., P.O. Box 29, Mineola, TX 75773. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616—2121 Building, Birmingham, AL 35203.

MC 138438 (Sub-72TA), filed September 24, 1979. Applicant: D. M. BOWMAN, INC., Route 2, Box 43A1, Williamsport, MD 21795. Representative: Edward N. Button, 1329 Pennsylvania Ave., Hagerstown, MD 21740. *Hydraulic cement, concrete mix, cement compound and other dry bagged aggregates*, from Macedonia and Streetsboro, OH, and their respective commercial zones, to all

points in and east of OH, KY, TN and AL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Set Products, Inc., 8501 Freeway Dr., Macedonia, OH 45862. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 138438 (Sub-73TA), filed October 2, 1979. Applicant: D. M. BOWMAN, INC., Route 2, Box 43A1, Williamsport, MD 21795. Representative: Edward N. Button, 1329 Pennsylvania Ave., Hagerstown, MD 21740. *Lime and limestone products*, from the facilities of the J. E. Baker Co. at or near West Manchester Township, York County, PA, to points in MD, VA, DE, WV, NY, NJ, OH, and DC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The J. E. Baker Co., 232 E. Market St., York, PA 17403. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th St., Philadelphia, PA 19106.

MC 138438 (Sub-74TA), filed October 29, 1979. Applicant: D. M. BOWMAN, INC., Route 2, Box 43A1, Williamsport, MD 21795. Representative: Edward N. Button, 580 Northern Ave., Hagerstown, MD 21740. *Brick*, from Watertown, PA and its commercial zone, to points in OH, MD, NJ, NY, CT, MA, DE, VA, WV and DC for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Watertown Brick Company, Box 68, Watertown, PA 17777. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 138438 (Sub-75TA), filed October 29, 1979. Applicant: D. M. BOWMAN, INC., Route 2, Box 43A1, Williamsport, MD 21795. Representative: Edward N. Button, 580 Northern Ave., Hagerstown, MD 21740. *Brick*, from Watertown, PA, and its commercial zone, to points in OH, MD, NJ, NY, CT, MA, DE, VA, WV, and DC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Watertown Brick Co., RD 2, Route 405, Box 68, Watertown, PA 17777. Send protests to: ICC, 101 N. 7th St., Philadelphia, PA 19106.

MC 138468 (Sub-6TA), filed October 9, 1979. Applicant: BI-COUNTY TRUCKING, INC., Rt. 1, Box 210, Warden, WA 98857. Representative: Charles C. Flower, P.S., Suite 2, 303 East "D" Street, Yakima, WA 98901. *Fertilizer*, between Adams, Benton, Franklin, Grant, Walla Walla, Whitman and Yakima Counties, WA, and Ada, Banning, Blaine, Jerome, Minidoka, Lincoln, Twin Falls, Owyhee, Cassia, Oneida, Franklin, Bear Lake, Powder, Caribou, Madison, Nez Perce, Lewis, Clearwater, Benewah, Latah, Shoshone, Kootenai, Bonner, Payette, Gem and

Washington Counties, ID; Benson, Columbia, Marion, Multnomah, Deschutes, Wasco, Jefferson, Sherman, Gilliam, Malheur, Baker, and Union Counties, OR, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Chevron Chemical Co., P.O. Box 23048, Portland, OR 97223. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 141119 (Sub-7TA), filed October 29, 1979. Applicant: MERCHANTS 5 STAR, INC., P.O. Box 541, Marietta, OH 45750. Representative: John L. Alden, 1396 West Fifth Ave., P.O. Box 12241, Columbus, OH 43212. *Contract carrier: irregular routes: Wood, lumber and lumber supplies*, except in bulk, from Marietta, OH to IN, KY, MI, MD, NY, OH, PA, TN, VA, WV, under a continuing contract or contracts with Empire Wholesale Lumber Co., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Empire Wholesale Lumber Co., P.O. Box 249, Akron, OH 44309. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 141439 (Sub-4TA), filed October 31, 1979. Applicant: HILL TRUCK LINE, INC., P.O. Box 6291, Omaha, NE 68106. Representative: Michael J. Ogborn, P.O. Box 82028, Lincoln, NE 68501. *Telephones, telephone sets, and telephone equipment* from the facilities of Western Electric Company, Inc. at or near Omaha, NE to Goddard, KS for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Western Electric Company, Inc., A. C. Dodge, Resident Transportation Supervisor, Box 14000, Omaha, NE 68114. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 142559 (Sub-134TA), filed October 31, 1979. Applicant: BROOKS TRANSPORTATION, INC., 3830 Kelley Ave., Cleveland, OH 44114. Representative: John P. McMahon, 100 E. Broad St., Columbus, OH 43215. (1) *Household appliances and (2) materials and supplies used in the manufacture and distribution of (1) above (except commodities in bulk)*, between Edison, Woodbridge, Linden, Avenel, and Metuchen, NJ, on the one hand, and on the other, points in the U.S. (except AK and HI), for 180 days. Supporting shipper(s): Emerson Quiet Kool, Woodbridge, NJ 07095. Send protests to: ICC, 101 N. 7th St., Philadelphia, PA 19106.

MC 143059 (Sub-112TA), filed October 29, 1979. Applicant: MERCER TRANSPORTATION CO., P.O. Box 35610, Louisville, KY 40232. Representative: John M. Nader,

Attorney, 1600 Citizens Plaza, Louisville, KY 40202. Wooden Molding, from the facilities of Corning Molding Corp., at or near Corning, CA, to Denver, CO; Ardmore and Oklahoma City, OK; New Orleans, LA; Memphis, TN; St. Joseph, St. Louis, and Jefferson City, MO; Fairfield, Chicago, and Bloomfield, IL; Cincinnati, OH; Louisville, KY; Dallas, Houston, and Wichita Falls, TX; Birmingham, AL; Ft. Lauderdale and Tallahassee, FL; Charlotte, NC; Charleston, SC; Pittsburgh, PA; Charleston, WV; Omaha, NE; Buffalo and Lacona, NY; and to points in AR, MS, VA, IN, and IA.

Restricted to the transportation of traffic originating at said facilities and destined to said points. Supporting shipper(s): Bill Macconville, President, Corning Moulding, P.O. Box 187, Corning, CA 96021. Send protest to: (Ms.) Clara L. Eyl, T/A, ICC, 426 Post Office Bldg., Louisville, KY 40202.

MC 143978 (Sub-7TA), filed October 30, 1979. Applicant: EMERSON DELIVERY, INC., P.O. Box 652, Cedar Rapids, IA 52406. Representative: James M. Hodge, 1980 Financial Ctr., Des Moines, IA 50309. Contract Carrier—Irrregular Routes, *printed material* (1) from Cedar Rapids, IA, to points in CO, IL, IN, KS, MI, MN, MO, NE, ND, OH, SD, and WI and (2) from DeKalb, IL, and points in the Chicago, IL, commercial zone to Cedar Rapids, IA, under continuing contract(s) with Fisher Printers, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Fishers Printers, Inc., P.O. Box 1366, Cedar Rapids, IA 52406. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 144398 (Sub-1TA), filed February 15, 1979. Applicant: WAYNE TRANSPORTS, INC., Box 36, Milaca, MN 56353. Representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, MN 55402. Sugar, in bulk, from Renville, MN and Wahpeton, ND to points in the Chicago, IL Commercial Zone, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): North Central Sugar Marketing Cooperative, 219 Shelard Plaza, Minneapolis, MN. Send protests to: Delores A. Poe, TA, ICC, 414 Federal Building and U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401.

MC 144689 (Sub-2TA), filed September 19, 1979. Applicant: COX TRANSFER, INC. (ILL. CORP.), P.O. Box 168, Eureka, IL 61530. Representative: Michael W. O'Hara, 300 Reisch Building, Springfield, IL 62701. *Contract carrier: irregular routes: Varnish for the account of Acme*

Printing Ink Company, Inc., from Peoria, IL to Milwaukee, WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Acme Printing Ink Company, Inc., 4010 Southwest Adams, Peoria, IL 61605. Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 146568 (Sub-7TA), filed October 29, 1979. Applicant: PHOENIX BIRD, INC., Suite 118, 1 Neshaminy Plaza, Street Rd. & Bristol Pk., Cornwells Heights, PA 19020. Representative: Ronald N. Cobert, Suite 501, 1730 M Street, NW., Washington, DC. 20036. *Contract carrier; irregular routes; Chemicals (except in bulk)*, from the facilities of Ashland Chemical Company, a division of Ashland Oil, Inc., at or near Easton, PA to points in AZ for 180 days. Restriction: the authority sought herein is to be restricted to a transportation service to be performed under continuing contract or contracts with Ashland Chemical Company, a Division of Ashland Oil, Inc. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ashland Chemical Co., Div. of Ashland Oil, Inc., 5200 Blazer Pkwy., Dublin, OH 43017. Send protests to: L.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 146679 (Sub-2TA), filed April 27, 1979. Applicant: CAR-O-TEL ROAD CRUISES LIMITED OF CALIFORNIA, INC., 1395 Park Row, La Jolla, California 92037. Representative: William R. Daly, Registered Practitioner, 4340 Vendever Avenue, Suite "S", San Diego, California 92120. *Common: Irregular: Passengers and accompanying baggage, on special and/or charter operations in interstate commerce in motor vehicles containing staterooms each with toilet and shower, between all points and places in the 48 contiguous states and District of Columbia, for 180 days, an underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Travel Network of San Diego, 2760 Fifth Avenue, San Diego, CA 92103. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, Los Angeles, California 90012.*

MC 147619 (Sub-7TA), filed September 4, 1979. Applicant: D.D.S. TRANSPORT, INC., P.O. Box 25354, Salt Lake City, UT 84125. Representative: Chester A. Zyblut, 1030-15th Street, NW., Suite 366, Washington, DC. 20005. *Materials, equipment, and supplies used in the manufacture and distribution of pianos and organs (except commodities in bulk)*, from Springfield, OH, and Chicago, IL, to Logan, UT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The

Wurlitzer Company, Box 747, Logan, UT 84321. Send protests to: L. D. Helfer, DS, ICC, 5301 Federal Bldg., Salt Lake City, UT 84138.

MC 147798 (Sub-1TA), filed September 25, 1979. Applicant: MUMMA TRUCKING, INC., 103 North Bridge Street, Brewster, WA 98812. Representative: Ray Mumma (same as above). *Juice, fruit or fruit juice concentrate, artificial or natural, other than frozen, NO! in drums or in ship's containers or in cartons*, from Tacoma and Seattle, WA to points in Yakima, Chelan, Douglas Counties, WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Tree Top, Inc., P.O. Box 248, Selah, WA 98942. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 148219 (Sub-1TA), filed October 18, 1979. Applicant: MINORITY TRANSPORTATION, INC., 5000 Wyoming, Dearborn, MI. Representative: Robert E. McFarland, 999 West Big Beaver, Suite 1002, Troy, MI 48084. *Boiler sections, boiler parts, castings, structural steel, power plant parts, and materials and supplies used in the manufacture of the above mentioned commodities*, between the facility of Engineered Refractories Service Co., located at or near Pontiac, MI, on the one hand, and on the other, points in the United States (except AK and HI) for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Engineered Refractories Service Co., 355 Sanford, Pontiac, MI. Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 148219 (Sub-2TA), filed October 23, 1979. Applicant: MINORITY TRANSPORTATION, INC., 5000 Wyoming, Suite 224, Dearborn, MI. Representative: Robert E. McFarland, 999 West Big Beaver Road, Suite 1002, Troy, MI 48084. *Boiler sections, boiler parts, castings, structural steel, power plant parts, and materials and supplies used in the manufacture of the above-mentioned commodities*, between Pontiac, MI, on the one hand, and, on the other, the sites of customers of Babcock & Wilcox Co., in the United States (except AK and HI) for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Babcock & Wilcox Co., 74 East Robinson Avenue, Barberton, OH 44203. Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 148278 (Sub-1TA), filed October 3, 1979. Applicant: EVANS TRUCKING COMPANY, A DIVISION OF EVANS

PRODUCTS COMPANY, East 12806
Nora, Spokane, WA 99216.

Representative: Donald A. Ericson, 708
Old National Bank Building, Spokane,
WA 99201. *Contract carrier: irregular
routes: Building materials, between
points in WA, OR, ID and CA, for 180
days. An underlying ETA seeks 90 days
authority. Supporting shipper(s):
Louisiana Pacific Corporation, 1300 S.W.
Fifth Ave., Portland, OR 97201, Cal-
Wood Door, P.O. Box 1656, Santa Rosa,
CA 95402, Weyerhaeuser Co., 3303 E.
Main, Spokane, WA 99202, Plywood
Distributors, Inc., N. 225 Ella Rd.,
Spokane, WA 99214. Send protests to:
Shirley M. Holmes, T/A, ICC, 858
Federal Building, Seattle, WA 98174.*

MC 148338 (Sub-1TA), filed September
28, 1979. Applicant: CHANDLER
TRUCKING, INC., 3000 Pearl St., Suite
210, Boulder, CO 80301. Representative:
Robertson K. Chandler (same address).
*Pre-Cast Concrete Products, from
Boulder County, CO, to points in the
State of WY for 180 days. An underlying
ETA seeks up to 90 days authority.
Supporting shipper(s): Boulder
Manufacturing Corp., P.O. Box 1412,
Boulder, CO 80306. Send protests to:
District Supervisor, R. L. Buchanan, 492
U.S. Customs House, 721 19th Street,
Denver, CO 80202.*

MC 148379 (Sub-1TA), filed October 2,
1979. Applicant: CAL-VAN-TOR
SUPPLY CO., LTD., 129 B Main Street,
Chilliwack, B.C., Canada V2P 4M8.
Representative: R. W. Barlow, 12
College Street, Chilliwack, B.C., Canada.
*Shakes and shingles, from the
International Boundary line between the
U.S. and Canada located at or near
Blaine, Lynden and Sumas, WA to
points in CA, for 180 days. An
underlying ETA seeks 90 days authority.
Supporting shipper(s):*

Damada International Cedar Products, Inc.,
7491 Vedder Rd., P.O. Box 66, Sardis, B.C.,
VOX 1Y0.

Gordon G. Recknagel, Box 503, Agassiz,
B.C., VOM 1A0.

Send protests to: Shirley M. Holmes, T/
A, ICC, 858 Federal Building, Seattle,
WA 98174.

MC 148398 (Sub-1TA), filed October
11, 1979. Applicant: DA-RON
CORPORATION, 3305 North Broadway,
Muncie, IN 47303. Representative: David
O. Foreman (same address as
applicant). *Carpet, and floor covering
from Calhoun, Chatsworth, Dalton and
Ringgold, GA. Norwood, MA, Trenton,
NJ, and Philadelphia, PA to the plantsite
of Presto Trims, Inc., at Detroit, MI for
180 days. Supporting shipper(s): Presto
Trims, Inc., 10040 Freeland Avenue,
Detroit, MI 48227. Send protests to:
Beverly J. Williams, Trans. Asst., ICC,*

429 Federal Bldg., 46 E. Ohio Street,
Indianapolis, IN 46204.

MC 148448 (Sub-2TA), filed October
15, 1979. Applicant: DAVIS & SON
MOBILE HOME MOVERS, INC., Route
#1, Box 160, Glade Hill, VA 24092.
Representative: Wilmer B. Hill, Suite
805, 666 Eleventh St., NW., Washington,
DC, 20001. (1) *Trailers designed to be
drawn by passenger automobiles, in
initial movements, in truckaway
service, and (2) Buildings, in sections
mounted on wheeled undercarriages, in
initial movements, in truckaway
service, from Rocky Mount, VA to
points in DE, GA, KY, MD, NJ, NC, PA,
SC, TN, VA, WV and DC for 180 days.
An underlying ETA seeks 90 days
authority. Supporting shipper(s):
Fleetwood Homes of Virginia, Inc.,
Route 40 W, Box 100, Rocky Mount, VA
24151. Send protests to: I.C.C., Fed. Res.
Bank Bldg., 101 N. 7th St., Rm. 620,
Phila., PA 19106.*

MC 148509 (Sub-1TA), filed October
29, 1979. Applicant: CHANNELED
RESOURCES TRANSPORT, INC., P.O.
Box 80, Des Moines, IA 50301.
Representative: William L. Fairbank,
1980 Financial Center, Des Moines, IA
50309. *Contract Carrier—Irregular
Routes, scrap paper, paper balers, and
paper compactors from Des Moines, IA,
to points in IL, IN, MN, and WI, under
contract with Channeled Resources,
Inc., for 180 days. An underlying ETA
seeks 90 days authority. Supporting
shipper(s): Channeled Resources of
Iowa, Division of Channeled Resources,
Inc., P.O. Box 80, Des Moines IA 50301.
Send protests to: Herbert W. Allen, DS,
ICC, 518 Federal Bldg., Des Moines, IA
50309.*

MC 148558 (Sub-1TA), filed October
11, 1979. Applicant: VICTOR
SHIMONIS, 11 Reynolds Street, Pittston,
PA 18640. Representative: Joseph F.
Hoary, 121 S. Main St., Taylor, PA 18517.
*Disposable polystyrene articles used in
the food service industry from the
facilities of Genpak Corp., at
Middletown, NY to points in IN, IL, OH,
MI & KY for 180 days. An underlying
ETA seeks 90 days authority. Supporting
shipper(s): Genpak Corp., P.O. Box 727,
Glen Falls, NY 12801. Send protests to:
I.C.C., Fed. Res. Bank Bldg., 101 N. 7th
St., Rm. 620, Phila., PA 19106.*

MC 148679 (Sub-1TA), filed October
25, 1979. Applicant: SHEL PRODUCTS,
INC., d.b.a. SHELTON TRUCKING, 2211
East DuPont Ave., Belle, WV 25015.
Representative: John M. Friedman, 2930
Putnam Ave., Hurricane, WV 25526.
*Such commodities as are dealt in by
wholesale and retail grocery houses,
between Kenova, WV, points in KY on
and east of Interstate Hwy 75, those in*

*OH on and south of U.S. Hwy 50 and on
and east of U.S. Hwy 23, and those in
WV on and south of U.S. Hwy 50, on the
one hand, and on the other, points in AL,
FL, GA, KY, MD, OH, PA and VA, for
180 days. An underlying ETA seeks 90
days authority. Supporting shipper(s):
The Creasey Company, 2100 Beech
Street, Kenova, WV 25530. Send protests
to: I.C.C. Fed. Res. Bank Bldg., 101 N. 7th
St., Rm. 620, Phila., PA 19106.*

MC 148698 (Sub-1TA), filed October
29, 1979. Applicant: LEISURE TIME
DISTRIBUTORS, INC., 2318 Deepwater
Terminal Rd., Richmond, VA 23234.
Representative: Carroll B. Jackson, 1810
Vincennes Rd., Richmond, VA 23229.
*Contract carrier-irregular routes: (1)
Boats, boat trailers and marine
accessories, and (2) materials,
equipment and supplies used in the
manufacture, distribution and sales of
commodities in (1) above, between
points in Richland County, SC, on the
one hand, and, on the other, points in
AR, AZ, CA, CO, LA, MS, NM, OK, TX,
UT and WY, for 180 days. An underlying
ETA seeks 90 days authority. Supporting
shipper(s): Galaxy Boat Manufacturing
Company, Inc., U.S. Highway 21, North,
P.O. Box 3848, Columbia, SC 29230. Send
protests to: I.C.C., Fed. Res. Bank Bldg.,
101 N. 7th St., Philadelphia, PA 19106.*

MC 146838 (Sub-1TA), filed April 20,
1979, and published in the *Federal
Register* issue of August 6, 1979, and
republished as corrected this issue.
Applicant: NOBLE EXPRESS, INC.,
Route 3, Box 211A, Noblesville, IN
46060. Representative: Norman R.
Garvin, 1301 Merchants Plaza,
Indianapolis, IN 46204. *Contract carrier:
irregular routes: Paper and paper
products and materials, equipment and
supplies (except commodities in bulk)
used in the manufacture, processing,
sale and distribution of paper and paper
products, between the facilities of R. R.
Donnelley & Sons Co. at or near
Glasgow, KY, Mattoon, IL,
Crawfordsville, IN and Warsaw, IN, on
the one hand, and, on the other, points
in AZ, CA, CO, FL, OK, OR, TX, GA,
NM, NV, UT, ID, WY and WA, under a
contract or continuing contracts with R.
R. Donnelley & Sons Co., for 180 days.
Supporting shipper(s): R. R. Donnelley &
Sons Co., 223 King Drive, Chicago, IL
60616. Send protests to: Beverly J.
Williams, ICC, 46 E. Ohio Street, Room
429, Indianapolis, IN 46204. An
underlying ETA seeks 90 days authority.
The purpose of this republication is to
include territorial description as
previously omitted.*

[Notice No. 250]

December 31, 1979.

MC 2860 (Sub-192TA), filed November 23, 1979. Applicant: NATIONAL FREIGHT, INC., 71 West Park Avenue, Vineland, NJ 08360. Representative: Peter J. Nickles, 888 Sixteenth St. NW., Washington, D.C. 20006. Contract, irregular. *General commodities* between the facilities of E. I. du Pont de Nemours and its contractors, jobbers, vendors and agents on the one hand and on the other, all points in the U.S. for 180 days. Supporting shipper: E. I. du Pont de Nemours, 10th and Market Street, Wilmington, DE 19898. Send protests to: District Supervisor, ICC, 744 Broad St., Room 522, Newark, NJ 07102.

MC 2860 (Sub-194TA), filed December 7, 1979. Applicant: NATIONAL FREIGHT, INC., 71 West Park Avenue, Vineland, NJ 08360. Representative: Gerald S. Duzinski, National Freight, Inc., same as above. *Containers, metal*. From Paterson NJ to Delaware and Columbus, OH for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Continental Group, Inc., 145 Route 46, Wayne, NJ 07470. Send protests to: District Supervisor, ICC, 744 Broad St., Room 522, Newark NJ 07102.

MC 2900 (Sub-411TA), filed December 6, 1979. Applicant: RYDER TRUCK LINES, INC., P.O. Box 2408-R, Jacksonville, FL 32203. Representative: Paul Dixon, same address as applicant. (1) *General commodities, (except those of unusual value, Class A or B explosives, and commodities in bulk), in containers or trailers restricted to the transportation of shipments having prior or subsequent movement by water and (2) empty containers*, between Mobile, AL, on the one hand, and on the other, points in AL, FL, LA, and MS for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sea-Land Service, Inc., 250 No. Water St., Mobile, AL 36601. M. G. Maher & Co., Inc., P.O. Box 2242, Mobile, AL 36601. Harrington & Company, Inc., P.O. Box 1582, Mobile, AL 36601. Greater Pensacola Movers, Inc., 35 E. Fairfield Drive, Pensacola, FL 32501. Steigler Shipping Co., Inc., P.O. Box 1504, Mobile, AL 36601. Send protest to: Jean King, TA, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

MC 5470 (Sub-211TA), filed October 29, 1979. Applicant: TAJON, INC., R.D. #5, Mercer, PA 16137. Representative: Richard W. Sanguigni (same as applicant). *Roofing granules and granulated slag* from Cresap, WV to Quakertown, PA, for 180 days. An underlying ETA seeks 90 days authority.

Supporting shipper: Georgia-Pacific Corporation, 1062 Lancaster Ave., Rosemont, PA 19010. Send protests to: I.C.C. Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila, PA 19106.

MC 11220 (Sub-187TA), filed November 29, 1979. Applicant: Gordons Transports, Inc., 185 West McLemore Avenue, Memphis, TN 38101. Representative: James J. Emigh, P.O. Box 59, Memphis, TN 38101. *General Commodities (except those of unusual value, Classes A & B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment)*, between the facilities of Babcock and Wilcox Co., at or near West Point, MS on the one hand, and on the other, points in AL, AR, GA, IL, IN, IA, KA, KY, LA, MI, MN, MO, OH, OK, PA, TN, TX, WI and WV, for 180 days. Supporting shipper: Babcock & Wilcox Co., Half Mile Street, West Point, MS 39773. Send protests to: Floyd A. Johnson, Suite 2006—100 N. Main St., Memphis, TN 38103.

MC 61440 (Sub-174TA) (republishing), filed October 9, 1979, previously noticed in the **Federal Register** of December 5, 1979 as MC-61440 subs 174TA and 175TA. Applicant: LEE WAY MOTOR FREIGHT, INC., 3401 N.W. 63rd Street, Oklahoma City, OK 73116. Representative: Richard H. Champlin, P.O. Box 12750, Oklahoma City, OK 73157. Common Carrier: Regular Route: *General commodities (except those of unusual value, Classes A&B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment)*, between Toledo, OH and Detroit, MI, from Toledo, OH over Interstate Hwy. 75 to Detroit, MI, and return over the same route, serving no intermediate points, but serving points in the Detroit Commercial zone, for 180 days. Applicant proposes to interline with existing carriers at Detroit, MI and Toledo, OH. An underlying ETA seeks 90 days authority. Supporting shipper: None. Send protests to: Connie Stanley, Rm. 240, 215 NW., 3rd, Oklahoma City, OK 73102.

Note.—The purpose of this republication is to indicate the addition of the territorial description.

MC 87511 (Sub-28TA), filed December 12, 1979. Applicant: SAIA MOTOR FREIGHT LINE, INC., P.O. Box 10157, Station One, Houma, LA 70360. Representative: John A. Crawford, 17th Floor Deposit Guaranty Plaza, P.O. Box 22567, Jackson, MS 39205. Applicant is seeking authority to operate as a common carrier 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 facilities of International Paper Company at or near Mansfield, DeSoto Parish, LA, as an off-route point in conjunction with carrier's regular-route operation, for 180 days. Applicant has filed an underlying ETA seeking 90 days. Supporting shipper: International Paper Company, P.O. Box 160707, Mobile, AL 36616. Send protests to: Robert J. Kirspe, DS, ICC, T-9038 Federal Bldg., 701 Loyola Ave., New Orleans, LA 70113.

MC 95540 (Sub-1149TA), filed December 11, 1979. Applicant: WATKINS MOTOR LINES, INC., 1144 West Griffin Rd., P.O. Box 1636, Lakeland, FL 33802. Representative: Benjy W. Fincher (same address as applicant). *Wearing apparel* from TX to GA, NC and SC for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Farah Manufacturing Company, Inc., 8889 Gateway West, El Paso, TX 79985. Send protests to: Donna M. Jones, T/A, ICC-BOP, Monterey Bldg., Suite 101, 8410 NW., 53rd Ter., Miami, FL 33166.

MC 106001 (Sub-15TA), filed October 24, 1979. Applicant: DENNIS TRUCKING COMPANY, INC., 6951 Norwitch Dr., Philadelphia, PA 19153. Representative: James W. Patterson, 1200 Western Savings Bank Bldg., Philadelphia, PA 19107. (1) *Refractories, refractory products and commodities used or useful in the installation of refractories and refractory products*, and (2) *materials, equipment and supplies used in the production and distribution of the commodities named in (1)*, between the facilities of A.P. Green Refractories Co., at or near Philadelphia, Tarentum, and Porter Township (Clarion County), PA, Woodbridge, NJ and Jackson (Jackson County), Oak Hill and East Greenville, OH, on the one hand, and, on the other points in CT, DC, DE, MA, MD, ME, NC, NH, NJ, NY, OH, PA, RI, SC, VA, VT, and WV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: A. P. Green Refractories Co., Green Blvd., Mexico, MO 65265. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

Republication: MC 106401 (Sub-74TA), filed September 20, 1979 and previously noted in the **Federal Register** of December 5, 1979, republished as corrected this issue. Applicant: JOHNSON MOTOR LINES, INC., P.O. Box 31577, Charlotte, NC 28231. Representative: Roger W. Rash (same as above). Common carrier-regular routes:

General commodities except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Columbus, GA and Opelika, AL, serving all points in Russell County, AL, as intermediate or off-route points: from Columbus over U.S. Hwy 280 to Opelika, and return over the same route; (2) between Columbus, GA and junction of U.S. Hwys 80 and 11, near Cuba, AL, serving all points in Russell County, AL, as intermediate or off-route points, serving Montgomery, AL as an intermediate point, and serving junction of U.S. Hwys 80 and 11 for the purpose of joinder only: from Columbus, GA over U.S. Hwy 80 to junction of U.S. Hwy 11, and return over the same route, (3) between Dawson, GA and Montgomery, AL, serving all intermediate points in GA: from Dawson over U.S. Hwy 82 to Montgomery, and return over the same route, (4) between Thomasville, GA and Opp, AL, serving all intermediate points in GA: from Thomasville over U.S. Hwy 84 to Opp, and return over the same route, (5) between Arlington, GA and Dothan, AL, serving all intermediate points in GA and serving Dothan for the purpose of joinder only: from Arlington over GA Hwy 62 to the GA-AL State Line, then over AL Hwy 52 to Dothan, and return over the same route, (6) between Rome, GA and junction U.S. Hwys 411 and 78, serving all intermediate points in GA, and serving junction U.S. Hwys 411 and 78 for the purpose of joinder only: from Rome over U.S. Hwy 411 to junction U.S. Hwy 78 and return over the same route, (7) between Rome, GA and Birmingham, AL, serving all intermediate points in GA, and serving Birmingham for the purpose of joinder only: from Rome over U.S. Hwy 27 to junction U.S. Hwy 278 at Cedartown, GA, then over U.S. Hwy 278 to junction Interstate 59 at Gadsden, AL, then over Interstate Hwy 59 to Birmingham, and return over the same route, for 180 days. Applicant also proposes to change restriction in No. MC-106401 Sub 13 to read: Restricted against service to points in the commercial zone of Rossville, GA, located in TN and to tack the routes sought in this application to the routes in MC-106401 Sub 13. Applicant also proposes to change the restriction in No. MC-106401 Sub 18 to read, this authority is restricted to traffic moving from, to, or through points in AL. Applicant does intend to tack the authority here applied for with MC-106401 and various subs. Applicant also intends to interline with other carriers at Dallas & Houston, TX;

New Orleans and Monroe, LA; Jackson, MS; Montgomery, AL and other Johnson terminal points in AL, FL, GA, LA, MS and TX on shipments destined or originating beyond Johnson's authorized territory. Applicant has filed an underlying ETA for 90 days. Supporting shipper(s): There are 191 supporting shippers. These statements may be examined at the office listed below or Headquarters. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd-Rm CC516, Charlotte, NC 28205. The purpose of this full republication is to show the correct territorial description.

MC 106401 (Sub-77TA), filed December 12, 1979. Applicant: JOHNSON MOTOR LINES, INC., P.O. Box 31577, Charlotte, NC 28231. Representative: Roger W. Rash (same as above). (1) *Malt beverages and related advertising materials (except in bulk)*, from the facilities of Miller Brewing Company at or near Albany, GA to points in the States of AL, FL, LA, MS and TN, and (2) *materials, equipment and supplies used in the manufacture, sale, or distribution of malt beverages (except commodities in bulk)*, from points in the States of AL, FL, LA, MS and TN to facilities of Miller Brewing Company at or near Albany, GA, for 180 day. An underlying ETA seeks 90 days authority. Applicant intends to tack the authority here applied for to MC-106401 and various subs. Supporting shipper: Miller Brewing Company, 3939 West Highland Blvd., Milwaukee, WI 53201. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd-Rm CC516, Charlotte, NC 28205.

MC 107541 (Sub-67TA), filed December 11, 1979. Applicant: WASHINGTON-OREGON LUMBER FREIGHTERS, INC., 12925 NE. Rockwell Drive, Vancouver, WA 98665. Representative: Edward A. Francom, 12925 NE. Rockwell Drive, Vancouver, WA 98665. Packing partitions and liners, paper or compressed fibre in unitized bundles or bales from the facilities of Keyes Fibre Co. at Sacramento, CA to points in Yakima, Klickitat, Benton, Franklin, Walla Walla, and Chelan Counties, WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Keyes Fibre Co., 8450 Gerber Rd., Sacramento, CA 95825. Send protests to: D. Merine Galbraith, T/A, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oregon 97204.

MC 114290 (Sub-91TA), filed October 12, 1979. (Republication) previously noticed in the Federal Register issue of December 5, 1979. Applicant: EXLEY EXPRESS, INC., 2610 SE. 8th Avenue, Portland, OR 97202. Representative:

James T. Johnson, 1610 IBM Bldg., Seattle, WA 98101. *Resin-coated paper* requiring temperature control from Tacoma, WA, Dillard and Medford, OR to Flagstaff, AZ for 180 days. Supporting shipper: Reichold Chemicals, Inc., 2340 Taylor Way, P.O. Box 1482, Tacoma, WA 98401. Send protests to: D. Merine Galbraith, T/A, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oregon 97204.

Note.—The purpose of this republication is to clarify the origin point as Dillard in lieu of Roseburg.

MC 114290 (Sub-95TA), filed November 21, 1979. Applicant: EXLEY EXPRESS, INC., 2610 SE. 8th, Portland, OR 97202. Representative: Nick I. Goyak, One SW. Columbia, Suite 555, Portland, OR 97258. *Cookies*, from Oakland, CA to Salt Lake City, UT for 180 days. Supporting shipper: American Bakeries, 967 Stanford Ave., Oakland, CA 94608. Send protests to: D. Merine Galbraith, T/A, I.C.C., 114 Pioneer Courthouse, Portland, OR 97204.

MC 114290 (Sub-98TA), filed December 13, 1979. Applicant: EXLEY EXPRESS, INC., 2610 SE. 8th, Portland, OR 97202. Representative: Nick I. Goyak, One SW. Columbia, Suite 555, Portland, OR 97258. *Paper and paper products* from Gardiner, OR to points in CA. for 180 days. Supporting shipper: International Paper Company 121 S.W. Salmon, P.O. Box 3448, Portland, OR 97208. Send protests to: D. Merine Galbraith, T/A, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oregon 97204.

MC 115311 (Sub-384TA), filed December 6, 1979. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, GA 31061. Representative: Kim G. Meyer, P.O. Box 56387, Atlanta, GA 30343. *Cement* from the facilities of General Portland, Inc., Signal Mountain Div., situated at or near Chattanooga, TN to points in GA, AL, NC, and Montgomery, Robertson, Sumner, Macon, Dickson, Cheatham, Davidson, Wilson, Smith, Trousdale, Hickman, Williamson, Rutherford, Cannon, Dekalb, Warren, Lewis, Maury, Marshall, Bedford, Coffee, Grundy, Lawrence, Giles, Lincoln, Moore, Franklin, and Marion Counties, TN for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: General Portland, Inc., Signal Mountain Div., 1300 American National Bank Bldg., Chattanooga, TN 37402. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., NW., Rm. 300, Atlanta, GA 30309.

MC 115331 (Sub-527TA), filed December 14, 1979. Applicant: TRUCK

TRANSPORT, INCORPORATED, 29 Clayton Hills Ln., St. Louis, MO 63131. Representative: J. R. Ferris, 11040 Manchester Rd., St. Louis, MO 63122. *Dry plastics*, in bulk, from Terre Haute, IN to Avon Lake, OH, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Ampacet Corporation, 3701 N. Fruitridge Ave., Terre Haute, IN 47805. Send protests to: P. E. Binder DS, ICC, Rm 1465, 210 N. 12th St., St. Louis, MO 63101.

MC 115841 (Sub-750TA), filed December 14, 1979. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 9041 Executive Park Dr., Suite 110, Bldg. 100, Knoxville, TN 37919. Representative: D. R. Beeler (same address as applicant). *Meats, meat products, meat-by-products and articles distributed by meat packinghouses as described in Sections A & C of Appendix I to report in Descriptions in Motor Carrier Certificate 61 M.C.C. 209 & 766* (except commodities in bulk), from Tupelo, MS, to points in AL, FL, GA, IL, IA, KS, KY, LA, MI, NC, OK, SC, TN, TX, WV, and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Mid-South Packers, Inc., P.O. Drawer 829, Tupelo, MS 38801. Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, TN 37203.

MC 117851 (Sub-30TA), filed October 24, 1979. Applicant: JOHN CHEESEMAN TRUCKING INC., 501 N. 1st St., Fort Recovery, OH 45846. Representative: Earl N. Merwin, 85 E. Gay St., Columbus, OH 43215. *Contract carrier: Irregular routes: Plumbing supplies and materials between Evansville and Rockport, IN, on the one hand, and, on the other, points in CT, DE, DC, ME, MD, MA, MI, NY, NH, NJ, OH, PA, RI, VT, and WV,* for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Peerless Pottery, Inc., 917 N. St. Joseph Ave., Evansville, IN 47712. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 118831 (Sub-190TA), filed December 7, 1979. Applicant: CENTRAL TRANSPORT, INC., P.O. Box 7007, High Point, NC 27264. Representative: Ben H. Keller III, P.O. Box 7007, High Point, NC 27264. *Liquid chemicals in bulk, in tank vehicles*, from the facilities of Whitaker Oil Co. in Columbus, GA to TN, NC, SC, AL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Whitaker Oil Company, Inc., P.O. Box 93487, Atlanta, GA 30318. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd-Rm CC516, Charlotte, NC 28205.

MC 121470 (Sub-48TA), filed December 17, 1979. Applicant: TANKSLEY TRANSFER CO., 801 Cowan St., Nashville, TN 37207. Representative: Roy L. Tanksley (same address as applicant). *Iron and steel articles*, from the plant site and warehouse of A. J. Gerrard and Company located at or near Florence, AL to points in KY, TN, and IL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: A. J. Gerrard & Co., P.O. Box 1229, Florence, AL 35630. Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, TN 37203.

MC 121470 (Sub-49TA), filed December 17, 1979. Applicant: TANKSLEY TRANSFER CO., 801 Cowan St., Nashville, TN 37207. Representative: Roy L. Tanksley (same address as applicant). *Iron and steel articles*, from the facilities of Republic Steel Corp. at or near Gadsden, AL to IL, IN, OH, and PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Republic Steel Corp., Alabama City Station, Gadsden, AL 35901. Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, TN 37203.

MC 124071 (Sub-17TA), filed May 31, 1979. Applicant: LAKE STATE TRANSPORT, INC., P.O. Box 944, St. Cloud, MN 56301. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *Contract carrier: irregular routes: 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 hides and commodities in bulk)* from St. Cloud, MN to points in the United States (except AK and HI), under a continuing contract(s) with Landy Packing Company, Inc., for 180 days. Supporting shipper: Landy Packing Company, Inc., 3rd Avenue South, St. Cloud, MN 56301. Send protests to: Delores A. Poe, TA, ICC, 414 Federal Building, 110 South 4th Street, Minneapolis, MN 55401.

MC 124821 (Sub-72TA), filed October 25, 1979. Applicant: GILCHRIST TRUCKING, INC., 105 North Keyser Ave., Old Forge, PA 18518. Representative: John W. Frame, Box 626, Camp Hill, PA 17011. *Paper and paper products*, from the plantsite of International Paper Co., at or near Indianapolis, IN, to points in IL, NJ, NY and PA, for 180 days. Supporting shipper(s): International Paper Company, 220 E. 42 St., New York, NY 10017. Send protests to: I.C.C., Fed. Res.

Bank Bldg., 101 N. 7th St., Rm. 6620, Phila., PA 19106.

MC 127651 (Sub-43TA) (republishing), filed March 20, 1979, previously noticed in the FR issue of April 30, 1979 as Sub 41TA, and republished this issue. Applicant: EVERETT G. ROEHL, INC., East 29 St., P.O. Box 7, Marshfield, WI 54449. Representative: Richard Westley, 4506 Regent St., Suite 100, Madison, WI 53705. *Iron and steel articles* from Elk Grove Village, IL to points in MN and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): National Materials Corp., 2525 Arthur Ave., Elk Grove Village, IL 60007. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

Note.—The purpose of this republication is to indicate the correct sub number and to also indicate the destination state as MN in lieu of MI as previously published.

MC 127651 (Sub-47TA), filed April 25, 1979. Applicant: EVERETT G. ROEHL, INC., E. 29th St., Box 7, Marshfield, WI 54449. Representative: Richard A. Westley, 4506 Regent Street, Suite 100, Madison, WI 53705. *Iron and steel articles* from Chicago, IL and its Commercial Zones to facilities of St. Paul Steel Supply, Inc., St. Paul, MN and facilities of Farmers Steel Co. in New Hope, MN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): St. Paul Steel Supply, Inc., 312 Walnut St., St. Paul, MN 55102. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 127840 (Sub-127TA) (republishing), filed August 1, 1979, previously noticed in the FR issue of October 3, 1979. Applicant: MONTGOMERY TANK LINES, INC., 17550 Fritz Dr., Lansing, IL 60438. Representative: William H. Towle, 180 N. LaSalle St., Chicago, IL 60601. *Chemicals, in bulk*, from (1) Dallas, TX, to points in AL, GA, FL, IL, IN, IA, KY, LA, MA, MD, MI, MN, MO, NE, NC, NJ, NY, OK, OH, PA, TN, VA, WV, and WI and (2) from points in KY, TN, and WV to Dallas, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): DeSoto, Inc., 1700 S. Mt. Prospect Rd., Des Plaines, IL 60018. Send protests to: David Hunt, Rm. 1386, 219 S. Dearborn St., Chicago, IL 60604.

Note.—The purpose of this republication is to correct the destination of New Jersey in lieu of New Hampshire.

MC 129510 (Sub-18TA), filed December 12, 1979. Applicant: ENGLUND EQUIPMENT CO., 740 Old

Stage Rd., Salinas, CA 93901. Representative: Michael S. Rubin, Esq., 256 Montgomery St., San Francisco, CA 94104. Contract carrier-irregular routes; *Sunglasses, articles used in the manufacturing of sunglasses, and display racks for sunglasses*; between Leominster, MA; Tucson, AZ; and Nogales, AZ, limited to transportation performed under a continuing contract or contracts with Foster Grant Corporation, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Foster Grant Corp. 259 N. Main St., Leominster MA 01453. Send protests to: D/S Neil C. Foster, 211 Main, Suite 500, San Francisco, CA 94105.

MC 135070 (Sub-133TA), filed December 10, 1979. Applicant: JAY LINES, INC., P.O. Box 30180, Amarillo, TX 79120. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. *Pipe coverings, industrial tapes, and rust preservative pipe coatings*, from Franklin, KY, to points in LA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Kendall Company, J. V. Garrison, Gen. Traffic Mgr., One Federal Street, Boston, MA. Send protests to: Marianne Minnich, TCS, Interstate Commerce Commission, 411 West 7th St., Suite 600, Fort Worth, TX 76102.

MC 135070 (Sub-134TA), filed December 6, 1979. Applicant: JAY LINES, INC., P.O. Box 30180, Amarillo, TX 79120. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. *Livestock, poultry, and pet feed, and minerals, and feed supplements (except in bulk)*, from Hamlin, TX to points in AZ, CO, NM, LA, and OK, for 180 days. Underlying ETA for 90 days has been filed. Supporting shipper(s): Pied Piper Mills, Inc., 423 E. Lake Drive, Box 309, Hamlin, TX 79520. Send protests to: Marianne Minnich, TCS, ICC, 411 W. 7th St., Suite 600, Ft. Worth, TX 76102.

MC 135070 (Sub-135TA), filed December 6, 1979. Applicant: JAY LINES, INC., P.O. Box 30180, 720 North Grand Street, Amarillo, TX 79120. Representative: Gailyn L. Larsen (address same as applicant). *Furniture parts, and materials and supplies used in the manufacture and distribution thereof (except in bulk)* between points in AZ, CA, CO, ID, NV, OR, UT, and WA, restricted to traffic originating at or destined to the facilities of Leggett and Platt, Inc., for 180 days. Underlying ETA for 90 days has been filed. Supporting shipper(s): Leggett and Platt, Inc., P.O. Box 757, Carthage, MO 64836. Send protests to: Marianne Minnich, TCS, ICC, 9A27 Federal Bldg., 819 Taylor St., Ft. Worth, TX 76102.

MC 135070 (Sub-136TA), filed December 3, 1979. Applicant: JAY LINES, INC., P.O. Box 30180, Amarillo, TX 79120. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. *Plastic articles* from the facilities of Fenwick, a subsidiary of Woodstream Corp. at or near Westminster, CA, to the facilities of Kirby Division of the Scott and Fetzer Company at or near Andrews, TX, for 180 days. Underlying ETA for 90 days has been filed. Supporting shipper(s): Woodstream Corporation, Front and Locust Streets, Lititz, PA 17543. Send protests to: Marianne Minnich, TCS, ICC, 9A27 Federal Bldg., 819 Taylor St., Ft. Worth, TX 76102.

MC 138941 (Sub-38TA), filed December 10, 1979. Applicant: COUNTRY WIDE TRUCK SERVICE, INC., 1110 South Reservoir Street, Pomona, CA 91766. Representative: Ralph B. Matthews, P.O. Box 56387, Atlanta, Georgia 30343. *Contract; Irregular; (1) plastic articles, except in bulk and (2) materials and supplies (except in bulk)*, (1) from the facilities of Mobil Chemical Company at or near Channahon Township and Joliet, IL to points in the US, except AK and HI and (2) from points in the US (except AK and HI) to the facilities of Mobil Chemical Company at or near Channahon Township and Joliet, IL, restricted to the transportation of shipments from or to the facilities of Mobil Chemical Company at or near Channahon Township, IL, for 180 days. Supporting shipper(s): Mobil Oil Corporation, Senior Transportation Analyst, 8350 North Central Expressway, Campbell Centre—Suite 522, Dallas, TX 75206. Send protests to: Irene Carlos, TA, ICC, Room 1321, Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 138960 (Sub-11TA), filed December 4, 1979. Applicant: ROKO EXPRESS, INC., 819 West Fifth Avenue, Columbus, Ohio 43212. Representative: H. Barney Firestone, 10 South LaSalle Street, Suite No. 1600, Chicago, IL 60603. *Foodstuffs*, from the facilities of Bruce Foods Corporation at Cade and Lozes, LA, to points in IL, IN, KY, the Lower Peninsula of MI, OH, TN, and WI, for 180 days. Supporting shipper(s): Bruce Foods Corporation, Highway 182 West, New Iberia, LA 70560. Send protests to: ICC, Federal Reserve Bank Building, 101 North Seventh Street, Philadelphia, PA 19106.

MC 139190 (Sub-3TA), filed December 7, 1979. Applicant: KOCH TRUCK LINE, INC., 619 Iowa, Sabetha, KS 66534. Representative: Eugene W. Hiatt, 207 Casson Bldg., 603 Topeka Blvd., Topeka,

KS 66601. As a contract carrier, over irregular routes, to transport *fertilizer compounds*, from Fairbury, NE, to all points in CO, IL, IN, IA, KS, MN, MO, NE, and OH, for 180 days. Supporting shipper: Eagle-Picher Industries, Inc., P.O. Box 550, Joplin, MO 64801. Send protests to: M. E. Taylor, D/S, ICC, 101 Litwin Bldg., Wichita, KS 67202. An underlying ETA seeks 90 days authority.

MC 139461 (Sub-3TA), filed December 10, 1979. Applicant: FOREST TRANSPORTATION COMPANY, Route 1, Box 15H, Atascosa, TX 78002. Representative: Gary O. Brown, Route 1, Box 15H, Atascosa, TX. *Potable water, in bulk, in tank vehicles* from points in the counties of Garland, Polk and Montgomery in the state of AR to all points in the states of KS, LA, OK, and TX for 180 days. Underlying ETA for 90 days filed. Supporting shipper(s): There are five (5) supporting shippers. Send protests to: Opal M. Jones, TCS, ICC, 411 West 7th St., Suite 600, Fort Worth, TX 76102.

MC 140800 (Sub-6TA), filed December 7, 1979. Applicant: COLONIAL TRANSPORTATION, INC., P.O. Box 448, McMinnville, TN 37110. Representative: Robert L. Baker, 6th Floor, United American Bank Bldg., Nashville, TN 37219. *Contract Carrier; irregular routes: Automotive parts, foils, motors, electrical products and equipment, batteries, valves, fittings, hoses, couplings, scrap metals, materials, equipment and supplies used in the manufacture and distribution of all the above commodities (except commodities in bulk, in tank or hopper vehicles)*, between points in the U.S., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Gould Inc., 10 Gould Center, Rolling Meadows, IL 60008. Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, TN 37203.

MC 143580 (Sub-3TA), filed December 10, 1979. Applicant: FREIGHT SYSTEMS INC., 6303 Corsair Street, Commerce, CA 90040. Representative: Savery L. Nash, 3838 Carson Street, Torrance, CA 90503. *Contract; Irregular; printed materials*, points in Los Angeles County, California and points in California, for 180 days. Supporting shipper(s): World Color Press, Director of Traffic, P.O. Box 1248, Effingham, IL 62401. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 143701 (Sub-19TA), filed December 13, 1979. Applicant: HODGES FREIGHT LINES, INC., P.O. Box 73-I, Metairie, LA 70033. Representative: Lester C. Arvin, 814 Century Plaza Bldg.,

Wichita, KS 67202. *Such commodities and merchandise as is dealt in by wholesale, retail and chain grocery and food business houses from Kansas City, KS to points in IL, IN, MI, OH, and WI, for 180 days. Applicant has filed an underlying ETA seeking 90 days. Supporting shipper(s): Inland Storage Distribution Center, P.O. Box 2249, Kansas City, KS 66110. Send protests to: Robert J. Kirspe, DS, ICC, T-9038 Federal Bldg., 701 Loyola Ave., New Orleans, LA 70113.*

MC 143701 (Sub-20TA), filed December 7, 1979. Applicant: HODGES FREIGHT LINES, INC., P.O. Box 73-I, Metairie, LA 70033. Representative: Brad T. Murphree, 814 Century Plaza Bldg., Wichita, KS 67202. (1) *Chemicals utilized in the curing and processing of cement and concrete (except commodities in bulk) and (2) Materials, equipment and supplies used in the manufacture, distribution, and application of the commodities described in (1) above, (except commodities in bulk).* From Baton Rouge, LA to Birmingham, Mobile, and Montgomery, AL; Fort Smith, Little Rock, Redfield and Springdale, AR; Jacksonville, Miami, Ocala and Tampa, FL; Atlanta and Savannah, GA; Jackson, MS; Charlotte, NC; Oklahoma City and Tulsa, OK; Columbia and Greenville, SC; Chattanooga, Knoxville, Memphis and Nashville, TN; and Austin, Dallas, Houston, San Antonio and Waco, TX, for 180 days. Supporting shipper(s): Nox-Crete Chemicals, Inc., 1444 South 20th Omaha, NE 68108. Send protests to: Robert J. Kirspe, DS, ICC, T-9038 Federal Bldg., 701 Loyola Ave., New Orleans, LA 70113.

MC 144041 (Sub-41TA), filed December 6, 1979. Applicant: DOWNS TRANSPORTATION CO., INC., 2705 Canna Ridge Circle, NE, Atlanta, GA 30345. Representative: K. Edward Wolcott, P.O. Box 56387, Atlanta, GA 30343. *Room air conditioners from Jonesville, MI to Philadelphia, PA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): York Div. Borg-Warner, P.O. Box 1592, York, PA 17405. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.*

MC 144081 (Sub-2TA), filed December 12, 1979. Applicant: D. W. STACY CO., INC., Rt. 7, Box 619X, Gaffney, SC 29340. Representative: William P. Farthing, Jr., 1100 Cameron-Brown Bldg., 301 S. McDowell Street, Charlotte, NC 28204. *Contract carrier; irregular routes; Towels, turkish or terry cotton, synthetic or mixture thereof (1) between the facilities of R. A. Briggs & Co., Inc. at or near Lake Zurich, IL, on the one hand,*

and suppliers and contractors of R. A. Briggs & Co., Inc. located in NC, SC, AL and PA, on the other; (2) between the facilities of the suppliers and contractors of R. A. Briggs & Co., Inc., located in NC, SC, AL and PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): R. A. Briggs & Co., Inc., 650 N. Church St., Lake Walch, IL 60049. Send protests to: E. E. Strogheid, D/S, ICC, 866 Strom Thurmond Fed. Bldg., 1835 Assembly Street, Columbia, SC 29201.

MC 144190 (Sub-10TA), filed November 13, 1979. Applicant: STORY, INC., Route No. 1, Box 122, Henager, AL 35978. Representative: George M. Boles, 727 Frank Nelson Building, Birmingham, AL 35203. *Carpet and floor coverings, from the facilities of World Carpets in Dalton, and Sweetwater Carpet Company in Ringgold, GA, to points in AR, NV, UT, and ID., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sweetwater Carpet Company, Ringgold, GA 30737. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616—2121 Building, Birmingham, AL 35203.*

MC 144910 (Sub-12TA), filed October 3, 1979. Applicant: TYREE D. PRUITT, d.b.a., TY PRUITT TRUCKING, 811 Landay Ave., Baltimore, MD 21237. Representative: Chester A. Zyblut, 1030 15th St., NW, Suite 366, Washington, DC 20005. *Paper and paper products, from the facilities of Union Camp Corp., Savannah, GA, to points in DE, DC, MD, NJ, NY, OH, PA, and VA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Union Camp Corp., 1600 Valley Rd., Wayne, NJ 07470. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.*

MC 145441 (Sub-85TA), filed December 12, 1979. Applicant: A.C.B. TRUCKING, INC., P.O. Box 5130, North Little Rock, AR 72119. Representative: Ralph E. Bradbury (same address as applicant). *Foodstuffs (except in bulk), from Watsonville, CA to points in KS, OK, MO, IL, IN, MI, OH, PA, NY and TN, for 180 days. Supporting shipper(s): J. M. Smucker Co., 423 Salinas Road, Watsonville, CA 95076. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.*

MC 145761 (Sub-4TA), filed December 7, 1979. Applicant: A & A TRANSPORT, INC., P.O. Box 569, Palmer, MA 01069. Representative: Arlyn L. Westergren, Suite 106, 7101 Mercy Road, Omaha, NE 68109. *Contract carrier; irregular routes; such commodities, materials, equipment, and supplies as are dealt in by manufacturers and distributors of paper products, film products,*

photographic materials, reproduction and duplicating products, materials, and supplies, from the facilities of James River Graphics at South Hadley and Holyoke, MA to Chicago, IL; Oklahoma City, OK; and Los Angeles, CA and their respective commercial zones, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): James River Graphics, South Hadley, MA 01075. Send protests to: David M. Miller, DS, ICC, 436 Dwight Street, Springfield, MA 01103.

MC 145950 (Sub-66TA), filed December 12, 1979. Applicant: BAYWOOD TRANSPORT, INC., 2611 University Parks Drive, Waco, TX 76706. Representative: E. Stephen Heisley, 666 Eleventh St. NW., Washinton, DC 20001. *Bakery ingredients, bread based materials and bread flour (except commodities in bulk) and materials and supplies used in their manufacture, sale and distribution between the facilities of Feuer Food Products, Inc. at or near Oak Creek, WI and Points in Texas; for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Feuer Food Products, Inc., 550 Frontage Rd., Northfield, IL 60093. Send protests to: Marianne Minnich, TCS, ICC, 411 W. 7th St., Suite 600, Fort Worth, TX 76102.*

MC 146060 (Sub-3TA), filed December 7, 1979. Applicant: S and S TRUCKING COMPANY, P.O. Box 1546, Statesville, NC 28677. Representative: James M. Sample, Jr. (same as above). *Contract carrier-irregular routes; Materials and supplies as used in the manufacture of artist supplies and office equipment and component parts thereof; from points in CT, DE, ME, MD, MA, NH, NJ, NY, OH, PA, RI, VT, VA, WV and DC to facilities of Hunt Manufacturing, Statesville, NC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Hunt Manufacturing Company, Speedball Rd., Statesville, NC 28677. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd—Rm CC516, Charlotte, NC 28205.*

MC 146071 (Sub-23TA), filed May 21, 1979. Applicant: DEETZ TRUCKING, INC., P.O. Box 2, Strum, WI 54770. Representative: Ronald V. Dreckman, P.O. Box 2, Strum, WI 54770. *Conduits and/or pipe and accessories from facilities of Bermico Co. at or near West Bend, WI to points in NY, MA, NJ, VA, NH, CT, RI and MD, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Bermico Co., 2100 Northwestern Ave., West Bend, WI 53095. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.*

MC 146451 (Sub-7TA), filed September 11, 1979. Applicant: WHATLEY-WHITE,

INC., 230 Ross Clark Circle, NE, Dothan, AL 36302. Representative: William K. Martin, 57 Adams Avenue, Montgomery, AL 36104. *Woven paper fabrics, plastic coated cloth and plastic coated fabrics* (other than loop or pile surface), from the facilities utilized by Twitchell Corporation, at or near Dothan, AL, to all points in the United States (except in AL only to Mobile); and *Materials, equipment and supplies used in the manufacture and distribution of woven paper fabrics, plastic coated cloth and plastic coated fabrics* (other than loop or pile surface), from points in and east of ND, SD, NE, KS, OK and TX, to the facilities utilized by Twitchell Corporation, at or near Dothan, AL, for 180 days. Supporting shipper(s): Twitchell Corporation, P.O. Box 1566, Dothan, AL 36302. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616, 2121 Building, Birmingham, AL 35203.

MC 147840 (Sub-2TA), filed October 31, 1979. Applicant: NORTH PACIFIC LUMBER CO., 1505 S. E. Gideon, Portland, OR 97202. Representative: Michael D. Crew, 1700 Standard Plaza, Portland, OR 97204. *Flat glass* from the facilities of Guardian Industries in Fresno County, CA to U.S. Canadian ports of entry at Port Angeles and Port Townsend, WA, all traffic for Canadian destinations for 180 days. Supporting shipper(s): Guardian Industries, 11535 E. Mountainview, Kingsbury, CA 93631. Send protests to: D. Merine Galbraith, T/A, 114 Pioneer Courthouse, Portland, OR 97204.

MC 147851 (Sub-5TA), filed November 27, 1979. Applicant: KWESVA, INC., 4000 Lambert Ave., Louisville, KY 40243. Representative: Herbert D. Liebman, P.O. Box 478, Frankfort, KY 40602. *Alcoholic beverages, in glass bottles, restricted against transportation of malt beverages and commodities in bulk*, (1) from the facilities of James B. Beam Distilling Co., in Bullitt County, KY, and (2) from the facilities of Brown-Forman Distillers Corp., and Seagrams Distillers, Inc., in Jefferson County, KY, to Kanawha County, WV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): O. V. Martin, V.P., Traffic, James B. Beam Distilling Co., Clermont, KY 40110; Thomas K. Graf, Dir. of Traffic, Brown-Forman Distillers Corp., 850 Dixie Hwy., Louisville, KY 40210; R. L. Gilbreath, Traffic Mgr., Jos. E. Seagram & Sons, Inc., P.O. Box 240, Louisville, KY 40201. Send protests to: Ms. Clara L. Eyl, T/A, ICC, 426 Post Office Bldg., Louisville, KY 40202.

MC 148281 (Sub-4TA), filed November 26, 1979. Applicant: SUSANA TRANSPORT SYSTEMS, INC., 2845 Workman Mill Road, Whittier, CA

90601. Representative: Miles L. Kavaller, 315 So. Beverly Dr., Suite 315, Beverly Hills, CA 90212. *Chemicals, except in bulk*, from Lake Charles, LA, Barberton, Akron, and Cleveland, OH, Beaumont and La Porte, TX and Natrium, WV to points in AZ, CA, CO, ID, MT, NM, OR, UT and WY, restricted to traffic originating at the facilities of PPG Industries, Inc., for 180 days. Supporting shipper(s): PPG Industries, Inc., One Gateway Center, Pittsburgh, PA 15222. Send protests to: Irene Carlos, T/A, ICC, 300 N. Los Angeles St., Rm. 1321, Los Angeles, CA 90012.

MC 148351 (Sub-2TA), filed December 14, 1979. Applicant: MANKE TRUCKLINE, INC., 2550 Boynton Lane, Reno, NV 89502. Representative: Robert G. Harrison, 4299 James Drive, Carson City, NV 89701. *Insulation materials* from Orange and Sacramento Counties, CA to points in UT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: John-Manville Sales Corporation, 2600 Campus Drive, San Mateo, CA 94403. Send protests to: DS W. J. Huetig, I.C.C., 705 North Plaza Street, Carson City, NV 89701.

MC 14870 (Sub-3TA), filed December 11, 1979. Applicant: TRAFIK SERVICES, INC., 11 Newark Street, Providence, RI 02908. Representative: A. Joseph Mega (same address as applicant). *Contract-irregular, Band steel, flat wire or cold roll steel strip*, from the plantsite of the Newman Crosby Steel Co., Inc. at or near Pawtucket, RI to the plantsite of the Morse Chain Co. at or near Ithaca, NY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Newman Crosby Steel Co., Inc., 10 Dean Street, Pawtucket, RI 02861. Send protests to: Gerald H. Curry, DS, ICC, 24 Weybosset Street, Room 102, Providence, RI 02903.

MC 148391 (Sub-2TA), filed October 31, 1979. Applicant: THE CONOVER EXCHANGE, INC., 7783 Bollinger Rd., Conover, OH 45317. Representative: John L. Alden, 1396 W. Fifth Ave., Columbus, OH 43212. *Contract carrier-irregular routes: Welding wire, and materials, equipment, and supplies used in the manufacture and packaging of welded wire, except commodities, in bulk*, between the facilities of Tri-Mark Inc., at or near Piqua, OH, on the one hand, and, on the other, points in AL, ID, IL, IN, LA, MI, MS, MO, NY, PA, TN, WI, and WV, under continuing contract(s) with Tri-Mark, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Tri-Mark, Inc., 8585 Industry Park Dr., Piqua, OH 45356. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th., Philadelphia, PA 19106.

MC 148471 (Sub-1TA), filed October 22, 1979. Applicant: THROUGH TRANSPORTATION, INC., 6837 Duluth Ave., Baltimore, MD 21222. Representative: Edward N. Button, 580 Northern Ave., Hagerstown, MD 21740. *Contract carrier-irregular routes: metal fireplaces*, (1) from Baltimore, MD and its commercial zone, to points in TN; and (2) from Union City, TN, and its commercial zone to points in Baltimore, MD, and its commercial zone, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Superior Fireplace Company, 1566 South Baylas St., Baltimore, MD 21224. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Philadelphia, PA 19106.

MC 148500 (Sub-4TA), filed December 6, 1979. Applicant: BULK HAULERS, INC., P.O. Box 4186, Macon, GA 31208. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. *Fertilizer and fertilizer materials, in bulk, in dump vehicles*: (1) from Brunswick and Albany, GA to points in AL; and (2) from Dothan, AL to points in GA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Estech General Chemicals Corp., 340 Interstate North Parkway, Suite 150, Atlanta, GA 30309. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

MC 148621 (Sub-1TA), filed November 13, 1979. Applicant: REYNOLDS WOOD PRODUCTS, INC., P.O. Box 187, Maplesville, AL 36750. Representative: Terry P. Wilson, 420 South Lawrence Street, Montgomery, AL 36104. *Lumber*, from the facilities of Hammermill Paper Company, Southern Forest Products Division, at or near Maplesville, AL to points in AL, AR, FL, GA, IL, IN, KY, LA, MI, MS, MO, OH, PA, and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Hammermill Paper Company, Southern Forest Products Division, 147 Medical Center Parkway, Selma, AL 36701. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616—2121 Building, Birmingham, AL 35203.

MC 148761 (Sub-1TA), filed November 14, 1979. Applicant: J. E. JACKSON POULTRY & PRODUCE, INC., 1717 Princeton Ave., Birmingham, AL 35211. Representative: Milton W. Flack, 4311 Wilshire Blvd., Suite 300, Los Angeles, CA 90010. *Contract, irregular: Aluminum and fiberglass insect screening, aluminum nails, aluminum wire, and vinyl coated yarns* from the facilities of Phifer Wire Products, Inc., at or near Tuscaloosa, AL to the City of Industry, CA, under a continuing contract(s) with Phifer Wire Products, Inc. of Tuscaloosa,

AL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Phifer Wire Products, Inc., 4400 Kauloosa Avenue, (P.O. Box 1700), Tuscaloosa, AL 35401. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616—2121 Building, Birmingham, AL 35203.

MC 148800 (Sub-1TA), filed December 11, 1979. Applicant: CHARLES T. LOHR AND SYLVIA S. LOHR, d.b.a. ATLANTA-Charlotte Express, P.O. Box 32582, Charlotte, NC 28232. Representative: Eric Meierhoefer, Suite 423, 1511 K Street, NW., Washington, DC 20005. *General commodities (except those of unusual value, classes A & B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment) which are at the time moving on freight forwarder bills of lading between Atlanta, GA and Charlotte, NC, on the one hand, and, on the other, Birmingham, AL and points in its commercial zone, and points in NC, SC, FL and GA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Acme Fast Freight, Inc., 2335 New Hyde Park Rd., New Hyde Park, NY 11040. Send protests to: Sheila B. Reece, T/A, 800 Briar Creek Rd.—Rm. CC516, Charlotte, NC 28205.*

MC 148840 (Sub-1TA), filed November 29, 1979. Applicant: SHANE INDUSTRIES, INC., 2424 So. Railroad, Fresno, CA 93706. Representative: G. W. Wigand, 13031 San Antonio Dr., Norwalk, CA 90650. *General Commodities (except household goods as described by the Commission, commodities in bulk, articles of unusual value, motor vehicle and classes A & B explosives). Restricted to traffic having a prior or subsequent move on the bills of lading of freight forwarders and/or freight moving on the bills of lading of freight forwarders: From to or between the Los Angeles Basin Territory, the San Francisco Territory, Kern County, Kings County, Tulare County, Fresno County, Madera County, Merced County, Stanislaus County, and San Joaquin County, all of said points being within the State of California, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): California Western Freight Association d.b.a. Western Freight Association, 336 San Fernando Rd., Los Angeles, CA 90065. Clipper Express Co., 3401 W. Pershing Rd., Chicago, IL 60632. Merchant Shippers, 700-16th St., San Francisco, CA 94107. Western Carloading, Inc., 960 E. 3rd St., Los Angeles, CA 90013. Send protests to: D/S Neil C. Foster, 211 Main—Suite 500, San Francisco, CA 94105.*

MC 148940 (Sub-TA), filed October 31, 1979. Applicant: J & P TRUCKING, INC., 1035-A W. Flint St., Lincolnton, NC 28092. Representative: W. G. Reese III, P.O. Box 3004, Charlotte, NC 28203. *Foodstuffs, group, from Frederick & Rockingham Counties, VA and Beckley, WV to points and places in NC, SC, FL and from Lincolnton, NC to points and places in AL and FL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: National Fruit Products Co., Inc., Box 2040, Winchester, VA 22601. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd.—Rm. CC516, Charlotte, NC 28205.*

MC 148950 (Sub-TA), filed October 9, 1979. Applicant: OCCO TRANSPORT, INC., Industrial Park Blvd., Cokato, MN 55321. Representative: Robert P. Sack, P.O. Box 6010, W. St., Paul, MN 55118. *Cotton waste materials; fabric pads or padding, pillow forms, furniture, from Cokato, MN to points in WI, ND, SD, IA and IL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Fabricraft, Div. of Airtex Industries, Inc., 150 Industrial Rd., Cokato, MN 55321. Send protests to: Judith L. Olson, T/A, ICC, 414 Fed. Bldg., 110 S. 4th St., Minneapolis, MN 55401.*

MC 148951 (Sub-TA), filed November 16, 1979. Applicant: YANKEE TRANSPORT, INC., RFD 2, New Road, Goffstown, NH 03045. Representative: Elliott Bunce, Suite 1301, 1600 Wilson Blvd., Arlington, VA 22209. Contract Carrier: Irregular routes for 180 days. Authority sought to operate as a contract carrier, over irregular routes, transporting: A: such merchandise as is dealt in by grocery and food business houses, wholesale and retail chain department and food stores, and materials, equipment and supplies used in the conduct of such businesses, (except commodities in bulk). (1) Between the facilities of Associated Grocers of New England, Manchester, NH and points in MA; NH; ME; CT; RI; NY; NJ; PA; DE; MD; VT. (2) Between the facilities of Consolidated Foods, Nashua, NH and points in MA; NH; ME; CT; RI; NY; NJ; PA; DE; MD. (3) Between the facilities of Buy Rite Foods, Salem, NH and points in ME; MA; NH; CT; RI; NY; NJ; PA; DE; MD. (4) Between the facilities of Hannaford Bros., Portland, Maine and points in MA; NH; CT; RI; NY; NJ; PA; DE; MD. (5) Between the facilities of Consolidated Distribution Services, Lawrence, MA and points in NH; RI; VT; ME; CT; NY; NJ; PA; DE; MD. (6) Between the facilities of Port Terminals, Inc., So. Boston, MA, Bowker Storage and Distribution, Everett, MA and Foxboro Terminals, Foxboro, MA and points in ME; NH; VT; CT; RI; NY;

NJ; PA; DE; MD; VA; NC. (7) Between Camden and Pennsauken, and points in ME; MA; NH; CT; RI; VT; FL; IL. (8) Between the facilities of Statler Tissue Company, Augusta, ME, Statler Tissue Warehouse facilities located at specific points in ME and MA and points in NY; NJ; PA; DE; MD; VA; NC; SC; GA; FL; OH; AL; AR; IL; IN; KY; LA; MI; MO; TN; and TX. B: (1) Such commodities as are dealt in by wholesale, retail and chain grocery and food business houses (except frozen commodities and commodities in bulk) from the facilities of The Clorox Company, at or near Boston, MA to points in the states of CT; ME; NH; RI; and VT. (2) Materials, equipment and supplies used in the manufacture, sale and distribution of the commodities listed in part (1) above, from points in the states of CT; ME; NH; RI; and VT to the facilities of The Clorox Company at or near Boston, MA. Restriction: Restricted in parts (1) and (2) to the transportation of shipments originating at or destined to the named facilities and states. C: Alcoholic beverages, material and equipment used in the conduct of such business: between the facilities of the State of NH Liquor Commission, Concord, NH and points in IL; MI; KY; TN; MD; PA; IN; FL; NY; NJ. D: Canned, prepared, or preserved foodstuffs (except frozen and commodities in bulk) and ingredients, materials, equipment and supplies used in the manufacturing, packaging and distribution of food and foodstuffs: between the facilities of the William Underwood Company, located at Portland, ME and Hannibal, MO, and auxiliary warehouses at or near Boston, MA and Portland, ME, and points in the states of AL; AZ; AR; CA; CO; CT; DE; DC; FL; GA; ID; IL; IN; IA; KY; LA; ME; MD; MA; MI; MN; MS; MO; MT; NV; NH; NJ; NM; NY; NC; ND; OH; OK; OR; PA; RI; SC; SD; TN; TX; UT; VT; VA; WA; WV; WI; WY. If a hearing is deemed necessary, applicant requests that it be held at Boston, MA or Concord, NH. Supporting shipper: There are 11 shippers. Their statements may be examined at the office listed below and Headquarters. Send protests to: Ross J. Seymour, DS, ICC, Rm. 3, 6 Loudon Rd., Concord, NH 03301.

By the Commission,
Agatha L. Mergenovich,
Secretary.

[FR Doc. 80-359 Filed 1-4-80; 8:45 am]

BILLING CODE 7035-01-M

[Fourth Section Application No. 43783]**Sea-Land Service, Inc.; Joint Rail-Ocean Rates**

January 2, 1980.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of 49 U.S.C. 10726 (formerly section 4 of the IC Act).

Filed by: Sea-Land Service, Inc. (No. 108), on behalf of rail carriers parties to the schedule shown below.

Commodities involved: General commodities, in containers

From: Ports in the Far East

To: Rail carrier's terminal at Miami, FL, by way of rail-ocean interchange points on the United States Pacific Coast

Grounds for relief: Water competition.

Schedules filed containing proposed rates: Sea-Land Service, Inc. Tariff ICC SEAU 311 and six other agency and individual tariffs. Rates are published to become effective on January 28, 1980.

Protests against the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed on or before January 22, 1980.

By the Commission.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 80-358 Filed 1-4-80; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 29171]

Richard B. Ogilvie, Trustee of the Property of Chicago, Milwaukee, St. Paul and Pacific Railroad Co., Submissions Under Section 6 of the Milwaukee Railroad Restructuring Act

AGENCY: Interstate Commerce Commission.

ACTION: Decision.

SUMMARY: New Milwaukee Lines (NewMil) filed a plan to convert a part of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (Milwaukee) into an employee-shipper owned company. The Commission has determined that NewMil's plan lacks adequate financing, is not fair and equitable to the Milwaukee estate, and does not propose a railroad that can be operated on a self-sustaining basis. The agency has found that the plan is not feasible.

DATES: This decision shall be effective December 31, 1979.

FOR FURTHER INFORMATION CONTACT: Alexander L. Morton (202) 275-7684, or Michael Erenberg (202) 275-7245.

SUPPLEMENTARY INFORMATION: On November 4, 1979, the President signed into law the Milwaukee Railroad Restructuring Act, Pub. L. No. 96-101 (MRRA). Section 6 of that act provides that no later than December 1, 1979, an association composed of representatives of national railway labor organizations, employee coalitions, and shippers (or any combination of these) may submit to us a single plan to convert all or a substantial part of the Milwaukee into an employee or employee-shipper owned company, and a method for implementing the plan. The plan must include a comprehensive evaluation of the Milwaukee's prospects for financial self-sustainability. The MRRA further provides that within 30 days of submission of such a plan we must approve the proposal if we find the plan feasible. Our finding respecting feasibility must be made pursuant to section 554 (the adjudication provision) of the Administrative Procedure Act, 5 U.S.C. § 554.

In anticipation of a plan submission, and because of the stringent time constraints imposed by the new legislation, we established a procedure to govern the matter by a decision entered November 7, 1979. The procedure provided for a notice of intent, and for the filing of initial and reply statements.

NewMil, a nonprofit corporation formed under the laws of the state of Washington, submitted an employee-shipper ownership plan (ESOP) on December 1, 1979. Following a preliminary review of the plan by our staff, we propounded a number of questions to the applicant and interested persons by a notice dated December 6, 1979. We requested responses to those inquiries in the initial statements filed in support of or opposition to the plan. NewMil's proposal has generated a large volume of comments and statements, including many highly detailed analyses.

On December 10, 1979, NewMil requested an oral hearing before the entire Commission. We concluded that oral argument was appropriate, limited to our solitary determination of the plan's feasibility, and scheduled argument for December 19, 1979. Several members of Congress and the representatives for NewMil, the Milwaukee Trustee, secured creditors, unsecured creditors, Chicago Milwaukee Corporation (the holding company which owns 96 percent of the outstanding capital stock of the Milwaukee), the Railway Labor Executives' Association, the state of South Dakota, and the Union Pacific

Railroad Company appeared for argument.

The Legislation

Passage of the MRRA manifested congressional cognizance of the Milwaukee's dire financial plight. Severe operating losses and deteriorating physical condition threatened the cessation of much or all of the railroad's service. Recognizing the serious repercussions which cessation would have on the states in which the Milwaukee operates, and the thousands of railroad and other workers dependent upon its service for employment, Congress declared a need for emergency measures. The MRRA was passed to alleviate the problem by providing, *inter alia*, for the orderly restructuring of the Milwaukee.

Among the eight congressional findings contained in section 2 are three that deal specifically with Milwaukee employees: (1) Cessation of operations would result in the loss of many thousands of rail jobs, (2) experienced railroad employees make a valuable contribution toward strengthening the railroad industry, and (3) the ownership by employees or by employees and shippers of part or all of the Milwaukee may be a valuable tool in reorganization and should be given serious consideration. This emphasis on railroad employees can also be found in the Conference Committee Report discussion of section 26. Section 26 mandates that any federal relief provided for the surviving portion of the Milwaukee be conditioned upon a good faith effort by the Trustee to establish an ESOP which would include purchase of qualifying employer securities equal to 25 percent of the amount of Federal relief. The report notes that "the conferees believe that the future revitalization and recovery of any part of the Milwaukee Railroad will depend to a large degree upon the commitment of its employees towards its success." H.R. Rep. No. 96-583, 96th Cong., 1st Sess. 31 (1979). The conferees found that the most effective way to ensure an employee commitment was to give the employees a major equity interest in their company.

Section 6 of the MRRA requires us to consider, on an expedited basis and to the exclusion of all other proposals for the restructuring of the Milwaukee, a single plan submitted by employees or employees and shippers. Indeed, section 22 requires the Milwaukee to continue service over its entire system as it existed on October 15, 1979, until an ESOP is either (1) not submitted by December 1, 1979, (2) found by the Commission not to be feasible, or not

acted upon by the Commission within 30 days, (3) found by the bankruptcy court not to be fair and equitable to the estate, or (4) not implemented by April 1, 1980. Further, section 5 provides that only upon the occurrence of one of those events (but not later than April 1, 1980) may the bankruptcy court authorize the abandonment, sale, or transfer of Milwaukee lines.

Congress has plainly indicated its support for employee ownership and operation of the Milwaukee. It is in the light of those congressional expressions that we must consider our function in this proceeding. Section 6(a)(3) of the MRRA provides that:

The Commission shall make a finding that the plan submitted under this section is feasible if it determines that—

- (A) adequate public and private financing is available to the proponents of such plan;
- (B) such plan is fair and equitable to the estate of the Milwaukee Railroad;
- (C) implementation of such plan will occur by April 1, 1980;
- (D) the railroad proposed to be operated under the plan can be operated on a self-sustaining basis; and
- (E) the plan contains an assessment of all operating practices, and includes agreements by labor and management to make implementing changes designed to achieve labor productivity increases (which may include changes in work rules to increase productivity) consistent with safe operations and adequate service.

For purposes of the determinations under this paragraph, adequate financing shall include all sources of private funds, the probable value and priority of valid claims against the estate, and federal, state, or local funds available under programs (in existence as of January 1, 1980) which are or will be available to the proponent and which the proponent is likely to obtain.

The criteria which we are to apply is feasibility as thus defined. We are without discretion to look further.

The Plan

NewMil was formed by a coalition of various Milwaukee employees and shippers, joined by representatives of a number of Northern Tier States. The organization's purpose, as declared by its articles of incorporation, is to "undertake and coordinate federal, state, local and private efforts to provide for continued competitive railroad service in regions currently serviced by the Milwaukee Railroad." Toward that end, NewMil has directed its efforts at organizing, obtaining funding for, and acquiring necessary licenses and agency certifications for a new company (the New Railroad) to purchase and operate a substantial portion of the present Milwaukee system. The proposal contemplates that NewMil would cease to exist, and that the New Railroad

would acquire, own, and operate the proposed system.

Under the plan, the New Railroad would acquire and operate a transcontinental system of main and secondary main lines extending from the North Coast ports of Seattle, Tacoma, and Portland through the Twin Cities to Milwaukee, Chicago, and Louisville, and amounting to approximately 2,900 route miles. The system would also embrace about 650 miles of lighter density or branch lines, primarily in the states of Illinois, Wisconsin, and Minnesota. An additional 1,400 miles of contingent lines would be included if four conditions are met: (1) It can be determined that the lines would make a positive contribution to the system, whether from operating revenues, surcharges, or external subsidies, (2) any required rehabilitation would be borne by a third party such as a State agency or shippers, (3) the aggregate inclusion of such lines would not adversely affect the system's revenue and expense structure, and (4) arrangements to compensate the estate for such lines would not adversely affect the cash flow or financial position of the system during its formative years.

The plan anticipates conveyance to the New Railroad of land, rights-of-way, track, ballast, trackage rights, equipment, leaseholds, inventory, and material and supplies appurtenant to the proposed system; all of the Milwaukee's operating equipment; and a motor transportation subsidiary. Total track rehabilitation expenditures necessary to achieve long-term market opportunities and economic growth are estimated at 211.3 million (1977) dollars. Proposed capital additions to the plant total 61.5 million (current) dollars over the 1980-1986 period.

During the period covered by the plan's projections, the New Railroad would seek to acquire over \$500 million (1980) of equipment. The plan also calls for the New Railroad rebuilding 3,000 boxcars at a cost of 63 million (1980) dollars over the years 1980-1982, and alleviating 15.93 million (1980) dollars of deferred equipment maintenance during the years 1980 and 1981.

NewMil projects that the New Railroad base system would realize positive income (in current dollars) from operations beginning in 1982 and would generate a positive cash flow from operations beginning in 1983. The proponents forecast significant unit cost improvements from improved equipment utilization, productivity gains, higher capacity equipment, and a rehabilitated physical plant. The plan incorporates an annual productivity savings adjustment of \$12 million (1977) into its financial

projections to be realized in the first full year of operation (1980).

Current dollar projections contained in the plan include an increase in operating freight revenues of from 344.9 million dollars in 1980 to 853.2 million dollars in 1986. NewMil ascribes the increases to a restoration of traffic to a "normalized" 1977 level, achievement of specific market opportunities, long-term economic growth, and selective rate increases. The plan attributes the majority of the growth to expected improvements in service levels and competitive standing relative to other railroads operating in markets that the New Railroad would serve.

NewMil forecasts that the New Railroad would enjoy a turnaround and a superior operating ratio, and that the carrier's earnings would outpace inflation in later years. According to the plan, that gain would be attributable to the New Railroad's strong projected operating ratio, and to its performance of major improvements in the early years (when costs are lower) and its realization of the benefits in the later years (when, due to inflation, expenses are higher).

The capital needs of the New Railroad are projected to be met through a combination of private and public financing. Sources of private money would include a modest amount of shipper-contributed venture capital. Sources of public money would include federal funds available under sections 505 and 511 of the Railroad Revitalization and Regulatory Reform Act of 1976, Pub. L. 94-210, 90 Stat. 31 (1976) (4R Act), state and local funds available to support light density lines, and a joint Economic Development Administration (EDA) and Farmers Home Association (FmHA) loan to finance the ESOP's equity contribution.

Threshold Issues

NewMil's provision for inclusion of contingent lines only upon the meeting of specific conditions has generated adverse response. A plan embracing a contingent line category does not fulfill the requirements of section 6(a)(1) of the MRRA, it is argued, because such a proposal either fails to provide for a "single plan," or fails to include "a comprehensive evaluation." We do not agree. NewMil developed its projections excluding contingent lines. A provision for the possible inclusion of additional lines if such inclusion would not hinder the base system's viability does not render the plan defective.

We also do not agree with the contention that the ESOP submitted under section 6 must constitute a plan of reorganization as envisioned by section

77 of the Bankruptcy Act, 11 U.S.C. § 205. The NewMil plan contemplates a conveyance of assets rather than a reorganization of the railroad, and in fact would be the first step toward liquidation of the Milwaukee estate. We do not believe that such a proposal fails to comport with the requirements of section 6 of the MRRA, however, or that it in some manner violates the intent of section 77 of the Bankruptcy Act. The primary purpose of section 77 was to continue existing railroad lines in operation whenever possible, and, under appropriate circumstances, the sale of the Milwaukee's operating assets could clearly accomplish that result. See *In Re Tennessee Central Ry. Co.*, 304 F. Supp. 789, 793 (1969).

In light of our findings on the proposal, we need not consider whether the procedure we adopted has afforded opponents an adequate opportunity to respond to the plan, nor whether the plan might implicate the commodities clause, 49 U.S.C. 10746, or the antitrust laws.

Preliminary Note

In passing the MRRA, Congress has itself determined that the public interest would best be served by a Milwaukee restructured in the ESOP form. Thus, Congress has charged us not with determining whether an ESOP submitted under section 6 would comport with the public interest, or whether it would better serve the public interest than the Trustee's or any other plan, but only with determining whether the ESOP submitted is feasible.

We are very concerned about competition in the Pacific Northwest and across the Northern Tier. The Milwaukee plays an important role in providing transportation in those regions, and we recognize the potential economic and social costs associated with the loss of that service. We understand the adverse implications that our determination here will hold for the western lines, given the Trustee's current reorganization proposal to cease operations west of Miles city, Montana.

However, that NewMil's plan would provide continued transcontinental service is not dispositive of the ESOP's feasibility. In this proceeding, the Trustee's plan is only important as a point of reference in gauging the ESOP's fairness to the estate, and, as discussed below, even that comparison is not determinative. All that we here decide is that, as presently proposed, the NewMil plan is not feasible. We make no findings concerning the Trustee's plan.

We note that in Finance Docket No. 28640 (Sub-No. 5), *Chicago, Milwaukee,*

St. Paul and Pacific Railroad Company Reorganization (Plans of Reorganization), NewMil has filed a plan of reorganization to compete with the Trustee's plan. The NewMil and Trustee reorganization proposals and any other plans submitted in Finance Docket No. 28640 (Sub-No. 5) will be compared and considered under, and shall be subject to the requirement of, section 77 of the Bankruptcy Act.

Summary of Findings

The railroad contemplated by the plan cannot reasonably be expected to operate on a self-sustaining basis. For the foreseeable future, the proposed system would be entirely dependent upon massive amounts of external funding, almost certainly derived from the public sector.

The proponents of the plan appear to have available, and could possibly obtain, the financing that their plan contemplates. We foresee operating losses in considerable excess to those projected by NewMil, however, and the sources of additional funds necessary to cover such losses are uncertain. Therefore, we cannot conclude that adequate public and private financing is available.

In return for assets estimated by NewMil to be worth 387.8 million dollars, the New Railroad would assume the Milwaukee's obligation to run a railroad and the need to incur debt to maintain service, and would relieve the estate of potential labor protection claims. We do not believe that such consideration provide adequate compensation for the assets proposed to be acquired. Therefore, we find that the plan is not fair and equitable to the estate.

With some reservation, we find that had we approved the plan, "implementation" could have occurred by April 1, 1980. The legislative history seems to indicate that Congress did not intend a literal reading of the statutory term, but rather meant a less restrictive interpretation. Our reservation stems from the announcement by NewMil that it does not intend to become operational by April 1, 1980.

Finally, we conclude that "the plan contains an assessment of all operating practices, and includes agreements by labor and management to make implementing changes designed to achieve labor productivity increases." NewMil's proposal does not include labor-management agreements, but again the legislative history would seem to admit something less.

Self-Sustainability

Self-sustainability is the central finding the Commission has been directed to make. Therefore, we will address this issue first.

A review of NewMil's forecast, in the light of the various studies contained in the record, leads us to conclude that the New Railroad could not attain the levels of earnings and cash flows projected in the plan. A number of problems with the plan, including highly optimistic traffic projections, inflation factors well below currently projected values, and very low cost estimates, lead us to the conclusion that the New Railroad cannot be self-sustaining. While it is difficult if not impossible to quantify each of the many variables involved, the cumulative impact of the problems raised below would be crushing to the new enterprise.

The plan projects a 15 percent increase in 1980 (the first full year) over approximate 1979 carloadings. Between 1980 and 1982, NewMil expects to increase carloadings another 36 percent, with a more moderate 8 percent increase between 1982 and 1986. Net freight revenue increases between 1979 and 1980 approximate 22 percent; between 1980 and 1982, 82 percent; and between 1982 and 1986, 42 percent—all in current dollars. The proponents of the plan state that in the early years, traffic will be increased by recovery to 1977 levels and realization of market opportunities, and that after 1982 traffic increases will come about purely through economic growth.

However, a number of factors are likely to frustrate the expectations of rapid growth. The plan calls for the attainment of an average transit time of 25 m.p.h. on the Chicago-Tacoma line by the end of 1980, the attainment of an average transit time of 40 m.p.h. by 1982, and the achievement of competitive track standards on 85 percent of the system by the end of 1984. By NewMil's own estimates, these goals will be difficult, if not impossible, to achieve by the projected dates.¹ However, the plan

¹ The New Milwaukee consultant indicates that between Miles City, MT, and Maple Valley, WA, average tie replacement needs to bring track up to FRA standards are as follows:

- a. Class I—400 ties/mile
- b. Class II—945 ties/mile
- c. Class III—1,083 ties/mile
- d. Class IV—1,625 ties/mile

In addition, he says that necessary major surfacing and track raising cannot be done efficiently until Class III is reached. The track section covered represents about 40% of the total main line track or roughly 1,000 miles. Therefore, to bring the track to Class II standards—which in itself would really not be competitive—would require almost 1 million ties. The remainder of the system would need substantially more ties than that. We

Footnotes continued on next page

projects a return to 1977 traffic levels and the realization of all market opportunities by 1982. Traffic increases would undoubtedly lag behind service improvements, and service improvements in turn would lag behind rehabilitation expenditures. We do not believe it reasonable to attribute the full realization of such large market opportunities before the completion of rehabilitation. Further, the situation would be exacerbated by any delay in the plan's ambitious rehabilitation schedule.

A major portion of the anticipated growth would derive from the recovery of former Milwaukee traffic from other carriers. Western shippers are undoubtedly interested in the New Railroad's success, but they are also concerned with service. We would expect shippers to continue to use present transportation services until such time as the New Railroad has demonstrated that it can provide reliable service. NewMil argues that it can provide reliable, although slow, service before its track reaches Class II standards and that this level of service would be attractive. While we agree that large blocs of traffic are not time sensitive, we disagree that reliable service can be provided over trackage which is as deteriorated as that of the Milwaukee's western lines. Furthermore, NewMil's competitors could respond by offering better service and faster speed. Therefore, we expect shippers to continue to divide their traffic among the carriers currently serving them until such time as the New Railroad has completed its track rehabilitation program. One of our consultants projected that a 2-year delay in achieving predicted traffic levels in the initial years of the plan, accepting all other NewMil assumptions, would result in an additional \$175 million shortfall.

The projected earnings also include a productivity savings adjustment of 12 million (1977) dollars per year. A part of the savings would come from work rule changes, but we note that productivity increases accomplished through reduced crew consist agreements generally come about through attrition. A long time may pass before a railroad can realize the full potential of such agreements. The

productivity improvement projected by NewMil would be extremely difficult to realize fully in the first few critical years. However, we recognize that some employees have begun to leave the railroad.

We also believe that projected lease costs for new and rebuilt equipment are understated by nearly \$30 million over the seven-year period. The plan's lease rates of 6 percent on new equipment and 7.2 percent on rebuilt equipment are at least two percent below current average lease rates. Considering the risk of the New Railroad operation and the large amount of funds involved, the low rates anticipated by the plan probably would not be obtainable.

One challenged aspect of the NewMil plan was its projected operating ratio in 1986. The plan's proponents forecast the achievement of a ratio more favorable than that of the Union Pacific Railroad Company (UP). NewMil's projected operating ratio for 1986 is 75.4; UP's operating ratio in 1978 was 83.1. A large portion of UP's industry-leading efficiency has resulted from over 20 years of substantial investment in the maintenance of road and equipment. Indeed, the UP has pointed out that its operating ratios are under increasing pressure from high inflation rates. We believe it doubtful NewMil can achieve such ratios within the projected time frame.

To obtain a more realistic financial forecast, we have adjusted the NewMil's ratios to a level which we believe would be more appropriate—i.e. UP's 1979 nine-month operating ratio of 86.3. Applying the ratios on a basis declining to 86.3 percent in 1986 to the current dollar pro forma statement of NewMil, we found an additional cash shortfall of \$363.6 million over the seven-year period. Deducting the non-cash depreciation expense of \$48.7 million, we foresee a cash shortfall of approximately \$314.9 million, beyond that projected by NewMil. The calculations have retained the NewMil revenue projections as well as the net rent estimates, the former which we believe to be too high and the latter too low. Projected productivity increases were also accepted. That amount does not reflect the interest payments paid on moneys needed to finance the shortfall.

We have not attempted an exhaustive discussion of each point of disagreement with the NewMil projections but rather have sought by example to point out the plan's weaknesses. The various statements and reports submitted in this proceeding contain reasoned predictions of understated expenses and overstated revenues, and anticipate cash shortfalls of from \$200 to \$600 million.

Traffic increases lower than NewMil has anticipated, coupled with costs higher than it has expected will, we believe, result in greatly increased losses for the railroad. The requirement of substantial additional capital would, of course, result in increased interest costs. Heavy debt financing of operations in the formative years would burden the carrier with debt service and cripple its ability to fund necessary future capital improvements. For this thinly capitalized plan, whose viability depends heavily upon the attainment of highly optimistic revenue gains and cost experience, any performance shortfall would jeopardize continued operations. Therefore, we cannot find that the New Railroad could be operated on a self-sustaining basis.

Fairness and Equity to the Estate

NewMil plans to operate a transcontinental railroad by assuming those assets necessary for this purpose from the present Milwaukee system including all the necessary tracks and structures; rolling stock; materials and supplies; and various other Milwaukee assets including Milwaukee Motor Transportation Co. Total assets to be conveyed are valued by NewMil at about \$388 million based on a pro rata breakdown of the appraisal prepared earlier by Ford, Bacon & Davis. The Trustee believes the assets to be transferred have a value in current dollars of approximately \$533 million. All of these assets would be transferred free and clear of all encumbrances with no cash consideration being involved at all, except for the assumption of \$14 million of equipment debt.

In exchange, NewMil asserts it will relieve the Estate of its common carrier responsibilities, and relieve it of labor protection responsibilities for those who will be employed by NewMil.

The Milwaukee Estate will be left with the track and structures which will not be part of the NewMil plan. It will also retain its cash and accounts receivable and most of the Milwaukee Land Company (a part of this will be taken by the NewMil for operating purposes). The Estate will also be left with all presently existing liabilities estimated in the NewMil plan to be \$417.4 million, should the NewMil Plan be implemented. These claims include equity claims for which the Trustee has already made preliminary settlement suggestions.

The NewMil plan values the consideration it intends to convey to the Estate on the basis of the net present value of the future operating results, potential asset sales, dividend payments of the operating subsidiaries, and

Footnotes continued from last page
believe a reasonable estimate would exceed 2 million ties for the entire system.

The New Rail Plan, however, calls for the placing of only 800,000 ties per year. Thus, achievement of Class II standards could not be reached until 1982.

In order to become marginally competitive, Class III should be reached which could further postpone the day they achieve a competitive position. In addition, of course, nearly 200,000 ties per year are needed for yard work, but no provision for this had been made in the Plan that we can see.

miscellaneous assets left with the estate—comparing such values with similar evidence of value to be realized should the Trustee plan become operable.

Offsetting both of the above valuations are the claims against the estate. Aside from labor protection claims, the only difference in these claims is the need, should Trustee's Milwaukee II system be operated, to borrow an estimated \$131 million in government funds over those already borrowed in order to accomplish the goals set forth in the Trustee's programs.

The labor protection claims for which the Estate would be liable are estimated to be \$75 million to \$326 million should the Trustee program become operable, and \$36 million to \$160 million should the NewMil plan be accepted. The difference between the two plans lies in the fact that NewMil plans to employ 7,900 to 9,000 employees, whereas the Trustee plan calls for the employment of 5,900 to 6,700 employees. This difference also assumes that those employees who might be hired by NewMil would absolve the Estate of all labor protection liabilities. This probably would not be the case. The statement of the Railway Labor Executives Association indicates that while individual employees may waive their protection rights, there is no reason to believe they would do so. It would seem to us that few would do so. In light of our appraisal of the viability of the NewMil plan, we are concerned that NewMil could fail anytime during the 1980-86 period with the protection liabilities for the 7,900 to 9,000 employees who will work for NewMil then reverting to the Estate in amounts considerably greater than those projected for the Trustee plan. In this event, the actual dollar value of the contingent liability would depend on when in this period the NewMil determined it could no longer continue operations.

The NewMil method of valuation for the cash flows has many imponderables, such as varying discount rates, differing assumptions of asset values, timing of property sales, actual future operating results and other judgment issues, a change in any one of which could change the value of the consideration significantly. For instance, the NewMil plan computes a net present value to the Estate of the operating cash flows, dividends, property sales and assets remaining to the Estate under this plan to be \$204.8 million, whereas the net present value under the Trustee Plan would be only \$120.4 million. However, if we equalize the discount rates used, and assume that \$100 million of the

property passing to NewMil were retained by the Estate and sold by them over the next three years, the present value of the Estate under the Trustee's plan would exceed that under the NewMil plan by over \$25 million. The highly subjective nature of the valuation methods employed by NewMil make it very difficult to find the amount of the consideration to be conveyed to be fair and equitable.

Furthermore, from the point of view of liquidation values, we see the NewMil acquiring assets which the plan's proponents value at about \$388 million (and which the Trustee claims to have a value of \$533 million for which no real consideration is provided—except for the assumption of \$14 million of equipment debt. In exchange, the Trustee is relieved of incurring an estimated \$131 million of future debt in addition to relief of \$38 to \$166 million in potential labor claims, from which they may not in fact be absolved. Of course, preventing the Trustee from incurring debt on which he believes he will earn an attractive return is at best a dubious benefit to the estate.

In addition the NewMil plan calls for the conveyance of these assets free and clear whereas they are in fact encumbered by specific and general mortgages to the extent of about \$150 million. The secured creditors have supported the NewMil plan, provided they are paid off in full at the time of conveyance. But there are no funds in the plan to provide for such a liquidation. As the secured creditors have also noted, in order for the plan to pass constitutional muster, sufficient cash must be paid to the estate to eliminate those liens before the property to which the liens are attached is transferred. See *Louisville Joint Stock Land Bank v. Radford*, 295 U.S. 555 (1935).

We find that the plan is not fair and equitable to the Milwaukee estate.

Availability of Adequate Financing

NewMil proposes to obtain the funds necessary to cover startup costs, rehabilitation expenses, and cumulative operating losses almost entirely through federal loan programs. The funds include (a) \$101.5 million in redeemable preference shares issued under section 505 of the 4R Act, (b) \$21.7 million in loan guarantees under section 511 of the 4R Act, (c) \$15 million from loans guaranteed by the EDA and the FmHA and (d) \$10-15 million from the issuance of 12 percent noncumulative preferred stock to shipper-investors.

The section 505 funds would be used for road rehabilitation and the general capital improvements program. The plan

assumes that no dividends would be paid or accrued before the seventh year after the planned rehabilitation is completed. From that point, a 27-year life is assumed. No more than 50 percent of the available section 505 funds may be issued to any one railroad. The amount currently available is about \$203 million; the \$101.5 million which the New Railroad would request falls just within the limit.

The section 511 funds would be used for, among other things, yard rehabilitation in Tacoma. The loan would be for 20 years at 12-percent interest plus a $\frac{1}{2}$ -percent service fee. Payment would be postponed for four years, and principal and interest would be paid over the remaining 16 years.

The ESOP trust would be funded through the loan guaranteed by the EDA and FmHA. The duration of the loan would be 10 years and the interest rate 13.5 percent. The loan would be amortized by payments from the New Railroad to the ESOP trust over a 10-year period beginning in 1980. As the debt to the ESOP trust is extinguished, the stock in it would be made available to the employees. NewMil has been invited to make application for those funds.

With respect to the preferred stock sale, the actual form of the financing had not been fully determined. Present estimates of cash flows have been built around the proposal that \$10 million of 12 percent noncumulative preferred stock would be issued to shippers. Comments submitted by shippers thus far indicate only mild interest.

Rather than embark on a major equipment purchase program, the new Railroad would acquire new equipment through leverage lease arrangements. The plan calls for the lease of new equipment costing \$540 million (1980) at a six percent rate, and for a rebuilding program costing \$63 million (1980) through sale and lease back at 7.2 percent.

We believe that NewMil's plan identifies sources of loans and investment capital required to finance the New Railroad, assuming the accuracy of NewMil's revenue and cost projections, and assuming that the consideration it is offering the estate is fair and equitable. Given our conclusions as to the validity of these projections and the fairness of the considerations, NewMil would require substantial additional financing. We do not believe the funding is available from private sources or from currently available public sources. Because of our doubt that NewMil's performance projections can be achieved, we seriously question the ability of the New

Railroad to attract private sector financing, even in the far future. Neither can we identify public sources for the additional funds which we believe would be necessary simply to sustain operations through the projected period. Further, some supplemental financing mechanism would undoubtedly be required to provide adequate compensation for the assets being acquired from the estate. We cannot find that adequate public and private financing is available to the NewMil plan proponents.

Implementation by April 1, 1980

The term "implementation" is not defined in section 6. In the usual sense, the term means "fulfill" or "carry out," and thus we might interpret the statute as requiring the New Railroad to take operational control of the properties on the critical date. The proponents quite clearly could not accomplish such a task. The legislative history indicates that Congress intended a less stringent criterion, however:

I do not want to see an employee-shipper acquisition survive the Interstate Commerce Commission and bankruptcy court review process, obtain adequate public and private financing, but then fail due to the fact that the last "i" has not been dotted and the last "t" not crossed on, for instance, rehabilitation loan financing documents which the Federal Railroad Administration has not completely processed by the deadline. In other words, the fact that necessary financial commitments have been made, but not all of the funds have been dispersed by April 1, 1980, should not render the plan's implementation a nullity. 125 Cong. Rec. S15755 (daily ed. Nov. 2, 1979) (remarks of Sen. Baucus).

To effect "implementation" as we believe Congress intended that term, NewMil would need to make substantial progress toward operational control before the April 1, 1980, deadline. At a minimum, commitments for adequate financing, hiring of upper-level personnel, and agreements between labor and management would be required. Although we believe that accomplishment of these goals would represent a major undertaking, we conclude that, had we approved the plan, those goals could have been achieved by April 1, 1980, and the plan implemented by that date.

Assessment of Operating Practices and Labor-Management Agreements

The NewMil ESOP has been criticized as not meeting the specific requirements of section 6(a)(3)(E). The plan does contain a generalized discussion of operations, and a letter of understanding from the president of the Brotherhood of Railway and Airline Clerks, who is also

chairman of the Transportation Policy Committee of the Railway Labor Executives' Association. In light of our other findings we need not belabor this matter, but we only note that the Conference Committee Report indicates that the term "agreements" in the MRRA is not to be construed as requiring formal finalized labor agreements. Rather, the intent is that binding written commitments will be made in the form of letters of intent or any other appropriate manner. H.R. Rep. No. 96-583, 96th Cong., 1st Sess. 18 (1979).

We conclude that the NewMil plan contains an assessment of operating practices, and includes labor-management agreements to make implementing changes to increase labor productivity.

Conclusions

It should be emphasized that the Commission supports the concept of rail competition across the northern tier States. Specifically, this plan seems sensible from the standpoint that, should it be feasible, it would maintain the presence of a successor to the Milwaukee as a rail competitor across the northern tier States. It is in this respect consistent with past pronouncements by the Interstate Commerce Commission in such cases as the *Northern Lines Merger* case, 331 I.C.C. 228 at 282, 288, wherein the Commission made provision to strengthen the competitive position of the Milwaukee Railroad.

Given that the aims of the plan are salutary, and to that extent meet the goals sought by the Congress, we are confronted by the necessity of determining whether the information that has been placed before the Commission provides a sufficient level of assurance that the plan is likely to achieve the congressional goals. We have tried to make allowances in our analysis for the fact that under the statute, a very short time has been available for the development of the plan. We are also cognizant of the fact that the Commission is not being called upon to guarantee that the plan will work. But at the same time, we recognize our obligation to determine objectively whether within reason the plan is feasible. After as careful an analysis as is possible under existing conditions, we reluctantly must conclude that the plan is not feasible.

"Members of Congress have indicated an interest in the Commission's projections of the necessary capital to make this plan feasible. It is difficult to give a precise answer. However, we believe a minimum of \$500 million in additional capital, above that provided

for in the NewMil Plan, is necessary to finance anticipated operating losses and to make necessary payments to the Estate.

"This figure is derived by adding the anticipated operating losses which NewMil will realize with a more realistic operating ratio (approximately \$300 million) and considering staggered traffic growth (approximately \$175 million).¹ Also funds must be available to relieve the estate of secured liens (approximately \$150 million) and to compensate the Trustee for contingent labor protection claims (cost of indemnification uncertain.)

"Much of this additional financing would have to be in the form of grants or equity capital to avoid crushing debt service payments in subsequent years. Even with such a commitment of funds, the success of the venture would involve significant risks."

Finding

We find that the employee-shipper ownership plan submitted by New Milwaukee Lines is not feasible within the meaning of Section 6 of the Milwaukee Railroad Restructuring Act, Pub. L. No. 96-101 (November 4, 1979). It is ordered:

This proceeding is discontinued.

By the Commission, Chairman O'Neal, Vice Chairman Stafford, Commissioners Gresham, Clapp, Christian, Trantum, Gaskins, and Alexis.

Commissioner Trantum voted for the decision finding that the plan is not feasible but conditioned his vote on a number of changes in the decision which were not accepted by a majority of the Commission. These changes would indicate (1) that the Milwaukee provides transportation in the Pacific Northwest and across the Northern Tier rather than plays an important role in providing transportation in those regions; (2) that the \$314.9 million shortfall described on page 14 may represent only about one half of the additional funding necessary to carry the railroad through 1986; (3) that, even if the capital shortfall were to be extinguished by public funding, the heavy burden of interest payments on the Milwaukee during the years following 1986 would severely diminish the likelihood of repayment; and (4) that a description of specific programs to achieve productivity improvements is not required and was not submitted. In connection with (4) Commissioner Trantum would have the decision say: "It appears, however, that the

¹ See pages 13 and 14. It is difficult to assign a total that avoids double counting, but we believe the additional operating losses would be in the neighborhood of \$350 million.

attainment of the project cost levels would require significant changes in current work rules, and perhaps, wage levels. We have no assurance that such changes would be forthcoming."

Commissioner Christian did not participate in the decision.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 80-356 Filed 1-4-80; 8:45 am]

BILLING CODE 7035-01-M

[No. 37302; Ex Parte 357A]

Texas Intrastate Rail Freight Rates and Charges—1979

Decided December 20, 1979.

By joint petition filed on October 29, 1979, the Atchison, Topeka and Santa Fe Railway Company, the Chicago Rock Island and Pacific Railroad Company, the Fort Worth and Denver Railway Company, the Kansas City Southern Railway Company, the Louisiana & Arkansas Railway Company, the Missouri-Kansas-Texas Railroad Company, the Missouri Pacific Railroad Company, the Saint Louis-San Francisco Railway Company, the Saint Louis Southwestern Railway Company, and the Southern Pacific Transportation Company, railroads operating in intrastate commerce in Texas, request that this Commission institute an investigation of Texas intrastate freight rates and charges, under 49 U.S.C. 11501 and 11502. Petitioners seek an order prescribing the increase of such rates and charges in the same amount approved for interstate application by this Commission in Ex Parte No. 357A. Petitioners have stated grounds sufficient to warrant instituting an investigation.

In a related proceeding (consolidated Docket Nos. 37150, 37150 (Sub-No. 1), and 37150 (Sub-No. 2)), petitioners have filed a joint petition seeking to raise the level of intrastate rates to that authorized in Ex Parte No. 349. That proceeding is pending.

Petitioners previously filed an application with the Railroad Commission of Texas, requesting application of the rate increases authorized in Ex parte No. 357A to the Texas intrastate rates. In an order dated June 12, 1979, the Railroad Commission of Texas authorized a 4.9 percent increase in lieu of the 7 percent increase requested by petitioners. In an order dated July 12, 1979, the Railroad Commission of Texas denied petitioners' motion for rehearing.

In its order dated June 12, the Railroad Commission of Texas provided for termination of the rate increases authorized in that order in the event of

the filing with this Commission of a petition to investigate the adequacy of Texas intrastate freight rates and charges. That provision of the Railroad commission's order was declared to be invalid and null and void *ab initio* in *Atchison, T. & S.F.R. Co., v. Railroad Com'n of Texas*, Cause No. 293, 718 (200th Judicial Dist. Ct., Travis County, Tex. Oct. 22, 1979).

It is ordered:

The petition for investigation is granted. An investigation, under 49 U.S.C. 11501 and 11502, is instituted to determine whether the Texas intrastate rail freight rates and charges in any respect cause any unjust discrimination against or any undue burden on their interstate or foreign commerce operations, or cause undue or unreasonable advantage, preference, or prejudice as between persons or localities in interstate or foreign commerce, or are otherwise unlawful, by reason of the failure of such rates and charges to include the full increases authorized for interstate application by this Commission in Ex Parte No. 357A. In the investigation we shall also determine if any rates or charges, or maximum or minimum charges, or both, maintained by petitioners should be prescribed to remove any unlawful advantage, preference, discrimination, undue burden, or other violation of law found to exist.

All persons who wish to participate in this proceeding and to file and receive copies of pleadings shall make known that fact by notifying the Office of Proceedings, Room 5356, Interstate Commerce Commission, Washington, D.C. 20453, on or before January 22, 1980. Although individual participation is not precluded, to conserve time and to avoid unnecessary expense, persons having common interests should endeavor to consolidate their presentations to the greatest extent possible. This Commission desires participation of only those who intend to take an active part in this proceeding.

As soon as practicable after the last day for indicating a desire to participate in the proceeding, this Commission will serve a list of names and addresses on all persons upon whom service of all pleadings must be made. Thereafter, this proceeding will be assigned for oral hearing or handling under modified procedure.

A copy of this decision shall be served upon petitioners, and copies shall be sent by certified mail to the Railroad Commission of Texas and the Governor of Texas. Further notice of this proceeding shall be given to the public by depositing a copy of this decision in the Office of the Secretary of the

Interstate Commerce Commission at Washington, D.C., and by filing a copy with the director, Office of the Federal Register, for publication in the *Federal Register*.

This action will not significantly affect either the quality of the human environment or conservation of energy resources.

By the Commission, George Chandler,
Acting Director, Office of Proceedings.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 80-357 Filed 1-4-80; 8:45 am]

BILLING CODE 7035-01-M

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 28640 (Sub-No. 5)]

Chicago, Milwaukee, St. Paul & Pacific Railroad Co.; Reorganization (Plans of Reorganization)

AGENCY: Interstate Commerce Commission.

ACTION: Decision and notice.

SUMMARY: The Commission has denied a motion filed November 1, 1979, by the creditors of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW). The creditors moved for a summary determination that the MILW Trustee's reorganization plan is *prima facie* impracticable. The Commission has also established a schedule for the hearings to be held on the MILW reorganization.

DATES: Notice of intent to file any plan not presently before the Commission shall be given no later than January 10, 1980.

Hearings shall be deemed to commerce on, and all reorganization plans shall be filed no later than, January 17, 1980.

Initial statements in support of or in opposition to the reorganization plans shall be filed no later than February 1, 1980.

Replies to initial statements shall be filed no later than February 11, 1980.

This decision and notice shall be effective on January 7, 1980.

FOR FURTHER INFORMATION CONTACT:

Alexander L. Morton, (202) 275-7684.

or

Michael Erenberg, (202) 275-7245.

SUPPLEMENTARY INFORMATION: On September 28, 1979, Richard B. Ogilvie, Trustee of the MILW, filed a plan of reorganization for the railroad. Notice of the filing was published in the *Federal Register*, 44 FR 60890 (1979), and

statements indicating position (party in support or party in opposition) were due on or before November 21, 1979.

On October 3, 1979, the Association to Save Our Railroad Employment and New Milwaukee Lines filed separate plans of reorganization for the MILW. Notices of those filings were published in the *Federal Register*, 44 FR 61724 (1979), and statements indicating position were due no later than November 26, 1979.

Indenture trustees for certain MILW creditors filed a motion on November 1, 1979, for a summary determination that the Trustee's reorganization plan is prima facie impracticable. Section 77(d) of the Bankruptcy Act, 11 U.S.C. 205(d), provides that after the filing of a reorganization plan we shall give notice to stockholders and creditors and hold public hearings unless we consider the plan prima facie impracticable. The indenture trustees contend that the Trustee's plan is impracticable because it would produce an enterprise substantially less valuable than that generated through liquidation of the MILW assets. Implementation of such a plan, the indenture trustees assert, would constitute a taking of property without compensation in violation of the Fifth Amendment to the United States Constitution.

The very substantial interests represented by the creditors would not be prejudiced by holding hearings on the Trustee's and competing reorganization plans. The expedited procedure which we adopt here further militate against any harm. We shall deny the motion.

Section 7(d) of the Milwaukee Railroad Restructuring Act, Pub. L. No. 96-101 (November 4, 1979) (MRRRA), provides that the Secretary of Transportation shall guarantee Trustee certificates in an amount necessary to finance operations over the entire MILW system for 60 days after an event described in section 22(b) of that act or April 1, 1980. On December 31, 1979, we issued our order in Finance Docket No. 29171, *Richard B. Ogilvie, Trustee of the Property of Chicago, Milwaukee, St. Paul and Pacific Railroad Company—Submissions Under Section 6 of the Milwaukee Railroad Restructuring Act*, finding the employee-shipper ownership proposal submitted by New Milwaukee Lines not feasible. That determination was an event described in Section 22(b) of the MRRRA, meaning that loan guarantees for continued operation of the entire MILW system need only be made to finance service through March 1, 1980. Further, section 18 of the MRRRA precludes us from directing service over

the MILW until April 1, 1981. For these reasons, we must proceed expeditiously on the MILW reorganization, and have adopted a schedule for the hearings.

Notice of intent to file any reorganization plan not presently before us shall be given no later than *January 10, 1980*.

Hearings shall be deemed to commence on, and all reorganization plans shall be filed no later than, *January 17, 1980*.

Initial statements in support of or in opposition to the reorganization plans shall be filed no later than *February 1, 1980*.

Replies to initial statements shall be filed no later than *February 11, 1980*.

All statements and replies addressed to the Commission shall bear the notation "MILW-REORG" in boldface on the lower left-hand corner of the outer envelope. Notice of intent and copies of all statements shall be filed with the Commission and served on the governor, public service commission and designated state agency in each state in which the MILW operates; the Trustee of the MILW; the MILW reorganization court; representatives of creditors and shareholders of the MILW; and all other parties to this proceeding. Filings with the Commission shall include a certificate of service on all designated persons and parties, and all statements shall be sworn to in conformity with the Commission's *General Rules of Practice*, 49 CFR Part 1100.

The original and three copies of each filing shall be addressed to: Agatha L. Mergenovich, Secretary, Interstate Commerce Commission, 12th and Constitution Avenue NW., Washington, DC 20423.

Thirty copies of each filing shall also be addressed to: Section of Finance, Room 5417, Interstate Commerce Commission, 12th and Constitution Avenue NW., Washington, DC 20423.

It is ordered: The motion by the Indenture Trustees for creditors of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company for a summary determination that the Trustee's reorganization plan is prima facie impracticable is denied.

Hearings in this proceeding shall be governed by the schedule established in this decision and notice.

Decided January 3, 1980.

By the Commission, Chairman Gaskins, Vice Chairman Gresham, Commissioners Stafford, Clapp, Trantun, and Alexis.
Agatha L. Mergenovich,
Secretary.

[FR Doc. 80-605 Filed 1-4-80; 10:50 am]

BILLING CODE 7035-01-M

[Finance Docket No. 27872 (Sub-No. 6)]

Chicago, Rock Island & Pacific Railroad Co., Debtor (William M. Gibbons, Trustee); Reorganization Plan

AGENCY: Interstate Commerce Commission.

ACTION: Notice of reorganization plan filing and hearings.

SUMMARY: Pursuant to section 77(d) of the Federal Bankruptcy Act (11 U.S.C. 205(d)), the Chicago, Rock Island & Pacific Railroad Company, Debtor (William M. Gibbons, Trustee) ("Rock Island" or "RI") has filed a Reorganization Plan. Under section 77(d), the Commission is required to consider the Plan. This Notice informs the public of the nature of the hearing and invites interested persons to participate.

DATE: Various filing dates are described in Appendix A.

FOR FURTHER INFORMATION CONTACT:

Alexander L. Morton, (202) 275-7684

or

Michael Erenberg, (202) 275-7245.

SUPPLEMENTARY INFORMATION: On December 28, 1979, William M. Gibbons, Trustee of the Chicago, Rock Island & Pacific Railroad Company, Debtor ("Rock Island" or "RI") filed a Reorganization Plan under section 77(d) of the Federal Bankruptcy Act (11 U.S.C. 205(d)) with the Honorable Ralph McGarr of United States District Court for the Northern District of Illinois, Eastern Division ("Bankruptcy Court"). The Rock Island is currently in reorganization proceedings before the Bankruptcy Court in Docket No. 75-B-2697. Judge McGarr has informed the Commission that he intends to submit the Plan to us on January 28, 1980.

Under section 77(d), this Commission is required to consider the Trustee's Reorganization Plan or other plans under sections 77 (b) and (e), and to submit its conclusions to the Bankruptcy Court. The plan will be available for public inspection at the Commission's Washington, DC headquarters during normal business hours.

The Trustee's Reorganization Plan proposes reducing the Rock Island rail system to a "core" substantially smaller than RI's present rail system, located primarily in Illinois, Iowa, Minnesota, Missouri, Kansas, and Nebraska.

In order to facilitate the Commission's analysis of the Trustee's Reorganization Plan or other plans, a public hearing will be held in the manner described in the

following Hearing Schedule (See Appendix A). To summarize, interested persons may participate as parties in the hearing by submitting sworn statements which shall describe the person's position (e.g., party protestant or party supporting the Trustee's Reorganization Plan).¹ A notice of intent to so participate must be filed by *January 10, 1980*, and the substantive comments themselves will be due *February 7, 1980*.

Competing reorganization plans may likewise be filed at any time before the hearing by or on behalf of: (1) RI creditors being not less than 10 percent in amount of any class of creditors; (2) RI stockholders being not less than 10 percent in amount of any such class; or (3) with the Commission's consent, by any party in interest. See section 77(d). A notice of intent to file a competing reorganization plan must be filed with the Commission by *January 10, 1980*, and any competing reorganization plans shall be due on *January 28, 1980*, the date of the hearing's commencement.

Rebuttals to any of the foregoing evidence shall be due *February 12, 1980*.

All such submissions shall bear the docket number "Finance Docket No. 27872 (Sub-No. 6)" and shall be filed in the manner described in the attached Hearing Schedule (Appendix A).

We realize that the time-frames involved in this proceeding will be short. However, we believe this is necessary in view of the Rock Island's ongoing financial crisis. As we stated in Directed Service Orders Nos. 1398 and 1398 (Sub-No. 1), the Rock Island is suffering from a persisting cash-flow position which makes its continuing railroad operations impossible without the imposition of "directed service" under 49 U.S.C. 11125. See DSO No. 1398, *Kansas City Term. Ry. Co.—Operate—Chicago, R. I. & P.*, 360 I.C.C. 289 (1979); and DSO No. 1398 (Sub-No. 1)—I.C.C.—(decided November 30, 1979; served December 3, 1979), 44 FR 70733 (December 10, 1979). Directed service is scheduled to expire on March 2, 1980, and the Commission expects to issue a decision on the reorganization plan or plans by that date.

Accordingly, we are exercising our authority under section 77(d) to establish a hearing schedule for the pending RI Reorganization Plan, and any other plans, which will meet the exigencies of the situation.

It is ordered: (1) Hearings on the pending RI reorganization plan, and any property filed competing plans, will be held in the manner described in the following Schedule (Appendix A).

By the Commission, Chairman Gaskins,
Vice Chairman Gresham, Commissioners
Stafford, Clapp, Trantum and Alexis,
Agatha L. Mergenovich,
Secretary.

Appendix A—Hearing Schedule for RI Reorganization Plan

Intent to Participate—Any persons wishing to participate, either by the submission of sworn statements or a competing reorganization plan, shall file a notice of intent to so participate in these hearings by *January 10, 1980*. (This notice may be given by telephone, if timely written notice is impracticable.)

Commencement of Hearings—The hearings on the RI reorganization plan shall commence *January 28, 1980*. Any competing reorganization plans shall be due on this date.

Submission of Sworn Statements—Parties who previously filed a notice of intent to submit sworn statements shall file such statements by *February 7, 1980*.

Rebuttals—Any parties wishing to rebut any of the evidence adduced in earlier phases of the hearing may file rebuttals and accompanying argument by *February 12, 1980*.

Filing Procedure—All documents filed in this proceeding should refer to "Finance Docket No. 27872 (Sub-No. 6)" and be sent to the following Commission offices in the Commission's headquarters building at 12th and Constitution Avenue, NW., Washington, DC 20423:

Office of the Secretary (Room 2216), (original and 3 copies)

Section of Finance (Room 5417), Office of Proceedings (30 copies)

All filings shall bear the notation "RI-REORG" in boldface on the lower left-hand corner of the outer envelope. In addition, all testimony and reorganization plans filed in this proceeding shall be served on the parties identified below, shall be in the form of sworn statements, and shall conform with the Commission's *General Rules of Practice* (49 CFR Part 1100).

Service on Parties—This notice and all testimony and reorganization plans filed in this proceeding shall be served on: (a) the parties in Finance Docket No. 27872, Finance Docket No. 29144, and DSO No. 1398; (b) representatives of all RI creditors and stockholders; and (c) the Clerk, United States District Court for the Northern District of Illinois, Eastern Division (in Docket No. 75-B-2697), 209 South Dearborn Street, Chicago, IL 60606. These persons shall be added to the service list in this proceeding.

[FR Doc. 80-606 Filed 1-4-80; 10:50 am]

BILLING CODE 7035-01-M

¹ To avoid needless expenditures of effort, we will consider all statements filed with the Court (which are required by the Court to be filed with us) as formal statements in this proceeding.

Sunshine Act Meetings

Federal Register

Vol. 45, No. 4

Monday, January 7, 1980

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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1

[M-262, Amdt. 1; Jan. 2, 1980]

CIVIL AERONAUTICS BOARD.

Notice of deletion of item from the January 4, 1980, meeting agenda.

TIME AND DATE: 9:30 a.m., January 4, 1980.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT: 12. Docket 35852, Service to Ontario Show-Cause Proceeding, applications of Air California in Docket 36099, American in Docket 36043, Continental in Docket 36099, American in Docket 36043, Continental in Docket 36098, Hughes Airwest in Docket 36094, Ozark in Docket 36087, Pacific Southwest in Docket 36101, Republic in Docket 36097, TWA in Docket 36104, United in Docket 36092, USAir in Docket 36090, Western in Docket 36086 and World in Docket 36096 for authority in 88 Ontario and beyond domestic markets. (Memo No. 8901-A, BDA)

STATUS: Open.

PERSON TO CONTACT:

Phyllis T. Kaylor, the Secretary, (202) 673-5068.

SUPPLEMENTARY INFORMATION:

Certain objections filed in this proceeding have been more extensively made in the Milwaukee Show Cause Proceeding, and, for that reason, the staff believes it desirable to have the final order in the latter proceeding issue

first. The staff intends to resubmit Item 12 simultaneously with the *Milwaukee* draft final order, which would be ready for circulation by the end of the week. Accordingly, the following Members have voted that Item 12 be deleted from the January 4, 1980 agenda and that no earlier announcement of this deletion was possible:

Chairman, Marvin S. Cohen
Member, Richard J. O'Melia
Member, Elizabeth E. Bailey
Member, Gloria Schaffer

[S-23-80 Filed 1-3-80; 3:40 p.m.]

BILLING CODE 6320-01-M

2

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

TIME AND DATE: 9:30 a.m., Tuesday, January 8, 1980.

PLACE: Commission Conference Room 5240, on the fifth floor of the Columbia Plaza Office Building, 2401 E Street NW., Washington, D.C. 20506.

MATTERS TO BE CONSIDERED:

1. Final 706 Agency Designation for Wisconsin State Personnel Commission.

2. Five Freedom of Information Act Appeals, as follows:

79-8-FOIA-273, concerning a request by a charging party for access to intra-office memoranda in his ADEA file.

79-8-FOIA-281, concerning a request by a charging party for access to intra-office memoranda in her Title VII file.

79-9-FOIA-312, concerning a request by a university for copies of charges which instigated an investigation by the Commission.

79-9-FOIA-311, and 79-10-FOIA-337, both concerning requests for charges in ADEA case files.

3. Payment of Membership Fees in Private Clubs—OFCCP's proposed regulations.

4. Report on Commission Operations by the Executive Director.

Closed to the Public

Litigation authorization; General Counsel Recommendations.

Note.—Any matter not discussed or concluded may be carried over to a later meeting.

CONTACT PERSON FOR MORE INFORMATION:

Marie D. Wilson, Executive Officer, Executive Secretariat, at (202) 634-6750.

This Notice Issued December 31, 1979.

[S-22-80 Filed 1-3-80; 3:21 pm]

BILLING CODE 6570-06-M

3

FEDERAL HOME LOAN BANK BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Vol. 44, FR Page 77298, December 31, 1979.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 9:30 a.m., January 3, 1980.

PLACE: 1700 G Street NW., Sixth Floor, Washington, D.C.

STATUS: Open Meeting.

CONTACT PERSON FOR MORE INFORMATION:

Franklin O. Bolling (202-377-6677).

CHANGES IN THE MEETING:

Regulation on Additional Lending Powers.
Regulation on Amendments Relating to NOW Accounts.
Regulation on Preemption of State Usury Law.

The above items have been added to the agenda for the open meeting. Announcement is being made at the earliest practicable time.

No. 305, January 3, 1980.

[S-20-80 Filed 1-3-80; 3:13 pm]

BILLING CODE 6720-01-M

4

FEDERAL HOME LOAN BANK BOARD.

TIME AND DATE: 9:30 a.m., January 10, 1980.

PLACE: 1700 G Street NW., Sixth Floor, Washington, D.C.

STATUS: Open Meeting.

CONTACT PERSON FOR MORE INFORMATION:

Franklin O. Bolling, (202-377-6677).

MATTERS TO BE CONSIDERED:

Application for Branch Office—First City Federal Savings and Loan Association, Bradenton, Florida.

Applications for Bank Membership and Insurance of Accounts—Heartland Savings and Loan Association, La Mesa, California.

Merger—Guaranty Savings and Loan Association, Chicago, Illinois into Great American Federal Savings and Loan Association, Oak Park, Illinois.

Designation of Supervisory Agents.

No. 306, January 3, 1980.

[S-21-80 Filed 1-3-80; 8:45 am]

BILLING CODE 6720-01-M

5

January 2, 1980.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION.

TIME AND DATE: 10 a.m., January 8, 1980

PLACE: Room 600, 1730 K Street NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

The Commission will also consider and act upon the following

4. Ozark-Mahoning Company, VINC 79-138-PM, VINC 79-173-PM (Petition for Discretionary Review)

CONTACT PERSON FOR MORE INFO:

Jean Ellen, 202-653-5632.

[S-15-80 Filed 1-3-80; 2:34 p.m.]

BILLING CODE 6820-12-M

6

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

TIME AND DATE: 11:30 a.m., Thursday, January 3, 1980.

The business of the Board requires that this meeting be held with less than one week's advance notice to the public, and no earlier announcement of the meeting was practicable.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Closed.

MATTER CONSIDERED: Appointment of an officer at a Federal Reserve Bank.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204.

Dated: January 3, 1980.

Griffith L. Garwood,

Deputy Secretary of the Board.

[S-14-80 Filed 1-3-80; 1:44 pm]

BILLING CODE 6210-01-M

7

FEDERAL TRADE COMMISSION.

TIME AND DATE: 2 p.m., Monday, January 7, 1980.

PLACE: Room 532, (open); Room 540 (closed) Federal Trade Commission Building, 6th Street and Pennsylvania Avenue, N.W. Washington, D.C. 20580.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the Public.

MATTERS TO BE CONSIDERED:

Portions Open to Public

(1) Oral Argument in E. I. DuPont de Nemours & Company, Docket 9108.

Portions closed to the Public

(2) Executive Session to discuss Oral Argument in E. I. DuPont de Nemours & Company, Docket 9108.

CONTACT PERSON FOR MORE INFORMATION:

Ira J. Furman, Office of Public Information: (202) 523-3830; Recorded Message: (202) 523-3806.

[S-16-80 Filed 1-3-80; 2:34 pm]

BILLING CODE 6750-01-M

8

FEDERAL TRADE COMMISSION.

TIME AND DATE: 10 a.m., Wednesday, January 9, 1980

PLACE: Room 432, Federal Trade Commission Building, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

STATUS: Open.

MATTERS TO BE CONSIDERED:

Consideration of proposed Termination of rulemaking proceeding in Proposed Cellular Plastic Trade Regulation Rule, Docket 215-37.

CONTACT PERSON FOR MORE INFORMATION:

Ira J. Furman, Office of Public Information: (202) 523-3830; Recorded Message: (202) 523-3806.

[S-17-80 Filed 1-3-80; 2:34 p.m.]

BILLING CODE 6750-01-M

9

[F.C.S.C. Meeting Notice No. 12-79]

FOREIGN CLAIMS SETTLEMENT COMMISSION.

Announcement in Regard to Commission Meetings and Hearings.

The Foreign Claims Settlement Commission, pursuant to its regulations (45 CFR Part 504), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of open meetings and oral hearings for the transaction of Commission business and other matters specified, as follows:

Date, Time, and Subject Matter

Wed., January 2, 1980 at 10:30 a.m.—
Canceled.

Wed., January 9, 1980 at 10:30 a.m.—
Canceled.

Wed., January 16, 1980 at 10:30 a.m.—
Canceled.

Wed., January 23, 1980 at 10:30 a.m.—
Canceled.

Wed., January 30, 1980 at 10:30 a.m.—
Canceled.

Subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

All meetings are held at the Foreign Claims Settlement Commission, 1111 20th Street, N.W., Washington, D.C. Requests for information, or advance notices of intention to observe a meeting, may be directed to: Executive Director, Foreign Claims Settlement

Commission, 1111 20th Street, N.W., Washington, D.C. 20579. Telephone: (202) 653-6155.

Dated at Washington, D.C. on December 27, 1979.

Francis T. Masterson,
Executive Director.

[S-16-80 Filed 1-3-80; 3:13 pm]

BILLING CODE 6770-01-M

10

NUCLEAR REGULATORY COMMISSION.

TIME AND DATE: January 2, 8, and 9, 1980.

PLACE: Commissioners' Conference Room, 1717 H St., NW, Washington, DC.

STATUS: Open/Closed.

MATTERS TO BE CONSIDERED:

Wednesday, January 2, 11:30 a.m.

Additional Item

Briefing on Order in Point Beach (Approximately 1 hour, public meeting).

Tuesday, January 8, 9:30 a.m.

1. Discussion of Management-Organization and Internal Personnel Matters (Approximately 2½ hours, closed—Exemptions 2 and 6).

Tuesday, January 8, 1:30 p.m.

1. Discussion of Organizational Aspects of Emergency Planning (Approximately 2 hours, public meeting).

Wednesday, January 9, 9:30 a.m.

1. Continuation of Briefing on Action Plan (continued from 12/21, approximately 2½ hours, public meeting).

Wednesday, January 9, 1:30 p.m.

1. Meeting with AIF on Licensing Pause (Tentative, Approximately 1 hour, public meeting).

2. Discussion of TMI Unit 1 Management Capability and Technical Resources (Approximately 1½ hours, public meeting).

CONTACT PERSON FOR MORE INFORMATION:

Walter Magee, (200) 634-1414
December 31, 1979

Walter Magee,

Office of the Secretary.

[S-13-80 Filed 1-3-80; 1:44 pm]

BILLING CODE 7590-01-M

11

SECURITIES AND EXCHANGE COMMISSION.

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meetings during the week of January 7, 1980, in Room 825, 500 North Capitol Street, Washington, D.C.

Closed meetings will be held on Wednesday, January 9, 1980, at 9 a.m.,

Thursday, January 10, 1980, immediately following the 9:30 a.m. and 2:30 p.m. open meetings, and Friday, January 11, 1980 at 9:30 a.m. Open meetings will be held on Thursday, January 10, 1980, at 9:30 a.m. and 2:30 p.m.

The Commissioners, their legal assistants, the Secretary of the Commission, and recording secretaries will attend the closed meetings. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meetings may be considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4)(8)(9)(A) and (10) and 17 CFR 200.402 (a)(4)(8)(9)(i) and (10).

Chairman Williams and Commissioners Loomis, Evans, Pollack and Karmel determined to hold the aforesaid meetings in closed session.

The subject matter of the closed meeting scheduled for Wednesday, January 9, 1980, at 9:00 a.m. will be:

- Formal order of investigation.
- Institution of administrative proceedings of an enforcement nature.
- Institution of injunctive action.
- Personnel matter.

The subject matter of the closed meeting scheduled for Thursday, January 10, 1980, immediately following the 9:30 a.m. open meeting, will be:

- Legislative matter bearing enforcement implication.
- Opinion.

The subject matter of the closed meeting scheduled for Thursday, January 10, 1980, immediately following the 2:30 p.m. open meeting, will be:

- Post oral argument discussion.

The subject matter of the closed meeting scheduled for Friday, January 11, 1980, at 9:30 a.m., will be:

- Legislative and regulatory matters bearing enforcement implications.

The subject matter of the open meeting scheduled for January 10, 1980, at 9:30 a.m., will be:

1. Consideration of whether to issue a release announcing the adoption of a small issue exemptive rule, Rule 242 (17 CFR 230.242), under Section 3(b) of the Securities Act of 1933, which would allow certain corporate issuers to make unregistered offerings of as much as \$2,000,000 per issue of restricted securities in any six-month period to an unlimited number of accredited persons and to 35 other persons, provided certain conditions are met. For further information, please contact Gail Gordon Alkire at (202) 272-2644.

2. Consideration of whether to issue a release requesting comments on proposed amendments to Form 10-K, Regulation S-K,

Rule 14a-3, and related forms, rules and guides under the Securities Act of 1933 and the Securities Exchange Act of 1934. For further information, please contact William H. Carter at (202) 272-2604.

3. Consideration of a rulemaking petition filed by the Association of Bank Holding Companies pursuant to Rule 4(a) of the Commission's Rules of Practice seeking publication for public comment of a proposed registration form under the Securities Act of 1933 to be used to register securities issued in certain types of acquisitions. For further information, please contact John J. Huber at (202) 272-2589.

4. Consideration of whether to issue for comments proposed Form S-15 for registration under the Securities Act of 1933 of securities issued in business combination transactions meeting certain criteria, as well as proposed amendments to related rules. For further information, please contact Catherine Collins at (202) 272-2589.

5. Consideration of whether to issue for comments proposed general revisions to Articles 3 and 5, and the related sections of Article 12, of Regulation S-X. For further information, please contact Arthur J. Schmeiser or Rita Gunter at (202) 272-2133.

6. Consideration of whether to issue for comments proposed amendments to existing rules which, if adopted, would establish uniform instructions governing the periods to be covered by financial statements included in (1) most registration and reporting forms filed with the Commission under the Securities Act of 1933 and the Securities Exchange Act of 1934, and (2) annual reports to security holders furnished pursuant to the proxy rules. The proposed amendments would remove substantially all present instructions as to financial statements from the various registration and reporting forms and establish a centralized set of instructions in Regulation S-X. Also, the proposed amendments would allow most reporting companies filing registration statements under the securities Act of 1933 to present interim financial information in the same degree of detail as is presently required in a Form 10-Q under the Exchange Act of 1934. For further information, please contact Lawrence C. Best at (202) 272-2130.

7. Consideration of whether to issue a statement by the Division of Investment Management describing a no-action position which the Division has frequently and consistently taken with respect to pooled income funds maintained by public charities under Section 642(c)(5) of the Internal Revenue Code of 1954. For further information, please contact Stanley B. Judd at (202) 272-2032.

8. Consideration of whether to grant an exemption from Securities Exchange Act Rule 19b10-9, the SECO self-underwriting rule, to McCulloch Securities, Inc., to permit it to participate in an exchange offer involving the issuance of common stock by an affiliate, MCO Resources Inc. For further information, please contact Colleen Curran Harvey at (202) 272-2826.

The subject matter of the open meeting scheduled for Thursday, January 10, 1980, at 2:30 p.m., will be:

The Commission will hear oral argument on appeals by Steven S. Mitchell, Clyde Mahnke, Lawrence Dougherty, Michael Engmann, Noam Rand, Richard French and Rainbow Options (now known as Haynes & Co.), all registered broker-dealers and members of the Pacific Stock Exchange, Geoffrey Haynes, a general partner of Rainbow Options, and Jose Pascual, vice president and secretary of a registered broker-dealer, from the initial decision of an administrative law judge. The law judge concluded that the broker-dealers' registration should be suspended for twenty business days and that Pascual and Haynes should be suspended from association with any broker or dealer for the same period. For further information, please contact R. Moshe Simon at (202) 272-2752.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: George Yearsich at (202) 272-2178.

January 2, 1980.

[S-9-80 Filed 1-2-80; 4:33 pm]

BILLING CODE 8010-01-M

12

[Meeting No. 1234]

TENNESSEE VALLEY AUTHORITY.

TIME AND DATE: 9:30 a.m., EST, Thursday, January 10, 1980.

PLACE: Conference Room B-32, West Tower, 400 Commerce Avenue, Knoxville, Tenn.

STATUS: Open.

MATTERS FOR ACTION:

Personnel Actions

1. Change of status for John S. Lyon from Assistant to the General Manager (State and Legislative Liaison) to Assistant to the General Manager (State and Regional Liaison), Office of the General Manager, Knoxville, Tennessee.¹

2. Appointment of Harrison N. Culver as Chief, Nuclear Safety Review Staff, Office of the General Manager, Knoxville, Tennessee.¹

3. Adjustment in pay plan for Management Schedule employees who hold a current nuclear reactor license.

Consulting and Personal Services Contracts

1. Personal services contracts with various contractors for advice and assistance in connection with nuclear and fossil power plant design, new energy programs, and environmental requirements. Requested by the Office of Engineering Design and Construction. (Fluor Power Services, Inc., Chicago, Illinois; Chas. T. Main, Inc., Boston, Massachusetts; Stearns-Roger Engineering Corporation, Denver, Colorado; Ralph M. Parsons Company, Pasadena, California;

¹ Items approved by individual Board members. This would give formal ratification to the Board's action.

Burns & McDonnell Engineering Company, Inc., Kansas City, Missouri; and Acres American, Incorporated, Columbia, Maryland.)

2. Consulting contract with Sheppard T. Powell Associates, Baltimore, Maryland, for advice and assistance in the field of chemical engineering and other related work associated with power generating plants. Requested by the Office of Engineering Design and Construction.

3. Personal services contracts with Bechtel National, Inc., San Francisco, California; C. F. Braun & Co., Alhambra, California; and Foster Wheeler Energy Corporation, Livingston, New Jersey, for conceptual design studies of a medium-Btu coal gasification demonstration plant. Requested by the Office of Power.

Purchase Awards

1. Req. No. 825211—Requirements contract for 480-volt ac motor control centers for Yellow Creek Nuclear Plant.

2. Rejection of bids received in response to Invitation No. 603001 for indefinite quantity term contract for stainless steel (warehouse quantities) for any TVA project or warehouse.

3. Req. No. 165998—Tractor scraper unit for Colbert, Cumberland, Shawnee, and Kingston Steam Plants.

4. Sales Invitation No. 4137—Sale of unused cable and scrap steel, tubing, and brass located at Browns Ferry Nuclear Plant and Kingston Steam Plant.

5. Req. No. 163395—Replacement of the lower, intermediate lower, and intermediate furnace waterwalls of Unit 7 boiler at Widows Creek Steam Plant.

6. Req. No. 826653—Replacement induced draft fan variable speed drives for Widows Creek Steam Plant Unit 8.

Project Authorization

1. No. 3492—Innovative Conservation Research Fund Project.

Power Items

1. Deed conveying to Tennessee Valley Electric Cooperative a 0.17-acre portion of TVA's Waynesboro Substation site located in Wayne County, Tennessee.

2. Lease and amendatory agreement with Pickwick Electric Cooperative covering arrangements for 161-kV delivery at TVA's Selmer 161-kV Substation.

3. Lease and amendatory agreement with Holly Springs, Mississippi, covering arrangements for 161-kV delivery at TVA's Holly Springs 161-kV Substation.

4. Lease and amendatory agreement with Lenoir City, Tennessee, covering lease of TVA's Lenoir City Substation.

5. Lease and amendatory agreement with Rockwood, Tennessee, covering lease of TVA's Kingston and Rockwood District 69-kV Substations.

6. Tri-party lease and amendatory agreement with Brownsville, Tennessee, and Southwest Tennessee Electric Membership Corporation covering arrangements for 161-kV service to both distributors in the Brownsville area.

7. New power contract with Newport, Tennessee.

8. Letter agreement with Appalachian Power Company providing for the establishment of a new 500-kV interconnection near Kingsport, Tennessee.

9. Agreement with Department of the Army for TVA to modify a 161-kV transmission line to accommodate the construction and operation of a segment of the Tennessee-Tombigbee Waterway near Sandy Springs, Mississippi.

10. Supplement to Contract TV-36646A with Southern Research Institute to provide technical support in the area of particulate control.

11. Agreement with National Aeronautics and Space Administration for assistance in TVA's Coal Gasification Program (Contract TV-52834A).

12. Amendment to mining lease agreement with Federal-American Partners covering arrangements for future acquisition of additional uranium mining properties in the Gas Hills area of Wyoming.

Real Property Transactions

1. Abandonment of easement rights affecting a .28-acre portion of the Okolona-Houston 46-kV transmission line in Chickasaw County, Mississippi—Tracts OHA-3 and OHA-4.

2. Filing of condemnation suits.

Unclassified

1. Resolution relating to allocation of investment in the Bear Creek Multipurpose Water Control System.

CONTACT PERSON FOR MORE INFORMATION:

Lee C. Sheppard, Acting Director of Information, or a member of his staff can respond to requests for information about this meeting. Call (615) 632-3257, Knoxville, Tennessee. Information is also available at TVA's Washington Office (202) 245-0101.

Dated: January 3, 1980.

[S-24-80 Filed 1-3-80; 3:52 p.m.]

BILLING CODE 8120-01-M

13

UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

TIME AND DATE: January 14, 1980, 8 a.m.

PLACE: Uniformed Services University of the Health Sciences, 4301 Jones Bridge Road, Bethesda, Maryland 20014.

STATUS: Open.

MATTERS TO BE CONSIDERED:

8 a.m.—Meeting—Educational Affairs Committee

(1) Faculty Appointments; (2) Report—Admissions Committee.

8 a.m.—Meeting—Administrative Affairs Committee

(1) Construction Update; (2) Budget Update.

8:30—Meeting—Gifts Committee

(1) Support of Student Activities; (2) Policy on Memorials.

9 a.m.—Meeting—Board of Regents

(1) Approval of Minutes, 13 November 1979; (2) Report—Educational Affairs Committee; (3) Report—Administrative Affairs Committee; (4) Report—Gifts Committee; (5) Report—Acting President; (6) Report—Dean, School of Medicine; (7) Report—Departmental Program Review.

New Business

Scheduled Meetings: March 17, 1979.

CONTACT PERSON FOR MORE INFORMATION:

Frank M. Reynolds, Executive Secretary of the Board, 202/295-2111.

H. E. Lofdahl,

Deputy Director, Correspondence and Directives, Washington Headquarters Services, Department of Defense.

January 3, 1980.

[S-19-80 Filed 1-3-80; 3:13 pm]

BILLING CODE 3810-70-M

Postmaster

Monday
January 7, 1980

Part II

Postal Service

Privacy Act of 1974; Systems of Records; Annual Publication

Vol. 45, No. 4

Monday, January 7, 1980

POSTAL SERVICE**Privacy Act of 1974****Systems of Records, Annual Publication**

AGENCY: U.S. Postal Service.

ACTION: Annual report and notice of records system changes.

SUMMARY: The primary purpose of this document is to publish the annual notice under 5 U.S.C. 552a(e)(4) of the systems of records, as defined in the Privacy Act of 1974, Pub. L. 93-579, which are maintained by the Postal Service. The full text of the Postal Service's systems of records last appeared at 43 FR 40122, September 8, 1978. (Also see Privacy Act Issuances, 1978 Compilation, Volume IV, p. 586). This document publishes in full the systems that the Postal Service has amended since the September 8, 1978 publication. In addition, in the interest of providing complete, current information to the public in an easily accessible format, this document also provides final notice of several record system description changes and advance notice of several other changes.

DATE: Comment on Parts (2), (3), (4), (5b), and (6) must be received on or before February 4, 1980. Parts (1), 5(a) and (7) are effective December 31, 1979.

ADDRESS: Comments may be mailed to Records Officer, U.S. Postal Service, 475 L'Enfant Plaza W., S.W., Washington, D.C. 20260, or delivered to Room 3321 at the above address between 8:15 a.m. and 4:45 p.m. Comments received may also be inspected at Room 3321 between 8:15 a.m. and 4:45 p.m.

FOR FURTHER INFORMATION CONTACT: Mr. A. Scott Hamel (202) 245-4142.

SUPPLEMENTARY INFORMATION: The last complete list of Postal Service Systems of Records was published in the Federal Register on September 8, 1978 (43 FR 40122). Changes to this complete list appeared in the Federal Register on January 26, 1979 (44 FR 5544) and June 1, 1979 (44 FR 31758). Also, on August 16, 1979 (44 FR 48088), the Postal Service proposed an additional routine use to several of its systems of records.

In accordance with a provision of the Privacy Act Implementation guidelines issued by the Office of Management and Budget (40 FR 28996:1), the Postal Service has instituted a regular program of review of its recordkeeping practices. As a result of the latest comprehensive review, the Postal Service has (1) ascertained that one system of records is no longer necessary; (2) discovered three previously unannounced systems of records; (3) has rewritten one system description to make it more accurate; and (4) created two new systems or records. The Postal Service has also determined it is necessary: (5) to publish final notice of the August 16, 1979 proposal; (6) to provide notice of the existence of heretofore unpublished routine uses for several systems of records; and (7) to make minor editorial corrections and revisions in the description of numerous systems of records. Postal Service regulations concerning the privacy of information appear in 39 CFR Part 266. Those Postal Service systems of records which are exempt from certain provisions of the Privacy Act are listed in 39 CFR 266.9(b).

PART 1—DELETION OF ONE SYSTEM OF RECORDS

The Postal Service has determined, after a reassessment of USPS 020.030, Communications (Public Relations)—School Mailing Lists, that this system of records is no longer maintained or retrieved by an individual's name or other personal identifier. Therefore, under 5 U.S.C. 552a(e) (1) and (4), effective immediately, this system of records has been deleted from the list of systems which appeared in 43 FR 40122. Consequently, this system does not appear in the new list. This document constitutes the final notice of the deletion of this system.

PART 2—NOTICE OF EXISTING SYSTEMS

As required by 5 U.S.C. 552a(e)(4), this document presents initial statements of the existence and character of three additional systems of records not previously mentioned in a published notice. USPS 110.020, USPS 190.020 and USPS 190.030 are now being included as a result of a reevaluation of records maintenance practices. Those systems are designated as follows: (a) USPS 110.020, Property Management—Possible Infringement of USPS Intellectual Property Rights: USPS 110.020 has been established to provide an organized reference system which will ensure timely action against possible infringers and a system of case files for potential litigation in order to protect USPS intellectual properties.

(b) USPS 190.020, Litigation Records—National Labor Relations Board Administrative Litigation Case Files: USPS 190.020 has been established to fulfill the need for a common reference source of

information concerning litigation brought by or against the Postal Service, and held before the National Labor Relations Board.

(c) USPS 190.030, Litigation Records—Labor Topic Files: USPS 190.030 has been established as a similar type reference for information on labor law matters arising within the context of the Postal Service employee and labor relations.

PART 3—GENERAL MODIFICATION OF ONE SYSTEM DESCRIPTION

The Postal Service has rewritten the description of one previously reported records system solely for the purpose of including all civil action case files maintained by the Law Department, Headquarters, and Regional Counsels. The records system affected is USPS 190.010, Litigation Record—Civil Action Case Files. Heretofore, the system was described as comprehending only civil actions dealing with labor relations matters.

PART 4—PROPOSED CREATION OF TWO NEW SYSTEMS

The Postal Service proposes to create two new systems of records. As required by 5 USC 552(e)(4), this document presents an initial description of these two new systems of records. The proposed records systems are:

(a) USPS 100.050, Office Administration—Localized Employee Administration Records: USPS 100.050 is being created in order that certain information about employees that would be critical in an emergency situation can be obtained by postal installation officials in a timely manner.

(b) USPS 120.037, Personnel Records—Grievance and Appeals Records for Bargaining Unit Employees: USPS 120.037 is being created as a result of the need to provide the Postal Service with the ability to retrieve certain collective bargaining grievance-arbitration case files by the name of the employee. At this time, case files are retrieved by the case number (assigned chronologically) which is not a personal identifier. Therefore, although the files themselves have been in existence for a number of years, they have not previously been considered as falling within the scope of the Privacy Act.

PART 5—FINAL NOTICE OF PRIOR PROPOSAL AND PROPOSED ADDITION OF A ROUTINE USE

a. On August 16, 1979, the Postal Service published for comment in the Federal Register (44 FR 48088) notice of a longstanding routine use for public comment. The final notice of this routine use and the systems to which it applies follows:

Transfer of Information to Certified Public Accounting Firms: The Postal Service routinely enters into contracts with certified public accounting firms to perform financial audits of its accounts. Such audits may involve the review of records from several Privacy Act systems of records but only for the purpose of making determinations concerning the Postal Service's financial posture and methods. The four systems of records to which this routine use applies are affected as specified below:

USPS 050.005, Finance Records—Accounts Receivable File Maintenance: Add routine use as follows: "7. Records in this system are subject to review by an independent certified public accountant during an official audit of Postal Service finances."

USPS 050.010, Finance Records—Employee Travel Records (Accounts Payable): Add routine use as follows: "7. Records in this system are subject to review by an independent certified public accountant during an official audit of Postal Service finances."

USPS 050.020, Finance Records—Payroll System: Add routine use as follows: "24. Records in this system are subject to review by an independent certified public accountant during an official audit of Postal Service finances."

USPS 050.040, Finance Records—Uniform Allowance Program: Add routine use as follows: "8. Records in this system are subject to review by an independent certified public accountant during an official audit of Postal Service finances."

b. The Postal Service proposes to add the routine use described in 5a above to USPS 120.070, Personnel Records—General Personnel Folders (Official Personnel Folders and Records Related Thereto). The notice of this routine use and the System to which it applies follows: USPS 120.070, Personnel Records—General Personnel Folders (Official Personnel Folders and Records Related Thereto): Add routine use as follows: "18. Records in this system are subject to review by an independent certified public accountant during an official audit of Postal Service finances."

PART 6—ROUTINE USE

The Postal Service has determined that a few cases exist in which notice of another long-standing routine use has not previously been published for public comment. The notice of this routine use and the system to which it applies follow: Transfer of information in accordance with Public Law 93-647, Pub. L. 93-647 defines certain categories of persons authorized to receive current address information

when such information is to be used to locate an absent parent for the purpose of support obligations. The three systems of records to which this routine use applies are affected as specified below: USPS 010.020, Collection and Delivery Records—Boxholder Records: Add routine use as follows: "8. May be disclosed to a Federal or State agency providing parent locator services or to other authorized persons as defined by Public Law 93-647." USPS 050.020, Finance Records—Payroll System: Add routine use as follows: "25. May be disclosed to a Federal or state agency providing parent locator services or to other authorized persons as defined by Public Law 93-647." USPS 120.070, Personnel Records—General Personnel Folder (Official Personnel Folders and Records Related Thereto): "17. May be disclosed to a Federal or State agency providing parent locator services or to other authorized persons as defined by Public Law 93-647."

PART 7—EDITORIAL CORRECTIONS AND REVISIONS

The Postal Service has determined that it is necessary to make certain minor editorial corrections and revisions to various systems of records descriptions. These corrections and revisions do not reflect changes in the systems themselves, but are provided only as changes to the descriptions. In many cases, they correct typographic errors. These changes do not affect the general character or purpose of any system described, nor do they expand the population of individuals to which the systems apply. The following constitutes final notice of these changes: USPS 030.010, Equal Employment Opportunity—EEO Discrimination Complaint Investigations, 030.010:

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Delete routine use number 8—redundant with routine use number 1.

USPS 030.030, Equal Employment Opportunity—EEO Administrative Litigation Case Files, 030.030.

Change to read: "USPS 030.030, Equal Employment Opportunity—EEO Administrative Litigation Case Files, 030.030."

USPS 040.020, Customer Programs—Sexually Oriented Advertisements, 040.020:

Retention and disposal: Change to read, "a. Names are retained on the computerized list for a maximum of five years. b. Forms, printouts and microfiche are retained for five years. c. Records are destroyed by shredding; computer records by erasing." USPS 050.005, Finance Records—Accountant Receivable File Maintenance, 050.005:

System name: Change to read, "Finance Records—Accounts Receivable File Maintenance, 050.005."

USPS 050.020, Finance Records—Payroll System, 050.020:

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Change routine use number 14 to read "14. To request or provide information from or to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefits."

System manager(s) and address: Change to read, "APMG, Payroll Systems Department; APMG, Employee Relations Department." USPS 050.040, Finance Records—Uniform Allowance Program, 050.040:

Retention and disposal: Change to read, "a. The Uniform Allowance Payment Record Card is destroyed by shredding or burning six months after payment. b. Pay listing information is retained for twelve years and then destroyed by shredding or burning." USPS 070.010, Inquiries and Complaints—Correspondence Files of the Postmaster General, 070.010:

Retention and disposal: Change to read, "Records determined to have historical value are maintained permanently. Other records are maintained for two years and destroyed by burning." USPS 070.040, Inquiries and Complaints—Customer Complaint Records, 070.040:

Retrievability: Change to read, "By chronological sequence within subject category as derived from correspondence and the name of inquirer or complainant."

Retention and disposal: Change to read, "Records are retained up to a maximum period of two calendar years. All correspondence is retained during the calendar year received, plus one additional year, and then destroyed by burning or shredding." USPS 080.010, Inspection Requirements—Investigative File System, 080.010:

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Change routine use number 7 to read, "7. A record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition pro-

ceedings, or after conviction, may be disseminated to a Federal, state, local or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation or release of such person."

Retention and disposal: Change to read, "1. Case records are maintained for 1 to 15 years depending upon type. Exceptions may be granted in specific instances for longer retention. Paper case records are destroyed by burning, pulping or shredding. Computer tape/disk records are erased or destroyed. 2. Duplicate copies of investigative memoranda maintained by postal officials other than the Inspection Service are retained in accordance with official, but not Inspection Service, disposition schedules. USPS 080.030 Inspection Requirements—Vehicular Violations Record System, 080.030.

System location: System number: Change to read, "USPS National Headquarters (Procurement and Supply Department, Washington, DC 20260; Research and Development Laboratories, Rockville, MD 20852); Inspection Service, Special Investigations Division, Washington, DC 20260 and Rockville, MD 20852; Division Headquarters at Washington, DC 20013; and those postal field facilities where Security Officers have the authority to issue violation notices."

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The number "4" should precede the last (currently unnumbered) paragraph, which begins with the words "Information contained in this system . . ." USPS 110.010, Personal Property Management Records—Accountable Property Records, 110.010:

System name: System number: Change to read, "Property Management Records—Accountable Property Records, 110.010." USPS 120.010, Personnel Records—Architect Engineers Selection Records, 120.010: Change system number to USPS 210.010

System name: Change to read, "Contractor Records—Architect Engineer Selection Records, 210.010."

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Change to read: "Purpose—To facilitate the review and assessment of the qualifications of architect-engineer firms which have potential for selection and award of a contract to perform architect-engineer services under a designated facility project." USPS 120.020, Personnel Records—Blood Donor Record System, 120.020:

Retention and disposal: Change to read: "These records are retained for a period of five years and then destroyed by shredding and automatic deletion in the case of computer information." USPS 120.030, Personnel Records—Contract Employee Assignment Records, 120.030:

System number: Change to "USPS 210.020"

System name: Change to read, "Contractor Records—Contract Employee Assignment Records, 210.020."

System location: Change to "Mail Processing Department, Headquarters; Regional Offices, Sectional Centers, Bulk Mail Centers, Post Offices." USPS 120.033, Personnel Records—Contractor Employee Fingerprint Records, 120.033:

System number: Change to "USPS 210.030"

System name: Change to read, "Contractor Records—Contractor Employee Fingerprint Records, 210.030."

System location: Change to "Mail Processing Department, Headquarters; Regional Offices; Sectional Centers; Bulk Mail Centers; Post Offices." USPS 120.036, Personnel for Non-Bargaining Unit Employee Records—Employee Discipline, Grievance and Appeals Records, 120.036:

System name: Change to read "Personnel Records—Discipline, Grievance and Appeals Records for Non-Bargaining Unit Employees, 120.036." USPS 120.060, Personnel Records—Employment and Financial Interest Records, 120.060:

Categories of individuals covered by the system: Change to read, "USPS employees in levels 24 and above and Special Employees as determined by the criteria in Executive Order 11222 as implemented by Postal Service regulations, 39 CFR 447.41(a)."

USPS 120.070, Personnel Records—General Personnel Folders (Official Personnel Folders and Records Related Thereto), 120.070:

Categories of records in the system: Change to read, "Applications, resumes, merit evaluations, promotion/salary change and other personnel actions, letters of commendation, records of disciplinary action, health benefit and life insurance elections and other documents pertaining to preemployment, prior Federal employment and current service as prescribed by USPS directives."

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Change routine use number "4" to read "4. To provide information or disclose to a

Federal agency, in response to its request in connection with the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or issuance of a license, grant or other benefit to the extent that the information is relevant and necessary."

Notification procedure: Change to read, "Employees wishing to gain access to their Official Personnel Folders should submit requests to the facility head where employed. Headquarters employees should submit requests to the System Manager. Former Postal Service employees should submit the request to any Postal Service facility head giving name, date of birth and social security number. Former Post Office Department employees having no Postal Service employment (Pre-1970) should submit the request to the Office of Personnel Management (formerly the U.S. Civil Service Commission). USPS 120.090, Personnel Records—Medical Records, 120.090:

System location: Change to read, "Postal Service medical facilities and designee offices."

Categories of individuals covered by the system: Change to read, "USPS employees present and former and individuals who have been offered employment but failed the medical examination before being placed on the rolls."

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Change use number "1" to read, "1. Information in these records may be provided to the Office of Personnel Management in making determinations related to: a. Veterans Preference, b. Disability Retirement, c. Benefit Entitlement. Change routine use number "2" to read, "2. Information in these records may be provided to officials of the following Federal agencies responsible for administering benefit programs: a. Office of Workers' Compensation Programs, b. Retired Military Pay Centers, c. Veterans Administration, d. Social Security Administration. Change routine use number "3c" to read, "c. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee to the extent that the information is relevant and necessary to the requesting agency's decision on that matter. Delete routine uses numbers "3.b" and "6" and renumber routine uses 3c and 3d as 3 b and 3c.

Retention and disposal: Change to read, "Employees—Records are destroyed by the sixth year after employee leaves the USPS. All records are shredded after six years. Failed eligibles—Retained for two years and destroyed by shredding."

Notification procedure: Change to read, "An employee wishing to know whether information about him is maintained in this system of records should address inquiries to the head of the facility where employed. Headquarters employees should submit requests to the System Manager. Failed eligibles should address inquiries to the head of the facility where application for employment was made. Inquiries should contain full name."

Record source categories: Change to read, "USPS employees, selected eligibles, Veterans Administration, and USPS medical staff."

USPS 120.098, Personnel Records—Office of Workers' Compensation Program (OWCP) Record Copies, 120.098:

Storage: Change to read, "Printed forms and correspondence. (Note: In some cases, the USPS, by agreement with the Department of Labor (DOL), temporarily stores original case files. These files are considered to be DOL records to which DOL rather than USPS regulations apply.)"

Record access procedures: Change to read, "See NOTIFICATION PROCEDURE above. (Note: The original case file (in most cases) is maintained by OWCP and must be requested from that organization as provided for under Department of Labor Privacy Act System DOL/EAS-13.)"

Contesting record procedures: Change to read, "The contents of OWCP records may be contested only by contacting OWCP as provided for under the Department of Labor Privacy Act System DOL/EAS-13."

USPS 120.120, Personnel—Personnel Research and Test Validation Records, 120.120:

System name: Change to read, "Personnel Records—Personnel Research and Test Validation Records, 120.120."

System location: Change to read, "USPS National Test Administration Center, Los Angeles, CA; USPS National and Regional Headquarters; Bulk Mail Centers; District Offices; and the Oklahoma City Computer Center."

USPS 120.152, Personnel Records—Career Development and Training Records, 120.152: Delete alpha "A" before USPS in title.

USPS 120.170, Personnel Records—Safe Driver Award Records, 120.170:

Retention and disposal: Change to read, "a. Records pertaining to postal-owned vehicle driver's individual testing and driver's records

are retained for three years after separation of the employee and destroyed by shredding. b. Accident reports are retained for three years and destroyed by shredding. c. Inspection reports are retained for two years after the date of the report and destroyed by shredding. d. Other records are retained as long as the individual is employed as a vehicle operator, held for one year from the date of reassignment and destroyed by shredding."

USPS 120.220, Personnel Records—Arbitration Case Files, 120.220:

Retention and disposal: Change to read, "Selected records are maintained on an active basis until subject matter has no information value, and on an inactive basis for an additional three years. All other records are maintained for five years. Paper records are shredded and computer tape/disk records are erased at the end of retention period."

USPS 130.020, Philately—Educators Stamp Fun Mailing Lists, 130.020:

System 130.020 reprinted as appearing in 42 FR 53525; Erroneously omitted in 43 FR 40150.

USPS 140.010, Postage—Postage Refund Records, 140.010: System 140.010 reprinted as appearing in 42 FR 53526; Erroneously omitted in 43 FR 40150.

USPS 150.025, Records and Information Management Records—Privacy Act Appeals System, 150.025:

Retention and disposal: Change to read, "These records are maintained for ten years."

USPS 160.030, Special Mail Services—Express Mail Service Insurance Claims for Loss, Delay and Damage, 160.030:

System location: Change to read, "St. Louis Postal Data Center, St. Louis, MO."

USPS 170.010, Workload Reporting Records, 170.010:

System name: Change to read, "Statistical (Cost) Systems—Workload Reporting Records, 170.010."

USPS 180.010, Tort Claims—Tort Claims Records, 180.010: System number: Change to "USPS 200.030".

System name: Change to read, "Non-Mail Monetary Claims—Tort Claims Records, 200.030."

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ANNUAL NOTICE OF SYSTEMS OF RECORDS

The following points are relevant to the annual notice of Postal Service systems of records provided in this document:

a. Most systems containing contract records, as well as other legal records relating to those contracts, are considered business records by the Postal Service, rather than systems of personal records, as that term is defined in the Privacy Act. Accordingly, these systems are not listed.

b. All Postal Service records described in this list are subject to:
1. The subpoena of a court of competent jurisdiction;
2. Review by Congress or its representatives upon request.
c. The "routine use" portion of each system notice contains, as the first item, the system "purpose." The "purpose" is included to provide clarity and promote understanding of the system by the layman. It may be defined as that activity performed by those officers and employees of the Postal Service who have a need for component records of the system in the performance of their duties. Disclosure accounting is not maintained by the Postal Service for any activity listed as a "purpose."

USPS 010.020

System name: Collection and Delivery Records—Boxholder Records, 010.020

System location: Post Offices.

Categories of individuals covered by the system: Postal customers who have applied for lockbox or caller service, whether for private or public purposes.

Categories of records in the system: Records are in card form and contain names, addresses, a record of payments, and the names of persons or agents whether family members or business associates or employees.

Authority for maintenance of the system: 39 U.S.C. 403, 404.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To provide post office box services to postal patrons.

Use—

1. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged

with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

2. Disclosed to Federal, State and local government agencies for use in connection with official business.

3. Disclosed to persons authorized by law to serve judicial process when necessary to serve process.

4. Disclosed to public when box is being used for purpose of doing or soliciting business with the public.

5. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

6. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

7. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

8. May be disclosed to a Federal or State agency providing parent locator services or to other authorized persons as defined by Public Law 93-647.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is stored on card form filed in metal file cabinets. In locations where the records have been automated, information may be found on magnetic tape, magnetic cards or mylar strips.

Retrievability: Information is filed according to local needs, and the volume of records. Billing forms are filed numerically by box number within month in which rent is due. Applications are filed alphabetically by name of individual or firm.

Safeguards: Access limited to employees working in the boxholder section.

Retention and disposal:

a. Billing forms are destroyed by shredding 2 years after closeout of the last entry.

b. Boxholder applications are retained for 2 years after termination of the rental.

System manager(s) and address:

APMG, Delivery Services Department.

APMG, Finance Department, Headquarters.

APMG, Rates & Classification Department, headquarters.

Notification procedure: Inquiries should be addressed to the local postmaster, requestors in person should identify themselves with drivers license, military, government or other form of identification.

Record access procedures: See "NOTIFICATION" above

Contesting record procedures: See "NOTIFICATION" above

Record source categories: The individual to whom the record pertains.

USPS 030.010

System name: Equal Employment Opportunity—EEO Discrimination Complaint Investigations, 030.010

System location: Office of Equal Employment Compliance, Employee Relations Headquarters, EEO Office at Regions, Post Offices, Sectional Centers, Bulk Mail Centers, Automatic Data Processing Centers and Postal Data Centers.

Categories of individuals covered by the system: Current and former postal employees, applicants for positions within the USPS and third party complainants.

Categories of individuals covered by the system: Records contain names, work locations, dates, social security numbers, and other information as included on affidavits, interviews and investigative forms.

Authority for maintenance of the system: Public Law 92-261, Equal Employment Act of 1972; Executive Order 11478.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—Used by EEO officers and the Equal Employment Opportunity Commission: to adjudicate complaints of alleged discrimination and to evaluate the effectiveness of the EEO Program.

Use—

1. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of dis-

crimination filed against the U.S. Postal Service under 29 CFR 1613, and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

2. Disclosed to courts and counsel in the event of litigation.

3. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

4. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

5. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

6. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

7. Inactive records may be transferred to a GSA Federal Records Center for storage prior to destruction.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in paper case files. Status information required by the Equal Employment Opportunity Commission is maintained on ADP records.

Retrievability: Files are accessed by case number, the custodian must also be furnished with the name of the complainant and the place where the complaint was filed. Case number consists of the last two digits of the year with case in chronological sequence.

Safeguards: Case files are maintained in file cabinets within locked rooms. ADP records are protected with password security.

Retention and disposal: a. Precomplaint records—Counselor's notes are destroyed three months after a formal report is submitted to the EEO officer or three months following the final adjustment when made at that level. b. Formal complaint records—All closed cases are removed from the system quarterly. Each closed case is retained as follows: Official file, 4 years; any copies, 1 year; background documents not in case file, 3 years. c. ADP records—Closed case information is removed quarterly and stripped of personal identifiers. It is then moved to an inactive file (Not a system of records) for future comparative analyses.

System manager(s) and address: APMG, Employee relations department, Headquarters.

Notification procedure: Individuals interested in finding out if there is information in this records system pertaining to them should contact EEO officers at the Region or Headquarters level, giving complainant name, postal location, region, file number and year.

Record access procedures: See Notification procedure above.

Contesting record procedures: See Notification procedure above.

Record source categories: Information is received from the complainant, respondent and from investigations and interviews.

Systems exempted from certain provisions of the act: Reference 39 CFR 266.9 for details.

USPS 030.030

System name: Equal Employment Opportunity—EEO Administrative Litigation Case Files, 030.030

System location: Law Department, Regional and National Headquarters.

Categories of individuals covered by the system: Employees and applicants for employment involved in EEO Litigation.

Categories of records in the system: (a) Formal pleadings and memoranda of law; (b) Other relevant documents; (c) Miscellaneous notes and cases analyses prepared by Postal Service attorneys and other personnel; (d) Correspondence and telephone records.

Authority for maintenance of the system: 39 U.S.C. 401, 409(d)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—This information is used to provide legal advice and representation to the Postal Service.

Use—

1. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

2. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body or other tribunal.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. Transferred to Department of Justice, when needed by that department to perform properly its duties as legal representative of the Postal Service.

5. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Paper documents and computer tape/disk.

Retrievability: By name of litigant(s).

Safeguards: Folders containing paper documents are kept in locked filing cabinets under the general scrutiny of Postal Service attorneys. Computer terminals and tape/disk files are located in a secured area.

Retention and disposal: Selected records are maintained on an active basis until subject matter has no information value and on an inactive basis for an additional three years. All other records are maintained for five years. Paper records are shredded and computer tape/disk records are erased at the end of retention period.

System manager(s) and address: General Counsel, Law Department, Headquarters.

Notification procedure: Persons interested in reviewing records within specific case files should submit their name, and case number, if known, to the General Counsel, Law Department, National Headquarters.

Record access procedures: See "System Manager" above.

Contesting record procedures: See "System Manager" above.

Record source categories: (a) Individuals involved in EEO Litigation; (b) Counsel(s) and other representative(s) for parties in action other than Postal Service; (c) Other individuals involved in the development of EEO litigation. Source documents include administrative complaint/action file, and other records relevant to the case.

USPS 040.020

System name: Customer Programs—Sexually Oriented Advertisements, 040.020.

System location: Rates and Classification Department, Headquarters; Postal Data Center, Headquarters; Postal Data Center, New York; Postal Inspector-in-Charge NYC and Los Angeles, CA.

Categories of individuals covered by the system: Any adult who elects to have his name and address and that of his children under 19 years of age, placed on the list of persons who do not wish to receive sexually oriented advertisements through the mail.

Categories of records in the system: Records contain the name and address of head of household or other adult, the names and birth dates of children under 19 years of age.

Authority for maintenance of the system: 39 U.S.C. Section 3010.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To maintain a list, available to mailers of sexually oriented advertisements, of persons desiring not to receive such matter through the mails.

Use—

1. Upon payment of prescribed fee, provide mailers of sexually oriented advertisements a list of individuals who do not wish to receive SOA.

2. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is stored on magnetic tape, computer printouts, microfiche cards and preprinted forms.

Retrievability: Information is stored in ZIP Code sequence and in application number sequence.

Safeguards: Printouts and microfiche are retained by the Office of Mail Classification and Postal Inspection Service; hard copy is maintained in file cabinets at Headquarters with limited access.

Retention and disposal: a. Names are retained on the computerized list for a maximum of five years. b. Forms, printouts and microfiche are retained for five years. c. Records are destroyed by shredding; computer records by erasing.

System manager(s) and address: APMG, Rates and Classification Department, Headquarters.

Notification procedure: Customers will furnish the system manager their name, address, application number and the date of filing.

Record access procedures: See "NOTIFICATION" above.

Contesting record procedures: See "NOTIFICATION" above.

Record source categories: Customers filing to have their names placed on lists so as not to receive SOA.

USPS 050.005

System name: Finance Records—Accounts Receivable File Maintenance, 050.005.

System location: Postal Data Centers.

Categories of individuals covered by the system: Present and former employees, contractors, vendors and other individuals indebted to the Postal Service.

Categories of records in the system: Invoice number, location name, Social Security Number, employee name, designation code.

Authority for maintenance of the system: 39 U.S.C. 401.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To monitor and record collections made by the USPS.

Use—

1. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

2. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular. 3. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

4. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

5. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

6. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613 and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

7. Records in this system are subject to review by an independent certified public accountant during an official audit of Postal Service finances.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on printed forms, punched cards and magnetic tapes.

Retrievability: Records are normally retrieved by invoice number may be retrieved, when necessary, by name of employee, contractor, vendor, or other indebted individual.

Safeguards: Authorization is limited to personnel of the General Accounting Section. Computerized records are subject to the security of the computer room.

Retention and disposal: All information is retained for four years after claim is paid and then destroyed by burning or scratched.

System manager(s) and address: APMG, Finance Department, Headquarters.

Notification procedure: Individuals requesting information from this system of records will apply to the pertinent postal facility and present the debtor's name and Social Security Number.

Record access procedures: See "NOTIFICATION" above.

Contesting record procedures: See "NOTIFICATION" above.

Record source categories: Information is passed to this system from the Payroll Section, General Accounting Section, Claims Section, and Postmasters and Regional Offices.

USPS 050.010

System name: Finance Records—Employee travel Records (Accounts Payable), 050.010

System location: Postal Data Centers, Postal Service Personnel Offices.

Categories of individuals covered by the system: USPS Employees on official travel.

Categories of records in the system: Travel vouchers and travel advances containing employee name, social security number, Finance Number, basic travel information, and relocation data.

Authority for maintenance of the system: 39 U.S.C. 1001, 2008

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—Reimburse Employees for official travel.

Use—

1. To refer, where there is an indication of a violation or potential violation of law, whether civil, agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

2. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

3. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

4. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

5. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court of administrative body.

6. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613, and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

7. Records in this system are subject to review by an independent Certified Public Accountant during an official audit of Postal Service finances.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is stored on pre-printed forms and magnetic tape.

Retrievability: Information is indexed by social security number.

Safeguards: Access is subject to computer center access control.

Retention and disposal: Retained four years after payment and destroyed by burning or magnetic tape by scratching and reuse.

System manager(s) and address: APMG, Finance Department, Headquarters.

Notification procedure: Requests for information should be presented to Employee's Personnel Officer, furnishing name and social security number.

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: Information is received from the employee filing a voucher.

USPS 050.020

System name: Finance Records—Payroll System, 050.020

System location: Payroll system records are located and maintained in all Departments, facilities and certain contractor sites of the Postal Service. However, Postal Data Centers are the main locations for

payroll information. Also, certain information from these records may be stored at emergency records centers.

Categories of individuals covered by the system: USPS Employees.

Categories of records in the system: Records contain general payroll information including retirement deduction, family compensations, benefit deductions, accounts receivable, union dues, leave data, tax withholding, allowances, FICA taxes, salary, name social security number, payments to financial organizations, dates of appointment or status changes, designation codes, position titles, occupation code, addresses, records of attendance, and other relevant payroll information. Also includes automated Form 50 records.

Authority for maintenance of the system: 39 USC 401, 1003, 5 USC 8339

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—

1. Information within the system is for handling all necessary payroll functions and for use by employee supervisors for the performance of their managerial duties.

2. To provide information to USPS Management and executive personnel for use in selection decisions and evaluation of training effectiveness. These records are examined by the Selection Committee and Regional Postmasters General.

3. To compile various lists and mailing lists, i.e., Postal Leader, Women's Programs, Newsletter, etc.

4. To support USPS Personnel Programs such as Executive Leadership, Nonbargaining Position Evaluations, Evaluations of Probationary Employees, Merit Evaluations, Membership and Identification Listings, Emergency Locator Listings, Mailing Lists, Women's Programs and analysis of employees in various salary ranges.

Use—

1. Retirement Deduction—To transmit to the Office of Personnel Management a roster of all USPS employees under Title 5 USC, Section 8334, along with a check.

2. Tax information—To disclose to Federal, State and local government agencies having taxing authority, pertinent records, relating to individual employees, including name, home address, social security number, wages and taxes withheld for other jurisdictions.

3. Unemployment Compensation Data—To reply to State Unemployment Offices at the request of separated USPS employees.

4. Employee Address File—For W-2 tax mailings and Postal mailing such as Postal Life, Postal Leaders, etc.

5. Salary payments and allotments to financial organizations—To provide pertinent information to organizations receiving salary payments or allotments as elected by the employee.

6. FI (SS Tax) Deduction—To SS Administration as record of earnings under the SS Act for all casual employees not under retirement.

7. Determine eligibility for coverage and payment of benefits under the Civil Service Retirement System, the Federal Employees' Group Life Insurance Program and the Federal Employees Health Benefits Program and transfer related records as appropriate.

8. Determine the amount of benefit due under the Civil Service Retirement System, the Federal Employees' Group Life Insurance Program and the Federal Employees Health Benefits Program and authorizing payment of that amount and transfer related records as appropriate.

9. Transfer to Office of Workers' Compensation Program, Veterans Administration Pension Benefits Program, Social Security Old Age, Survivor and Disability Insurance and Medicare Programs, military retired pay programs, and Federal Civilian employee retirement systems other than the Civil Service Retirement System, when requested by that program or system or by the individual covered by this system of records, for use in determining an individual's claim for benefits under such system.

10. Transfer earnings information under the Civil Service Retirement System to the Internal Revenue Service as requested by the Internal Revenue Code of 1954, as amended.

11. Transfer information necessary to support a claim for life insurance benefits under the Federal Employees' Group Life Insurance, 4 East 24th Street, New York, NY 10010.

12. Transfer information necessary to support a claim for health insurance benefits under the Federal Employees Health Benefits Program to a health insurance carrier or plan participating in the program.

13. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature to the appropriate agency whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

14. To request or provide information from or to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefits.

15. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

16. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

17. Certain information pertaining to Postal Supervisors may be transferred to the National Association of Postal Supervisors.

18. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

19. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

20. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

21. Inactive records may be transferred to a GSA Federal Records Center prior to destruction.

22. To provide data for the automated Central Personnel Data File (CPDF) maintained by the Office of Personnel Management.

23. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613, and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

24. Records in this system are subject to review by an independent certified public accountant during an official audit of Postal Service finances.

25. May be disclosed to a Federal or State agency providing parent locator services or to other authorized persons as defined by Public Law 93-647. (Proposed 10/79)

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Preprinted forms, magnetic tape, microforms, punched cards, computer reports and card forms.

Retrievability: These records are organized by location, name and social security number.

Safeguards: Records are contained in locked filing cabinets; are also protected by computer passwords and tape library physical security.

Retention and disposal: Records are retained and updated throughout employment with the Postal Service. Upon separation records become historical data, this data is retained at the local site for two years then forwarded to the Federal Records Center nearest the pay location.

System manager(s) and address: APMG, Payroll Systems Department, Headquarters, APMG, Employee Relations Department.

Notification procedure: Request for information on this system of records should be made to the head of the facility where employed, giving full name and social security number. Headquarters employees should submit requests to the System Manager.

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: Information is furnished by employees, supervisors and the Postal Source Data System.

USPS 050.040

System name: Finance Records—Uniform Allowance Program, 050.040

System location: Postal facilities employing personnel entitled to uniform allowances and the Postal Data Center, St. Louis, MO 63180.

Categories of individuals covered by the system: USPS Employees entitled to uniform allowances.

Categories of records in the system: Information maintained includes name, social security number, designation code, account balance and pay location.

Authority for maintenance of the system: 39 U.S.C. 1206.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To fund the procurement of uniforms.

Use—

1. Certain information may be furnished to a duly licensed uniform vendor from whom individual employees have made purchases for the purpose of accounting for payments.

2. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

3. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

4. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

5. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

6. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613, and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

7. Inactive records may be transferred to a GSA Federal Records Center prior to destruction.

8. Records in this system are subject to review by an independent certified public accounting during an official audit of Postal Services finances.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is maintained on preprinted forms, microfilm and magnetic tape.

Retrievability: Systems of records is indexed by social security number.

Safeguards: Forms are kept in file cabinets and magnetic tape and microfilm is subject to Computer Center access control.

Retention and disposal: a. The Uniform Allowance Payment Record Card is destroyed by shredding or burning six months after payment. b. Pay listing information is retained for twelve years and then destroyed by shredding or burning.

System manager(s) and address: APMG, Finance Department, Headquarters.

Notification procedure: Correspond with the head of the facility where employed, furnishing name and social security number.

Record access procedures: See "NOTIFICATION" above.

Contesting record procedures: See "NOTIFICATION" above.

Record source categories: Payroll system and Postmasters have input to this system of records.

USPS 070.010

System name: Inquiries and Complaints—Correspondence Files of the Postmaster General, 070.010

System location: Office of the Postmaster General, USPS Headquarters.

Categories of individuals covered by the system: USPS employees and Postal Service customers who have corresponded with the Office of the Postmaster General.

Categories of records in the system: General postal information.

Authority for maintenance of the system: 39 USC 401.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To maintain reference to letters from persons communicating with the Postmaster General.

Use—

1. Periodically transferred to custody of National Archives and Records Service (NARS) for keeping as historical documentation.

2. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

5. Inactive records may be transferred to a GSA Federal Records Center prior to destruction.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In original typed, printed, or handwritten form.

Retrievability: Records are filed by individual's name, chronologically by date and by subject.

Safeguards: Records are maintained in locked filing cabinets under scrutiny of PMG's secretary and insecured locked storage room with limited access.

Retention and disposal: Records determined to have historical value are maintained permanently. Other records are maintained for two years and destroyed by burning.

System manager(s) and address: Postmaster General, Headquarters.

Notification procedure: Inquiries should be addressed to the SYSTEM MANAGER above and should contain full name, date of letter, and subject.

Record access procedures: See SYSTEM MANAGER above.

Contesting record procedures: See SYSTEM MANAGER above.

Record source categories: Persons communicating with the Postmaster General.

USPS 070.40

System name: Inquires and Complaints—Customer Complaint Records, 070.040

System location: Consumer advocate. USPS, Regional and National Headquarters, District Offices, Post Offices.

Categories of individuals covered by the system: USPS customers who have initiated complaints against the USPS.

Categories of records in the system: The complainant's name, address, and nature of the specific complaint, and resolution of same.

Authority for maintenance of the system: 39 U.S.C. 403, 404

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To process USPS customer complaints regarding mail services.

Use—

1. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

2. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file cabinets.

Retrievability: By chronological sequence within subject category as derived from correspondence and the name of inquirer or complainant.

Safeguards: Records are maintained in closed filing cabinets.

Retention and disposal: Records are retained up to a maximum period of two calendar years. All correspondence is retained during the calendar year received, plus one additional year, and then destroyed by burning or shredding.

System manager(s) and address: APMG, Customer Services Department, Headquarters

Notification procedure: Customers wishing to know whether information about them is maintained in this system of records should address inquiries to the same facility to which they submitted their complaint.

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: USPS customers.

USPS 080.010

System name: Inspection Requirements Investigative File System 080.010

System location: Chief Postal Inspector, Headquarters; Inspection Service Regional Headquarters; Division Headquarters.

Categories of individuals covered by the system: Persons related to investigations, including subjects of investigations, complainants, informants, witnesses, etc.

Categories of records in the system: Reports of investigations conducted in criminal, civil, and personnel suitability background matters, and information in various forms received from individuals, other law enforcement agencies and from the public, including information compiled for the purpose of identifying criminal offenders and reports identifiable to individuals. Personal information in this system may include fingerprints, handwriting samples, reports of confidential informants, physical identifying data, voiceprints, polygraph tests, photographs, and individual personnel and payroll information.

Authority for maintenance of the system: 39 U.S.C. 404

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To provide information related to investigation of criminal matters: employee and contractor background investigations or other Inspection Service activities. Use—A record maintained in this system of records may be disseminated as a routine use of such records as follows:

1. In any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate Federal, State, local, or foreign agency charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law;

2. In the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a Federal, State, local or foreign agency, or to an individual or organization, if there is reason to believe that such agency, individual or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant.

3. A record relating to a case or matter may be disseminated to a Federal, State, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing;

4. A record relating to a case or matter may be disseminated in an appropriate Federal, State, local or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice;

5. A record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings;

6. A record relating to a case or matter that has been referred by an agency for investigation, prosecution, or enforcement, or that involves a case or matter within the jurisdiction of an agency, may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the case or matter;

7. A record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition proceedings, or after conviction may be disseminated to a Federal, State, local or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation or release of such a person.

8. A record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement;

9. A record may be disseminated to a Federal, State, local, foreign or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency;

10. A record may be disseminated to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter.

11. A record from this system may be disclosed to the public, news media, trade associations, or organized groups to provide information of interest to the public concerning the activities and the accomplishment of the Postal Service or its employees;

12. A record may be disseminated to a foreign country, through the United States Department of State or directly to the representative of such country, to the extent necessary to assist such country in apprehending and/or returning a fugitive to a jurisdiction which seeks his return.

13. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

14. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

15. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

16. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613 and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

17. Inactive records may be transferred to a GSA Federal Records Center prior to destruction.

18. To provide members of the American Insurance Association Index System with certain information relating to accidents and injuries.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Information is collected on handwritten documents and certain investigative material is automated.

Retrievability: Information is located by the name of the individual.

Safeguards: Investigative records are maintained in locked file cabinets, safes, or secured areas under the scrutiny of Inspection Service personnel who have been subjected to security clearance procedures. Access is further restricted by computer passwords.

Retention and disposal: 1. Case records are maintained for 1 to 15 years depending upon type. Exceptions may be granted in specific instances for longer retention. Paper case records are destroyed by burning, pulping or shredding. Computer tape/disk records are erased or destroyed. 2. Duplicate copies of investigative memoranda maintained by postal officials other than the Inspection Service are retained in accordance with official but not Inspection Service disposition schedules.

System manager(s) and address: Chief Postal Inspector, Headquarters.

Notification procedure: Persons wishing to know whether information about them is contained in this system of records or if they were the subject of an investigation should furnish the SYSTEM MANAGER sufficient identifying information to distinguish them from other individuals of like name; identifying data will include name, address, type investigation, dates, places and the individuals involved.

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: Personal interviews, written inquiries, and other records concerning persons involved with an investigation,

whether subjects, applicants, witnesses, references, or custodians of record information.

Systems exempted from certain provisions of the act: Reference 39 CFR 266.9 for details.

USPS 080.030

System name: Inspection Requirements—Vehicular Violations Record System, 080.030

System location: USPS National Headquarters (Procurement and Supply Department, Washington, DC 20260; Research and Development Laboratories, Rockville, MD 20852), Inspection Service, Special Investigations Division, Washington, DC 20260 and Rockville, MD 20852; Division Headquarters at Washington, DC 20013, and those postal field facilities where security officers have the authority to issue violation notices.

Categories of individuals covered by the system: Persons who have been issued courtesy violation notices or violation notices by Security Police Officers.

Categories of records in the system: Individual violator's name, State operator permit, State operator permit number, violation cited, date of citation, citation number issued, State automobile license tag number, dates of court appearances.

Authority for maintenance of the system: 40 U.S.C. 318, annually made applicable to the Postal Service by general provisions of the Treasury, Postal Service, and General Government Appropriation Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To provide USPS management with information necessary for appropriate administrative remedial action. Use—

1. To provide information to local, State, and Federal enforcement, prosecutive and judicial officials.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

4. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613 and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In original, typed, printed or handwritten form.

Retrievability: Records filed by name or violator in alphabetical order and by automobile license tag number.

Safeguards: Records maintained in limited access Security Force Control Centers manned 24 hours and in National Headquarters, in locked filing cabinets in Procurement and Supply Department and Planning and New Development Department under general scrutinizing of authorized personnel.

Retention and disposal: Records are maintained for two years and then destroyed. Some records may be retained longer when required for law enforcement investigations or court proceeding.

System manager(s) and address: Chief Postal Inspector, USPS Headquarters.

Notification procedure: Individuals wishing to know whether information about them is maintained in this system of records should furnish name and residence address as follows:

a. For National Headquarters: Inspector in Charge, Special Investigations Division, 475 L'Enfant Plaza West, SW, Washington, DC 20260.

b. For the Field: Inspector in Charge, USPS with appropriate field division title and address as listed above under "System Location."

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: Individual violators, Security Police Officers, personnel observation, state motor vehicle registration bureau, USPS Personnel Department, supervisory personnel of tenant firms, USPS Parking Control Officer, prosecutive and judicial officials; motor vehicle operators' permits, violator's personal identification cards, personnel locator listing and parking applications.

USPS 100.050

System name: Office Administration—Localized Employee Administration Records, 100.050.

System location: Western Region Headquarters and other field facilities as designated by the facility head.

Categories of individuals covered by the system: Facility employees.

Categories of records in the system: Employee name, various information associated with work location, home address, emergency contact point, and other information as locally required.

Authority for maintenance of the system: 39 U.S.C. 1001.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purposes—Provides readily available information on employees for various routine administrative purposes such as work location identification, emergency locating and home mailings. Use—

1. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit to the extent that the information is relevant and necessary.

2. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

4. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

5. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

6. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613, and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records, computer disc.

Retrievability: Employee name, organization, pay location, finance number, others as locally required.

Safeguards: Paper records kept in locked files, computerized disk files password protected.

Retention and disposal: Records about individual employees will be destroyed within 6 months of employment termination at that facility. Lists generated from computerized systems will be destroyed upon the generation of a subsequent more current list.

System manager(s) and address: Facility head.

Notification procedure: Inquiries should contain employee's name and be addressed to the SYSTEM MANAGER.

Record access procedures: See NOTIFICATION PROCEDURE above.

Contesting record procedures: See NOTIFICATION PROCEDURE above.

Record source categories: Individuals of record.

SPS 110.010

System name: Property Management Records—Accountable Property Records, 110.010.

System location: All USPS Components.

Categories of individuals covered by the system: Employees assigned accountable property.

Categories of records in the system: Records controlling the issuance of accountable Postal Service Property, such as equipment, credentials, and controlled documents.

Authority for maintenance of the system: 39 USC 401

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To provide a

record of accountable property on hand and to whom it has been assigned.

Use—

1. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate law enforcement agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

2. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

5. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

6. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613 and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system is maintained on printed forms.

Retrievability: Name of recipient of accountable property and types of equipment.

Safeguards: Physical security.

Retention and disposal: As long as individual is charged with equipment, records are returned to individual when he is no longer accountable.

System manager(s) and address: (1) Chief Postal Inspector, Headquarters; (2) APMG, Procurement and Supply Department, Headquarters.

Notification procedure: Employees wishing to know whether information about them is maintained in the system should address inquiries to the Custodian in the facility where assignment was made. Headquarters employees should submit request to the SYSTEM MANAGER.

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: Information is obtained by the individual to whom the record pertains.

USPS 110.020

System name: Property Management—Possible Infringement of USPS Intellectual Property Rights, 110.020

System location: National Headquarters, Law Department

Categories of individuals covered by the system: Possible infringers of USPS copyrights and trademarks.

Categories of records in the system: Any reports from Inspection Service or other sources, advertisements, photographs, magazine clippings or any other documents reporting possible infringers, and any correspondence between the Postal Service and the possible infringer.

Authority for maintenance of the system: 39 U.S.C. 401(5)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To protect USPS intellectual properties by insuring timely action against possible infringers.

Use—

1. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body or other tribunal.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. A record may be transferred, and information from it disclosed, to the Department of Justice or other counsel representing the Postal

Service or any officer, employee, former officer or employee, consultant, contractor or subcontractor when appropriate to enable the Department or other counsel to afford proper representation to clients.

4. A record may be transferred, and information from it disclosed to any Federal agency as may be appropriate for the coordinated defense or prosecution of related litigation or the resolution of related claims or issues without litigation.

5. A record may be disclosed in a Federal, State, local, or foreign judicial or administrative proceeding in accordance with the procedures and practices governing such proceeding.

6. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

7. A record may be transferred and information from it disclosed to the Patent and Trademark Office, Department of Commerce, in any proceeding involving the registration of Postal Service trademarks.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in locked file cabinets in original, typed, printed or handwritten form. Index cards, kept in a card file, are filed by USPS copyright and trademark and subfiled under the name of each possible infringer of that particular copyright or trademark.

Retrievability: Cases are retrieved by name of possible infringer and USPS copyright or trademark.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are retained six years after closing case and then destroyed by shredding or burning.

System manager(s) and address: General Counsel, Law Department.

Notification procedure: Inquiries should be addressed to the SYSTEM MANAGER above and should contain name and, if known, USPS copyright or trademark possibly infringed.

Record access procedures: See NOTIFICATION PROCEDURE above.

Contesting record procedures: See NOTIFICATION PROCEDURE above.

Record source categories: Information is provided by the Postal Inspection Service, postal employees and customers.

USPS 120.020

System name: Personnel Records—Blood Donor Record System, 120.020

System location: Health Units at USPS Facilities; District Chapters of the American Red Cross.

Categories of individuals covered by the system: USPS employees who volunteer to join the USPS Blood Donor Program.

Categories of records in the system: Name, address, pay location number, and information as to month they wish to donate blood.

Authority for maintenance of the system: 39 USC 401.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To provide the USPS Blood Donation Program with Blood Bank information so that donors can be spread throughout the year in their donation.

Use—

1. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

2. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court administrative body.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system is maintained on magnetic tape, punched cards, preprinted forms and computer printed reports.

Retrievability: Employee's name and social security number.

Safeguards: Maintained in closed file cabinets in secured facilities.

Retention and disposal: These records are retained for a period of five years and then destroyed by shredding and automatic deletion in the case of computer information.

System manager(s) and address: APMG, Employee Relations Department, Headquarters

Notification procedure: Employees wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the facility where employed. Headquarters employees should submit requests to the SYSTEM MANAGER. Inquiries should contain full name and social security number.

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: Information is obtained from the individual.

USPS 120.036

System name: Personnel Records—Discipline, Grievance and Appeals Records for Non-Bargaining Unit Employees, 120.036

System location: All postal facilities.

Categories of individuals covered by the system: Records are maintained on non-bargaining employees in the Postal Service (PS), Postal Management Salary (PMS), Post Technical, Administrative, and Clerical (PTAC), Postal Executive Salary (PES) (except officers) and Non-City Delivery (NCD) who have completed six months of continuous service in the U.S. Postal Service or a minimum of twelve months of combined service, without break of a work day, in positions in the same line of work in the Civil Service and the Postal Service, unless any part of such service was pursuant to a temporary appointment in the competitive service with a definite time limitation.

Categories of records in the system: Notice to employee of proposed action, reply to notice, summary of oral reply, employee notice of grievance, employee notice of appeal, records of hearing proceedings, appeal decisions from installation head, region or Headquarters, notice of action, investigative reports and related records.

Authority for maintenance of the system: 39 USC 1001

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—Provides a grievance and appeal procedure for an employee, not subject to the provisions of a collective bargaining agreement, who alleges that his rights regarding compensation, benefits, or other terms and conditions of employment have been adversely affected. Use—

1. To respond to a request from a member of Congress regarding the status of an appeal, complaint or grievance.

2. To respond to a court subpoena and/or refer to a court in connection with a civil suit.

3. To adjudicate an appeal, complaint, or grievance.

4. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

5. To request information from a Federal, State or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

6. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

7. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

8. Records from the employee file will be disclosed to the Federal Employees Appeals Authority Office of Personnel Management for action on Veterans Preference Appeals.

9. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

10. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

11. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

12. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613 and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system is maintained on paper in the form of letters, forms, notices. In some instances, records of hearing proceedings are on magnetic tape.

Retrievability: Employee name.

Safeguards: Records are kept in locked filing cabinets or secured record storage rooms and are available only to authorized officials.

Retention and disposal: Appeal records are kept for two years after close of file. All others are kept one year after close of file. Records are destroyed by shredding.

System manager(s) and address: APMG, Employee Relations Department, Headquarters.

Notification procedure: Field employees must submit a written request to the head of the field installation where the action was initiated. Headquarters employees must submit a written request to the System Manager. He may also request permission to listen to or record tape recordings of hearings. This must be done in the presence of a postal official. He must identify himself to the satisfaction of official authorized to approve request.

Record access procedures: See "NOTIFICATION" above.

Contesting record procedures: See "NOTIFICATION" above.

Record source categories: Employee initiating actions; employee's supervisors, management, complaining customer, law enforcement agencies, and others.

USPS 120.037

System name: Personnel Records—Grievance and Appeals Records for Bargaining Unit Employees, 120.037.

System location: Case records are located at Headquarters, Labor Relations Department, Regional Headquarters and Postal Data Center; and computer index records are located at ADP Contractor sites.

Categories of individuals covered by the system: Records are maintained on bargaining unit employees who have filed a grievance or appeal and the case is either in Step 3 or 4 grievance or appeal stage. Records are also maintained on all arbitration cases on bargaining unit employees.

Categories of records in the system: Contractual notice to employee of charges, employee or union notice of grievance, union notice of appeal, appeal decisions from installation head, records of arbitration proceedings, investigative reports and related records which form the grievance file. Computerized index to this material contains individual and case identifiers for locating the file.

Authority for maintenance of the system: 39 USC 1206.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—Provide a grievance-arbitration procedure for an employee, subject to provisions of a collective bargaining agreement, who alleges a dispute, difference, disagreement or complaint exists related to wages, hours or conditions of employment. Use—

1. To adjudicate an appeal or grievance.
2. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether Federal, State, or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.
3. To request information from a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as license, grant, or other benefit.
4. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or issuance of a license, grant, or other benefit by the

requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

5. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

6. Records from the employee file may be disclosed to the Merit Systems Protection Board for action on Veterans' Preference Act appeals.

7. Pursuant to the National Labor Relations Act, necessary and relevant records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

8. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613, and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

9. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

10. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system is maintained on paper in the form of letters, forms and notices. Computerized index records are on magnetic tape/disk.

Retrievability: The system is indexed by grievance case number and employee name.

Safeguards: Records are maintained in locked filing cabinets available only to authorized personnel; index records protected by computer password and tape/disk library physical security.

Retention and disposal: Six years, then destroyed by shredding or burning; computer tapes are erased.

System manager(s) and address: APMG, Labor Relations Department Headquarters.

Notification procedure: PDC employees—address inquiries to the Director of the Postal Data Center where employed. Other employees—a request for records at the Step 3 appeal or regional arbitration stage should be addressed to the Regional Director, Employee and Labor Relations; all requests for records at the Step 4 appeal or national arbitration stage should be addressed to the APMG, Labor Relations Department. All requests should be in writing and contain the employee's name and, if known, the grievance case number.

Record access procedures: See NOTIFICATION PROCEDURES above.

Contesting record procedures: See NOTIFICATION PROCEDURES above.

Record source categories: Employee or union initiating grievance, employee supervisors and other management personnel, non-management personnel, customers, law-enforcement agencies and other individuals having business contacts with the grievant.

USPS 120.050

System name: Personnel Records—Employee Suggestion Control, 120.050

System location: USPS Headquarters, Regional Headquarters, Post Offices, Bulk Mail Centers, Postal Data Centers.

Categories of individuals covered by the system: USPS employees.

Categories of records in the system: Name of employee, employee number, employment location, suggestion number, subject, and decision. If adopted, estimate of benefits and recognition granted.

Authority for maintenance of the system: Chapter 45 of Title 5, U.S.C.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To provide a source of data on individual performance which is often one factor in identifying nominees for other individual recognitions including cash awards. This information also provides data on the effectiveness of the program which is summarized in an Annual Report.

Use—

1. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in

OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

2. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by the organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

5. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613, and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

6. Disclosure may be made to the news media from the record of an individual regarding his/her receipt of an employee award when the information is of news interest and consistent with the public right to know.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system is maintained on printed forms and on magnetic tape.

Retrievability: Employee name, region where employed, pay location, and district.

Safeguards: This information is maintained in file cabinets in secure facilities.

Retention and disposal: Information in this system is retained for two years and then destroyed by shredding and automatic deletions for computer tapes.

System manager(s) and address: APMG, Employee Relations Department, Headquarters.

Notification procedure: Employees wishing to know whether information about them is maintained in this system of records should contact the head of the facility where employed. Also, employees who have appealed decisions or whose suggestions have been adopted nationwide should submit requests to the System Manager. Headquarters employees should submit all requests to the System Manager.

Record access procedures: See "NOTIFICATION" above.

Contesting record procedures: See "NOTIFICATION" above.

Record source categories: Information is obtained from the individual making the suggestion.

USPS 120.060

System name: Personnel Records—Employment and Financial Interest Records, 120.060.

System location: Law Department, Headquarters, Offices of Associate Ethical Conduct Officers at Headquarters, Regional Headquarters, and Postal Data Centers.

Categories of individuals covered by the system: USPS employees in levels 24 and above and Special Employees as determined by the criteria in Executive Order 11222 as implemented by Postal Service regulations, 39 CFR 447.41(a).

Storage: Employee name, title, salary, date of appointment to present position; list of organizations in which employee has a financial interest, types of indebtedness, interest in real property.

Authority for maintenance of the system: Executive Orders 11222 and 11590.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To review a statement by designated Postal Service officials for possible conflicts of interest.

Use—

1. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

2. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

Storage: Original preprinted forms.

Retrievability: Records are filed by name of employee, but organized according to organizational components.

Safeguards: Records are kept in locked safe and access is limited to designated Postal Service officials on need-to-know basis.

Retention and disposal: Records are maintained for as long as employee is subject to reporting requirements and for two years thereafter. They are destroyed by shredding.

System manager(s) and address: General Counsel, Law Department, Headquarters.

Notification procedure: Employees wishing to gain access to information pertaining to them should direct inquiries to the head of the facility where employed. Headquarters employees should submit requests to the SYSTEM MANAGER. Inquiries should contain full name and place of employment.

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: Information submitted by individual employee on PS Form 2417 and 2418.

USPS 120.070

System name: Personnel Records—General Personnel Folders (Official Personnel folders and records related thereto), 120.070.

System location: Personnel Offices of all USPS facilities; St. Louis Personnel Records Centers, Personnel Service Centers.

Categories of individuals covered by the system: Present and former USPS employees.

Categories of records in the system: Applications, resumes, merit evaluations, promotion/salary change and other personnel actions, letters of commendation, records of disciplinary action, health benefit and life insurance elections and other documents pertaining to preemployment, prior Federal employment and current service as prescribed by USPS directives.

Authority for maintenance of the system: 39 USC 1001, 1005.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—Used by administrators in Personnel Office and by individual employee supervisors to perform routine personnel functions.

Use—

1. To provide information to a prospective employer of a of a USPS employee or former USPS employee.

2. To provide data for the automated Central Personnel Data File, CPDF, maintained by the Office of Personnel Management (OPM).

3. To provide statistical reports to Congress, agencies, and the public on characteristics of the USPS work force.

4. To provide information or disclose to a Federal agency, in response to its request in connection with the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or issuance of a license, grant, or other benefit to the extent that the information is relevant and necessary.

5. To request information from a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, relevant to a decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

6. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

7. To provide data for the compilation of a local seniority list that is used by management to make decisions pertaining to appointment and assignments among craft personnel. The list is posted in local facilities where it may be reviewed by USPS employees.

8. Transfer to the OPM upon retirement of an employee for processing retirement benefits.

9. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

10. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

11. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made as the request of that individual.

12. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding, to which the Postal Service is a party before a court or administrative body.

13. Disclosure of relevant and necessary information pertaining to an employee's participation in health, life insurance and retirement programs may be made to the Office of Personnel Management and private carriers for the provision of related benefits to the participant (also see USPS 050.020).

14. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613, and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

15. Inactive folders are transferred to the GSA National Personnel Records Center for storage.

16. Information pertaining to an employee who is retired military officer will be furnished to the appropriate service finance center as required under the provisions of the Dual Compensation Act.

17. May be disclosed to a Federal or State agency, providing parent locator services or to other authorized persons as defined by Public Law 93-647.

18. Records in this system are subject to review by an independent certified public accountant during an official audit of Postal Service finances.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files, preprinted forms, Official Personnel Folders, magnetic tape and other computer storage devices.

Retrievability: Employee name and location of employment and social security number.

Safeguards: Folders are maintained in locked cabinets to which only authorized personnel have access and are also protected by computer passwords and tape or disc library physical security.

Retention and disposal: (1) Official Personnel Folder (OPF) Records considered to be permanent are maintained until employee is separated, and then are sent to the National Personnel Records Center, St. Louis, for storage, or to another Federal agency to which the individual transfers employment. Most records considered to be temporary are destroyed one year after creation. (2) Records Related Thereto—Refer to official Postal Service disposition schedules.

System manager(s) and address: APMG, Employee Relations Department, Headquarters.

Notification procedure: Employees wishing to gain access to their Official Personnel Folders should submit requests to the facility head where employed. Headquarters employees should submit requests to the System Manager. Former Postal Service employees should submit request to any Postal Service facility head giving name, date of birth and social security number. Former Post Office Department employees having no Postal Service employment (Pre-1970) should submit the request to the Office of Personnel Management (formerly the U.S. Civil Service Commission).

Record access procedures: See NOTIFICATION PROCEDURE above.

Contesting record procedures: See NOTIFICATION PROCEDURE above.

Record source categories: Individual employee, personal references, former employers and USPS 050.020 (Finance Records—Payroll System).

USPS 120.090

System name: Personnel Records—Medical Records, 120.090

System location: Postal Service medical facilities and designee offices.

Categories of individuals covered by the system: USPS employees present and former and individuals who have been offered employment but failed the medical examination before being placed on the rolls.

Categories of records in the system: Name, address, and pertinent medical information, i.e., history, findings, diagnosis, and treatment.

Authority for maintenance of the system: Authority for maintenance of system: 39 U.S.C. 401, 1001.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To provide employees with necessary health care and to determine fitness for duty.

Use—

1. Information in these records may be provided to the Office of Personnel Management in making determinations related to:

- a. Veterans Preference
- b. Disability Retirement
- c. Benefit Entitlement

2. Information in these records may be provided to officials of the following Federal agencies responsible for administering benefit programs:

- a. Office of Workers' Compensation Programs
- b. Retired Military Pay Centers
- c. Veterans Administration
- d. Social Security Administration

3. Information in these records is used or a record may also be used:

- a. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
- b. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.
- c. Used as a record in line of duty injury cases and referred to Public Health Service, HEW.

4. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

5. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

6. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

7. Records in this system may be disclosed to a private physician or other medical personnel retained by the Postal Service to provide medical services in connection with an employee's health or physical condition which is related to his or her employment.

8. May be disclosed to an outside medical service when that organization performs the physical examinations and submits the evaluation to the Postal Service pursuant to a contract with the USPS as part of an established Postal Service health program; for the purpose of determining a postal employee's fitness for duty.

9. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613, and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

10. Inactive records may be transferred to a GSA Federal Records Center prior to destruction.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Preprinted forms and paper files.

Retrievability: Records are retrieved by employee name.

Safeguards: Maintained in locked files.

Retention and disposal: Employees—Records are destroyed by the sixth year after employee leaves the USPS. All records are shredded after six years. Failed Eligibles—Retained for two years and destroyed by shredding.

System manager(s) and address: APMG, Employee Relations Department, Headquarters.

Notification procedure: An employee wishing to know whether information about him is maintained in this system of records should address inquiries to the head of the facility where employed. Head-

quarters employees should submit requests to the System Manager. Failed eligibles should address inquiries to the head of the facility where application for employment was made. Inquiries should contain full name.

Record access procedures: See Notification procedure above.

Contesting record procedures: See Notification procedure above.

Record source categories: USPS employees, selected eligibles, Veterans Administration and USPS medical staff.

USPS 120.098

System name: Personnel Records—Office of Workers' Compensation Program (OWCP) Record Copies, 120.098.

System location: All postal facilities.

Categories of individuals covered by the system: Postal employees who have voluntarily filed for injury compensation.

Categories of records in the system: Copies of Department of Labor forms consisting of claims and supporting information; Postal Service forms and correspondence related to the claim.

Authority for maintenance of the system: 39 U.S.C. 1005.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—This information is used to provide injury compensation to qualifying employees and to maintain a record of the events as a basis for managerial decisions.

Use—

1. To provide information to the Department of Labor for the purpose of determining whether a claimant qualifies for compensation and to what extent qualification applies.

2. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

5. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

6. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether international, Federal, State or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms and correspondence. (Note: In some cases, the USPS by agreement with the Department of Labor (DOL), temporarily stores original case files. These files are considered to be DOL records to which DOL rather than USPS regulations apply.)

Retrievability: Records are retrieved alphabetically by name.

Safeguards: Maintained in locked filing cabinets within the exclusive custody of the injury compensation control point.

Retention and disposal: Records are destroyed two years after the employee has left the Postal Service.

System manager(s) and address: APMG, Employee Relations Department, Headquarters.

Notification procedure: Employees wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the facility where employed. Headquarters employees should submit requests to the System manager.

Record access procedures: See NOTIFICATION PROCEDURE above. (Note: The original case file (in most cases) is maintained by OWCP and must be requested from that organization as provided for under Department of Labor Privacy Act System DOL/EAS-13.)

Contesting record procedures: The contents of OWCP records may be contested only by contacting OWCP as provided for under the Department of Labor Privacy Act System DOL/EAS-13.

Record source categories: Information is obtained from the claimant, the supervisor, witnesses, physicians, and Department of Labor.

USPS 120.100

System name: Personnel Records—Performance Awards System Records, 120.100

System location: Headquarters Personnel Division and Inspection Service, and Inspection Service Regional and Divisional Offices; District Offices; Post Offices; Bulk Mail Centers; Postal Data Centers.

Categories of individuals covered by the system: USPS employees.

Categories of records in the system: Name of employee, employee number, pay location, basis for award and award granted.

Authority for maintenance of the system: Chapter 45 of Title 39, USC.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To control and measure the effectiveness of the Cash Awards Program.

Use—

1. Information is summarized and furnished to the Office of Personnel Management annually, to be included in the OPM report on incentive awards to the president.

2. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

3. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

4. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

5. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

6. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613 and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

7. Disclosure may be made to the news media from the record of an individual regarding his/her receipt of an employee award when the information is of news interest and consistent with the public right to know.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and printed forms.

Retrievability: Employee name, region where employed, pay location and district.

Safeguards: Physical security.

Retention and disposal: Records are maintained for four years and then destroyed by shredding.

System manager(s) and address: APMG, Employee Relations Department, Headquarters.

Notification procedure: Employees wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the facility where employed. Headquarters employees should submit requests to the SYSTEM MANAGER. Inquiries should contain full name, and pay location.

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: Information is obtained in summary printouts supplied to each region by Postal Data Centers.

USPS 120.120

System name: Personnel Records—Personnel Research and Test Validation Records, 120.120

System location: USPS National Test Administration Center, Los Angeles, CA; USPS National and Regional Headquarters; Bulk Mail Centers; District Offices; and the Oklahoma City Computer Center.

Categories of individuals covered by the system: Applicants for postal employment and USPS employee applicants for reassignment and/or promotion.

Categories of records in the system: Computer scannable information and the applicants' answers to the test questions.

Authority for maintenance of the system: 39 U.S.C. 401, 1001.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To provide verification of the applicants' test score.

Use—

1. Data are collected on a project by project basis and are used for construction, analysis, and validation of written tests; for research on personnel measurement and selection methods and techniques and research on personnel management practices such as performance evaluation or productivity. Routine use includes the exchange of personnel records between the Office of Personnel Management and the Postal Service for personnel research purposes and use of personnel identifier such as employee name to identify employees included in research studies that extend over a period of time (longitudinal studies). No personnel decisions are made in the use of these research records. Many data are collected under conditions assuring their confidentiality. This confidentiality will be protected. Personnel information in this system of records is used by the personnel research staff in the Office of Personnel Management or the U.S. Postal Service.

2. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, or order issued pursuant thereto.

3. To request information from a Federal, State or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

4. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

5. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

6. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

7. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

8. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

9. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613, and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Answer sheets in handwritten form.

Retrievability: This system of records is indexed by employee name, batch number or employee's date of examination and examination center administering the examination.

Safeguards: These records are maintained in closed file cabinets in a secure facility.

Retention and disposal: These records are maintained for six months and then destroyed by shredding.

System manager(s) and address: APMG, Employee Relations Department, Headquarters.

Notification procedure: Persons wishing to know whether this system or records contains information on them should address inquiries to the head of the Test Administration Center where they were examined. Headquarters employees should submit requests to the System Manager. Inquiries should contain full name, social security number, date of examination, examination number, and place of participation in the examination.

Record access procedures: See "NOTIFICATION" above.

Contesting record procedures: See "NOTIFICATION" above.

Record source categories: Applicants' test answers.

Systems exempted from certain provisions of the act: Reference 39 CFR 266.9 for details.

USPS 120.152

System name: Personnel Records—Career Development and Training Records, 120.152

System location: Postal Education and Development Centers (PEDCs) and other facilities within the Postal Service where career development and training activities are conducted or authorized.

Categories of individuals covered by the system: Current and former postal employees.

Categories of records in the system: Career development records and applications for and records of postal and non-postal training. Also contains examination and skills bank records, including records of special qualifications, skills or knowledge; career goals; education and work histories or summaries.

Authority for maintenance of the system: 39 U.S.C. 401.1001.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To provide managers and supervisors with decisionmaking information to employee career development, training and assignment.

Use—

1. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

2. To request information from a Federal, State, or local agency maintaining civil, criminal or other relevant enforcement or other pertinent information, relevant to a decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

3. Disclosure may be made to a Federal agency, in connection with the hiring or retention of an employee, the letting of a contract or issuance of a license, grant, or other benefit to the extent that the information is relevant and necessary to the agency's decision on that matter.

4. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

5. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

6. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

7. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

8. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613 and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

9. Inactive records may be transferred to a GSA Federal Records Center prior to destruction.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files, index cards, magnetic tape, punched cards, preprinted forms and computer printed reports.

Retrievability: Employee name and social security number.

Safeguards: Paper records are maintained in closed filing cabinets under scrutiny of designed managers. Computer records are maintained in secured facilities.

Retention and disposal: Records are retained for a period of usefulness which varies by type of record and ranges from one to 10 years. Retention periods for individual record types may be found in official USPS records retention schedules. At the end of period of usefulness, records are destroyed. Certain records of examinations are maintained as part of USPS 120.120, Personnel Records—Personnel Research and Test Validation Records.

System manager(s) and address: APMG, Employee Relations Department, Headquarters.

Notification procedure: Current and former field employees wishing to know whether information is contained on them in this system of records should address inquiries to the head of the appropriate employment facility. Headquarters employees should submit requests to the System Manager. Inquiries should contain full name and social security number.

Record access procedures: See NOTIFICATION PROCEDURE above.

Contesting record procedures: See NOTIFICATION PROCEDURE above.

Record source categories: Information is obtained from the subject, subject's employment records and his/her supervisor.

Systems exempted from certain provisions of the act: Reference 39 CFR 266.9 for details.

USPS 120.170

System name: Personnel Records—Safe Driver Award Records, 120.170

System location: Motor Vehicle Offices of Postal Facilities.

Categories of individuals covered by the system: USPS employees who are full-time drivers of postal vehicles.

Categories of records in the system: Contain employees' name, yearly Safe Driver Awards and record of any accidents in which employee is involved.

Authority for maintenance of the system: 39 U.S.C. 401.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To provide information for awarding Safe Driver Awards.

Use—

1. To furnish information to the National Safety Council for award purposes.

2. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

3. Pursuant to the National Labor Relation Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

4. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

5. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court of administrative body.

6. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613 and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

Storage: Records are maintained on index cards.

Retrievability: Filed alphabetically by name of employee.

Safeguards: Kept in closed file cabinet with limited access.

Retention and disposal: a. Records pertaining to postal-owned vehicle driver's individual testing and driver's records are retained for three years after separation of the employee and destroyed by shredding.

b. Accident reports are retained for three years and destroyed by shredding.

c. Inspection reports are retained for two years after the date of the report and destroyed by shredding.

d. Other records are retained as long as the individual is employed as a vehicle operator, held for one year from the date of reassignment and destroyed by shredding.

System manager(s) and address: APMG, Employee Relations Department, Headquarters.

Notification procedure: Employees wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the facility where employed. Headquarters employees should submit the request to the SYSTEM MANAGER. Inquiries should contain full name.

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: Information is obtained from the driver and from USPS accident reports.

USPS 120.220

System name: Personnel Records—Arbitration Case Files, 120.220
System location: Law Department, Regional and National Headquarters.

Categories of individuals covered by the system: Employees involved in labor arbitration.

Categories of records in the system: (a) Formal pleadings and memoranda of law; (b) Other relevant documents; (c) Miscellaneous notes and case analyses prepared by Postal Service attorneys and personnel; (d) Correspondence and telephone records.

Authority for maintenance of the system: 39 U.S.C. 401, 109(d).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—This information is used to provide legal advice and representation to the Postal Service.

Use—

1. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

2. Disclosure may be made from the record of an individual, where pertinent in any legal proceeding to which the Postal Service is a party before a court or administrative body or other tribunal.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. Transferred to Department of Justice, when needed by that department to perform properly its duties as legal representative of the Postal Service.

5. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper documents and computer tape/disk.

Retrievability: By name of litigant(s).

Safeguards: Folders containing paper documents are kept in locked filing cabinets under the general scrutiny of Postal Service attorneys. Computer terminals and tape/disk files are located in a secured area.

Retention and disposal: Selected records are maintained on an active basis until subject matter has no information value, and on an inactive basis for an additional three years. All other records are maintained for five years. Paper records are shredded and computer tape/disk records are erased at the end of retention period.

System manager(s) and address: General Counsel, Law Department, Headquarters.

Notification procedure: Persons interested in reviewing records within specific case files should submit their name; and case number, if known, to the General Counsel, Law Department, National Headquarters.

Record access procedures: See "System Manager" above.

Contesting record procedures: See "System Manager" above.

Record source categories: (a) Employees involved in labor arbitration cases; (b) Counsel(s) or other representative(s) for parties involved in the arbitration case other than Postal Service; (c) Arbitrators; (d) Other individuals involved in labor arbitration cases. Source documents include the formal case file, and other records relevant to the case.

USPS 130.020

System name: Philately—Educators Stamp Fun Mailing Lists, 130.020

System location: Customer Services Department, Headquarters

Categories of individuals covered by the system: Elementary school teachers in schools around the country.

Categories of records in the system: Teachers' name, address of school, number of students in the school, number of known stamp collectors in the school, existence of a stamp club.

Authority for maintenance of the system: 39 USC 401, 404.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—These records are used by the Philatelic Education Division of the Office of Stamps to mail periodically issues of "Stamp Fun."

Use—

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Punched cards.

Retrievability: Index by coding number or school teachers name.

Safeguards: Stored in locked room.

Retention and disposal: Indefinitely with annual updates.

System manager(s) and address: APMG, Customer Services Department, Headquarters

Notification procedure: Persons wishing to know whether information about them is maintained in this system of records should address inquiries to the above SYSTEM MANAGER. Inquiries should include full name and name and address of school.

Record access procedures: See NOTIFICATION PROCEDURE above.

Contesting record procedures: See NOTIFICATION PROCEDURE above.

Record source categories: Return responses from national mailing of "Stamp Fun."

USPS 140.010

System name: Postage—Postage Refund Records, 140.010

System location: Post Offices

Categories of individuals covered by the system: Any postal customer who applies for a refund of funds previously given to the USPS for services, box rentals, postage meter setting, advance deposits, etc.

Categories of records in the system: Name and address of customer and reason for request for refund.

Authority for maintenance of the system: 39 USC 401, 403, 404.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—Used as official documentation that a legal disbursement of postal funds has been made to customers for services not rendered after customer has paid for service or has advanced funds in anticipation of service.

Use—

1. Provides management information for periodic financial audits of the system.

2. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to Postal Inspection Service, or to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

3. Pursuant to the National Labor Relations Act, records from this system may be furnished to labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

4. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

5. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Completed forms.

Retrievability: Indexed by post office, name and accounting period.

Safeguards: Maintained in closed file cabinet in secured facilities.

Retention and disposal: Records are maintained for three years and then destroyed by shredding.

System manager(s) and address: APMG, Finance Group, Headquarters.

Notification procedure: Inquiries should be addressed to the postmaster within the facility where monies were deposited.

Record access procedures: See NOTIFICATION PROCEDURE above.

Contesting record procedures: See NOTIFICATION PROCEDURE above.

Record source categories: Postal customer completing the form.

USPS 150.025

System name: Records and Information Management Records—Privacy Act Appeals System, 150.025

System location: Postal Service, National Headquarters.

Categories of individuals covered by the system: The system encompasses all individuals who submit appeals under the provisions of the Privacy Act of 1974.

Categories of records in the system: The system consists of copies of all correspondence relating to appeals from Postal Service denials of amendment of records pursuant to the Privacy Act, of pleadings in civil actions arising under the Act, and of other documents incidental thereto.

Authority for maintenance of the system: 5 U.S.C. 552a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To enable the USPS Privacy Appeals Officer to carry out his duties as appellate authority and to comply with reporting requirements. Use—

1. These records are used to provide information and records to the Department of Justice in its coordination of responses to requests for information and its representation of the Postal Service in civil actions and to prepare reports required by 5 U.S.C. 552a(p).

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

4. Inactive records may be transferred to a GSA Federal Records Center prior to destruction.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored as paper files.

Retrievability: Alphabetically, by name of the requester except in those instances where a requester has an appeal filed on his behalf by an attorney. In those cases, the attorney's name might appear as the requester appellant.

Safeguards: These records are stored in locked cabinets.

Retention and disposal: These records are maintained for ten years.

System manager(s) and address: Postal Service Privacy Appeals Officer, Headquarters.

Notification procedure: Inquiries should be addressed to the System Manager above and should contain the name of the requester and name of attorney if applicable.

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: The individual to whom the record pertains, and that person's attorney.

USPS 160.030

System name: Special Mail Services—Express Mail Service Insurance Claims for Loss, Delay and Damage 160.030

System location: St. Louis Postal Data Center, St. Louis, MO.

Categories of records in the system: Postal Service forms and correspondence related to the claims.

Authority for maintenance of the system: 39 U.S.C. 401, 404

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—This information is used in the adjudication of express mail service claims for loss, delay and damage.

Use—

1. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether international, Federal, State or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

2. Pursuant to the National Labor Relations Act, to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

3. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. Where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

5. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file cabinets in original, typed, handwritten, copied or printed form.

Retrievability: Claims are ordered by date of mailing but are retrieved by name of claimant through visual scanning.

Safeguards: Maintained in steel file cabinets within the exclusive custody of Express Mail Marketing personnel in the Customer Services Department and Claims Personnel in the Rates and Classification Department.

Retention and disposal: Records are retained for one year then destroyed by shredding.

System manager(s) and address: APMG, Customer Services Department, Headquarters.

Notification procedure: Claimants wishing to know whether information about them is maintained in this system of records should address inquiries to the SYSTEM MANAGER.

Record access procedures: See NOTIFICATION PROCEDURE above.

Contesting record procedures: See NOTIFICATION PROCEDURE above.

Record source categories: Information is obtained from the claimant or designated representative.

USPS 170.010

System name: Statistical (Cost) Systems—Workload Reporting Records, 170.010

System location: Workload Reporting Records are located and/or maintained in various Departments and Facilities of the USPS.

Categories of individuals covered by the system: USPS employees and contract employees assigned to work on specific projects.

Categories of records in the system: May include employee initials and surname, organizational unit and division, work hours on daily, weekly, or pay period basis by course number designated, social security number, systems code, weekly totals and pay period totals, project number, project name, name of customer contact, estimated completion date, estimated resources, actual contact, and general remarks about the development of the project.

Authority for maintenance of the system: 39 U.S.C. 401, 404.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—The system is used to determine project costs for billing customers for services and by management to schedule work loads and staffing.

Use—

1. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

4. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

5. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613, and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms, magnetic tape and disks.

Retrievability: Employee initials and name, project number, system code, social security number, pay period or project name.

Safeguards: Maintained in secured area within secured facility.

Retention and disposal: In some cases, records are retained for one year and then automatically deleted from computer disks and paper files are destroyed by shredding. Some records are maintained on computer tape beyond one year for historical and trend analyses.

System manager(s) and address: The department or facility head where such records are required.

Notification procedure: Employees wishing to gain access to this information should address inquiries to the department or facility head where employed at the time of work load reporting. Inquiries should contain full name and project name and number.

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: Prepared by employee or supervisor as activities occur.

USPS 190.010

System name: Litigation Records—Civil Action Case Files, 190.010

System location: Law Department, Regional and National Headquarters, Offices of Regional Counsel.

Categories of individuals covered by the system: Individuals involved in litigation to which the USPS is a party or in which information or testimony is sought from Postal Service sources.

Categories of records in the system: (a) Formal pleadings and memoranda of law; (b) Other relevant documents; (c) Miscellaneous notes and case analyses prepared by Postal Service attorneys and other personnel; (d) Correspondence and telephone records.

Authority for maintenance of the system: 39 U.S.C. 401, 409(d).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—This information is used to provide legal advice and representation to the Postal Service.

Use—

1. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

2. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body or other tribunal.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry, from the congressional office made at the request of that individual.

4. A record may be transferred, and information from it disclosed, to the Department of Justice or to other counsel representing the Postal Service or any officer, employee, former officer or employee, consultant, contractor or subcontractor when appropriate to enable the Department or other counsel to afford proper representation to clients.

5. A record may be transferred, and information from it disclosed to any Federal agency as may be appropriate for the coordinated defense or prosecution of related litigation or the resolution of related claims or issues without litigation.

6. A record may be disclosed in a Federal, State, local, or foreign judicial or administrative proceeding in accordance with the procedures and practices governing such proceeding.

7. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper documents and computer tape/disk.

Retrievability: By name of litigant(s).

Safeguards: Folders containing paper documents are kept in locked filing cabinets under the general scrutiny of Postal Service attorneys. Computer terminals and tape/disk files are located in a secured area.

Retention and disposal: Selected records are maintained on an active basis until subject matter has no information value, and on an inactive basis for an additional three years. All other records are maintained for five years. Paper records are shredded and computer tape/disk records are erased at the end of retention period.

System manager(s) and address: General Counsel, Law Department, Headquarters.

Notification procedure: Persons interested in reviewing records within specific case files should submit their name, case number and court of record, if known, to the General Counsel, Law Department, National Headquarters.

Record access procedures: See NOTIFICATION PROCEDURE above.

Contesting record procedures: See NOTIFICATION PROCEDURE above.

Record source categories: (a) Individuals involved in litigation pertaining to employee and labor relations; (b) Counsel(s) and other representatives for parties in litigation pertaining to employee and labor relations. Source document include administrative complaint/action file, grievance file, and/or other records relevant to the case.

USPS 190.020

System name: Litigation Records—National Labor Relations Board Administrative Litigation Case Files, 190.020

System location: Law Department, Regional and National Headquarters.

Categories of individuals covered by the system: Employees who are charging parties in NLRB cases, or on whose behalf NLRB charges have been filed by a collective bargaining representative.

Categories of records in the system: (a) Formal pleadings and memoranda of law; (b) Other relevant documents; (c) Miscellaneous notes and case analyses prepared by Postal Service attorneys and personnel; (d) Correspondence and telephone records.

Authority for maintenance of the system: 39 U.S.C. 401, 409(d)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—This information is used to provide legal advice and representation to the Postal Service.

Use—

1. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

2. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body or other tribunal.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. Transferred to the Department of Justice, when needed by that department to perform properly its duties as legal representative of Postal Service.

5. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper documents (filed by case number) and computer tape/disk.

Retrievability: By name of charging party or individual on whose behalf a charge has been filed or by NLRB case number of case.

Safeguards: Case folders are kept in locked filing cabinets under the general scrutiny of Postal Service attorneys. Computer terminals and tape/disk files are located in a secured area.

Retention and disposal: Selected records are maintained on an active basis until subject matter has no information value, and on inactive basis for an additional three years. All other records are maintained for five years. Paper records are shredded and computer tape/disk records are erased at the end of retention period.

System manager(s) and address: General Counsel, Law Department, Headquarters.

Notification procedure: Persons interested in reviewing records within specific files should submit their name and NLRB case number, if known, to the General Counsel, Law Department, National Headquarters.

Record access procedures: See NOTIFICATION PROCEDURE above.

Contesting record procedures: See NOTIFICATION PROCEDURE above.

Record source categories: (a) Employee involved in NLRB cases; (b) Counsel(s) or other representative(s) for parties involved in the

case other than the Postal Service; (c) The National Labor Relations Board and its General Counsel; (d) Other individuals involved in NLRB cases. Source documents include case files and other relevant records.

USPS 190.030

System name: Litigation Records—Labor Topic Files, 190.030

System location: Law Department, National Headquarters.

Categories of individuals covered by the system: Individuals involved in employee and labor relations matters.

Categories of records in the system: (a) Miscellaneous notes, memoranda of law, and case analyses prepared by Postal Service attorneys and personnel; (b) Other relevant documents; (c) Correspondence and telephone records.

Authority for maintenance of the system: 39 U.S.C. 401, 409(d)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—This information is used to provide legal advice and representation to the Postal Service.

Use—

1. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

2. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body or other tribunal.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. Transferred to the Department of Justice, when needed by that department to perform properly its duties as legal representative of Postal Service.

5. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper documents and computer tape/disk.

Retrievability: By topic title or name of individual.

Safeguards: Topic folders are kept in locked filing cabinets under the general scrutiny of Postal Service attorneys. Computer terminals and tape/disk files are located in a secured area.

Retention and disposal: Selected records are maintained on an active basis until subject matter has no information value, and on inactive basis for an additional three years. All other records are maintained for five years. Paper records are shredded and computer tape/disk records are erased at the end of retention period.

System manager(s) and address: General Counsel, Law Department, Headquarters.

Notification procedure: Persons interested in reviewing records within specific files should submit their name and file topic title, if known, to the General Counsel, Law Department, Headquarters.

Record access procedures: See NOTIFICATION PROCEDURE above.

Contesting record procedures: See NOTIFICATION PROCEDURE above.

Record source categories: (a) Individuals involved in employee and labor relations matters; (b) Counsel(s) or other representative(s) for parties in an action other than the Postal Service; (c) Other individuals involved in this matter. Source documents include internal memoranda, court related documents, case files and other relevant records.

USPS 200.030

System name: Non-Mail Monetary Claims—Tort Claims, Records, 200.030

System location: Law Department at Headquarters and regions, Postal Inspection Service, Division Headquarters, Post Offices and Postal Data Centers.

Categories of individuals covered by the system: Persons involved in accident as a result of postal operations or alleging money damages under the provisions of the Federal Tort Claims Act.

Categories of records in the system: Accident reports, tort claims filed, documentary evidence in support of tort claims, and litigation arising out of tort claims.

Authority for maintenance of the system: 28 U.S.C. 2671-80; 39 U.S.C. 409(c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—Used by attorneys and other employees of the Postal Service to consider, settle and defend against tort claims made against the USPS under the Federal Tort Claims Act. To refer to accident prevention and safety officers, manufacturers of equipment and supplies and their insurers.

Use—

1. Transferred to Department of Justice, other governmental agencies, and other persons involved in a claim against the Postal Service, or use in adjudication, civil litigation and criminal prosecution.

2. To provide members of the American Insurance Association Index System with certain information related to accidents and injuries.

3. Provide information to USPS accident prevention and safety officers.

4. Furnish information to insurance companies that have named the United States as an additional insured or co-insured in liability insurance policies.

5. Provide information to equipment manufacturers and their insurers for claims considerations and possible improvement of equipment.

6. To respond to a subpoena duces tecum and other appropriate court order and summons.

7. Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

8. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

9. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

10. Inactive records may be transferred to a GSA Federal Records Center prior to destruction.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper form, original or copies, preprinted or handwritten forms.

Retrievability: Information may be retrieved by person's name or Postal Inspection Service case number.

Safeguards: Records are maintained in ordinary filing equipment under general scrutiny of postal personnel.

Retention and disposal: Paid claims records at Headquarters are retained for seven years after payment; Postal Inspection Service files are retained for 25 years after closing; all other files are retained for five years after closing. All records are destroyed by shredding or burning.

System manager(s) and address: General Counsel, Law Department, Headquarters.

Notification procedure: Furnish person's name, data and place of occurrence giving rise to a claim under the Federal Tort Claims Act, to the head of the facility where the claim was filed.

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: Claimants making demands for money damages, reports of postal employees involved in accidents, local police reports, Inspection Service investigative reports and American Insurance Association Index reports.

USPS 210.010

System name: Contractor Records—Architect Engineers Selection Records, 210.010

System location: Real Estate and Buildings Department, USPS Headquarters and Postal Regions.

Categories of individuals covered by the system: Professional Architect Engineers.

Categories of records in the system: Information profile on individual's past experience and present qualifications in the field of providing architect engineering services.

Authority for maintenance of the system: 39 USC 401

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To facilitate the

review and assessment of the qualifications of architect-engineer firms which have potential for selection and award of a contract to perform architect-engineer services under a designated facility project.

Use—

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

3. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, state or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on printed forms.

Retrievability: Records are indexed by State, city and name of individual or firm.

Safeguards: Records access is limited to authorized personnel in the Department of Real Estate and Buildings. Records are retained in filing receptacles in locked quarters and in a secured building facility.

Retention and disposal: Architect/Engineer service questionnaires are retained for one year and then destroyed by shredding or burning. Project forms other than those related to successful awards, are retained on an active basis for one year or until the Architect/Engineer project contract is awarded, whichever is later. Project forms related to successful awards are retained for five years on an active basis and for one additional year on an inactive basis before destruction.

System manager(s) and address: APMG, Real Estate and Building Department, USPS Headquarters.

Notification procedure: Persons desiring information about this system of records should address their inquiries to the designated SYSTEM MANAGER and provide his name and project title.

Record access procedures: See SYSTEM MANAGER above.

USPS 210.020

System name: Contractor Records—Contract Employee Assignment Records, 210.020.

System location: Mail Processing Department, Headquarters, Regional Offices, Sectional Centers; Bulk Mail Centers, Post Offices.

Categories of individuals covered by the system: Persons under contract with the USPS.

Categories of records in the system: Name and social security number.

Authority for maintenance of the system: 39 USC 401.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To ascertain employees having an assignment requiring access to mail or postal premises under contract with the USPS.

Use—

1. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

2. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

5. Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR 1613 and the contents of the requested record are needed by the investiga-

tor in the performance of his duty to investigate a discrimination issue involved in the complaint.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original typed, printed or handwritten form.

Retrievability: Name of contract employee.

Safeguards: Retained in locked file cabinets by Administrative Official.

Retention and disposal: Contract records are maintained for the life of the contract. Upon expiration of the contract, the records are held one year and then destroyed by shredding.

System manager(s) and address: APMG, Mail Processing Department, Headquarters.

Notification procedure: Contractors wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the Regional Office where employed. Inquiries should contain full name and region where employed. Headquarters contractors should submit requests to the SYSTEM MANAGER.

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: Information is obtained from the contractor.

USPS 210.030

System name: Contractor Records—Contractor Employee Fingerprint Records, 210.030

System location: Mail Processing Department, Headquarters; Regional Offices; Sectional Centers; Bulk Mail Centers; Post Offices.

Categories of individuals covered by the system: Persons under contract with the USPS.

Categories of records in the system: Name and social security number, fingerprints.

Authority for maintenance of the system: 39 USC 401.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose—To provide information to the Contracting Officer with regard to the USPS screening procedures if a contractor employee has had a previous arrest record.

Use—

1. All USPS fingerprint charts are sent to the Federal Bureau of Investigation.

2. May be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. Disclosure may be made from the record of an individual, where pertinent, in any legal proceeding to which the Postal Service is a party before a court or administrative body.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In original typed, printed or handwritten form.

Retrievability: Contractor employee name.

Safeguards: Maintained in locked file cabinets by Administrative Officials.

Retention and disposal: Records are kept until employee leaves employment of USPS and then destroyed one year later by shredding.

System manager(s) and address: APMG, Mail Processing Department, Headquarters.

Notification procedure: Inquiries should be addressed to the Regional Postmaster General within the region where employed. Inquiries should contain full name and social security number.

Record access procedures: See NOTIFICATION above.

Contesting record procedures: See NOTIFICATION above.

Record source categories: Contractor employed by the USPS.

List of U.S. Postal Service Facilities Referenced Herein

The address of each Postal Service facility to which requests may be sent (referred to in each system notice), other than post offices and the geographical area served, is provided below. The addresses of individual post offices are not provided because of their large number and because that information is available locally to all concerned individuals.

The addresses of all Postal facilities, to include locations in Guam, American Samoa, Puerto Rico, and the Virgin Islands, are contained in THE DIRECTORY OF POST OFFICES, Publication 26, Stock Number 3900-00247, available for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402—Price: 3.90.

Postmasters, upon request, will supply the addresses of the District Offices and Sectional Management Centers to which they report.

The following excerpt of addresses and areas serviced is provided for convenience of Privacy Act correspondents, and obviates the repetition in each notice. All "Headquarters" addresses are:

(Office), U.S. Postal Service, 475 L'Enfant Plaza West SW., Washington, D.C. 20260.

POSTAL SERVICE REGIONAL OFFICES

Regional Postmaster General, Central Region, Main PO Bldg., Chicago, IL 60699. (States serviced: IL, MI, OH, IN, HY, WI, MN, IA, MO, ND, SD, NE, KS (except 679).)

Regional Postmaster General, Eastern Region, P.O. Box 8601, Philadelphia, PA 19101. (States serviced: VA, WV, MD, DE, PA, DC, and those portions of New York State and New Jersey outside the Greater New York City Metropolitan area.)

Regional Postmaster General, Southern Region, 5100 Popular Ave., Memphis, TN 38166. (States serviced: TN, AL, MS, TX, LA, GA, FL, NC, SC, OK, AR and KS (679).)

Regional Postmaster General, Northeast Region, 1633 Broadway (at 50th Street) New York, NY 10098. (States serviced: New York City, RI, MA, NH, VT, ME and those portions of New York State, Connecticut, and New Jersey within the New York City Metropolitan area, also Puerto Rico and Virgin Islands.)

Regional Postmaster General, Western Region, 850 Cherry St., San Bruno, CA 94099. (States serviced: CA, NV, HI, AK, WA, OR, MT, ID, WY, UT, CO, AZ, NM, El Paso, TX Dist. and Guam.)

INSPECTION SERVICE

Chief Postal Inspector, U.S. Postal Service, 475 L'Enfant Plaza West SW., Washington, D.C. 20260.

TRAINING INSTITUTE

Postal Service Training and Development Institute, 7900 Wisconsin Avenue, Washington, D.C. 20014.

BULK MAIL CENTERS

Atlanta, 1805 Bolton Road, NW., Atlanta, GA 30369.

Chicago, 7500 West Roosevelt Road, Building No. 1, Forest Park, IL 60130.

Cincinnati, 3055 Crescentville Road, Cincinnati, OH 45235.

Dallas, P.O. Box 21106, Dallas, TX 75211.

Denver, 7755 East 56th Avenue, Commerce City, CO 80022.

Des Moines, 4000 NW., 109th Street, Des Moines, IA 50395.

Detroit, 17500 Oakwood Boulevard, Allen Park, MI 48101.

Greensboro, 3701 West Wendover Avenue, Greensboro, NC 27495.

Jacksonville, 7415 Commonwealth Avenue, Jacksonville, FL 32099.

Kansas City, 4900 Speaker Road, Kansas City, KS 66106.

Los Angeles, 4701 South Eastern Avenue, Bell, CA 90201.

Memphis, 1921 Elvis Presley Boulevard, Memphis, TN 38136.

Minneapolis-St. Paul, 3165 South Lexington Avenue, St. Paul, MN 55121.

New York, 80 County Road, Jersey City, NJ 07307.

Philadelphia, 1900 Byberry Road, Philadelphia, PA 19116.

Pittsburgh, R.D. No. 2, Wexford, PA 15090.

St. Louis, 5800 Phantom Drive, Hazelwood, MO 63042.

San Francisco, 2501 Rydin Road, Richmond, CA 94850.

Seattle, P.O. Box 5000, Federal Way, WA 98002.

Springfield, 190 Fiberloid Street, Springfield, MA 01151.

Washington, 9201 Edgeworth Drive, Washington, D.C. 20027.

(FR Doc. 80-241 Filed 1-4-80; 8:45 am)

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Gas Price Report

Monday
January 7, 1980

Part III

Department of Energy

Economic Regulatory Administration

Resellers' and Reseller-Retailer's Price Rules for Gasoline

DEPARTMENT OF ENERGY

Economic Regulatory Administration
10 CFR Part 212

[Docket No. ERA-R-79-32E]

Resellers' and Reseller-Retailer's Price
Rules for Gasoline

AGENCY: Economic Regulatory Administration, Department of Energy.
ACTION: Interim rule.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby adopts the following interim amendments to the price rules for gasoline. First, the cents per gallon ceilings on non-product cost increases permitted in resales of gasoline which are physically delivered by the firm selling the gasoline is increased. The increase is one cent per gallon for firms with a total 1973 sales volume of covered products of less than 100 million gallons and one-half cent per gallon for firms with a total 1973 sales volume of covered products of 100 million gallons or more. Second, refiners may pass through increased commissions paid to consignee-agents without being subject to the equal application rule, provided the amount passed through does not exceed the non-product cost price increase that would be permitted the consignee-agent if the consignee-agents took title to the product and were therefore subject to the price regulations. This interim rule will permit prompt partial relief for gasoline jobbers and consignee-agents.

EFFECTIVE DATE: January 1, 1980.

FOR FURTHER INFORMATION CONTACT:

Robert C. Gillette (Comment Procedures), Economic Regulatory Administration, Room 2222-A, 2000 M Street, N.W., Washington, D.C. 20461, (202) 254-5201.

William Webb (Office of Public Information), Economic Regulatory Administration, Room B-110, 2000 M Street, N.W., Washington, D.C. 20461, (202) 634-2170.

Chuck Boehl or Ed Mampe (Office of Regulations and Emergency Planning), Economic Regulatory Administration, Room 7302, 2000 M Street, N.W., Washington, D.C. 20461, (202) 254-5147.

William Mayo Lee (Office of General Counsel), Department of Energy, Room 6A-127, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 252-6754.

SUPPLEMENTARY INFORMATION:

- I. Background
- II. Amendments
 - A. Resales
 - B. Consignee Agents
- III. Other Matters

I. Background

On November 22, 1979 DOE issued a Notice of Proposed Rulemaking and Public Hearing (44 FR 69602, December 3, 1979), regarding the refiner, reseller, and reseller-retailer price rules for motor gasoline. The notice proposed several permanent changes to the price regulations applicable to these firms. However, DOE also proposed adopting an interim rule to permit prompt partial relief for gasoline jobbers and consignee-agents. Specifically, the interim rule proposed: (1) to increase the ceiling on the amount of non-product costs resellers and reseller-retailers may recoup in wholesale sales of gasoline delivered by the reseller or reseller-retailer; and, (2) to permit refiners to pass through in price increases certain increased commissions paid to consignee-agents.

In this notice we are taking action on the interim rule proposal. The proposed rule that would make permanent revisions to the price regulations applicable to refiners, resellers and reseller-retailers is still under consideration by DOE and will be made final only after further written and oral comments on the proposal are received.

On December 12, 1979, DOE held a hearing in Washington, D.C. regarding the proposed interim rule. Fourteen witnesses testified at the hearing. The major issues addressed by the witnesses, almost all of whom supported adopting the interim rule in its proposed or a modified form, are as follows:

- (1) the interim rule should be adopted immediately and not 30 days from the date of issuance, as proposed;
- (2) the increase in the non-product cost pass through ceiling should apply to all resales and not only resales physically delivered by the seller as proposed;
- (3) the increase in the non-product cost pass through ceiling should also apply to retail sales by reseller-retailers and not only to sales at wholesale as proposed; and,
- (4) refiners should be permitted to recoup increased commissions paid to consignee agents without being subject to any restrictions.

II. Amendments**A. Resales**

The interim amendments adopted today permit resellers and reseller-retailers to increase the cents-per-gallon non-product cost increase ceilings allowed for resales when the gasoline is physically delivered to the purchaser by the reseller or reseller-retailer. The amendment will permit resellers and reseller-retailers to recoup a portion of

their increased non-product costs incurred in delivering the gasoline.

The increase in the ceiling on gasoline cost pass through is one cent per gallon for firms with a 1973 sales volume of covered products of less than 100 million gallons and one-half cent per gallon for firms with a 1973 sales volume of covered products of 100 million gallons or more. (The 100 million gallon dividing point is the same as that which exists in the current regulations.) Thus, in prices charged in resales of gasoline, when the gasoline is delivered by the reseller or reseller-retailer, the ceiling on non-product cost increases since May 15, 1973 which may be passed through in price increases is a total of two cents per gallon or one and one-fourths cents per gallon, depending on whether the firm's 1973 sales volume of covered products is less or greater than 100 million gallons.

The interim rule only permits the increased ceiling for sales of gasoline which is physically delivered to the purchaser's inventory, regardless of the method of transportation, by the reseller or reseller-retailer. Currently available data indicate that increased cost of transportation is the major non-product cost increase incurred by resellers and reseller-retailers. Accordingly, at this time DOE is limiting the increase in the ceiling on non-product cost increases to sales in which the seller transports gasoline at its own expense from its inventory to the purchaser's inventory. DOE recognizes that costs incurred by terminal operators and other firms without transportation capabilities may also have increased. However, relief, if any, to be granted to such firms is one of the subjects of the proposed rule on permanent changes to the price rules and will be considered in light of the fully developed administrative record.

Under the rules adopted today a firm which delivers only a portion of the gasoline it sells will have a different ceiling on the non-product cost increases it may pass through in the selling price of the gasoline it delivers and the gasoline which is picked up by the purchaser. However, under the equal application rule the firm would be deemed to recover the higher amount of increased costs passed through in one sale in all of its sales. Accordingly, DOE is amending the equal application rule to add an exception to permit sellers to recoup unequal amounts of increased non-product costs between delivered and undelivered sales, up to an amount equal to the differential between the respective ceilings applicable to such sales.

The current rules require that non-product cost increases be cost justified

as described in Ruling 1975-14. Any increased pass through of non-product cost increases made pursuant to these amendments must also be cost justified.

The interim amendments are effective January 1, 1980. DOE believes the current data and circumstances justify waiving the DOE requirement set forth in Executive Order 12044 (43 FR 12661, March 24, 1978), that interested parties be permitted a 60-day comment period before a final rule is adopted. First, Section 6(a) of the Order states that closely related rules should be considered together. The interim rule for sales at wholesale by resellers is closely related to the retailer rules adopted in July 1979, and comments were requested and received on margins for such sales during that proceeding.

Second, Section 2(c) explicitly permits DOE to waive the 60-day comment period if the agency determines that a comment period of that length "is not possible." DOE's delaying this interim rule to provide a full 60-day comment period would prevent timely relief being granted to resellers that have greatly increased costs and might jeopardize the continued viability of some such firms. Therefore, we find that a full 60-day comment period on the interim rule would defeat the purpose of the rule and is not possible. A full 60-day comment period will be provided with regard to the proposed permanent changes in the price rules.

B. Consignee-Agents

In the Notice of Proposed Rulemaking and Public Hearing DOE proposed to amend the refiner regulations to eliminate any restrictions on the amount of increased commissions refiners may pass through in price increases. In the alternative DOE proposed to permit refiners to pass through in price increases an amount of increased commissions not to exceed the amount of non-product cost price increases that would be permitted if the consignee-agent took title to the product. Furthermore, such passthroughs would be in addition to the other marketing costs which currently may be passed through in price increases and would not be subject to the equal application rule.

In this interim rule DOE has adopted the more limited alternative proposal. Other issues regarding the treatment of commissions paid to consignee-agents will continue as part of the final rulemaking proceeding, to be determined in light of the fully developed administrative record.

The interim rule, similar to the current rule, would limit the amount of increased costs of commissions a refiner may pass through to an amount not to

exceed the non-product cost pass through which would be permitted if the consignee-agent took title to the product.

However, unlike the current regulations, any such increased commissions may be recouped in addition to the current ceilings on the amount of marketing cost increases refiners may pass through in price increases and without being subject to the equal application rule. Accordingly, by removing these current regulatory restraints, refiners are given an incentive to increase commissions paid to consignee-agents to the point where such firms can be competitive with resellers that take title to the product they sell.

III. Other Matters

Pursuant to the requirements of section 404(a) of the Department of Energy Organization Act (Pub. L. 95-91), the proposed rule was referred to the Federal Energy Regulatory Commission for a determination whether the proposed rule would significantly affect any matter within the Commission's jurisdiction. The Commission has indicated that the Commission has decided not to exercise its discretion to determine that the proposed rule significantly affects any function within the jurisdiction of the Commission. Accordingly, the Commission has not requested referral of this matter under the procedures of section 404 of the DOE act.

After reviewing the final rule pursuant to DOE's responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321, *et seq.*), DOE has determined that this rule does not constitute a major Federal action significantly affecting the quality of the human environment and will not produce a measureable impact on the environment.

Subsection (d)(1) of section 553 of the Administrative Procedure Act (5 U.S.C. 551 *et seq.*) provides that a rule generally may not become effective less than 30 days after the date of publication unless good cause is shown for an earlier effective date. Here, because of the immediate need for relief by some firms, good cause exists to make the rule effective immediately. In addition, section 553(d)(1) provides that a rule which relieves a restriction is exempt from the 30-day requirement. Our action relieves price restrictions and therefore fits the exemption.

(Emergency Petroleum Allocation Act of 1973, 15 U.S.C. 751 *et seq.*, Pub. L. 93-159, as amended, Pub. L. 93-511, Pub. L. 94-99, Pub. L. 94-133, Pub. L. 94-163, and Pub. L. 94-385; Federal Energy Administration Act of 1974, 15 U.S.C. 787 *et seq.*, Pub. L. 93-275, as

amended, Pub. L. 94-332, Pub. L. 94-385, Pub. L. 95-70, and Pub. L. 95-91; Energy Policy and Conservation Act, 42 U.S.C. 6201 *et seq.*, Pub. L. 94-163, as amended, Pub. L. 94-385, and Pub. L. 95-70; Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*, Pub. L. 95-91; E.O. 11790, 39 FR 23185; E.O. 12009, 42 FR 46267.)

In consideration of the foregoing, Part 212 of Chapter II, Title 10 of the Code of Federal Regulations, is amended as set forth below.

Issued in Washington, D.C., January 2, 1980.

Douglas G. Robinson,

Acting Administrator, Economic Regulatory Administration.

1. Section 212.83(c)(2)(iii)(E) is amended in the definition of "F₁T" to read as follows:

§ 212.83 Price rule.

(c) * * *
(2) * * *
(iii) * * *
(E) The "N" factor.

"F₁T" =

(VII) in addition to the increases permitted in subparagraphs II and III of this paragraph, reflect the total dollar amount of non-product costs attributable to includable amounts of commissions incurred during the period "t" beginning with January 1, 1976 with respect to sales through consignee-agents of the covered product of products of the type "i." The includable amount of commissions incurred with respect to each item sold through each consignee-agent is the dollar amount per unit of volume by which the commission in the period "t" exceeds the commission in effect on May 15, 1973, provided that the includable amount shall be an amount reasonably intended to cover increased non-product costs of the consignee-agent and further provided that it shall not exceed the amount of the non-product cost price increase that would be permitted if the consignee-agent took title to the product it distributes and were a seller subject to § 212.93(b). The provisions of this paragraph (c)(2)(iii)(E)(VII) shall not be subject to the equal application rule in section 212.83(h).

2. Section 212.93(b)(1) is amended to add a new subparagraph (iv) to read as follows:

§ 212.93 Price rule.

(b) * * *
(1) * * *

(iv) Beginning January 1, 1980, with respect to all sales of gasoline, other than retail sales, which are delivered by the seller, a seller that had a total sales volume of covered products in calendar year 1973 of less than 100 million gallons may charge an additional one cent per gallon for gasoline (which is delivered by the seller) in excess of the amount otherwise permitted to be charged for that gasoline pursuant to the provisions of this section including paragraph (b)(1)(i) and (iii), to reflect non-product cost increases and a seller that had a total sales volume of covered products in calendar year 1973 of 100 million gallons or more may charge an additional one-half cent per gallon for gasoline (which is delivered by the seller) in excess of the amount otherwise permitted to be charged for that gasoline pursuant to the provisions of this section including paragraph (b)(1)(i) and (iii), to reflect nonproduct cost increases.

3. Section 212.93(e) is amended to read as follows:

§ 212.93 Price rule.

* * * * *

(e) Notwithstanding the provisions of paragraph (a) of this section and except for retail sales of gasoline by retailers:

(1) (i) If a seller charges prices for a particular product that result in the recoupment of less total revenues than the total amount of increased product costs of that product incurred during that month, the amount of increased product costs not recouped by a price adjustment in the subsequent month pursuant to paragraph (a) of this section may also be added to the May 15, 1973, selling prices of that product in a subsequent month at the time the selling prices are computed pursuant to paragraph (a). A seller shall calculate its amount of increased product cost of a particular product not recouped, since the most recent price increase after November 1, 1973, to include the following: (A) any "increased product costs" not added to the May 15, 1973, selling price at the time of the most recent price increase implemented after November 1, 1973, multiplied by the volume sold since that price increase, plus (B) increases in the weighted average unit cost above the weighted average unit cost which was used to calculate the most recent price increase implemented after November 1, 1973, multiplied by the volume of product purchased at each such increase product cost, less, (C) any decrease in the weighted average unit cost from the weighted average unit cost which was used to calculate the most recent price increase implemented after November 1,

1973, multiplied by the volume of product purchased at each such lesser cost.

(ii) With respect to each covered product, when a seller calculates its amount of increased product costs not recouped under this paragraph, it shall calculate its revenues at through the greatest amount of increased product costs actually added to the May 15, 1973 selling price of that covered product and included in the price charged to any class of purchaser had been added in the same amount to the May 15, 1973 selling price of such covered product and included in the price charged to each class of purchaser; except that, where an equal amount of increased product cost is not included in the price charged to a purchaser because of (i) a price term of a written contract covering the sale of such product which was entered into on or before September 1, 1974, and, (ii) the provisions in paragraph (b)(1)(iv), such portion of the increased product costs not included in the price charged to such a purchaser need not be included in the calculation of revenues.

[FR Doc. 80-589 Filed 1-4-80; 8:51 am]

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Federal Register

Vol. 45, No. 4

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY*	USDA/ASCS		DOT/SECRETARY*	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
DOT/FAA	USDA/FNS		DOT/FAA	USDA/FNS
DOT/FHWA	USDA/FSQS		DOT/FHWA	USDA/FSQS
DOT/FRA	USDA/REA		DOT/FRA	USDA/REA
DOT/NHTSA	MSPB/OPM		DOT/NHTSA	MSPB/OPM
DOT/RSPA	LABOR		DOT/RSPA	LABOR
DOT/SLSDC	HEW/FDA		DOT/SLSDC	HEW/FDA
DOT/UMTA			DOT/UMTA	
CSA			CSA	

Documents normally scheduled for publication 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

REMINDERS

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

Rules Going Into Effect Today

ENVIRONMENTAL PROTECTION AGENCY

- 64266 11-6-79 / Air pollution control, aircraft and aircraft engines; JT3D engines; emission standards
- 70140 12-6-79 / California State Implementation Plan revision; Tuolumne County Air Pollution Control District

FEDERAL COMMUNICATIONS COMMISSION

- 70158 12-6-79 / Replacing the low-pass audio filtering requirements with a revised emission limitation standard

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Food and Drug Administration—

- 40284 7-10-79 / Skin test antigens; implementation of efficacy review
(Corrected at 44 FR 45617, August 3, 1979)

SECURITIES AND EXCHANGE COMMISSION

- 70131 12-6-79 / Disclosure of management remuneration by certain foreign private issuers; interpretive guideline
- 70131 12-6-79 / Short form for registration of securities for rights offerings
- 70326 12-6-79 / Tender offers

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Federal Aviation Administration

- 69281 12-3-79 / Airworthiness directives; McDonnell Douglas

List of Public Laws

Last Listing January 4, 1980

This is a continuing listing of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the Federal Register but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (telephone 202-275-3030).

H.R. 3091 / Pub. L. 96-178 To extend for one year the provisions of law relating to the business expenses of State legislators. (Jan. 2, 1980; 93 Stat. 1295) Price \$.75.

H.R. 2584 / Pub. L. 96-179 To amend the provisions of chapters 83 and 89 of title 5, United States Code, which relate to survivor benefits for certain dependent children, and for other purposes. (Jan. 2, 1980; 93 Stat. 1299) Price \$.75.

S. 440 / Pub. L. 96-180 Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act Amendments of 1979. (Jan. 2, 1980; 93 Stat. 1301) Price \$.75.

S. 525 / Pub. L. 96-181 Drug Abuse Prevention, Treatment, and Rehabilitation Amendments of 1979. (Jan. 2, 1980; 93 Stat. 1309) Price \$.75.

H.R. 2043 / Pub. L. 96-182 To amend the Water Bank Act for the purposes of authorizing the Secretary of Agriculture to adjust payment rates with respect to initial conservation agreements and to designate certain areas as wetlands, and for other purposes. (Jan. 2, 1980; 93 Stat. 1317) Price \$.75.

FOR: Any person who uses the Federal Register and Code of Federal Regulations.
WHO: The Office of the Federal Register.
WHAT: Free public briefings (approximately 2½ hours) to present:

1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
 2. The relationship between Federal Register and the Code of Federal Regulations.
 3. The important elements of typical Federal Register documents.
 4. An introduction to the finding aids of the FR/CFR system.
- WHY:** To provide the public with access to information necessary to research Federal agency regulations which directly affect them, as part of the General Services Administration's efforts to encourage public participation in Government actions. There will be no discussion of specific agency regulations.

WHEN: Feb. 8 and 22; March 7 and 21; at 9 a.m.
(identical sessions)

WHERE: Office of the Federal Register, Room 9409,
1100 L Street N.W., Washington, D.C.

RESERVATIONS: Call Mike Smith, Workshop
Coordinator, 202-523-5235 or
Gwendolyn Henderson, Assistant
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