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Tuesday
July 15, 1980

Highlights

47562 **Tuna and Tuna Products from Mexico** Treasury/Customs issues importation prohibition; effective 7-14-80

47415 **Credit Unions** NCUA adopts rule permitting withdrawal of funds from individual retirement account or Keogh account without penalty when member is disabled; effective 7-15-80

47622 **Energy** DOE/ERA modifies Tertiary Incremental Program to include properties producing incremental oil in phased deregulation program; effective 7-7-80 (Part IV of this issue)

47626 **Environmental Protection** Treasury/Sec'y issues final procedures to implement E.O. 12114, "Environmental Effects Abroad of Major Federal Actions" (Part V of this issue)

47618 **Entitlement Lands** Interior/BLM publishes regulations making the Payments in Lieu of Taxes Act applicable to certain lands; effective 8-14-80 (Part III of this issue)

47445 **Cable Television** FCC proposes requiring divestiture of all commonly-owned television stations and cable systems within same broadcast service area; comments by 10-6-80

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Highlights

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There are no restrictions on the republication of material appearing in the **Federal Register**.

Questions and requests for specific information may be directed to the telephone numbers listed under INFORMATION AND ASSISTANCE in the READER AIDS section of this issue.

47612 **Electronic Products** HHS/FDA adds certain heaters, sealers and heating equipment to listing in which manufacturers are required to submit reports; effective 8–14–80 (Part II of this issue)

47415 **Motor Vehicles** SBA issues rule establishing new size standard for dealers for purposes of SBA financial assistance; effective 7–15–80

47437 **Federal Voluntary Standards** Commerce/Sec'y extends until 9–2–80 the comment period on proposed procedures regrading implementation of Federal Voluntary Standards Policy

47456 **Antidumping** Commerce/ITA reaches preliminary determination on countertop microwave ovens; effective 7–15–80

47416 **Invasion of Afghanistan** Commerce/ITA extends comment period until 7–18–80 regarding establishment of validated license requirement for the export of truck engine assembly lines for the Kama River Truck Complex (Kam AZ) in U.S.S.R.

47442 **Common Carriers** FCC terminates inquiry into need for policy and procedure with respect to Domestic Public Point-to-Point Microwave Radio Service

47442 **Improving Government Regulations** CEQ publishes semiannual agenda

47564 **Sunshine Act Meetings**

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Rules and Regulations

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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.

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

Organization and Operation of Federal Credit Unions; Share Accounts and Share Certificate Accounts

AGENCY: National Credit Union Administration.

ACTION: Final rule.

SUMMARY: The National Credit Union Administration Board has adopted a rule to permit the withdrawal of funds from an Individual Retirement Account or Keogh account without penalty when a Federal credit union member becomes disabled or reaches age 59½ without the requirements that the withdrawal be a "distribution" of retirement funds. Similar action was taken by the Depository Institutions Deregulation Committee.

EFFECTIVE DATE: July 15, 1980.

ADDRESS: National Credit Union Administration, 1776 G Street, N.W., Washington, D.C. 20456.

FOR FURTHER INFORMATION CONTACT: James J. Engel, Assistant General Counsel, at the above address. Telephone: (202) 357–1030.

SUPPLEMENTARY INFORMATION: Prior to this amendment, the National Credit Union Administration rules, specifically 12 C.F.R. 701.35(e)(2), excepted from the early withdrawal penalty provisions, any withdrawal made from an Individual Retirement Account (IRA) or Keogh plan account after the participant's death, disability or attaining age 59½. However, the withdrawal had to be a distribution from the account, i.e., a payment of retirement benefits. Thus, a penalty would be imposed for an early withdrawal if the withdrawal was made for the purpose of a rollover to another IRA or Keogh account. (A tax free rollover occurs when, for example, the owner of an IRA withdraws funds from the account and redeposits the funds in another IRA within 60 days of the withdrawal.) As pointed out by several Federal credit unions, a member of a Federal credit union who had reached age 59½ could not, under the previous rule, withdraw funds from an IRA share certificate prior to maturity for the purpose of a rollover into another IRA certificate without suffering a penalty because the withdrawl would not constitute a distribution of plan benefits. Additionally, a Federal credit union could not always distinguish whether or not a withdrawal constituted a lump sum distribution or a rollover.

Federal Home Loan Bank Board (FHLBB) regulations also required a "distribution" to avoid penalties in the case of a disable or 59½ year old account holder, whereas the Federal Reserve and the Federal Deposit Insurance Corporation (FDIC) did not. Because of this disparity of treatment, the Depository Institution Deregulation Committee (Committee) issued a final rule that in effect conforms the FHLBB rules to those of the Federal Reserve and FDIC. This action by the NCUA Board is similar in nature and provides for more equal treatment of retirement savers in all types of financial institutions.

This rule also adds a reference to the Internal Revenue Code for purposes of determining when an individual is disabled. This action is consistent with the existing rules of the other Federal regulators.

The Board has adopted this amendment based on comments from Federal credit unions and after considering the final rule adoped by the Committee. Because of those comments and the action taken by the Committee, the Board finds that application of the notice and public participation provisions of 5 U.S.C. § 553 to this amendment is contrary to the public interest and publication 30 days prior to its effective date is unnecessary. Also, certain procedures provided in NCUA's Report on Improving Government Regulations were not followed because the process is unnecessary for the public interest. This determination was made by James J. Engel, Assistant General Counsel.

Accordingly, Section 701.35 is amended as provided below.

Dated this 8th day of July, 1980.

Rosemary Brady,
Secretary, National Credit Union Administration.

July 8, 1980

(Sec. 701, 91 Stat. 49 (12 U.S.C. 1757); Sec. 120, 73 Stat. 635)
(12 U.S.C. 1766); and Sec. 209, 84 Stat. 1104 (12 U.S.C. 1789))

§ 701.35 [Amended]

12 CFR 701.35(e)(2) is amended:

1. By deleting the language "to effect distribution of the funds evidenced by such account"; and

2. By adding after the word "disability" the language "(as determined under 26 U.S.C. 72(m)(7))".

[FR Doc. 80-21111 Filed 7-14-80; 8:45 am]

BILLING CODE 7335-01-M

SMALL BUSINESS ADMINISTRATION

13 CFR Part 121

[Revision 13, Amdt. 37]

Establishing a New Small Business Size Standard for Motor Vehicle Dealers (New and Used) for Purposes of SBA Financial Assistance

AGENCY: Small Business Administration.

ACTION: Final rule.

SUMMARY: This rule changes the size standard for motor vehicle dealers from $6.5 million in annual sales to either $6.5 million in annual sales or 950 new retail motor vehicles sold, whether measured over its most recently completed fiscal year or its most recently completed 12-month period. This action is necessary to provide assistance to a segment of the automotive industry severely impacted by the current economic conditions. The effect of this change will allow new car dealers the option of using either a "gross receipts" definition or an "annual units sold" measure to determine its small business status.

EFFECTIVE DATE: July 15, 1980.

FOR FURTHER INFORMATION CONTACT: Robert N. Ray, Jr. (202) 653–6373.

SUPPLEMENTAL INFORMATION: On July 8, 1980, President Carter announced that the Federal Government would recommend and make available substantial assistance to the failing automobile manufacturing industry and the hard-pressed auto dealers. For the auto dealers, he has recommended that

guaranteed loans be provided to assist as many firms as possible in this industry. The President stated that, "In order to adapt the program to dealers' needs, SBA will adjust its eligibility standards and procedures." In order to implement this directive, the size standards for the auto dealers are to be modified by establishing a criteria based on number of new retail motor vehicles sold.

Another modification that is to be promulgated involves an additional provision to the "annual receipts" definition. This modification also will be applicable to the dollar volume size standards not only for auto dealers, but for all industries.

For these reasons SBA adopts as a final rule that a motor vehicle dealer will be considered small if it sells 950 new retail motor vehicles or fewer in a year (whether fiscal or most recent 12-month period) or its annual receipts do not exceed $6.5 million in annual sales and permits its annual receipts measure for both the auto industry and for all industries with an annual sales size standard to be either defined on a fiscal year basis or on the most recently completed 12-month period if sufficiently verifiable bookkeeping records are available.

SBA also wishes to note that 13 CFR Part 121.3–7(b)(1) allows a 25 percent differential in the size standard for firms located in high unemployment areas.

This rule is being published as final so that SBA can immediately provide relief to automobile dealers whose livelihood has been severely threatened by current economic conditions.

Additionally, since this rule provides for a broadening of SBA size standards, it will not adversely affect any small business. Accordingly, pursuant to authority contained in section 5(b)(6) of the Small Business Act, as amended, 15 U.S.C. 634, Schedule D and Part 121.3–2(b) are amended as follows:

1. § 121.3–2(b) "Annual receipts" is amended by revising the portion prior to the proviso to read as follows:

§ 121.3–2 [Amended]

* * * * *

(b) "Annual receipts" means the gross income (less returns and allowances, sales of fixed assets, and interaffiliate transactions) of a concern (and its domestic and foreign affiliates) from sales of products and services, interest, rents, fees, commissions, and/or from whatever other source derived for its most recently completed fiscal year (whether on a cash, accrual, completed contracts, percentage of completion, or other acceptable accounting basis) or for purposes under § 121.3–10 its most recently completed 12-month period, as entered on its regular books of account, and in the case of a concern subject to U.S. Federal income taxation, reported or to be reported to the U.S. Treasury Department, Internal Revenue Service, for Federal income tax purposes:

* * * * *

2. Schedule D to Part 121 is amended by adding footnote 1 with respect to SIC number 5511 as follows:

Schedule D—Annual Receipts Size Standards for Concerns Primarily Engaged in Retailing

* * * * *

Major Group 55—Automotive Dealers and Gasoline Service Stations

5511	Motor vehicle dealers (new and used)[1]	$6.5

* * * * *

[1] Together with its affiliates, its annual receipts do not exceed $6.5 million or its annual unit sales (whether measured over its most recently completed fiscal year or its most recently completed 12-month period if the concern possesses verifiable records) do not exceed 950 new retail motor vehicles.

Dated: July 9, 1980.

William H. Mauk, Jr.,

Acting Administrator.

[FR Doc. 80–21191 Filed 7–14–80; 8:45 am]

BILLING CODE 8025–01–M

DEPARTMENT OF COMMERCE

International Trade Administration

15 CFR Parts 385 and 399

Restriction on Exports for the Kama River Truck Complex (Kam AZ) in the U.S.S.R. of Truck Engine Assembly Lines; Extension of Comment Period

AGENCY: Office of Export Administration, International Trade Administration, U.S. Department of Commerce.

ACTION: Extension of comment period on interim rule.

SUMMARY: On May 9, 1980 the Department announced (45 FR 30617) an interim rule establishing a validated license requirement for the export of truck engine assembly lines for the Kama River truck complex (Kam AZ) in the U.S.S.R. This notice is issued to announce that the deadline for submission of comments is extended from July 7, 1980 to the close of business (5:00 p.m. Eastern Daylight Savings Time) on July 18, 1980 to afford interested parties additional time for submitting comments. Except for this extension of the comment period, all other information contained in the May 9 notice remains the same.

DATES: Comments must be received by the Department of Commerce by the close of business on July 18, 1980.

ADDRESS: Richard J. Isadore, Acting Director, Operations Division, Office of Export Administration, U.S. Department of Commerce, Room 1617M, Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT: Mr. Archie Andrews, Director, Exporters' Services Staff, Office of Export Administration, Department of Commerce, Washington, D.C. 20230, Telephone: (202) 377–5247 or 377–4811.

William V. Skidmore,

Acting Deputy Assistant Secretary for Export Administration.

[FR Doc. 80–21000 Filed 7–14–80; 8:45 am]

BILLING CODE 3510–25–M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[Docket No. 9088]

Century 21 Commodore Plaza, Inc., et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Dismissal order.

SUMMARY: This order affirms the initial decision of the Administrative Law Judge and grants complaint counsel's motion for dismissal of a complaint alleging that a North Miami Beach, Fla. realtor illegally required buyers of its Florida condominiums to enter into long-term leases of recreation facilities.

DATES: Complaint issued August 11, 1976. Dismissal order issued June 9, 1980.[1]

FOR FURTHER INFORMATION CONTACT: FTC/PM, Richard C. Donohue, Washington, D.C. 20580. (202) 523–3913.

SUPPLEMENTARY INFORMATION: In the Matter of Century 21 Commodore Plaza, Inc., Norman Cohen and Saul J. Morgan, individually and as officers of said corporation.

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

The Order Affirming the Initial Decision of the Administrative Law Judge Granting Complaint Counsel's Motion For Dismissal is as follows:

The Administrative Law Judge in the above captioned case issued an Initial Decision on February 7, 1980 dismissing

[1] Copies of the Complaint, Initial Decision and Order Affirming The Initial Decision Of The Administrative Law Judge Granting Complaint Counsel's Motion For Dismissal filed with the original document.

those portions of the original complaint charging that enforcement of allegedly unfair provisions of a condominium lease agreement violated Section 5 of the Federal Trade Commission Act. The ALJ recommends dismissal because of changes in Florida condominium law, the state of location of the property, and because respondents have signed a settlement agreement with the condominium association.

After considering the record before us, the Commission has determined to affirm the dismissal of this complaint. However, we reverse the ALJ's decision to amend the complaint by deleting certain allegations under Rule 3.15 of the Commission's rules of practice and emphasize that only the Commission has authority to eliminate complaint allegations under the circumstances presented here.

Our original complaint issued in August of 1976 charged not only that enforcement by respondents of the lease provisions constituted an unfair practice under Section 5, but also that respondents had deceptively misrepresented the attributes of the condominium arrangement and its leased facilities. In February 1978, we denied a motion by complaint counsel to dismiss or stay the entire complaint. That motion was based upon the changes in Florida law and pending litigation in that state involving operation of the lease provisions. One of the main reasons we denied the dismissal request was because the complaint's misrepresentation charges would not be resolved by either the changes in Florida law or the pending litigation.

On April 10, 1979, the ALJ, upon motion of complaint counsel, deleted the charges in the complaint pertaining to the advertising misrepresentations and several, but not all, of the charges pertaining to the failure to disclose material facts. The misrepresentation charges that remained dealt with respondents' failure to disclose to purshasers the existence and operation of the same provisions which formed the basis of charges concerning enforcement of the lease. The ALJ, without certifying the motion to the Commission, stated that the deletions were justified whether treated as an amendment to the complaint under § 3.15 of the rules of practice, or a dismissal of charges under § 3.22 of our rules.

The ALJ's failure to seek Commission approval of the deletion of these charges was in error whether viewed as a dismissal or an amendment.

Under § 3.15, an ALJ has a limited power to amend without seeking Commission approval. This power extends *only* to matters that facilitate the determination of the merits of a controversy, and has been held to apply to changes that merely clarify the details of existing charges. *Capitol Record Distributing Corp.*, 58 F.T.C. 1170 (1961). "* * * (T)he Commission reserves to itself the discretionary determination when there is reason to believe the law has been violated and when the public interest requires the institution of proceedings, as well as the authority to frame charges * * *" *Id.* at 1173. The implementation of any amendment that substantively changes prior Commission action has not been delegated to the ALJ and must be certified to the Commission for approval. *Id.* at 1174.

The limitations on the authority of an ALJ apply with equal force whether the proposed alteration will add to or delete from charges in the complaint. In *Crush International Limited, et al.*, 80 F.T.C. 1023 (1972), the Commission discussed an ALJ's authority to allow an amendment proposing deletion of certain parties from the complaint. We stated that the ALJ had no authority to amend "except to the extent that his ruling deals with matters of procedure rather than substance, such as deletion of an individual respondent who has deceased or the substitution of respondents improperly named * * *" *Id.* at 1024. Conversely, it follows that if a party were to be deleted for other than these merely technical reasons, such as for example to focus the litigation on a more blatant offender, the amendment is inherently substantive; it would go to the heart of the Commission's initial discretionary determination of violation and must be certified to the Commission for approval.

Similarly, the deletion of the charges in the instant case cannot be considered a procedural technicality. Under no circumstances can a deletion of charges be said to facilitate a determination of the merits because the merits of the deleted charges will never be reached. In addition, the deletion substantively changes both the Commission's prior actions in initially issuing the complaint and its denial of complaint counsel's first motion to dismiss, which was based in part on the failure of Florida law to resolve the misrepresentation issues.

The same result obtains if this procedure is considered as a dismissal. The same boundaries between procedural and substantive actions limit an ALJ's authority in this regard. *Crush International, supra.* If a dismissal is based on a determination that the public interest is no longer affected—a proposition that was explicitly stated by the ALJ in the instant case—the action must be certified for Commission approval.

This decision should not be read to affect any of an ALJ's independent powers under the rules of practice. Under § 3.15, an ALJ may consolidate similar charges of a Commission complaint in order that trial of issues will be easier for the parties or follow a more logical litigation pattern. Such a situation falls comfortably within an ALJ's power under § 3.15 to alter a complaint "to facilitate a determination of the merits." The instant case, however, involved a wholesale deletion of substantive charges; an action which mandates certification to the Commission. In addition, our clarification of the Rules in no way affects an ALJ's power to dismiss without certification if complaint counsel have not met their burden of proof on an issue or the power to grant summary decision under § 3.24. Considering the ALJ's action in light of complaint counsel's motion, however, it is apparent that these powers were not presented as a basis for the ALJ's independent action of deleting the misrepresentation charges.

Despite the error that has been committed, we have decided that it does not justify sending this matter back for further litigation on the deleted charges. A review of the record indicates that dismissal of these charges was warranted, although the procedure followed was incorrect. However, after a review of the record, we are in agreement with the ALJ's decision to dismiss and, therefore, the error was harmless.

The changes resulting from the new Florida laws dealing with the conscionability of recreation leases and the settlement agreement alleviate many of the concerns expressed in our original complaint. The Florida law establishes a presumption against the conscionability of recreation leases that contain nine specific provisions, all of which are present in the instant case. Fla. Stat. Sec. 718.122. This law should protect Florida consumers in the future from many of the flagrant abuses associated with recreational leases.

The changes in Florida law, however, do not go as far as a potential Commission order could have under Section 5. Under the Florida condominium law, all of the nine provisions must be present in order to trigger the presumption. Arguably, a lessor could include seven of the nine provisions contained in the law, and avoid operation of the presumption. In addition, while Florida law requires an aggregate of provisions, the Commission's initial complaint charged

that the inclusion of particular provisions alone may constitute an unfair act. Finally, the Florida courts have held that the new laws cannot be applied retroactively. Thus, lease agreements consummated prior to the adoption of the Florida legislation will be judged under the less stringent common law standards.

Although these differences between Florida law and possible applications for Section 5 underscore important long run considerations for protection of the consumer and may merit future Commission investigation, a review of the present posture of the instant adjudication convinces us that this case is not the appropriate vehicle for the establishment of Commission precedent.

Respondents and the condominium association have negotiated a settlement whereby the latter have purchased the lease. Part of that agreement prohibits the association from benefiting from FTC action. Any attempt to fashion consumer redress under Section 19 would therefore be difficult and may interfere with or jeopardize the benefits the condominium association has obtained under the settlement.

Similar considerations militate against a potential cease and desist order against respondents. The association now owns the lease and is in a position to cure any injury that may have resulted from repondents' allegedly unfair practices. Since the practices that would be the basis of such an order are no longer within the control of respondents, an order could arguably verge on being frivolous. Although a cease and desist order could be fashioned to prohibit respondents from engaging in similar practices in other lease arrangements, we have no evidence that respondents have such lease arrangements or that consumers are being adversely affected by any practices by respondents. Such an order would go beyond the scope of the adjudication before us. Thus, we are unable to determine if such an order is necessary to preserve the public interest.

Finally, the new Florida laws may act as a substantial deterrent to the practices that we expressed concern about in our complaint. Because the laws are relatively new, we have no way of determining whether their operation will be an effective means of consumer protection or whether consumers are still being injured despite the existence of the laws. Out of deference to state actions and because it is impossible, at this point, to guage the public interest, we feel that the prudent course is to stay Commission action for the present.

We have also determined that continued litigation over the misrepresentation charges would not, at this point, result in a long range benefit to the public interest. Many of the misrepresentation charges were included in the complaint to illustrate the context in which unfair or deceptive practices may have occurred with respect to the lease agreement. Further, the new Florida law contains provisions requiring pre-disclosure of material facts concerning condominium sales and concerning advertising the availability of facilities not as yet completed. Fla. Stat. Sec. 718.501. Thus, the law prospectively deters the same abuses that a potential Commission cease and desist order could cover.

Considering all of the circumstances that have changed the status of this litigation since the issuance of the complaint, we agree, with the ALJ that, on balance, the case should no longer be pursued. Accordingly,

It is ordered, That the Initial Decision granting dismissal be affirmed.

By the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 80-21004 Filed 7-14-80; 8:45 am]

BILLING CODE 6750-01-M

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16 CFR Part 13

[Docket No. 9047]

Porter & Dietsch, Inc., et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission

ACTION: Modifying order.

SUMMARY: This order amends a final order issued December 20, 1977, 90 FTC 770, 32 FR 9141, against a St. Paul, Minn., drug distributor by modifying the health risk disclosure requirement to include only those products containing phenylpropanolamine hydrochloride. Previously, the requirement included products containing methylcellulose as well. This modification brings the order into conformance with a Seventh Circuit Court of Appeals decison on review (605 F.2d 294, August 8, 1979).

DATES: Decision issued December 20, 1977. Modifying order issued May 23, 1980.

FOR FURTHER INFORMATION CONTACT: FTC/GE, William A. Doying, Washington, D.C. 20580. (202) 523-3866.

SUPPLEMENTARY INFORMATION: In the Matter of Porter & Dietsch, Inc., a corporation, and William H. Fraser, individually and as an officer of said corporation; Kelly Ketting Furth, Inc., a corporation, and Joseph Furth, individually and as an officer of said corporation; and Pay 'N Save Corporation, a corporation. Codificaiton under 16 CFR Part 13, appearing at 32 FR 9141, remains unchanged.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interprets or applies sec. 5, 38 Stat. 719, as amended; (15 U.S.C. 45, 52))

The Order Amending Order To Cease and Desist is as follows:

On December 20, 1977, following a complaint and proceeding thereon, the Commission issued its Decision and Order to Cease and Desist against the several named respondents in this matter. The respondents subsequently petitioned the United States Court of Appeals for the Seventh Circuit to review that Decision and Order, and that court issued its decision in the matter on August 8, 1979, requiring modification of the Order in certain respects. *Porter & Dietsch, Inc., et al.* v. *FTC*, 605 F.2d 294, 308–310. Respondents subsequently filed petitions for *certiorari* in the Supreme Court (79–731 and 79–1090), which were denied on March 31, 1980.

Accordingly, we hereby amend our order of December 20, 1977, in the following respects to conform to the mandate of the court of appeals:

First, we strike the existing paragraph I.E. and insert the following paragraphs I.E. and I.F.:

E. Disseminating or causing to be disseminated by the United States mails or by any means in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement for any such product containing phenylpropanolamine hydrochloride or similar ingredients with similar properties, or methylcellulose (whether or not such products contain other ingredients as well) or any product held out as a diet remedy or other remedy for the reduction of human body weight unless such advertising "clearly and conspicuously" (in print at least as large as the largest print appearing in the advertising, or in an oral presentation, in speech as clear and distinct as that delivered in the rest of the presentation) discloses the following statement, with nothing to the contrary or in mitigation of this statement: "DIETING IS REQUIRED"

F. Disseminating or causing to be disseminated by United States mails or by any means in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement for any such product containing phenylpropanolamine hydrochloride or similar ingredients with similar properties and held out as a diet remedy or other remedy for the reduction of human body weight unless such advertising "clearly and conspicously" (in print at least as large as the largest print appearing in the advertising or, in an oral presentation, in speech as clear

and distinct at that delivered in the rest of the presentation) discloses the following statement, with nothing to the contrary or in mitigation of this statement: *"WARNING: THIS PRODUCT POSES A SERIOUS HEALTH RISK FOR USERS WITH HIGH BLOOD PRESSURE, HEART DISEASE, DIABETES, OR THYROID DISEASE. READ THE LABEL CAREFULLY BEFORE USING."*

Second, we strike the existing paragraph II and insert the following paragraphs II and III (renumbering existing paragraph III and subsequent paragraphs accordingly):

II

It is further ordered, That respondents Kelly Ketting Furth, Inc., a corporation, its successors and assigns, and its officers, and Joseph Furth, individually and as an officer of said corporation; and employees of the foregoing respondents, directly or through any corporation, subsidiary, division or other device, in connection with the advertising of any "food," "drug," "cosmetic," or "device" (as these terms are defined in the Federal Trade Commission Act) held out as a diet remedy or other remedy for the reduction of human body weight, shall forthwith cease and desist from disseminating or causing to be disseminated by United States mails or by any means in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains a representation or testimonial for such product prohibited by Paragraph I of this Order, or which omits a disclosure for such product required by Paragraph I of this Order.

III

It is further ordered, That respondents Pay 'N Save Corporation, a corporation, its successors and assigns, and its officers, agents, representatives and employees directly or through any corporation, subsidiary, division or other device, in connection with the advertising of any "food," "drug," "cosmetic," or "device" (as these terms are defined in the Federal Trade Commission Act) manufactured or distributed by Porter & Dietsch, Inc., and held out as a diet remedy or other remedy for the reduction of human body weight, shall forthwith cease and desist from disseminating or causing to be disseminated by United States mails or by any means in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains a representation or testimonial for such product prohibited by Paragraph I of this Order, or which omits a disclosure for such product required by Paragraph I of this Order.

By the Commission.

Carol M. Thomas,

Secretary

[FR Doc. 80-21006 Filed 7-14-80; 8:45 am]

BILLING CODE 6750-01-M

16 CFR Part 13

[Docket No. 8827]

Standard Oil Co. of California, et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Modifying order.

SUMMARY: This order modifies a November 26, 1974 order, 84 FTC 1401, 40 FR 13488, against a San Francisco, Calif., distributor of gasoline and other petroleum products and its New York City advertising agency, requiring compliance with a court of appeals decision that the "blanket" order provision as to all advertising of "any" product was wholly unwarranted based on three misleading advertisements. The order is modified to cover only advertising of its additive, F-310.

DATES: Decision issued November 26, 1974. Modified Order issued June 16, 1980.

FOR FURTHER INFORMATION CONTACT: FTC/P Albert H. Kramer, Washington, D.C. 20580, (202) 523-3727.

SUPPLEMENTARY INFORMATION: In the Matter of Standard Oil Company of California, a corportation, and Batten, Barton, Durstine & Osborn, Inc., a corporation. Codification under 16 CFR Part 13, appearing at 40 FR 13488, remains unchanged.

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

The Modified Order to Cease and Desist is as follows:

Respondents having filed in the United States Court of Appeals for the Ninth Circuit petitions for review of the Commission's cease and desist order issued herein on November 26, 1974; and the Court having rendered its decision modifying the Commission's order and, as so modified, affirming and enforcing the order; and the time for filing a petition for certiorari having expired and no petition for certiorari having been filed:

Now, therefore, it is hereby ordered, That the aforesaid order to cease and desist be, and hereby is, modified in accordance with the decision and judgment of the Court of Appeals to read as follows:

I

It is ordered, That respondent Standard Oil Company of California, a corporation, its successors and assigns, its officers, representatives, agents, employees, directly or through any corporate or other device, in connection with the advertising of the additive F-310, forthwith cease and desist from:

1. Representing directly or by implication that such product:

(a) Will produce or result in motor vehicle exhaust which is pollution free or generally pollution free; or

(b) Will eliminate or reduce air pollution caused by motor vehicles; or

(c) Will eliminate or reduce emission from all or any number or group of motor vehicles in which it is used; or that;

(d) Such gasoline additive product has any other quality, performance ability or other characteristic; or

(e) Tests, demonstrations, research or experiments have been conducted which prove or substantiate any of said representations;

Unless and only to the extent that each and every such representation is true and has been fully and completely substantiated by competent scientific tests. The results of said tests, the original data collected in the course thereof and a detailed description of how said tests were performed shall be kept available in written form for at least three years following the final use of the representation.

2. Representing directly or by implication that:

(a) Automotive exhaust has certain observable or measurable characteristics in all or any number or group of motor vehicles when such is not the fact; or

(b) Any machines, measuring devices or technical instruments have particular characteristics or capacities when such is not the fact; or

(c) Any product has any effectiveness in reducing air pollution or any air pollutant or air pollutants without at the same time, in the same advertisement or other form of communication, conspicuously disclosing that not all of the harmful pollutants in automotive exhaust are affected by said product; or

(d) Any product will reduce any emissions of pollutants from automobile exhaust by any percentage or numerical quantity unless in connection therewith there is a clear, accurate and conspicuous disclosure of the type of vehicle which can expect to achieve reductions of such magnitude and the approximate percentage of such vehicles in the general car population.

II

It is ordered, That respondent Standard Oil Company of California, a corporation, its successors and assigns, its officers, representatives, agents, employees, directly or through any corporate or other device, in connection with the advertising of the additive F-

310, forthwith cease and desist directly or indirectly from:

1. Advertising by or through the use of or in conjunction with any test, experiment, or demonstration, or the result thereof, or any other information or evidence that appears or purports to confirm or prove, or is offered as confirmation, evidence, or proof of any fact, product characteristic or the truth of any representation, which does not accurately demonstrate, prove, or confirm such fact, product characteristic, or representation.

2. Using any pictorial or other visual means of communiction with or without an accompanying verbal text which directly or by implication creates a misleading impression in the minds of viewers as to the true state of material facts which are the subject of said pictures or other visual means of communication.

3. Misrepresenting in any manner or by any means any characteristic, property, quality, or the result of use of such gasoline additive product.

III

It is ordered, That respondent Batten, Barton, Durstine & Osborn, Inc., a corporation, its successors and assigns, its officers, representatives, agents, employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of the additive F-310, forthwith cease and desist from:

1. Representing directly or by implication that such product:

(a) Will produce or result in motor vehicle exhaust which is pollution free or generally pollution free; or

(b) Will eliminate or reduce air pollution caused by motor vehicles; or

(c) Will eliminate or reduce emissions from all or any number or group of motor vehicles in which it is used; or that:

(d) Such gasoline additive product has any other quality, performance ability or other characteristic; or

(e) Tests, demonstrations, research or experiments have been conducted which prove or substantiate any of said representations;

Unless and only to the extent that respondent has a reasonable basis for such representation based upon competent scientific tests by it or its client. The results of said tests and the data collected in the course thereof relied upon by respondent shall be kept available in written form for at least three years following the final use of the representation.

2. Representing directly or by implication that:

(a) Automotive exhaust has certain observable or measurable characteristics in all or any number or group of motor vehicle when such is not the fact; or

(b) Any machines, measuring devices or technical instruments have particular characteristics or capacities when such is not the fact; or

(c) Such product has any effectiveness in reducing air pollution or any air pollutant or air pollutants without at the same time, in the same advertisement or other form of communication, conspicuously disclosing that not all of the harmful pollutants in automotive exhaust are affected by said product; or

(d) Such product will reduce any emissions of pollutants from automobile exhaust by any percentage or numerical quantity unless in connection therewith there is a clear, accurate and conspicuous disclosure of the type of vehicle which can expect to achieve reductions of such magnitude and the approximate percentage of such vehicles in the general car population.

IV

It is ordered, That respondent Batten, Barton, Durstine & Osborn, Inc., a corporation, its successors and assigns, its officers, representatives, agents, employees, directly or through any corporate or other device, in connection with the advertising of the additive F-310, forthwith cease and desist directly or indirectly from:

1. Advertising by or through the use of or in conjunction with any test, experiment, or demonstration, or the result thereof, or any other information or evidence that appears or purports to confirm or prove or is offered as confirmation; evidence or proof of any fact, product characteristic, or of the truth of any representation which does not accurately demonstrate, prove, or confirm such fact, product characteristic, or representation unless the respondent can establish it neither knew, or had reason to know, nor upon reasonable inquiry could have known that such was the case.

2. Using any pictorial or other visual means of communication with or without an accompanying verbal text which directly or by implication creates a misleading impression in the minds of viewers as to the true state of material facts which are the subject of said pictures or other visual means of communication unless the respondent can establish it neither knew nor had reason to know nor upon reasonable inquiry could have known the true facts.

3. Misrepresenting in any manner or by any means any characteristic, property, quality, or the result of the use of such gasoline additive product unless the respondent can establish it neither knew nor had reason to know nor upon reasonable inquiry could have known that such representations are false.

It is further ordered, That respondent corporations shall forthwith distribute a copy of this order to each of their operating divisions.

It is further ordered, That respondents herein shall notify the Commission at least thirty (30) days prior to any proposed change in any of the corporate respondents such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That respondents shall, within sixty (60) days after service of the order upon them, file with the Commission a written report, signed by the respondents, setting forth in detail the manner and form of their compliance with the order to cease and desist.

By direction of the Commission. Commissioner Pitofsky did not participate.

Carol M. Thomas,

Secretary.

[FR Doc. 80-21005 Filed 7-14-80; 8:45 am]

BILLING CODE 6750-01-M

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16 CFR Part 13

[Docket No. C-3023]

American Home Products Corp.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Final order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order requires, among other things, a New York City manufacturer of pharmaceutical products to cease making any misrepresentations of the efficacy or novel performance characteristics of its vaginal contraceptive suppository products. The order specifically prohibits any exaggerated efficacy claims for the products such as "highly" or "extremely" effective. Additionally, respondent is prohibited from making claims of efficacy without a reasonable basis consisting of a consistent body of valid and scientific evidence. Respondent is also required to distribute an information pamphlet discussing the advantages and disadvantages of

various over-the-counter contraceptive methods as well as setting forth specifically required affirmative disclosures.

DATES: Complaint and order issued June 19, 1980.[1]

FOR FURTHER INFORMATION CONTACT: Leroy Richie, Director, 8R, New York Regional Office, Federal Trade Commission, 2243–EB Federal Bldg., 26 Federal Plaza, New York, N.Y. 10007. (212) 264–1207.

SUPPLEMENTARY INFORMATION: On Wednesday, March 5, 1980, there was published in the **Federal Register**, 45 FR 14218, a proposed consent agreement with analysis In the Matter of American Home Products Corporation, a corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

Comments were filed and considered by the Commission. The Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart-Advertising Falsely or Misleadingly: Section 13.135 Nature of product or service; § 13.170 Qualities or properties of product or service; 13.170–18 Contraceptive; 13.170–58 Non–irritating; § 13.195 Safety; § 13.205 Scientific or other relevant facts; §13.280 Unique nature or advantages. Subpart-Corrective Actions and/or Requirements: Section 13.533 Corrective actions and/or requirements; 13.533–10 Corrective advertising; 13.533–20 Disclosures; 13.533–45 Maintain records; 13.533–45(k) Records, in general. Subpart-Disseminating Advertisements, Etc.: Section 13.1043 Disseminating advertisements, etc. Subpart-Misrepresenting Oneself and Goods-Goods: Section 13.1685 Nature; § 13.1710 Qualities or properties; § 13.1740 Scientific or other relevant facts; § 13.1770 Unique nature or advantages. Subpart-Neglecting, Unfairly or Deceptively, To Make Material Disclosure: Section 13.1863 Limitations of product; § 13.1870 Nature; § 13.1890 Safety; § 13.1895 Scientific or other relevant facts.

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

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interprets or applies sec. 5, 38 Stat. 719, as amended; (15 U.S.C. 45, 52))

Carol M. Thomas,

Secretary.

[FR Doc. 80–21009 Filed 7–14–80; 8:45 am]

BILLING CODE 6750–01–M

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16 CFR Part 13

[Docket No. C–3025]

Schlumberger Ltd.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Final order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order requires, among other things, a New York City multinational company, engaged in various activities, including the manufacture of electrical and electronic devices, to divest all stock it owns in the Unitrode Corporation ("Unitrode") within six months from the date of the order. Prior to such divestiture, the order requires that respondent treat Unitrode as an independent entity, and refrain from attempting to influence or control Unitrode. Respondent is further prohibited from acquiring any Unitrode stock or assets without prior Commission approval for a period of ten years.

DATES: Complaint and order issued June 23, 1980.[1]

FOR FURTHER INFORMATION CONTACT: FTC/C, Alfred F. Dougherty, Jr., Washington, D.C. (202) 523–3601.

SUPPLEMENTARY INFORMATION: On Wednesday, March 5, 1980, there was published in the **Federal Register**, 45 FR 14224, a proposed consent agreement with analysis In the Matter of Schlumberger Limited, a corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

Comments were filed and considered by the Commission. The Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

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

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart—Acquiring Corporate Stocks or Assets: Section 13.5 Acquiring corporate stock or assets; 13.5–20 Federal Trade Commission Act.

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

Carol M. Thomas,

Secretary.

[FR Doc. 80–21008 Filed 7–14–80; 8:45 am]

BILLING CODE 6750–01–M

DEPARTMENT OF LABOR

Employment and Training Administration

20 CFR Parts 675, 676, 677, 678, 679 and 680

Comprehensive Employment and Training Act Regulations; Correction

AGENCY: Employment and Training Administration (ETA), Labor.

ACTION: Final rule; correction to preamble.

SUMMARY: Final regulations for the Comprehensive Employment and Training Act (CETA) were published in the **Federal Register** on May 20, 1980, 45 FR 33846. The preamble to those regulations gave May 15, 1980 as the effective date of the regulations. Section 126(a)(1) of CETA requires that regulations published under CETA be published in the **Federal Register** at least 30 days prior to becoming effective. Therefore, this document corrects the effective date of the final CETA regulations published on May 20, 1980, to bring the regulations into compliance with CETA. The effective date of FR Doc. 80–15374 published on May 20, 1980, appearing at 45 FR 33846 is corrected to read "June 19, 1980."

EFFECTIVE DATE: July 15, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Anderson, Administrator, Office of Comprehensive Employment Development, Employment and Training Administration, U.S. Department of Labor, 601 D Street, N.W., Washington, D.C. 20213; Telephone: (202) 376–6254.

Signed at Washington, D.C. this 9th day of July, 1980.

Ray Marshall,

Secretary of Labor.

[FR Doc. 80–21082 Filed 7–14–80; 8:45 am]

BILLING CODE 4510–30–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 310

[Docket No. 75N-0244]

New Drugs; Drugs for Human Use; Over-the-Counter (OTC) Daytime Sedatives; Correction

AGENCY: Food and Drug Administration.

ACTION: Final order; correction.

SUMMARY: In FR Doc. 79-19448 appearing at page 36378 in the Federal Register of June 22, 1979, the following correction is made in the listing of claims that have been made for daytime sedative products: In § 310.519(a) appearing at page 36380, "nervous headache" is changed to read "nervous tension headache."

FOR FURTHER INFORMATION CONTACT: Agnes Black, Federal Register Writer (HFC-11), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-2994.

Dated: July 8, 1980.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 80-21003 Filed 7-14-80; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 522

Colloidal Ferric Oxide Injection; Revocation of Certain Regulations

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The agency is revoking that portion of the regulations reflecting approval of a new animal drug application (NADA) providing for use of colloidal ferric oxide injection for use in baby pigs for the prevention and treatment of anemia due to iron deficiency. The sponsor, Norden Laboratories, requested the withdrawal of approval.

EFFECTIVE DATE: July 25, 1980.

FOR FURTHER INFORMATION CONTACT: David N. Scarr, Bureau of Veterinary Medicine (HFV-214), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-1846.

SUPPLEMENTARY INFORMATION: In a notice published elsewhere in this issue of the Federal Register, approval of NADA 15-035 is withdrawn. This document amends the regulations to delete that portion which reflects approval of this NADA.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345-347 (21 U.S.C. 360b(e))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1) and redelegated to the Director of the Bureau of Veterinary Medicine (21 CFR 5.84), Part 522 is amended.

§ 522.940 [Amended]

Amend § 522.940 *Colloidal ferric oxide injection* by deleting in paragraph (b) the sponsor number "011519."

Effective date. July 25, 1980.

(Sec. 512(e), 82 Stat. 345-347 (21 U.S.C. 360b(e)))

Dated: July 2, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80-20854 Filed 7-14-80; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 524

Chlorhexidine Diacetate Ointment; NAS/NRC Update

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This document amends the regulations for chlorhexidine diacetate ointment to indicate those conditions of use for which applications for approval of identical products need not include certain types of effectiveness data. These conditions of use were classified as effective as a result of a National Academy of Sciences/National Research Council (NAS/NRC), Drug Efficacy Study Group evaluation of the product. In lieu of certain effectiveness data, approval may require submission of bioequivalence or similar data. A previous Federal Register publication has reflected that this product is in compliance with the conclusions of the review.

EFFECTIVE DATE: July 15, 1980.

FOR FURTHER INFORMATION CONTACT: Henry C. Hewitt, Bureau of Veterinary Medicine (HFV-110), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3420.

SUPPLEMENTARY INFORMATION: The NAS/NRC review of this product was published in the Federal Register of July 17, 1970 (35 FR 11533). In that document, the Academy concluded, and FDA concurred, that the product was probably effective as a topical ointment.

That announcement was issued to inform holders of new animal drug applications (NADA's) of the findings of the Academy and the agency, and to inform all interested persons that such articles could be marketed if they were the subject of approved NADA's and otherwise complied with the requirements of the Federal Food, Drug, and Cosmetic Act.

Fort Dodge Laboratories, Fort Dodge, IA 50501 responded to the notice by submitting a supplemental NADA (9-782V) providing current information covering manufacturing and controls and revising the labeling for the safe and effective use of the product in horses, dogs, and cats as a topical antiseptic ointment. The supplemental application was approved by a regulation published in the Federal Register of May 1, 1973 (38 FR 10714). The regulation reflecting this approval established a new section for the drug in 21 CFR 135a.35, recodified at 21 CFR 524.402. The new section did not specify those conditions of use that were NAS/NRC approved.

This document amends the regulations to indicate those conditions of use for which applications for approval of identical products need not include certain types of effectiveness data required for approval by § 514.111(a)(5)(ii)(*a*)(*4*) of the new animal drug regulations. In lieu of those data, approval of applications for such products may be obtained if bioequivalency or similar data are submitted as suggested in the guideline for submitting NADA's for generic drugs reviewed by the NAS/NRC. The guideline is available from the office of the Hearing Clerk (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1) and redelegated to the Director of the Bureau of Veterinary Medicine (21 CFR 5.83), Part 524 is amended in § 524.402 by adding after paragraph (c)(1), (2), and (3) the footnote reference [1] and by adding at the end of the section the footnote to read as follows:

§ 524.402 Chlorhexidine diacetate ointment.

* * * * *

(c) *Conditions of use.* (1) * * *[1]

(2) * * *[1]

(3) * * *[1]

Effective date. This regulation shall be effective July 15, 1980.

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

[1] These conditions are NAS/NRC reviewed and deemed effective. Applications for these uses need not include effectiveness data as specified by § 514.111 of this chapter, but may require bioequivalency and safety information.

Dated: July 2, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80-20853 Filed 7-14-80; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Tylosin; Revocation of Certain Regulations

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The agency is revoking that portion of the regulations reflecting approval of a new animal drug application (NADA) providing for use of certain premixes containing tylosin phosphate for manufacture of complete swine feeds. This action has been requested by the sponsor, Syntex Corp.

EFFECTIVE DATE: July 25, 1980.

FOR FURTHER INFORMATION CONTACT: David N. Scarr, Bureau of Veterinary Medicine (HFV-214), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3183.

SUPPLEMENTARY INFORMATION: In a notice published elsewhere in this issue of the **Federal Register**, approval of NADA 101-528 is withdrawn. This document amends the regulations to delete that portion which reflects approval of this NADA.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345-347 (21 U.S.C. 360b(e))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1) and redelegated to the Director of the Bureau of Veterinary Medicine (21 CFR 5.84), Part 558 is amended in § 558.625 *Tylosin* by revoking paragraph (b)(44) and reserving it for further use.

EFFECTIVE DATE: July 25, 1980.

(Sec. 512(e), 82 Stat. 345-347 (21 U.S.C. 360b(e)))

Dated: July 2, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80-20855 Filed 7-14-80; 8:45 am]

BILLING CODE 4110-03-M

DEPARTMENT OF JUSTICE

28 CFR Part 55

Implementation of the Provisions of the Voting Rights Act Regarding Language Minority Groups; Interpretative Guidelines; Technical Amendments to Appendix; Correction

AGENCY: Department of Justice.

ACTION: Correction.

SUMMARY: In FR Doc. 80-19756 appearing at page 44268 in the **Federal Register** of July 1, 1980, the listing for Hawaii County, Hawaii is corrected by the deletion of the word "Spanish" in the column headed by "Coverage under sec. 4(f)(4)".

FOR FURTHER INFORMATION CONTACT: David H. Hunter Attorney, Voting Section, Civil Rights Division, Department of Justice, Washington, D.C. 20530 (202-724-7189).

Dated: July 3, 1980.

Gerald W. Jones,

Chief, Voting Section, Civil Rights Division.

[FR Doc. 80-20826 Filed 7-14-80; 8:45 am]

BILLING CODE 4410-01-M

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 2602

Payment of Premiums

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of modification of interpretation.

SUMMARY: This document provides notice of a change in interpretation by the Pension Benefit Guaranty Corporation ("PBGC") of the term "participant" as defined in the PBGC's regulation, Payment of Premiums, 29 CFR Part 2602, which sets forth the regulations governing the imposition of premiums applicable to plan years in progress on, and beginning on or after September 2, 1974. Under the new interpretation, premiums are payable with respect to individuals who participate, i.e., who earn or retain credited service, in more than one plan for each plan in which they participate. A collateral effect of this action will be to simplify the reporting burdens for plan administrators by making the PBGC's definition of "participant" the same as that used by the Department of Labor and the Internal Revenue Service.

DATE: As indicated in the 1980 revision of Form PBGC-1, this change is effective for plan years beginning after December 31, 1970.

FOR FURTHER INFORMATION CONTACT: Roger Lerner, Attorney, Office of the General Counsel, Pension Benefit Guaranty Corporation, 2020 K Street, N.W., Washington, D.C. 20006, Telephone: (202) 254-3010.

SUPPLEMENTARY INFORMATION: Section 2602.2 of the regulation defines "participant" to include any "individual currently accruing benefits or retaining or earning credited service under the terms of the plan * * *." Previously, the PBGC had interpreted this language to provide that when the same employer maintained more than one plan, an individual was counted for premium purposes only in those plans in which he or she was then accruing benefits. This interpretation was set forth originally in the instructions to the premium payment form, PBGC-1, and later in the preamble to the 1976 amendment of Part 2602 (41 FR 32740 (August 5, 1976)).

The PBGC reviewed this interpretation in connection with its efforts to coordinate reporting with the Department of Labor ("DOL") and the Internal Revenue Service ("IRS"). Upon reconsideration the PBGC determined that section 2602.2 of the regulation requires that an individual be counted as a participant in each plan in which he or she earns or retains credited service. Sections 4006 and 4007 of the Employee Retirement Income Security Act of 1974, 29 U.S.C. §§ 1306 and 1307 ("ERISA"), require that premiums be paid on behalf of each plan participant. Thus, premiums are payable with respect to individuals who participate, *i.e.*, who earn or retain credited service, in more than one plan for each plan is which they participate. The new PBGC-1 form, which has recently been distributed to plan administrators and pension practitioners, contains revised instructions which delete the prior interpretation.

A collateral effect of this action will be to simplify the reporting burdens for plan administrators by making the PBGC's definition of "participant" the same as that used by DOL and IRS. Thus, it will no longer be necessary for plan administrators to make separate participant counts for purposes of filing annual reports with the three agencies.

Issued in Washington, D.C. this 9th day of July, 1980.

Robert E. Nagle,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 80-21162 Filed 7-15-80; 8:45 am]

BILLING CODE 7708-01-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 761

Surface Coal Mining and Reclamation Operations; Permanent Regulatory Program; Correction

AGENCY: Office of Surface Mining Reclamation and Enforcement, Department of the Interior.

ACTION: Correction.

SUMMARY: This document corrects 30 CFR 761.12(f)(1) as amended on December 31, 1979, and as suspended in part on November 27, 1979.

EFFECTIVE DATE: July 15, 1980.

FOR FURTHER INFORMATION CONTACT: Boyd Lewis, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, Washington, D.C. 20240, (202) 343–5361.

SUPPLEMENTARY INFORMATION: On March 13, 1979, the Office of Surface Mining (OSM) published its permanent program regulations (44 FR 15312 *et seq.*) implementing the permanent regulator program under the Surface Mining Control and Reclamation Act of 1977 (SMCRA).

As a result of certain issues raised during litigation on the permanent program regulations (*In re Permanent Surface Mining Regulation Litigation*), Civil Action No. 79–1144, consolidated (District of Columbia District Court filed May, 1979), OSM suspended and proposed changes to certain sections on November 27, 1979 (44 FR 67942–67943). In particular, in Section 761.12(f)(1) the words "or a statutory or regulatory responsibility for" were suspended insofar as they apply to privately owned places listed on the National Register of Historic Places in addition to publicly owned places.

Section 761.12(f)(1) was subsequently amended on December 31, 1979 (44 FR 77447), although the previously suspended language remained suspended to the extent set forth in the November 27, 1979 **Federal Register** notice. However, the word "or" appearing after the word "over" was inadvertently deleted from the amendment.

The words "or a statutory or regulatory responsibility for" remain suspended until further notice by OSM insofar as they relate to privately owned places. The December 31, 1979, amendment did not supersede the suspension as to this phrase.

The following corrects the December 31, 1979 amendment:

On page 77447, § 761.12(f)(1), column 2, line 8, "jurisdiction over a statutory or" is corrected to read "jurisdiction over or a statutory or."

Dated: July 8, 1980.

Richard M. Hall,

Acting Director, Office of Surface Mining, Reclamation and Enforcement.

[FR Doc. 80–21077 Filed 7–14–80; 8:45 am]

BILLING CODE 4310–05–M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 257

[DoD Directive 5530.1]

Acceptance of Service of Process; Amendment No. 1

AGENCY: Office of the Secretary of Defense.

ACTION: Final rule amendment.

SUMMARY: This amendment changes the address of the Director of Civil Law, Office of the Judge Advocate General, United States Air Force. The Director of Civil Law, because of the address change, may no longer accept process issued by the U.S. District Court for the District of Columbia for service in the District of Columbia.

EFFECTIVE DATE: September 11, 1979.

FOR FURTHER INFORMATION CONTACT: Mr. F. S. Holmes, Jr., Manpower, Health, and Public Affairs, Office of the Assistant General Counsel, Washington, D.C. 20301, Telephone: 202–695–6281.

SUPPLEMENTARY INFORMATION: In FR Doc. 67–5125 appearing in the **Federal Register** on May 9, 1967 (32 FR 7019), the Office of the Secretary of Defense published Part 257, effective April 22, 1967, which designated certain offices within the Department of Defense to receive service of process in court litigation. In FR Doc. 70–15967 appearing in the **Federal Register** on November 28, 1970 (35 FR 18195), the Office of the Secretary of Defense published a revision to that Part. This rule further revises Part 257.

PART 257—ACCEPTANCE OF SERVICE OF PROCESS

Accordingly, 32 CFR, Chapter I, Part 257, is amended as follows:

Section 257.5 is amended by revising paragraphs (a) and (c).

Section 257.5 now reads as follows:

§ 257.5 Receipt of Service of Summons and Complaint by the U.S. Marshal for the District Court of the District of Columbia.

(a) The respective Secretaries have agreed that in litigation before the U.S. District Court for the District of Columbia, service of a summons and complaint upon the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, may be accomplished by the U.S. Marshal for the District Court of the District of Columbia by serving the Chief, General Litigation Division, Office of the Judge Advocate General, United States Air Force, 1900 Half Street, SW., Washington, D.C. 20324.

* * * * *

(c) Upon receipt of a summons and complaint on behalf of the Secretary concerned, the Chief, General Litigation Division, Office of the Judge Advocate General, U.S. Air Force, shall forward such documents for necessary action to the respective Secretaries' representatives designated in § 257.4.

(5 U.S.C. 301,133)

M. S. Healy,

OSD Federal Register Liaison Officer, Washington Headquarters Services, Department of Defense.

July 8, 1980.

[FR Doc. 80–21034 Filed 7–14–80; 8:45 am]

BILLING CODE 3810–70–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL 1533–2]

Revision to Oregon Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency today approves a revision to the State of Oregon's program for controlling the open burning of grass seed fields.

The State of Oregon Department of Environmental Quality (DEQ) submitted to EPA on April 22, 1980 proposed revisions to the open field burning rules which are presently enforceable as part of the Oregon State Implementation Plan (SIP). Also submitted were amendments to applicable Oregon statutes and revisions to the Field Burning Smoke Management Operational Guidelines.

This revision would allow an increase in the number of acres to be open burned from the current limit of 180,000 acres to 250,000 acres per year. The revision also imposes additional controls on the methods of burning and tightens the criteria under which the DEQ will allow burning to occur.

DATE: July 15, 1980.

ADDRESSES: The Oregon submittal may be examined during normal business hours at the following locations:
Central Docket Section, Library System Branch, Environmental Protection Agency, 401 M Street, SW (Rm 2903), Washington, D.C. 20460.
Library, Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Seattle, WA 98101.
State of Oregon, Department of Environmental Quality, 522 SW. 5th Avenue, Yeon Building, 4th Floor, Portland, OR 97207.

FOR FURTHER INFORMATION CONTACT: George C. Hofer, Air Programs Branch, M/S 625, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, WA 98101, Telephone No. (206) 442–1125 (FTS) 399–1125.

SUPPLEMENTAL INFORMATION:

Background

The open burning of grass seed fields in the State of Oregon has been recognized as a very sensitive and complex air pollution problem for a number of years. EPA's involvement in a control program for Oregon open field burning dates from 1972. In May 1972, the Administrator of EPA approved the Oregon State Implementation Plan (SIP) which had been submitted to EPA in accordance with Section 110 of the Clean Air Act. Included in that plan were Oregon Revised Statutes, 449.930 through 449.943, Field Burning, and a control strategy for total suspended particulate (TSP) which called for a total ban on open field burning in the Willamette Valley as of January 1, 1975.

The 1975 session of the Oregon Legislature, however, amended the applicable statute to eliminate the total ban and to replace it with a program to phase down the number of acres burned each year so that by 1978 and each year thereafter no more than 50,000 acres could be open burned. These legislative changes, as reflected in administrative rules which substituted a phase down program for a total ban of open field burning, were submitted to EPA on August 1, 1975 and February 17, 1976 as proposed revisions to the Oregon SIP. After determining that these revisions met the requirements of Section 110 of the Clean Air Act (hereafter referred to as the Act) and EPA's public participation provisions (40 CFR Part 51) the Administrator approved the revisions on April 18, 1977.

In 1977, the Oregon Legislature again amended the State statute regarding field burning. The major changes included: (1) Increasing the maximum number of acres allowed to be burned to 195,000 in 1977 and 180,000 in 1978 and leaving it up to the Environmental Quality Commission (EQC) to determine the number of acres to be burned in subsequent years; (2) Changing the language of the previous statute so that the EQC must authorize the maximum allowable acreage "unless the EQC finds after hearing that other reasonable and economically feasible alternatives to the practice of annual open field burning have been developed" (ORS 468.475). Previous wording of the statute allowed maximum acreage to be authorized "only if" the EQC found that reasonable alternatives to open burning were not available.

Thereafter, on July 15, 1977 the EQC amended the state administrative rules OAR, 340–26–005 through 26–030, to comply with the 1977 statute. These rules were then submitted to EPA for consideration as a proposed SIP revision on October 6, 1977. EPA reviewed the amended rules and determined that they did not meet either the substantive or the procedural requirements of the Act and therefore would have to be disapproved.

On January 27, 1978 EPA informed the State of Oregon of its findings and provided the State an opportunity to correct the noted procedural and substantive deficiencies. The DEQ decided not to correct the proposed SIP revision prior to the 1978 burning season, but opted instead to develop an interim control strategy for the 1978 field burning season. The EQC approved a one-year interim control strategy, which in conjunction with a number of additional control measures and a comprehensive study, provided for the burning during the 1978 burning season of up to 180,000 acres of grass fields. This compromise between interested parties, which included the Oregon Seed Council, resulted in the recorded burning of approximately 152,000 acres during the 1978 season.

During the above noted SIP revision activity, EPA issued a Notice of Violation (NOV) to the State of Oregon for violation of its SIP provisions during the 1977 field burning season by permitting the burning of 171,500 acres in the Willamette Valley, substantially in excess of the 95,000 acre SIP limitation approved by EPA in April 1977.

The DEQ, following its statutory mandate, again submitted to EPA on May 14, 1979 a proposed revision to the Oregon SIP which was adopted by the EQC on December 15, 1978. This proposed SIP revision for field burning also complied with the 1977 statute but included a number of additional control measures to further minimize the impact of field burning. On June 28, 1979 DEQ resubmitted to EPA its proposed SIP revision as amended on May 25, 1979. These amendments were made in response to several issues raised by EPA staff subsequent to EPA's receipt of the May 14, 1979 submittal. In an associated action, on June 29, 1979, the EQC adopted temporary rules with respect to field burning (OAR 340–26–005, 015). These temporary rules were submitted to EPA on July 5, 1979 as amendments to the June 28, 1979 submittal.

In a SIP-related matter, on July 17, 1979, EPA issued a NOV to the State of Oregon for violation of the prohibition in the SIP against the issuance of permits for more than 50,000 acres during the 1979 field burning season. Records indicate that approximately 153,000 acres were burned during the 1979 field burning season, substantially in excess of the SIP allowable.

On July 31, 1979 Governor Victor Atiyeh citing Section 110(g)(1) of the Clean Air Act, signed Executive Order 79–14. The order was intended to suspend Subsection (2)(g) of ORS 468.475(g) of the federally approved Oregon SIP which placed a 50,000 acre limitation upon open field burning. The temporary emergency suspension issued by the Governor failed to meet the procedural requirements of Section 110(g) of the Act and was therefore invalid on its face.

On August 3, 1979 EPA proposed in the **Federal Register** approval of the Oregon submittal (44 FR 45647). However, EPA noted a number of substantive concerns regarding the technical support documents for the proposed revision which were submitted to EPA at that time. Additionally, EPA raised a number of concerns with the proposed field burning rules themselves. Further, EPA identified procedural problems associated with the State submittal. EPA noted in the initial **Federal Register** proposal that these various concerns made it difficult to determine whether the proposed SIP relaxation would satisfy all of the applicable requirements of the Act.

In the August 3, 1979 proposal (44 FR 45649), EPA suggested steps which the State of Oregon could explore to remedy the problems noted by EPA. The State followed these suggestions and on August 31, 1979 and September 21, 1979 held public hearings to readopt the June 29, 1979 amendments as permanent and adopt new amendments as necessary to correct the identified problems. These amendments were submitted to EPA on September 13, 1979 and October 10, 1979, respectively. Revised technical support documents were also submitted to EPA on September 13, 1979.

Subsequently, on January 8, 1980, EPA published a reproposal notice in the **Federal Register** (45 FR 1643). In this notice, EPA indicated that the September 13, 1979 and October 10, 1979 submittals had adequately resolved all but one of the concerns. EPA further indicated that the remaining concern would be resolved with the immediate submission of smoke management program operational guidelines and the submission, by July 1980, of the SIP attainment strategy for the Eugene-Springfield TSP nonattainment area. The **Federal Register** notice invited public comment on EPA's proposed approval and indicated that final action would be taken upon receipt of the smoke management program operational guidelines.

On March 11, 1980, DEQ submitted the operational guidelines as requested by EPA. Subsequently, on April 18, 1980, the Administrator approved the revisions (45 FR 26327).

In 1979, the Oregon Legislature again amended the State statute regarding field burning. The major change was to increase the number of acres allowed to be burned in 1980 and thereafter from 180,000 to 250,000.

On January 18, 1980 the EQC amended the state administrative rules OAR 340–26–005 through 26–030 to comply with the 1979 statute. These rules were then submitted to EPA as a proposed SIP revision on January 23, 1980. EPA reviewed the proposed revision and determined that it did not meet the substantive requirements of the Act and therefore would have to be disapproved.

On March 10, 1980 EPA informed the State of Oregon of its findings and provided the State with an opportunity to withdraw the submittal before EPA initiated a disapproval action. The DEQ requested that EPA not begin a disapproval action and indicated that the State would develop and submit a proposed SIP revision to replace the January 23, 1980 submittal.

In a concerted effort by the DEQ, City of Eugene and Oregon Seed Council, a replacement SIP revision was developed which was intended to address EPA's concerns. A new technical support document was prepared, the smoke management operational guidelines were greatly expanded and revised, and on April 18, 1980 the EQC amended the state rules. Thereafter, on April 22, 1980 the State submitted to EPA a new proposed SIP revision to replace the January 23, 1980 submittal. On May 23, 1980 EPA proposed in the **Federal Register** approval of this Oregon revision (45 FR 34921).

Discussion

The revision consists of Oregon Administrative Rules, Chapter 340, Division 26, Sections 005 through 030 as adopted on January 18, 1980 and amended on April 18, 1980; Oregon Revised Statutes, Chapter 468.450 through 468.495 as amended by the 1979 Oregon Legislative Assembly; and revised Field Burning Smoke Management Program Operations Guidelines.

The major changes which would result from the revision are to:

(1) Increase the number of acres which are allowed to be burned from 180,000 to 250,000 per year;

(2) Establish a daily maximum number of acres which are allowed to be burned in the South Willamette Valley;

(3) Restrict burning based on existing and predicted air quality in areas impacted by burning; and

(4) Clarify the requirements for use of specific burning techniques.

In addition, the rules were reorganized and clarified, and the Smoke Management Program Operational Guidelines were revised to reflect the rule changes and greatly expanded to provide further detail on the current program.

The expected impact on air quality was evaluated in the report "An Analysis of Particulate Air Quality Impact in the Willamette Valley Resulting from Increased Field Burning", March 1980. This analysis was performed jointly by the DEQ, City of Eugene and Oregon Seed Council and was submitted to EPA in support of the SIP revision. The analysis concluded that the increased burning would not cause or significantly contribute to violations of the National Ambient Air Quality Standards for Total Suspended Particulates (TSP) or the Class II Prevention of Significant Deterioration (PSD) increments for TSP. However, the increased burning would consume 54 percent of the available 24-hour Class II PSD increment for TSP on northerly wind burning days with general quota releases and 73 percent of the available 24-hour Class II PSD increment for TSP on southerly wind burning days with general quota releases.

Because of the unusual nature of field burning and the significant amount of PSD increment consumed by the increased burning, EPA proposed, on May 23, 1980 (45 FR 34923), an interim procedure for determining the remaining increment available to a proposed new major source or major modification. The only comments received on the May 23, 1980 proposal dealt with this interim procedure. Both commentors interpreted EPA's proposed procedure as a valley-wide determination which precluded a site-specific analysis and reassessment of increment consumption. Both commentors also felt that the air quality impact analysis submitted in support of the SIP revision should not be used as a basis for determining the increment consumed by the increase in allowable emissions from open field burning.

First, EPA feels that the submitted analysis must be used for assessing increment consumption. A requirement for approval of a SIP relaxation is that increment consumption in all areas affected by the relaxation be assessed and a determination made that the applicable increment(s) would not be violated. The analysis submitted by the State of Oregon in support of the SIP revision is the only such assessment to date and constitutes the basis for EPA's approval of the revision. While EPA recognizes that the analysis is based on a simplistic methodology and may overestimate or underestimate the impact of field burning at any specific site, until a more sophisticated analysis is performed, the results of the submitted analysis are the best available for determining increment consumption in all areas impacted by the increase in field burning.

Second, EPA wishes to clarify that the proposed procedure is a site-specific analysis. EPA agrees with the commentors that some areas of the Willamette Valley will have little or no increment consumed by the increased burning. A major component of the proposed procedure is a determination of whether the source site is impacted by the increased burning and the number of days such impact occurs. Many areas will be impacted few days, if at all. However, since the only available quantitative estimates of the 24-hour increment consumed by the burning of 250,000 acres in a worst-case year are those contained in the submitted analysis, EPA believes that those estimates must be used until a more sophisticated analysis of field burning impact is performed. Such an analysis could be performed by the State for increment consumption at all points in the Willamette Valley or may be done by an individual source for increment consumption in a specific area. However, it must be recognized that because of long-range transport, complex wind patterns and recirculation phenomena in the Willamette Valley, any such analysis must consider the burning of the full 250,000 acres allowed throughout the Valley.

One commentor felt that the proposed procedure would exert a tremendous

burden in both cost and time delay on a proposed source. It must be remembered that a proposed source has the choice of either utilizing the proposed procedure or performing sophisticated valley-wide dispersion modeling to determine the impact of the increased field burning on the area impacted by the proposed source.

Finally, one commentor suggested that the proposed procedure to assess the remaining increment available at any site was in conflict with the EPA policy to increase the utilization of forest residues for energy. EPA recognizes that the construction of wood-burning facilities in areas significantly impacted by field burning may be affected by this SIP relaxation. However, it is the State of Oregon's desire to allow increased field burning to utilize a portion of the available PSD increment. All of the remaining increment at any site will still be available to accommodate future growth.

EPA therefore concludes that the procedure proposed on May 23, 1980 remains valid for use in determining the remaining increment at any site in cases when a more sophisticated analysis has not been performed.

Action

The SIP revision satisfies the procedural and substantive requirements of the Act. Therefore, EPA approves the revision as submitted. EPA has a responsibility under the Clean Air Act to take final action on the provision of this Oregon SIP revision.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Subpart MM—Oregon

In § 52.1970 subparagraph (c)(32) is added as set forth below:

§ 52.1970 Identification of plan.

(c) The plan revision listed below is submitted on date specified:

* * * * *

(32) Revisions to the program for controlling the open burning of grass seed fields submitted on April 22, 1980 by the Department of Environmental Quality.

(Sections 110 and 172 of the Clean Air Act (42 U.S.C. 7410 and 7502))

Dated: July 9, 1980.

Douglas M. Costle,

Administrator.

[FR Doc. 80-21054 Filed 7-14-80; 8:45 am]

BILLING CODE 6560-01-M

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101-36

ADP Management; Hardware and Data Standards

Cross Reference: For a document issued by the General Services Administration providing information regarding recent court action concerning the effective date of Federal Processing Standards Publications (FIPS PUBS) 60, 61, 62 and 63, see FR Doc. 80-21028 in the notices section of this **Federal Register.**

BILLING CODE 6820-25-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[Docket No. 19308; FCC 80-359]

Providing for a New Priority System for the Restoration of Common Carrier Provided Intercity Private Line Service; Order Extending Effective Date

AGENCY: Federal Communications Commission.

ACTION: Extension of effective date.

SUMMARY: The Federal Communications Commission *Order* in Docket No. 19308 amended Part 64, Subpart D, Appendix A of the Rules to modify the Priority System for the Restoration of Common Carrier Provided Intercity Private Line Services. Based on the need to respond to petitions for clarification and deferral of the June 27, 1980 effective date and on discussion at the May 29, 1980 meeting of the Domestic and International Common Carrier Communications Subcommittee of the Commission's National Industry Advisory Committee (NIAC) the Commission is extending the effective date of its *Order* No. 80-150 to September 30, 1980 and will accept comments concerning Docket No. 19308, limited to matters discussed at the May 29, 1980 NIAC meeting, until August 4, 1980.

DATES: The effective date of the restoration priority system is extended to September 30, 1980 pending further order.

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

FOR FURTHER INFORMATION CONTACT: Herbert Neumann, Executive Secretary, NIAC (Room A-201) Office of Executive Director, Federal Communications Commission, Washington, D.C. 20554 (202) 632-7232.

Order

Adopted: June 30, 1980.

Released: July 9, 1980.

In the matter of amendment of Part 64 of the Commission's rules to Provide for a New Priority System for the Restoration of Common Carrier Provided Intercity Private Line Service, Docket No. 19308. See also 45 FR 32001, May 15, 1980.

1. On March 27, 1980, we adopted FCC Order No. 80-150 in Docket No. 19308, establishing a new priority system for the restoration of common carrier provided intercity private line service. The effective date of this new system was specified as June 27, 1980.

2. A Petition for Clarification was filed by GTE Telenet Communications Corporation (Telenet) and a Petition for Clarification and for Deferral of Effective Date was filed by the American Telephone and Telegraph Company (AT&T). Essentially, Telenet asks for clarification of the effect of our *Order* on "resale" carriers. AT&T requests a deferral of six months from the date we provide certain clarifications; the deferral period would be used for development of administrative procedures and for staff training related to our *Order*. The clarifications sought by AT&T involve authorization for use of public switched network circuits for restoration of private line services, terminology changes, more specific definition of the authority of the FCC Engineer In Charge during certain emergencies, administrative arrangements between the Commission and the Executive Office of the President (represented by the National Communications System), and other matters.

3. The new priority system in *Order* No. 80-150 was discussed at the May 29, 1980 public meeting of the Domestic and International Common Carrier Communications Services Subcommittee of the Commission's National Industry Advisory Committee (NIAC). The stenographic transcript of this meeting has been included in the Docket No. 19308 file and is available for public inspection. Copies of a *draft* version of the Form No. 915—Priority Request and Certification—were distributed at the May 29, 1980 meeting. Additional copies are available from: Executive Secretary, NIAC, Federal Communications Commission, Room A-201, Washington, D.C. 20554, Telephone: (202) 632-7232.

4. We are persuaded that there is merit in the issues raised in the two petitions received at the May 29, 1980 NIAC meeting. Time is needed to (1) review and assess these comments in order to provide clarification, and (2) to

develop an administrative arrangement with the National Communications System. Since some parties affected by our *Order* No. 80-150 were not represented at the May 29, 1980 NIAC meeting we will accept comments concerning Docket No. 19308, limited to matters discussed at the May 29, 1980 NIAC meeting, until August 4, 1980.

5. Accordingly, it is ordered that the effective dates specified in our *Order* No. 80-150 (Released March 27, 1980) are extended to September 30, 1980. A period for additional comments, limited to matters discussed at the May 29, 1980 NIAC meeting, is provided until August 4, 1980.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 80-21030 Filed 7-14-80; 8:45 am]

BILLING CODE 6712-01-M

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47 CFR Part 73

[BC Docket No. 80-41; RM-3395]

TV Broadcast Station in Crossville, Tenn.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Report and order.

SUMMARY: Action taken herein changes the noncommercial educational reservation of Channel 20 to Channel 55 at Crossville, Tennessee, in response to a petition filed by WCPT-TV, Inc. The petitioner is licensed on Channel 55 at present and as a result of this proceeding its license has been modified to specify Channel 20.

EFFECTIVE DATE: August 13, 1980.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

Report and Order—Proceeding Terminated

Adopted: June 27, 1980.

Released: July 9, 1980.

In the matter of amendment of § 73.606(b), *Table of Assignments*, TV Broadcast Stations. (Crossville, Tennessee), BC Docket No. 80-41, RM-3395.

1. The Commission has before it the *Notice of Proposed Rule Making*, adopted February 1, 1980, 45 FR 9024, proposing to change the reservation for noncommercial educational status from Channel 20 to Channel 55, making it available for commercial use in Crossville, Tennessee. Supporting comments were filed by Congressman Albert Gore, Jr. of Tennessee, as well as by WCPT-TV, Inc. ("petitioner").[1]

2. Crossville (pop. 5,381) in Cumberland County (pop. 20,733)[2] is located approximately 100 kilometers (60 miles) west of Knoxville, Tennessee.

3. Petitioner's station, presently licensed on Channel 55 at Crossville, has been known to suffer equipment failures and poor reception, and therefore it has requested that commercial status be given to Channel 20 so that it may apply for that channel. It indicates that it has acquired better equipment already tuned to Channel 20, and immediately operable which, if modified to Channel 55, would involve several thousands of dollars additional expense.

4. Petitioner states it failed to announce its desire to have its license modified to specify Channel 20 concurrently with the Commission's action in making the channel available for commercial use. Nevertheless, it now wishes to have the license modification granted citing no competing interests expressed for Channel 20.

5. The Commission's general policy on modification of licenses to specify new channel numbers derives from the case of *Cheyenne, Wyo.*, 62 FCC 2d 63 (1976) involving an FM channel. The policy was later extended to television. See *San Francisco and San Mateo, Calif.*, 68 FCC 2d 860 (1978), *recons. den.* 70 FCC 2d 2013 (1979). Essentially, where no other interest in a proposed assignment has been expressed during the course of the rule making, modification of an existing license for that city can be accomplished. In this case, the fact that petitioner did not expressly request the modification at the earlier stage is not crucial to its effectuation. The opportunity for other interested persons to come forward had been given in the comment period in the *Notice*.

6. We have carefully considered the proposal and conclude that it would be in the public interest to change the reservation for noncommercial educational status from Channel 20 to Channel 55 at Crossville, Tennessee. The proposed assignment would allow greater expanded coverage, eliminate the problem of equipment malfunction, and assist in reducing operating losses. In addition, following the discussion in paragraph 5, we believe it would be appropriate to modify the license of Station WCPT-TV to specify Channel 20.

7. Accordingly, pursuant to authority contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's rules, it is ordered, that effective August 13, 1980, the Television Table of Assignments, § 73.606(b) of the Commission's Rules, is amended for the city listed below, to read as follows:

City	Channel No.
Crossville, Tenn.	20+, *55+

8. It is further ordered, that pursuant to Section 316(a) of the Communications Act of 1934, as amended, the outstanding license of WCPT-TV, Inc. for Station WCPT-TV, Crossville, Tennessee, is modified, effective August 13, 1980, to specify operation on Channel 20 instead of Channel 55. The licensee shall inform the Commission in writing no later than August 13, 1980, of its acceptance of this modification. Station WCPT-TV may continue to operate on Channel 55 for one year from the effective date of this action or until it is ready to operate on Channel 20, whichever is earlier, unless the Commission sooner directs, subject to the following conditions:

(a) At least 30 days before commencing operation on Channel 20, the licensee of Station WCPT-TV shall submit to the Commission the technical information normally requested of an applicant for Channel 20.

(b) At least 10 days prior to commencing operation on Channel 20, the licensee of Station WCPT-TV shall submit measurement data required of an applicant for a broadcast license; and

(c) The licensee of Station WCPT-TV shall not commence operation on Channel 20 without prior Commission authorization.

9. It is further ordered, that this proceeding is terminated.

10. For further information concerning this proceeding, contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

Federal Communications Commission.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; (47 U.S.C. 154, 303, 307))

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 80-21032 Filed 7-14-80; 8:45 am]

BILLING CODE 6712-01-M

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[1] Congressman Gore filed a Motion to Accept late-filed comments in support of the proposal. Since there has been no objection to our acceptance of these comments, and no other parties would be affected thereby, we are granting the Congressman's Motion and will accept his comments.

[2] Population figures are taken from the 1970 U.S. Census.

47 CFR Part 73

[BC Docket No. 80-48; RM-3466]

TV Broadcast Station in Sebring, Fla.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Report and order.

SUMMARY: Action taken herein substitutes one noncommercial educational television channel for another in Sebring, Florida, in response to a petition filed by Waterman Broadcasting Corporation of Texas. The substitute channel would provide a better signal to Fort Myers and the surrounding area while not adversely affecting the needs of Sebring for a future television station.

EFFECTIVE DATE: August 21, 1980.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

Report and Order—Proceeding Terminated

Adopted: July 2, 1980.

Released: July 10, 1980.

In the matter of amendment of § 73.606(b), *Table of Assignments*, Television Broadcast Stations. (Sebring, Florida), BC Docket No. 80-48, RM-3466.

1. The Commission has before it the *Notice of Proposed Rule Making*, adopted February 6, 1980, in response to a petition filed by Waterman Broadcasting Corporation of Texas (successor in interest to Broadcasting Telecasting Service, Inc.). The *Notice* proposed to delete UHF television Channel *27, a noncommercial educational assignment, in Sebring, Florida, and to assign in its place Channel *48. Channel *27 is presently unoccupied and unapplied for. Comments were received from Waterman Broadcasting Corporation and Hubbard Broadcasting, Inc.

2. Sebring (pop. 7,223),[1] in Highlands County (pop. 29,507), is located in Central Florida, approximately 115 kilometers (70 miles) south of Orlando. Sebring has no local television service but receives the signals of three commercial and one educational television station: WFLA-TV, Channel 8 (Tampa), WTVT, Channel 13 (Tampa), WINK-TV, Channel 22 (Fort Myers) and WEDU, Channel *3 (Tampa).

3. Petitioner indicates that it desires to relocate its tower to the area of an existing television station tower and build a transmitting tower higher than its present structure in order to provide a better signal to Fort Myers and the surrounding areas. It notes that the University of South Florida also desires to share petitioner's tower at some future date. Petitioner also points out that Sebring's interests would be served since the substitute Channel *48 would provide a wider area in which to locate a transmitting tower than that which could be used for the existing Channel *27 assignment. Moreover, it is claimed that with the Channel *48 assignment, at least one additional UHF-TV channel remains available for assignment to the Sebring area if warranted in the future.

4. Hubbard Broadcasting, Inc., states that it has no objection to the proposed assignment as long as it is permitted to amend its pending application for a translator station to specify the new channel and retain cut-off protection.[2] The Commission assures both applicants that they will be permitted to amend their application, specify the new channel assignment, and still retain cut-off protection.

5. We have carefully considered the proposal herein and believe it would be in the public interest to substitute Channel *48 for Channel *27 at Sebring, Florida. The assignment would confer a benefit upon the public by enabling petitioner to provide a better signal to Fort Myers and the surrounding area while not adversely affecting the needs of Sebring for a future television station.

6. In view of the foregoing, it is ordered, That effective August 21, 1980, § 73.606(b) of the Commission's rules, the Television Table of Assignments, is amended for the community listed below, as follows:

City	Channel No.
Sebring, Fla.	*48

7. Authority for the action taken herein is contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Section 0.281 of the Commission's Rules.

8. It is further ordered, that this proceeding is terminated.

9. For further information concerning this proceeding, contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

Federal Communications Commission.

[1] Population figures are taken from the 1970 U.S. Census.

[2] A conflicting application filed by WTSP-TV, Inc., would be subject to the same treatment.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; (47 U.S.C. 154, 303, 307))

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 80-21033 Filed 7-14-80; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

Reregulation of Radio and TV Broadcasting; Correction

AGENCY: Federal Communications Commission.

ACTION: Erratum to final order.

SUMMARY: Correction is made in item 8 of the Appendix in Reregulation Order FCC 80-315 adopted May 29, 1980 and published in the **Federal Register** June 18, 1980 at 45 FR 41149.

EFFECTIVE DATE: June 16, 1980.

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

FOR FURTHER INFORMATION CONTACT: Steve Crane, Philip Cross, John Reiser, (202) 653-7275.

SUPPLEMENTARY INFORMATION:

Released: July 9, 1980.

In the above captioned Order, FCC 80-315, adopted May 29, 1980, and published in the **Federal Register** June 18, 1980, at 45 FR 41149, the requirement to file copies of program exclusivity contracts in TV stations' public files was adopted. New subparagraph (8) of Section 73.3527 described the material to be filed. Designation of the rule's subparagraph as (8) was in error; the correct subparagraph number should be (9). Correction is made in Section 73.3527 in the appendix of the Order as follows:

8. In § 73.3527, paragraphs (a) and (g) are amended and (a)(9) is added to read as follows:

§ 73.3527 Local public inspection file of noncommercial educational stations.

(a) *Records to be maintained.* Every applicant for a construction permit for a new station in the noncommercial educational broadcast services shall maintain for public inspection a file containing the material in (1) and (7) of this paragraph. Every permittee or licensee of a station in the noncommercial educational broadcast services shall maintain for public inspection a file containing the material described in (1) through (8) of this paragraph. In addition, every permittee or licensee of a TV station shall maintain for public inspection a file containing the material described in (9)

of this paragraph. The material to be contained in the file is as follows:

* * * * *

(9) A copy of those portions of exclusivity contracts for programs for which a TV licensee or permittee has requested program carriage protection on a cable antenna TV system, such contract portions to be signed by both the copyright holder and the licensee or permittee, setting forth in full the provisions pertinent to the duration, nature and extent of the exclusivity terms concerning broadcast signal exhibition (whether over-the-air or by cable) to which the parties have agreed.

(g) *Period of retention.* The records specified in (a)(4) of this Section shall be retained for the periods specified in § 73.1940 (2 years). The manual specified in (a)(6) of this Section shall be retained indefinitely. The donor lists specified in paragraph (a)(8) of this Section shall be retained for two years as specified in § 73.1840. The contract(s) specified in paragraph (a)(9) shall be retained for the life of the contract(s) between the parties to the contract(s). The records specified in paragraphs (a) (1), (2), (3), (5), (7), (b) and (c) of this Section must be retained as follows:

* * * * *

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 80-21076 Filed 7-14-80; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 32

Opening of the Presquile National Wildlife Refuge, Virginia, to Hunting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special regulation.

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

DATES: (October 17, 1980 through November 8, 1980.)

FOR FURTHER INFORMATION CONTACT: Harold Olsen, Presquile National Wildlife Refuge, Box 620, Hopewell, Virginia 23860, Telephone No. 804–458–7541.

SUPPLEMENTARY INFORMATION: The Refuge Recreation Act of 1962 (16 U.S.C. 460k) authorizes the Secretary of the Interior to administer such areas for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary objectives for which the area was established. In addition, the Refuge Recreation Act requires (1) that any recreational use permitted will not interfere with the primary purpose for which the area was established: and (2) that funds are available for the development, operation, and maintenance of the permitted forms of recreation.

The recreational use authorized by these regulations will not interfere with the primary purposes for which Presquile National Wildlife Refuge was established. This determination is based upon consideration of, among other things, the Service's Final Environmental Statement on the Operation of the National Wildlife Refuge System published in November 1976. Funds are available for the administration of the recreational activities permitted by these regulations.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

Public hunting of white-tailed deer on the Presquile National Wildlife Refuge is permitted on the entire refuge except within 200 yards of all buildings. Hunting shall be in accordance with all State regulations governing the hunting of white-tailed deer, subject to the following special conditions:

1. A Federal permit will be required at no charge to the applicant. Bow hunter applicants who provide proof by September 25 of having successfully completed the National Field Archery Association Bowhunter Education Course and the archery qualification test described below will be automatically issued a permit. Gun hunter applicants who provide proof of having passed a state approved hunter safety course by September 25 will also be automatically issued a permit. The permits remaining will be issued to hunters selected from a public drawing to be held at 1:00 p.m. on September 26 in the refuge office, Hopewell, Virginia. The only exception to this procedure would be if there were more applicants who had taken the specified safety course than there are stands available for hunting. In this case a drawing would be held for this particular group of people only. Permits are nontransferable. Alternates will also be selected from standby hunters at the ferry landing to fill stands left open by permittees who do not show up. Bow hunters must pass an archery qualification test which will consist of placing 3 out of 5 arrows in a 9 by 14 inch chest area of a standard deer size target at 25 yards. In order to be in the drawing for an archery permit, archers must submit a certification statement to the refuge office by September 25. The statement must bear the name and address of the archery range and signature of range official who actually witnessed the qualification.

2. Only white-tailed deer may be taken from one half-hour before sunrise to one half-hour after sunset with bow and arrow only on October 17, 18, 25; and with shotgun on November 1, and November 8, 1980.

3. Bag limits: One deer per day, either sex.

4. All hunters must be checked in by 5:45 a.m. e.d.t. (4:45 e.s.t.). Hunters must enter the refuge on the ferry at 6 a.m. e.d.t. (5 a.m. e.s.t.) except that boats with engines no larger than 10 hp will be permitted only for those hunters who have been assigned a swamp stand requiring entry by boat. All boat occupants must wear a life jacket. Before leaving the refuge, hunters must be checked out by a refuge official either at the official state checking station at the refuge headquarters or at the boat launch area on the mainland.

5. Possession of firearms on the refuge during the bow and arrow only hunts is prohibited.

6. All arrows in the possession of each hunter must be marked with the stand number issued to the hunter.

7. Only buckshot is permitted during the shotgun hunts.

8. Each hunter will be assigned a stand corresponding to his permit number. Shotgun hunters will remain on their assigned stand throughout the day's hunt. Bow hunters will remain on their assigned stand from one half-hour before sunrise to 10 a.m. From 10 a.m. to one half-hour after sunset, they may hunt anywhere within the open area.

Gun hunters must wear fluorescent orange (144 sq. inches min.) at all times; bow hunters must wear fluorescent orange when going to and from their stand, and when hunting away from their stand.

9. All hunters under 18 years of age must be accompanied by an under the immediate supervision of an adult.

10. Scouting will be permitted on October 10 and 11, 1980. The refuge ferry will take passengers to the island at 8 a.m. e.d.t. and return to the mainland at 10 a.m. and 12 noon.

11. Special regulations and maps are available at refuge headquarters and from the Regional Director, U.S. Fish and Wildlife Service, One Gateway Center, Suite 700, Newton Corner, Massachusetts 02158.

The provisions of these special regulations supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32. The public is invited to offer suggestions and comments at any time.

Note.—The Department of the Interior has determined that this document is not a significant rule and does not require a regulatory analysis under Executive Order 12044 and 43 CFR, Part 14.

July 3, 1980.

Howard N. Loren,

Regional Director, U.S. Fish and Wildlife Service.

[FR Doc. 80-21075 Filed 7-14-80; 8:45 am]

BILLING CODE 4310-55-M

Proposed Rules

Federal Register
Vol. 45, No. 137
Tuesday, July 15, 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.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Parts 1062, 1007, 1011, 1030, 1032, 1046, 1049, 1050, 1064, 1065, 1068, 1071, 1073, 1076, 1079, 1094, 1096, 1097, 1098, 1099, 1102, 1104, 1106, 1108, 1120, 1126, 1131, 1132, and 1138

[Docket Nos. AO-10-A54, et al.]

Milk in the St. Louis-Ozarks and Certain Other Marketing Areas; Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders

7 CFR Part	and marketing area	Docket No.
1062	St. Louis-Ozarks	AO-10-A54
1007	Georgia	AO-366-A17
1011	Tennessee Valley	AO-251-A22-RO1
1030	Chicago Regional	AO-361-A18
1032	Southern Illinois	AO-313-A31
1046	Louisville-Lexington-Evansville	AO-123-A47
1049	Indiana	AO-319-A31
1050	Central Illinois	AO-355-A21
1064	Greater Kansas City	AO-23-A53
1065	Nebraska-Western Iowa	AO-86-A40
1068	Upper Midwest	AO-178-A36
1071	Neosho Valley	AO-227-A35-RO1
1073	Wichita Kansas	AO-173-A37-RO1
1076	Eastern South Dakota	AO-260-A25
1079	Iowa	AO-295-A34
1094	New Orleans-Mississippi	AO-103-A41
1096	Greater Louisiana	AO-257-A29
1097	Memphis, Tennessee	AO-219-A37
1098	Nashville, Tennessee	AO-184-A42
1099	Paducah, Kentucky	AO-183-A37
1102	Fort Smith, Arkansas	AO-237-A31
1104	Red River Valley	AO-298-A30-RO1
1106	Oklahoma Metropolitan	AO-210-A43-RO1
1108	Central Arkansas	AO-243-A35
1120	Lubbock-Plainview, Texas	AO-328-A23
1126	Texas	AO-231-A48-RO1
1131	Central Arizona	AO-271-A23
1132	Texas Panhandle	AO-262-A33
1138	Rio Grande Valley	AO-335-A28

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of Public hearing on proposed rulemaking and text of proposed orders.

SUMMARY: This hearing is being held to consider industry proposals to amend certain pricing provisions in the 29 orders. The proposals would change the Class I price announcement procedure and also provides a basis for announcing the Class II price. A recent court decision ruled the present Class II price announcement procedure invalid. Other proposals would amend the butterfat differential provisions and would provide for increasing the Class II differential. Proponents contend that the requested order changes would promote the orderly marketing of milk in the respective marketing areas. The texts of the proposals to be considered at the hearing are set forth below.

DATE: The hearing will begin on August 12, 1980. The Administrative Law Judge will set the closing date for written record at the hearing.

ADDRESS: The hearing will be held at the Holiday Inn, Clayton Plaza, 7730 Bonhomme, Clayton, Missouri 63105.

FOR FURTHER INFORMATION CONTACT: Martin J. Dunn, Marketing Specialist, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, 202-447-7311.

SUPPLEMENTARY INFORMATION: Notice is hereby given of a public hearing to be held at the Holiday Inn, Clayton Plaza, 7730 Bonhomme, Clayton, Missouri 63105, beginning at 9:30 a.m. local time, on Tuesday August 12, 1980, with respect to proposed amendments to the tentative marketing agreements and to the orders, regulating the handling of milk in the aforesaid marketing areas.

The hearing is called pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.)*, and the applicable rules of practice and procedure governing the formulation of marketing agreements and orders (7 CFR Part 900).

The purpose of the hearing is to receive evidence with respect to the economic and marketing conditions which relate to the proposed amendments hereinafter set forth and any appropriate modifications thereof, to the tentative marketing agreements and to the orders.

A basic issue in this proceeding is the procedure that should be established for announcing the Class II price in the orders affected by this proceeding. In a legal action against the Department (*American Dairy of Evansville Inc., et al., v. Robert Bergland, Secretary of Agriculture, et al.)*, the U.S. Appeals Court for the District of Columbia Circuit recently ruled that the Class II price announcement procedure in the 29 orders affected by this proceeding is invalid due to inadequate findings when the procedure was established in the orders and remanded the matter for further proceedings. Although the Department may seek review of the Court of Appeals' decision, the Department has decided to initiate this proceeding to determine what type of Class II price announcement procedure should be provided in the 29 markets. The public was invited to submit proposals on this issue for consideration at a public hearing. Consideration will be given in this proceeding to the various Class II price announcement procedures set forth below, or to modifications thereof.

In providing the public an opportunity to submit proposals on the Class II price notification issue, the Department recognized that in formulating such proposals the question of the level of the Class II differential could be raised. Accordingly, proposals on the Class II price level also were invited and consideration will be given to this related issue.

Additional proposals relating to the announcement procedure for Class I prices and butterfat differentials are included in this proceeding on the basis of requests from interested parties that these issues be considered in conjunction with the Class II price announcement procedure issue. We anticipate that consideration of these additional issues will not impede the timely consideration of the issues raised by the court decision. The Department intends to proceed expeditiously to a determination of the issues involved in this notice.

This hearing with respect to the Tennessee Valley marketing area is a reopening of the hearing held March 20-21, 1980, to consider, along with other proposals, a proposal to adopt seasonal Class II and Class III price adjustments. The hearing is reopened for the limited purpose of receiving evidence with respect to the economic and marketing conditions which relate to the Class II price announcement procedures that would apply to the proposed seasonal Class II price adjustments under the Tennessee Valley order.

This hearing with respect to the Oklahoma Metropolitan, Neosho Valley, Wichita, Kansas, Red River Valley and Texas marketing areas is a reopening of the hearing held May 20-29, 1980, to

consider various combinations of mergers and expansion of such marketing areas. The hearing is reopend for the limited purpose of receiving evidence with respect to the economic and marketing conditions which relate to the Class I and Class II price announcement procedures and butterfat differentials under the separate orders, or any combination thereof, regulating the handling of milk in these marketing areas.

The proposed amendments, which are set forth below and would apply to each of the aforesaid orders, have not received the approval of the Secretary of Agriculture.

Proposed by the Milk Industry Foundation and International Association of Ice Cream Manufacturers

Proposal No. 1

Add new §§ .20, .21, .22, and .23 to read as follows:

§ .20 Butter price.

"Butter price" means the average determined by the Department of the wholesale selling prices (using the midpoint of any price range as one price) per pound of Grade A (92-score) bulk creamery butter at Chicago as reported by the Department.

§ .21 Cheddar cheese price.

"Cheddar cheese price" means the average determined by the Department of the wholesale selling prices (using the midpoint of any price range as one price) per pound of cheddar cheese in 40-pound blocks, f.o.b. Wisconsin assembly points as reported by the Department.

§ .22 Nonfat dry milk price.

"Nonfat dry milk price" means the average determined by the Department of the wholesale selling prices (using the midpoint of any price range as one price) for high heat, low heat and Grade A nonfat dry milk for the Central States production area as reported by the Department.

§ .23 Edible whey price.

"Edible whey price" means the average determined by the Department of the wholesale selling prices (using the midpoint of any price range as one price) for edible dry whey (nonhygroscopic) for the Central States production area as reported by the Department.

Proposal No. 2

Amend § .53 to read as follows:

§ .53 Announcement of class prices.

The market administrator shall announce publicly on or before 15th day of each month the Class I and Class II prices for the following month and on or before the fifth day of each month the Class III price for the preceding month.

Proposal No. 3

Amend § .50(b) to read as follows:

§ .50 Class prices.

* * * * *

(b) The Class II price shall be the price resulting from the following calculations, plus a differential in an amount determined to maintain Class II prices, on the average, at the level they would have otherwise been, if the present announcement procedures had not been modified:

(1) The Minnesota-Wisconsin price announced on the 5th of the month for the preceding month shall be adjusted upward (+) or downward (−) by the amount computed pursuant to paragraph (b)(5) of this section.

(2) The gross values per hundredweight of milk used to manufacture cheese and butter-nonfat dry milk shall be computed, using price data reported by the Department, during the first 15 days of the month, and separately, for the first 15 days of the preceding month, as follows:

(i) The gross value of milk used to manufacture cheese shall be the sum of the amounts computed pursuant to paragraph (b)(2)(i), (*a*), (*b*) and (*c*) of this section.

(*a*) Multiply the cheddar cheese price by the yield factor used under the Price Support Program for cheddar cheese (currently 10.1).

(*b*) Multiply the butter price by the yield factor used under the Price Support Program for butter from whey cream obtained from manufacturing 100 pounds of milk into cheddar cheese (currently .25 of a pound).

(*c*) Subtract cents from the edible whey price and multiply any positive difference by (the blanks to reflect the factors used under the Price Support Program which are currently 11 cents and 5.5 respectively).

(ii) The gross value of milk used to manufacture butter-nonfat dry milk shall be the sum of the amounts computed pursuant to pragraph (b)(2)(ii) (*a*) and (*b*) of this section.

(*a*) Multiply the butter price by the yield factor used under the Price Support Program for butter (currently 4.48).

(*b*) Multiply the nonfat dry milk price by the yield factor used under the Price Support Program for nonfat dry milk (currently 8.13).

(3) Determine the amounts by which the gross value per hundredweight of milk used to manufacture cheese and the gross value per hundredweight of milk used to manufacture butter-nonfat dry milk, respectively, during the first 15 days of the current month exceed (+) or are less than (−) the respective gross values for the 1st 15 days of the preceding month.

(4) Determine the relative proportions of milk utilized in Minnesota and Wisconsin, combined, in the manufacture of cheese and butter-nonfat dry milk as follows:

(i) Combine the totals for American cheese production for Minnesota-Wisconsin, as reported by the Economics, Statistics, and Cooperatives Service of the Department, for the second preceding month and divide by the yield factor used under the Price Support Program for cheese (currently 10.1) to determine the quantity of milk used in the production of cheese; and

(ii) Divide the two-state total for nonfat dry milk production, as reported by the Economics, Statistics, and Cooperatives Service of the Department, for the second preceding month by the yield factor used under the Price Support Program for nonfat dry milk (currently 8.13) to determine the quantity of milk used in the production of butter-nonfat dry milk.

(5) Compute a weighted average of the changes in gross values per hundredweight of milk determined pursuant to paragraph (b)(2) of this section in accordance with the relative proportions of milk determined pursuant to paragraph (b)(3) of this section.

(6) Provided that in no event shall the Class II price be less than the Class III price.

* * * * *

Proposal No. 4

Amend § .50(a) to read as follows:

§ .50 Class prices.

* * * * *

(a) The Class I price shall be the price resulting from the following calculations plus the order's Class I differential:

(1) The Minnesota-Wisconsin price announced on the 5th of the month for the preceding month shall be adjusted upward (+) or downward (−) by the amount computed pursuant to paragraph (a)(5) of this section.

(2) The gross values per hundredweight of milk used to manufacture cheese and butter-nonfat dry milk shall be computed, using price data reported by the Department, during the first 15 days of the month, and

separately, for the first 15 days of the preceding month, as follows:

(i) The gross value of milk used to manufacture cheese shall be the sum of the amounts computed pursuant to paragraph (a)(2)(i) (*a*), (*b*), and (*c*) of this section.

(*a*) Multiply the cheddar cheese price by the yield factor used under the Price Support Program for cheddar cheese (currently 10.1).

(*b*) Multiply the butter price by yield factor used under the Price Support Program for butter from whey cream obtained from manufacturing 100 pounds of milk into cheddar cheese (currently 0.25 of a pound).

(*c*) Subtract cents from the edible whey price and multiply any positive difference by (the blanks to reflect the factors used under the Price Support Program which are currently 11 cents and 5.5 respectively).

(ii) The gross value of milk used to manufacture butter-nonfat dry milk shall be the sum of the amounts computed pursuant to paragraph (a)(2)(ii) (*a*) and (*b*) of this section.

(*a*) Mulitply the butter price by the yield factor used under the Price Support Program for butter (currently 4.48).

(*b*) Multiply the nonfat dry milk price by the yield factor used under the Price Support Program for nonfat dry milk (currently 8.13).

(3) Determine the amounts by which the gross value per hundredweight of milk used to manufacture cheese and the gross value per hundredweight of milk used to manufacture butter-nonfat dry milk, respectively, during the first 15 days of the current month exceed (+) or are less than (−) the respective gross values for the first 15 days of the preceding month.

(4) Determine the relative proportions of milk utilized in Minnesota and Wisconsin, combined, in the manufacture of cheese and butter-nonfat dry milk as follows:

(i) Combine the totals for American cheese production for Minnesota-Wisconsin, as reported by the Economics, Statistics, and Cooperatives Service of the Department, for the second preceding month and divide by the yield factor used under the Price Support Program for cheese (currently 10.1) to determine the quantity of milk used in the production of cheese; and

(ii) Divide the two-state total for nonfat dry milk production, as reported by the Economics, Statistics, and Cooperatives Service of the Department, for the second preceding month by the yield factor used under the Price Support Program for nonfat dry milk (currently 8.13) to determine the quantity of milk used in the production of butter-nonfat dry milk.

(5) Compute a weighted average of the changes in gross values per hundredweight of milk determined pursuant to paragraph (a)(2) of this section in accordance with the relative proportions of milk determined pursuant to paragraph (a)(3) of this section.

* * * * *

Proposed by the National Milk Producers Federation

Proposal No. 5

Add new §§ .20, .21, .22, .23 and .24 to read as follows:

§ .20 Butter price.

"Butter price" means the average determined by the Department of the wholesale selling prices (using the midpoint of any price range as one price) per pound of Grade A bulk creamery butter at Chicago as reported by the Department.

§ .21 Cheddar cheese price.

"Cheddar cheese price" means the average determined by the Department of the wholesale selling prices (using the midpoint of any price range as one price) per pound of cheddar cheese in 40-pound blocks, f.o.b. Wisconsin assembly points as reported by the Department.

§ .22 Nonfat dry milk price.

"Nonfat dry milk price" means the average determined by the Department of the wholesale selling prices (using the midpoint of any price range as one price) for high heat, low heat and Grade A nonfat dry milk for the Central States production area as reported by the Department.

§ .23 Edible whey price.

"Edible whey price" means the average determined by the Department of the wholesale selling prices (using the midpoint of any price range as one price) for edible dry whey (nonhygroscopic) for the Central States production area as reported by the Department.

§ .24 Minnesota-Wisconsin price.

"Minnesota-Wisconsin price" means the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Minnesota and Wisconsin, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis and rounded to the nearest cent. For such adjustment, the butterfat differential (rounded to the nearest one-tenth cent) per one-tenth percent butterfat shall be 0.12 times the simple average of the wholesale selling prices (using the midpoint of any price range as one price) of Grade A bulk butter per pound at Chicago, as reported by the Department for the month.

Proposal No. 6

Amend § .50(a), (b) and (c) to read as follows:

§ .50 Class prices.

* * * * *

(a) Class I price. The Class I price shall be the basic formula price for the preceding month plus $ (as currently specified in each respective order).

(b) Class II price. The Class II price shall be the basic formula price for the preceding month plus cents; (10 cents plus an amount necessary to offset the effect of the one month lag due to advance determination and announcement of the basic formula price) provided, that such Class II price shall not be less than the Class III price for the month or less than the support price for any month for which a change is made under the Dairy Price Support Program authorized by the Agricultural Act of 1949, as amended.

(c) Class III price. The Class III price shall be the Minnesota-Wisconsin price for the month.

Proposal No. 7

Amend § .51 to read as follows:

§ .51 Basic formula price.

The "basic formula price" for the month shall be determined as follows:

(a) Compute the gross value per hundredweight of milk used to manufacture cheese and butter-nonfat dry milk, using price data reported by the Department for the first through the 15th day of the month and separately for the first through the 15th day of the preceding month, using yield factors and procedures in effect for determining such gross values under the Dairy Price Support Program as authorized by the Agricultural Act of 1949, as amended.

(b) Determine the amounts by which the gross value per hundredweight of milk used to manufacture cheese and the gross value per hundredweight of milk used to manufacture butter-nonfat dry milk, respectively, during the first 15 days of the current month exceed (+) or are less than (−) the respective gross values for the first 15 days of the preceding month.

(c) Determine the relative proportions of milk utilized in Minnesota and Wisconsin, combined, in the manufacture of cheese and butter-nonfat dry milk as follows:

(1) Combine the totals for American cheese production for Minnesota and Wisconsin, as reported by the

Economics, Statistics, and Cooperatives Service of the Department, for the second preceding month and divide by the yield factors and procedures pursuant to paragraph (a) of this section to determine the quantity of milk used in the production of cheese; and

(2) Combine the totals for nonfat dry milk production for Minnesota and Wisconsin, as reported by the Economics, Statistics, and Cooperatives Service of the Department, for the second preceding month and divide by the yield factors and procedures pursuant to paragraph (a) of this section to determine the quantity of milk used in the production of nonfat dry milk.

(d) Compute a weighted average of the changes in gross values per hundredweight of milk determined pursuant to paragraph (b) of this section in accordance with the relative proportions of milk determined pursuant to paragraph (c) of this section.

(e) Add the amount computed pursuant to paragraph (d) of this section to the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Minnesota and Wisconsin, as reported by the Department for the preceding month, adjusted to a 3.5 percent butterfat basis and rounded to the nearest cent. For such adjustment, the butterfat differential (rounded to the nearest one-tenth cent) per one-tenth percent butterfat shall be 0.12 times the simple average of the wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk butter per pound at Chicago, as reported by the Department for the month.

Proposal No. 8

Amend § .53 to read as follows:

§ .53 Announcement of class prices.

The market administrator shall announce publicly on or before the fifteenth day of each month the Class I and Class II price for the following month and he shall announce publicly on or before the fifth day of the month the Class III price for the preceding month.

Proposal No. 9

Amend § .62(a) to read as follows:

§ .62 Announcement of uniform prices and butterfat differential.

* * * * *

(a) The 15th day of each month the butterfat differential for such month; and

* * * * *

Proposal No. 10

Amend § .74 to read as follows:

§ .74 [Amended]

For milk containing more or less than 3.5 percent butterfat, the uniform price shall be increased or decreased, respectively, for each one-tenth percent butterfat variation from 3.5 percent by a butterfat differential, rounded to the nearest one-tenth cent, which shall be 0.115 times the butter price for the first fifteen days of the month.

Proposed by Land O'Lakes, Inc.

Proposal No. 11

Add new §§ .20, and .21 to read as follows:

§ .20 Butter price.

"Butter price" means the price per pound of Grade A butter as reported by the Chicago Mercantile Exchange.

§ .21 Cheddar cheese price.

"Cheddar cheese price" means the price opinion per pound of cheddar cheese in 40 pound blocks as reported by the Green Bay Cheese Exchange.

Proposal No. 12

Amend § .53 to read as follows:

§ .53 Announcement of class prices.

The market administrator shall publicly announce on or before the fifth day of each month the Class III price and butterfat differential for the preceding month, he shall also publicly announce on or before the fifteenth day of each month the Class I and Class II price and butterfat differential for the following month, provided that the Class II price shall be subject to revision in order that it will not be less than the announced Class III price for the same month.

Proposal No. 13

Add a new § .55 to read as follows:

§ .55 Butterfat differentials to handlers.

For milk containing more or less than 3.5 percent butterfat, the class prices announced as specified in § .53 shall be increased or decreased respectively for each one-tenth of one percent of butterfat by a rate to be computed as follows, rounded in each case to the nearest one-tenth cent:

(a) Class I and Class II milk. Multiply the average butter price for the first fifteen days of the preceding month by 0.115.

(b) Class III milk. Multiply the average butter price for the current month by 0.115.

Proposal No. 14

Amend § .60(a) to read as follows:

§ .60 Handler's value of milk for computing uniform price.

* * * * *

(a) Multiply the pounds of producer milk in each class as determined according to § .44 by the applicable class price adjusted pursuant to §§ .52 and .55 and add the resulting amounts;

* * * * *

Proposal No. 15

Amend § .61 by adding a new paragraph (b–1) to read as follows:

§ .61 Computation of uniform price.

* * * * *

(b–1) Subtract if the average butterfat content of the milk from unregulated sources classified as Class I plus producer milk is more than 3.5 percent, or add if the butterfat content of such milk is less than 3.5 percent, an amount computed by multiplying the amount by which the average butterfat content of such milk varies from 3.5 by the butterfat differential to producers, the result to be multiplied by the total hundredweight of the above-mentioned milk.

Proposal No. 16

Add a new § .63 to read as follows:

§ .63 Butterfat differential to producers.

The applicable uniform price to be paid producers shall be increased or decreased for each one-tenth of one percent which the butterfat content of milk is above or below 3.5 percent respectively at the rate determined by multiplying the pounds of butterfat in producer milk allocated to each class by the appropriate butterfat differential for such class, and dividing by the total butterfat in producer milk and rounding to the nearest tenth of a cent.

Proposal No. 17

Amend § .62 to read as follows:

§ .62 Announcement of uniform price and butterfat differential.

The market administrator shall publicly announce on or before the (appropriate date current in each order) day after the end of the month the uniform price and producer butterfat differential for such month.

Proposal No. 18

§ .74 [Deleted]

Delete § .74.

Proposed by the Individual Member Cooperatives of the Central Milk Producers Cooperative (CMPC)

Proposal No. 19

A. The individual member cooperatives of CMPC support the concept of reducing the lag in advance Class I pricing in conjunction with providing advance Class I pricing (as established in the proposals of the National Milk Producers Federation) for the 29 orders affected by the U.S. Appeals Court decision in *American Dairy of Evansville, et al.*, v. *Robert Bergland, Secretary of Agriculture, et al.*

B. If the Department finds that a reduced lag for advance Class I pricing cannot be provided in conjunction with advance Class II pricing, the individual member cooperatives of CMPS propose that the following provisions be provided for the 29 orders:

(1) Provided that § .50(b) read as follows:

§ .50 Class prices.

* * * * *

(b) Class II price. The Class II price shall be the basic formula price for the month plus 10 cents.

* * * * *

(2) Provide that § .53 read as follows:

§ .53 Announcement of class prices.

The market administrator shall announce publicly on or before the fifth day of each month the Class I price for the following month and the Class II and Class III prices for the preceding month.

Proposed by the Dairy Division, Agricultrual Marketing Service

Proposal No. 20

Make such changes as may be necessary to make the entire marketing agreements and the orders conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the respective orders may be procured from the market administrator of each of the aforesaid specified marketing areas or from the Hearing Clerk, Room 1077 South Building, USDA, Washington, D.C. 20250 or may be there insepcted.

From the time that a hearing notice is issued and until the issuance of a final decision in a proceeding, Department employees involved in the decisional process are prohibited from discussing the merits of the hearing issues on an ex parte basis with any person having an interest in the proceeding. For this particular proceeding the prohibition applies to employees in the following organizational units:

Office of the Secretary of Agriculture
Office of the Administrator, Agricultural Marketing Service
Office of the General Counsel
Dairy Division, Agricultural Marketing Service (Washington office only)
Office of the Market Administrator of each of the aforesaid specified marketing areas

Procedural matters are not subject to the above prohibition and may be discussed at any time.

Signed at Washington, D.C., on: July 10, 1980.

William T. Manley,

Deputy Administrator, Marketing Program Operations.

[FR Doc. 80-21038 Filed 7-14-80; 8:45 am]

BILLING CODE 3410-02-M

Rural Electrification Administration

7 CFR Part 1701

REA Bulletin 345-13, (PE-22), REA Specification for Aerial and Underground Telephone Cables; Advanced Notice of Proposed Specification Revision

AGENCY: Rural Electrification Administration, USDA.

ACTION: Advanced notice of proposed rulemaking.

SUMMARY: REA proposed to revise REA Bulletin 345-13, (PE-22), REA Specification for Aerial and Underground Telephone Cables. The revised specification will include new jacket material technology, tightening of capacitance unbalance to ground requirement, and preconnectorized cable. Because the above revisions will result in better service and lower cost to the rural public, the revised specification should be prepared to assure that quality products are produced.

DATE: Public comments must be received by REA no later than August 14, 1980.

ADDRESS: Submit written comments to the Director, Telecommunications Engineering and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250.

FOR FURTHER INFORMATION CONTACT: Harry M. Hutson, telephone number (202) 447-3827.

SUPPLEMENTARY INFORMATION: Pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), REA proposes to revise REA Bulletin 345-13, (PE-22), REA Specification For Aerial and Underground Telephone Cables.

All written submissions made pursuant to this notice will be made available for public inspection during regular business hours, address above.

Dated: July 3, 1980.

John H. Arnesen,

Assistant Administrator.

[FR Doc. 80-20984 Filed 7-14-80 8:45 am]

BILLING CODE 3410-15-M

7 CFR Part 1701

Proposed Rescission and Reclassification of REA Bulletins Included in Appendix A

AGENCY: Rural Electrification Administration, USDA.

ACTION: Proposed rule.

SUMMARY: REA proposes to revise Appendix A—REA Bulletins, 7 CFR Part 1701. Appendix A bulletins set forth REA policies and requirements for financing under legislation administered by REA. This revision would rescind REA bulletins which are no longer necessary and remove from Appendix A REA bulletins which were misclassified and inappropriately included in Appendix A. This action is being proposed in accordance with requirements set forth in Executive Order No. 12044, Improving Government Regulations; Executive Order No. 12174, Paperwork; Secretary's Memorandum No. 1955, Improving USDA Decisions and Regulations; and the RE Act of 1936 as amended. The intended impact of this action will be to reduce the number of regulations REA borrowers must operate under as well as to make Appendix A a more useful tool in the administration of the REA program.

DATE: Public comments must be received by REA no later than September 15, 1980.

ADDRESS: Submit written comments to Clair Callan, Assistant to the Administrator, Rural Electrification Administration, Room 4064, South Building, U.S. Department of Agriculture Washington, D.C. 20250.

FOR FURTHER INFORMATION CONTACT: Mr. Clair Callan, Assistant to the Administrator, above address, telephone number (202) 447-3106. The Draft Impact Analyses describing this proposed action are available on request from the above address.

SUPPLEMENTARY INFORMATION: Pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), REA proposes to amend Appendix A to 7 CFR Part 1701. This proposed action has been reviewed under USDA procedures established in Secretary's Memorandum No. 1955 to implement Executive Order No. 12044, and has been classified not significant.

REA, in keeping with the goals set forth in Executive Order No. 12044, Improving Government Regulations; Executive Order No. 12174, Paperwork; and Secretary's Memorandum No. 1955, Improving USDA Decisions and Regulations, is proposing to rescind a number of REA bulletins which impose requirements on borrowers no longer considered necessary because of changing technologies, economic conditions, and the growth and maturity of REA electric and telephone borrowers. In addition, the review of REA bulletins has shown that a number of those currently listed in Appendix A do not, in fact, impose any requirements on loan applicants and therefore should be removed from Appendix A and reclassified as miscellaneous publications. This action will make Appendix A a more useful tool in the effective administration of the REA program for REA and its applicants by providing a single source document for the procedural and policy requirements for financing under legislations administered by REA.

All written submissions made pursuant to this action will be made available for public inspection during regular business hours at the above address.

A listing of the bulletins proposed for rescission and reclassification are as follows:

REA Appendix A Bulletins Proposed for Rescission

Bulletin No. and Title

1-4:300-3 Participation by Electrification Borrowers in Telephone Program
3-3 Protection of Territorial Integrity of Electric Borrowers
9-1:309-1 Community Development
20-1:321-1 Selection of the Trustee Where Deeds of Trust Secure Loans
20-11:320-17 Waiver of Government's Mortgage Lien on Motor Vehicles of Electric and Telephone Borrowers
21-2 Service Entrance Equipment
27-1 Loans Involving Provisions for the Acquisition of Existing Electric Facilities
62-3 Narrow Profile Electric Transmission Line Structure Design
112-2 Electric Retail Rates
112-7 Contracts for Electric Street Lighting Service
300-8 Financial Participation by Telephone Borrowers in CATV
340-7 Effective Planning of Telephone System Construction
360-2 Area Coverage Design
388-1 Inventory and Appraisal of Existing Telephone Plant Retained as Part of the New System
1-3:300-2 Rural Electrification Act of 1936 With Amendments as Approved to August 4, 1977
3-1:302-1 Proceedings Before and Discussions With Regulatory Bodies and Officials
3-2:303-1 State and Local Legislation Affecting REA Programs
6-1:306-1 System for Classifying and Issuing REA Policies, Procedures and Other Published Material
40-4 Guide for Mapping and Location Numbering of Electric Distribution Systems
44-7:345-3 Acceptance of Standards, Standard Specifications, Drawings, Materials and Equipment for the Electric and Telephone Programs
60-7 Service Reliability
60-8 System Planning Guide, Electric Distribution Systems
60-9 Economical Design of Primary Lines for Rural Distribution Systems
61-1 Conductor—Low Voltage Circuits
61-6 Power Line Crossings Over Communication Lines
80-5 Conductor Installation for Electric Distribution Lines
86-5:387-2 Contract to Construct Buildings, REA Form 257
100-5:400-3 Agreements for the Operation and Management of Borrowers' Systems
101-5 REA Model Act Bylaws
102-1:402-3 Capital Credits—Consumer Benefits
105-4 Financial Management
105-7 Long Range System and Financial Planning—Power Supply Borrowers
109-2:409-3 Labor Relations
109-4 Selecting a Qualified Manager
184-2 Suggested Work Order Procedure for Electric Borrowers of the Rural Electrification Administration
184-3 Guide for Establishing Continuing Property Records
185-2:465-2 Audit Working Paper Guide
340-4 Scheduling of Work and Reporting of Progress
341-2 Replacement of Line Stakes, Telephone Program
360-1 Checklist for Review of a Supplemental Loan Proposal or an Area Coverage Design
385-4 Special Equipment Contracts and Specifications
405-1 Financial Planning by Telephone Borrowers
440-1 Telephone Borrowers' Technical Operations and Maintenance Activities
462-1 Evaluation and Enforcement of Internal Control of Borrowers' Enterprises 2

Dated: July 8, 1980.

Robert W. Feragen,

Administrator.

[FR Doc. 80-20985 Filed 7-14-80; 8:45 am]

BILLING CODE 3410-15-M]

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7 CFR Part 1701

REA Bulletin 345-14, (PE-23), REA Specification for Direct Burial Telephone Cables (Air Core); Advance Notice of Proposed Specification Revision

AGENCY: Rural Electrification Administration, USDA.

ACTION: Advanced notice of proposed rulemaking.

SUMMARY: REA proposes to revise REA Bulletin 345-14, (PE-23), REA Specification For Direct Burial Telephone Cables (Air Core). The revised specification will include new jacket material technology, tightening of capacitance unbalance to ground requirements, and preconnectorized cable. Because the above revisions will result in better service and lower cost to the rural public, the revised specification should be prepared to assure that quality products are produced.

DATE: Public comments must be received by REA no later than August 14, 1980.

ADDRESS: Submit written comments to the Director, Telecommunications Engineering and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250.

FOR FURTHER INFORMATION CONTACT: Harry M. Hutson, telephone number AC (202) 447-3827.

SUPPLEMENTARY INFORMATION: Pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), REA proposes to revise REA Bulletin 345-14 (PE-23), REA Specification For Direct Burial Telephone Cables (Air Core).

All written submissions made pursuant to this notice will be made available for public inspection during regular business hours, address above.

Dated: July 3, 1980.

John H. Arnesen,

Assistant Administrator.

[FR Doc. 80-20986 Filed 7-14-80; 8:45 am]

BILLING CODE 3410-15-M

DEPARTMENT OF COMMERCE

Office of the Secretary

15 CFR Part 19

Federal Voluntary Standards Policy; Comment Period Extended

AGENCY: Assistant Secretary for Productivity, Technology, and Innovation.

ACTION: Notice of extension of comment period on proposed procedures regarding implementation of Federal Voluntary Standards Policy.

SUMMARY: The Department of Commerce in response to requests hereby extends the date by which comments must be filed on the proposed procedures which the Department pubished in the **Federal Register** on June 2, 1980 (45 FR 37374), regarding Implementation of Federal Voluntary Standards Policy. The comment period

is extended for the receipt of comments from August 1, 1980 until September 2, 1980.

FOR FURTHER INFORMATION CONTACT: Dr. Howard I. Forman, Deputy Assistant Secretary for Product Standards Policy, room 3876, U.S. Department of Commerce, Washington, D.C. 20230, telephone (202) 377–3221; or Mr. Donald R. Mackay, Office of Product Standards Policy, room 3876, U.S. Department of Commerce, Washington, D.C. 20230, telephone (202) 377–4562.

SUPPLEMENTARY INFORMATION: On June 2, 1980, the Department of Commerce published in the **Federal Register** proposed procedures for listing voluntary standards bodies eligible for Federal agency support and participation, and for a Department sponsored voluntary dispute resolution service for procedural complaints against listed voluntary standards bodies. That notice established a 60-day comment period and indicated that written comments were due on or before August 1, 1980.

In response to requests for an extension of the comment period, and in view of the fact that the proposed procedures are of significant concern to a large number of organizations, the Department of Commerce has decided that it is in the public interest to extend the comment period at this time until September 2, 1980.

Dated: July 10, 1980.

Jordan J. Baruch,

Deputy Assistant Secretary for Product Standards Policy.

[FR Doc. 80-21110 Filed 7-14-80; 8:45 am]

BILLING CODE 3510-13-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[File No. 801 0037]

Bendix Corp.; Consent Agreement with Analysis To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Consent Agreement.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order, accepted subject to final Commission approval, would require, among other things, a Southfield, Mich. industrial firm engaged in four major business segments: Automotive, aerospace-electronics, forestry and industrial-energy, to divest itself of the Warney & Swasey Rotating Toolholder Business and the Bendix Crush-Form Grinder Business within one year of the effective date of the order to a Commission-approved firm. Further, the order would require Bendix to maintain the businesses as viable business entities and would prohibit any diminishing of their value prior to their divestiture. The order would place a ten-year ban on the purchase of any concerns engaged in the rotating toolholder market or in the external cylindrical grinding machine market without prior Commission approval

DATE: Comments must be received on or before September 15, 1980.

ADDRESS: Comments should be directed to: Office of the Secretary, Federal Trade Commission, 6th St. and Pennsylvania Ave., NW., Washington, D.C. 20580

FOR FURTHER INFORMATION CONTACT: FTC/C, Alfred F. Dougherty, Jr., Washington, D.C. 20580. (202) 523–3601.

SUPPLEMENTAL INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46 and § 2.34 of the Commission's rules of practice (16 CFR 2.34), notice is hereby given that the following consent agreement containing a consent order to cease and desist and an explanation thereof, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with § 4.9(b)(14) of the Commission's rules of practice (16 CFR 4.9(b)(14)).

[File No. 801–0037]

Bendix Corp.; Agreement Containing Consent Order

The Federal Trade Commission having initiated an investigation of the proposed acquisition of The Warner & Swasey Company (hereinafter referred to as "Warner & Swasey") by The Bendix Corporation (hereinafter referred to as "Bendix"), and it now appearing that Bendix is willing to enter into an agreement containing an order in settlement of this matter:

It is hereby agreed by and between Bendix, by its duly authorized officer and its attorneys, and counsel for the Federal Trade Commission that:

1. Bendix is a corporation organized, existing and doing business under and by virtue of the laws of the State of Delaware, with its executive offices located at 20650 Civic Center Drive, Southfield, Michigan.

2. Bendix admits all the jurisdictional facts set forth in the draft complaint here attached.

3. Bendix waives:

(a) Any further procedural steps;

(b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law; and

(c) All rights to seek judicial review or otherwise to challenge or contest the validity of the order entered pursuant to this agreement.

4. This agreement shall not become part of the public record of the proceeding unless and until it is accepted by the Commission. If this agreement is accepted by the Commission, it, together with the draft complaint contemplated thereby and related material pursuant to Rule 2.34, will be placed on the public record for a period of sixty (60) days and information in respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this agreement and so notify Bendix, in which event it will take such action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision in disposition of the proceeding.

5. This agreement is for settlement purposes only and does not constitute an admission by Bendix either that the law has been violated as alleged in the draft of complaint here attached, or, with the exception of the jurisdictional facts, of the facts therein alleged.

6. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of § 2.34 of the Commission's rules, the Commission may, without further notice to Bendix, (1) issue its complaint corresponding in form and substance with the draft complaint here attached and its decision containing the following order to cease and desist in disposition of the proceeding, and (2) make information public in respect thereto. When so entered, the order to cease and desist shall have the same force and effect and may be altered, modified or set aside in the same manner and within the same time provided by statute for other orders. The order shall become final upon service. Delivery by the U.S. Postal Service of the complaint and decision containing the agreed-to-order to Bendix' address as stated in this agreement shall constitute service. Bendix waives any right it may have to any other manner of service. The complaint may be used in construing the terms of the order, and no agreement,

understanding, representation, or interpretation not contained in the order or the agreement may be used to vary or to contradict the terms of the order.

7. Bendix has read the proposed complaint and order contemplated hereby. It understands that once the order has been issued, it will be required to file one or more compliance reports showing that it has fully complied with the order. Bendix further understands that it may be liable for civil penalties in the amount provided by law for each violation of the order after it becomes final.

8. All parties shall be released from the provisions of this order if Bendix notifies the Commission in writing that each transaction contemplated by the Agreement and Plan of Merger between Bendix and Warner & Swasey has not been and will not be consummated.

Order

I

It is ordered, That the following definitions shall apply herein:

(1) "Machine tool" means a stationary, power-driven machine, falling within codes 3541 and 3542 of the 1972 Standard Industrial Classification Manual, used to cut or form metal.

(2) "Rotating toolholder" means a device in which a cutting tool is secured to a machine tool for purposes of cutting excess material in the form of chips from a metal workpiece by rotation of the cutting tool against the workpiece.

(3) "Warner & Swasey Rotating Toolholder business" means that part of the Balas Division of Warner & Swasey presently owned or operated by Warner & Swasey for the manufacture of rotating toolholders and includes all assets, properties, titles to property, interests, rights, and privileges of whatever nature, tangible and intangible, including, but not limited to, all real property, buildings, machinery, equipment, tools, raw materials, inventory, customer lists, trade names, patents, patent applications, trademarks and all other property of whatever description that are unique to, or necessary for, the manufacture of rotating toolholders and which are currently in existence, together with all additions, replacements, and improvements hereafter made by Warner & Swasey or Bendix prior to divestiture.

(4) "External cylindrical grinding machine" means a machine tool used for shaping a cylindrical metal workpiece by bringing the exterior of the workpiece into contact with a rotating abrasive wheel, called a grinding wheel, in order to remove excess metal.

(5) "Bendix Crush Form Grinder business" means that part of the Automation and Measurement Division of Bendix presently owned or operated by Bendix for the manufacture of crush form grinding machines and includes all assets, properties, titles to property, interests, rights, and privileges of whatever nature, tangible and intangible, including, but not limited to, all real property, buildings, machinery, equipment, tools, raw materials, inventory, customer lists, trade names, patents, patent applications, trademarks (excluding the trade name and trademark "Bendix"), and all other property of whatever description that are unique to, or necessary for, the manufacture of crush form grinding machines and which are currently in existence together will all additions, replacements, and improvements hereafter made by Bendix prior to divestiture.

(6) "Computer numerical control unit" means an electronic unit that directs the operation of a machine tool through a series of coded instructions from a programmed computer system, and does not include programmable controllers.

(7) "Numerically controlled machine tool" means a machine tool that is operated by instruction provided by a computer numerical control unit.

(8) "Bendix" means The Bendix Corporation and any successor to the business of The Bendix Corporation.

(9) "Warner & Swasey" means The Warner & Swasey Company and any successor to the business of The Warner & Swasey Company.

II

It is further ordered, That Bendix, its officers, directors, agents, representatives and employees shall:

(1) Within twelve (12) months from the date this order becomes final, divest absolutely, or cause Warner & Swasey to divest absolutely, to an acquirer which meets with the prior approval of the Federal Trade Commission, the Warner & Swasey Rotating Toolholder Business, as a viable going business of the acquirer; and

(2) Within twelve (12) months from the date this order becomes final, divest absolutely, to an acquirer which meets with the prior approval of the Federal Trade Commission, the Bendix Crush Form Grinder Business, as a viable going business of the acquirer.

III

It is further ordered, That, pending the divestiture of the Warner & Swasey Rotating Toolholder business and the Bendix Crush Form Grinder business required by Paragraph II of this order, Bendix shall not take any action (other than sales of products in the ordinary course of business), without the consent of the Federal Trade Commission, to diminish the value of the Warner & Swasey Rotating Toolholder business or the Bendix Crush Form Grinder business.

IV

It is further ordered, That, without the prior approval of the Federal Trade Commission:

(1) For the two (2) years following the date this order becomes final, Bendix shall not equip with its computer numerical control units more than ten (10) percent of the numerically controlled machine tools manufactured by Warner & Swasey; and

(2) In the third and fourth years following the date this order becomes final, Bendix shall not equip with its computer numerical control units more than twenty-five (25) percent of the numerically controlled machine tools manufactured by Warner & Swasey.

V

It is further ordered, That:

(1) Bendix shall treat in confidence and not transfer or reveal to Warner & Swasey information which any other customer for computer numerical control units transmits to Bendix, and designates as proprietary, for such period as the customer shall specify; *Provided,* That Bendix shall not have any such obligation if the proprietary information (a) has already been transmitted to Bendix or Warner & Swasey by a party other than the customer, (b) is developed by Bendix or Warner & Swasey independently, (c) is already available to the general public, or (d) becomes available to the general public through no act or fault of Bendix;

(2) Warner & Swasey shall treat in confidence and not transfer or reveal to Bendix information which any other supplier of computer numerical control units transmits to Warner & Swasey, and designates as proprietary, for such period as the supplier shall specify; *Provided,* That Warner & Swasey shall not have any such obligation if the proprietary information (a) has already been transmitted to Bendix or Warner & Swasey by a party other than the supplier, (b) is developed by Bendix or Warner & Swasey independently, (c) is already available to the general public, or (d) becomes available to the general public through no act or fault of Warner & Swasey; and

(3) Bendix shall enter into an agreement in writing with each of its customers for computer numerical control units, and Warner & Swasey

shall enter into an agreement in writing with each of its suppliers of computer numerical control units, embodying the undertakings of confidentiality set forth in subparagraphs (1) and (2) of this Paragraph.

VI

It is further ordered, That, for a period of ten (10) years following the date this order becomes final:

(1) Bendix shall maintain its business in computer numerical control units as an organization and profit center separate from the machine tool business of Warner & Swasey; and

(2) In order to assure the availability of Bendix as a significant supplier of computer numerical control units to actual and potential competitors of Warner & Swasey and other manufacturers of numerically controlled machine tools, Bendix shall not offer or sell computer numerical control units to Warner & Swasey on preferential terms regarding price, delivery, service, or any other terms or conditions of sale; nor shall Bendix offer or sell new computer numerical control units to Warner & Swasey, nor offer to develop new computer numerical control units for Warner & Swasey, on a basis inconsistent with Bendix' business practices with respect to other customers for computer numerical control units.

VII

It is further ordered, That Bendix shall announce generally to the trade the provisions of Paragraphs V and VI, and shall deliver a copy of this order to each of its customers for computer numerical control units and to each of Warner & Swasey's supplies of computer numerical control units.

VIII

It is further ordered, That Bendix shall cease and desist, for a period of ten (10) years from the date this order becomes final, from acquiring, directly or indirectly, through subsidiaries or otherwise, without the prior approval of the Federal Trade Commission, the whole or any part of the stock, share capital, or assets (other than products acquired for use or resale in the ordinary course of Bendix' business) of any corporate or noncorporate concern organized in the United States and engaged in, or the assets of which are utilized in, the manufacture or sale in the United States of

(a) Rotating toolholders;

(b) External cylindrical grinding machines; or

(c) Numerically controlled machine tools;

Provided, That nothing in this Paragraph shall prohibit Bendix from acquiring the stock, share capital, or assets of any corporate or noncorporate concern engaged in the manufacture of numerically controlled machine tools, whose assets devoted to the manufacture of numerically controlled machine tools at the end of the year preceding such acquisition, or whose sales thereof during the year preceding such acquisition, were not in excess of ten million dollars ($10,000,000).

IX

It is further ordered, That Bendix shall, within ninety (90) days from the date this order becomes final, and every ninety (90) days thereafter until Bendix has accomplished the divestitures required by Paragraph II of this order, submit in writing to the Federal Trade Commission a report setting forth in detail the manner and form in which Bendix intends to comply or has complied with Paragraphs II and III of this order. All such reports shall include a summary of contacts or negotiations with respect to the sale of the Warner & Swasey Rotating Toolholder business or the Bendix Crush Form Grinder business, the identities of all parties to such contacts or negotiations, and copies of all written communications to and from such parties.

X

It is further ordered, That annually on the anniversary of the date this order becomes final, for a period of ten (10) years, Bendix shall submit in writing to the Federal Trade Commission a verified report setting forth in detail the manner and form in which Bendix intends to comply or has complied with Paragraphs IV, V, VI, VII, and VIII of this order.

XI

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

Bendix Corporation

[File No. 801–0037]

Analysis of Proposed Consent Order to Aid Public Comment

The Federal Trade Commission had entered into an agreement to a proposed consent order with the Bendix Corporation (Bendix) concerning the acqusition by Bendix of the Warner & Swasey Company (W&S). The proposed order requires that Bendix divest certain businesses and follow a course of conduct consistent with its assurance that (1) Bendix will remain available as a significant supplier of computer numerical controls to machine tool builders and (2) that sales of computer numerical controls to W&S by Bendix competitors will not be unreasonably foreclosed. In addition, Bendix had agreed to a ten year ban on certain acquisitions.

The proposed consent order is being placed on the public record for sixty (60) days for reception of comments by interested persons. Comments received during this period will become part of the public record. After sixty (60) days, the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

Bendix is a large diversified industrial firm engaged in four major business segments: automotive, aerospace-electronics, forest products and industrial-energy. In its Industrial/Energy Group, Bendix manufacturers, *inter alia*, automated capital equipment and perishable tools and accessories for the metal working industry. Individual products include computer numerical control systems for machine tools, rotating toolholders for machine tools and external cylindrical grinding machines.

W&S is the second largest producer of machine tools in the U.S. Its machine tools, which are used in various aspects of the metal-working industries, include external cylindrical grinding machines and numerically controlled turning machines, punch presses and boring mills. W&S is one of the largest purchasers of computer numerical controls for machine tools in the nation. It also manufacturers rotating toolholders as part of its machine tool accessory line.

On December 12, 1979 Bendix announced a cash tender offer for 45% of the common stock of W&S. That stock was tendered and subseqently purchased by Bendix on February 5, 1980. Thereafter, Bendix acquired the remainder of W&S stock by means of an exchange of securities. The entire transaction is valued at approximately $300 million.

The complaint underlying the proposed consent order alleges that Bendix' acquisition of W&S violates Section 5 of the Federal Trade Commission Act and Section 7 of the Clayton Act in that the effects of the acquisition may be substantially to

lessen competition or to tend to create a monopoly in several relevant markets. Those relevant markets have been determined to be the manufacture and sale of rotating toolholders, external cylindrical grinding machines, computer numerical controls, and numerically controlled machine tools. The proposed consent order discussed here is designed to maintain and/or restore competition in these markets.

The first paragraph of the proposed order is non-substantive but supplies the necessary definitions for interpretation of the subsequent provisions. Under the terms of Paragraph II of the order, Bendix has agreed to divest the Warner & Swasey Rotating Toolholder Business and the Bendix Crush-Form Grinder Business as viable going businesses within one year year from the date the proposed order becomes final. In addition, Bendix must receive FTC approval of the prospective acquirers prior to these divestitures. Paragraph III of the order prohibits Bendix from diminishing the value of the two businesses prior to their divestiture. These provisions are designed to ensure that this acquisition will not result in the elimination of a viable competitor in the rotating toolholder or the external cylindrical grinding machine markets and to avoid increased concentration in these markets.

In order to assure the continuing availability of Bendix as a supplier of computer numerical controls to competitors of W&S and to avoid an abrupt cessation of supply to existing customers, Paragraph IV of the order prohibits Bendix from supplying more than 10% of W&S's computer numerical control requirements for the first two years following the acquisition. In the following two years (the third and fourth years following the acquisition) Bendix may not supply more than 25% of W&S's requirements.

The process of marrying a computer numerical control unit to a machine tool can require an exchange of sensitive technology between the control supplier and the machine tool builder. Therefore, to protect present and future customers of Bendix and present and future suppliers of W&S from disclosure of such information, Paragraph V prohibits Bendix and W&S from exchanging any confidential information gained from competitors which has been designated as proprietary by them. Furthermore, W&S and Bendix are required to enter into written confidentiality agreements embodying the protections of this Paragraph with individual computer numerical control suppliers and purchasers, respectively.

To make disclosures of confidential information between Bendix and W&S less likely, Paragraph VI requires Bendix to maintain its computer numerical control business organizationally separate from W&S's machine tool business for a period of ten years. In addition, throughout this period, Bendix is prohibited by the order from supplying W&S with computer numerical controls on a preferential basis or on any basis inconsistent with its practice toward other machine tool builders. This provision is designed to assure that Bendix will remain available to actual and potential competitors of W&S as a significant supplier of computer numerical controls.

To apprise the industry of Bendix' obligations under the proposed order, Paragraph VII requires Bendix to deliver a copy of the order to its competitors and customers for computer numerical controls. A general announcement to the trade must also be made with respect to the provisions of Paragraphs V and VII.

Under Paragraph VIII of the proposed order, Bendix may not, without prior approval of the Commission, purchase any concerns engaged in the rotating toolholder market or the external cylindrical grinding machine market, or concerns with assets or sales of more than $10 million in the numerically controlled machine tool market. This ban lasts ten years from the date the order becomes final.

Finally, Paragraphs IX and X require Bendix to make reports to the Commission detailing its ongoing compliance with the terms of the order.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not intended to constitute an official interpretation of the agreement and proposed order or to modify in any way their terms.

Carol M. Thomas,

Secretary.

[FR Doc. 80-21029 Filed 7-14-80; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Part 404

[Regulations No. 4]

Federal Old-Age, Survivors, and Disability Insurance Benefits; Computing Primary Insurance Amounts

Correction

In FR Doc. 80-19104 appearing on page 42647 in the issue of Wednesday, June 25, 1980, make the following correction:

On page 42655, center column, second line of subdivision (ii) of § 404.241(c)(1), change ". . . total 1936–1950 earnings . . ." to read ". . . total 1937–1950 earnings . . .".

BILLING CODE: 1505-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

24 CFR Part 200

[Docket No. R-80-835]

Use of Materials Bulletin No. 79, Acrylonitrile-Butadiene-Styrene (ABS) Poly (Vinyl Chloride (PVC) Plastic Drain, Waste and Vent Pipe and Fittings; Transmittal of Proposed Rule to Congress

AGENCY: Department of Housing and Urban Development.

ACTION: Notice of transmittal of proposed rule to Congress under Section 7(o) of the Department of HUD Act.

SUMMARY: Recently enacted legislation authorizes Congress to review certain HUD rules for fifteen (15) calendar days of continuous session of Congress prior to each such rule's publication in the Federal Register. This Notice lists and summarizes for public information a proposed rule which the Secretary is submitting to Congress for such review. This proposed rule would revise Use of Materials Bulletin No. 79 to incorporate a recently published national standard covering Acrylonitrile-Butadiene-Styrene (ABS) plastic drain pipes.

FOR FURTHER INFORMATION CONTACT: Burton Bloomberg, Director, Office of Regulations, Office of General Counsel, 451 7th Street, S.W., Washington, D.C. 20410 (202) 755-6207.

SUPPLEMENTARY INFORMATION: Concurrently with issuance of this Notice, the Secretary is forwarding to the Chairmen and Ranking Minority Members of both the Senate Banking, Housing and Urban Affairs Committee and the House Banking, Finance and Urban Affairs Committee the following rulemaking document:

CFR Part 200—Use of Materials Bulletin No. 79, Acrylonitrile-Butadiene-Styrene (ABS) Poly (Vinyl Chloride) (PVC) Plastic Drain, Waste and Vent Pipe and Fittings

(Section 7(o) of the Department of HUD Act, 42 U.S.C. 3535(o), Section 324 of the Housing and Community Development Amendments of 1978)

Issued at Washington, D.C., July 8, 1980.

Moon Landrieu,

Secretary, Department of Housing and Urban Development.

[FR Doc. 80-21072 Filed 7-14-80; 8:45 am]

BILLING CODE 4210-01-M

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24 CFR Part 203

[Docket No. R-80-836]

Mutual Mortgage Insurance and Insured Home Improvement Loans—Condition of Property—Adjustment for Damage or Neglect; Transmittal of Interim Rule to Congress

AGENCY: Department of Housing and Urban Development.

ACTION: Notice of transmittal of interim rule to Congress under Section 7(o) of the Department of HUD Act.

SUMMARY: Recently enacted legislation authorizes Congress to review certain HUD rules for fifteen (15) calendar days of continuous session of Congress prior to each such rule's publication in the **Federal Register.** This Notice lists and summarizes for public information an interim rule which the Secretary is submitting to Congress for such review. This rule would establish new conditions under which a mortgagee may convey to HUD a fire damaged property (or assign the mortgage on such property) not covered by fire insurance (or inadequately covered) at the time of the damage without deduction from the mortgage insurance benefits for such damage.

FOR FURTHER INFORMATION CONTACT:

Burton Bloomberg, Director, Office of Regulations, Office of General Counsel, 451 7th Street, SW., Washington, D.C. 20410 (202) 755-6207.

SUPPLEMENTARY INFORMATION:

Concurrently with issuance of this notice, the Secretary is forwarding to the Chairman and Ranking Minority Members of both the Senate Banking, Housing and Urban Affairs Committee and the House Banking, Finance and Urban Affairs Committee the following rulemaking document:

24 CFR Part 203—Mutual Mortgage Insurance and Insured Home Improvement Loans—Condition of Property—Adjustment for Damage or Neglect

(Section 7(o) of the Department of HUD Act, 42 U.S.C. 3535(o), Section 32 of the Housing and Community Development Amendments of 1978).

Issued at Washington, D.C., July 8, 1980.

Moon Landrieu,

Secretary, Department of Housing and Urban Development.

[FR Doc. 80-21071 Filed 7-14-80; 8:45 am]

BILLING CODE 4210-01-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, N.W., 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 was published in 43 FR 55990, on November 29, 1978. Their effective date is July 30, 1979. The Council's NEPA regulations are published in Volume 40 Code of Federal Regulations beginning with Part 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

The Council's final revisions to the National Contingency Plan were published in 44 FR 17832, on March 19, 1980. The need for these revisions and their legal basis was reported in the previous semiannual agenda. The National Contingency Plan, as revised, will be republished in Volume 40 Code of Federal Regulations beginning with Part 1510.

No additional revisions or amendments to the National Contingency Plan are under preparation or consideration by the Council.

Dated: July 10, 1980.

Nicholas C. Yost,

General Counsel.

[FR Doc. 80-21080 Filed 7-14-80; 8:45 am]

BILLING CODE 3125-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 21, 43 and 61

[Docket No. 18920; FCC 80-361]

Establishment of Policies and Procedures for Consideration of Application to Provide Specialized Common Carrier Services in the Domestic Public Point-to-Point Microwave Radio Service and Proposed Amendment to the Rules

AGENCY: Federal Communications Commission.

ACTION: Final Report and Order in Docket No. 18920.

SUMMARY: The Federal Communications Commission terminates its inquiry into the need for policies and procedures with respect to specialized common carriers offering Domestic Public Point-to-Point Microwave Radio Service.The Commission concludes that in the area of quality and reliability of such services, there is no present need for the adoption of comprehensive regulatory measures such as standard terminology to be observed in tariff representations or performance parameters.

EFFECTIVE DATE: Non-Applicable.

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

FOR FURTHER INFORMATION CONTACT: Randall S. Coleman, Common Carrier Bureau, Telephone: 202 632-6387.

SUPPLEMENTARY INFORMATION:

Final Report and Order

Adopted: June 25, 1980.

Released: July 11, 1980.

In the matter of establishment of policies and procedures for consideration of applications to provide Specialized Common Carrier Services in the Domestic Public Point-to-Point Microwave Radio Service and Proposed Amendments to parts 21, 43 and 61 of the Commission's rules, Docket No. 18920. See also 40 FR 21770, May 19, 1975.

By the Commission: Commissioner Brown absent.

Introduction

1. This matter has its genesis in numerous applications seeking authority to construct microwave facilities to provide domestic common carrier

services. By *Notice of Inquiry to Formulate Policy, Notice of Proposed Rule Making*, 24 F.C.C. 2d 318 (1970) (hereafter *First Notice*), we initiated this proceeding to consider whether the entry of new firms into the communications common carrier field would serve the public interest and the problems such entry might pose.[1] One year later, in our *First Report and Order*, 29 F.C.C. 2d 870 (1971) (hereafter Specialized Common Carrier Decision), we concluded that entry of new microwave carriers would serve the public interest. We also developed frequency conservation rules to prepare for the anticipated increased use of the radio spectrum. Subsequently, in our *Second Report and Order*, 47 F.C.C. 2d 737 (1974), we adopted policies and rules dealing with local distribution facilities and frequencies. As a result of these two decisions, the only question remaining among the isssues first designated for consideration concerns the quality and reliability of specialized services.

2. At the time of the *First Report and Order*, we noted that the threshold concerns had taken precedence over this remaining issue. While later indicating our intention to establish an industry advisory committee to consider the question of quality and reliability,[2] we took no further action at that time because our attention was directed to considering the appropriate means for local distribution of the services and the 2500 pending applications for specialized common carrier microwave authorizations. In the *Second Report and Order*, we addressed the local distribution issue, retaining jurisdiction over whether quality and reliability of service protection is needed. 24 F.C.C. 2d at 327.

3. Competing systems have now been in operation for some time. In our most recent *Notice* 51 F.C.C. 2d 1057 (1975), we stated that we intended to rely on this experience as a foundation for more extensive comments. Accordingly, we defined the terms "quality" and "reliability" in the context of the proceeding and solicited comments from interested parties, including communications users and equipment suppliers, on a number of specific policy issues and technical questions. In general, we questioned whether standard terms expressing quality and reliability should be adopted and whether it is advisable to establish standardized methods and measures (i.e. performance parameters) for expressing quality and reliability. We later reaffirmed our intention to consider within the scope of the instant proceeding standard performance measures for all carriers offering competitive services without regard to their transmissions means. *Order*, FCC 75–449, released May 2, 1975.

Comments of the Parties

4. The fourteen parties have responded to our last *Notice*.[3] The respondents generally agree with our goal of ensuring that subscribers are afforded adequate information concerning the quality and reliability of the various specialized services being offered. However, there is some disagreement with our specific proposals on how to best accomplish that goal. In particular, they disagree on whether there is a present need for quality and reliability protection for consumers in the form of required performance parameters and standard terminology. In addition, the respondents express concern about the overall quality and reliability of interconnected systems comprised of segments with different characteristics, such as the interconnection of digital and analog channels, as well as the establishment of standards to cover the end-to-end delivery of services by such systems. Many have also addressed the definition of "specialized" services and the associated question of which carriers' services should be subject to performance standards.[4]

5. Specifically, those favoring minimum performance standards set out in varying degrees of detail the performance factors associated with the different communications channels and facilities. They call for flexible and readily understandable performance parameters that would take such differences into consideration and afford adequate consumer information in carrier tariffs without unnecessary technical detail. They also contend that such requirements would provide criteria for carrier self-assessment and promote fair competition among carriers. By contrast, those opposing the establishment of performance standards assert that carriers and their customers should establish standards designed to meet the customer's particular needs and resources, and, moreover, that the marketplace in the final analysis is the best judge of quality and reliability. Opponents also contend that standards could inhibit innovation and improvement and could result in tariff changes detrimental to users.

Discussion

6. In designating the issue of quality and reliability, our primary concern was that prospective subscribers be accurately informed about the nature of the proposed competitive services. *First Notice*, 24 F.C.C. 2d at 345. We considered promulgating quality and reliability standards because of our concern that these factors might be poorly defined in the tariffs and subject to misinterpretation by customers. Our goal, we explained, was not to impose "overcomplicated requirements" but rather to provide some indication to the potential subscribers of the performance that can reasonably be expected and thus encourage fair competition among competing carriers. 51 F.C.C. 2d at 1058. In accordance with this goal, we refrained during the interim from taking action in this area in order to benefit from the experience gained in actual carrier operations within a competitive marketplace. We have now received comments reflecting that experience. As explained below, our analysis of the

[1] Specifically, we set the following issues for comment:

A. Whether as a general policy the public interest would be served by permitting the entry of new carriers in the specialized communications field; and if so,

B. Whether comparative hearings on the various claims of economic mutual exclusivity among the applicants are necessary or desirable in the circumstances.

C. What standards, procedures and/or rules should be adopted with respect to such technical matters as the avoidance of interference to domestic communications satellites in the 6 GHz band, the avoidance of resolution of terrestrial frequency conflicts and route blockages both vis-a-vis the facilities of established carriers and among the applicants, and the use of frequency diversity;

D. Whether some measure of protection to the applicants' subscribers is called for in the area of quality and reliability of service; and

E. What is the appropriate means for local distribution of the proposed services?

[2] Further Notice of Inquiry and Proposed Rule Making, 30 F.C.C. 2d 288 (1971).

[3] Comments were received from American Telephone and Telegraph Company; Central Committee on Telecommunications of the American Petroleum Institute; Computer Business Equipment Manufacturer's Association; Data Transmission Company; Electronics Industry Association; GTE Service Corporation; Microwave Communications, Inc.; Office of Telecommunications/Institute for Telecommunications Sciences of the Department of Commerce; Southern Pacific Communications Company; Television Network Companies (ABC, CBS and NBC); United States Transmission Systems Incorporated; Utilities Telecommunications Council; and Western Union Telegraph Company.

[4] Here, too, the respondents offer widely differing opinions. Those who disfavor quality and reliability standards logically find no utility in defining specialized services for the purpose of applying such standards. Some respondents feel that only the services of the new entrants should fall under performance standards, while others believe the services of the traditional carriers, with the exceptions of American Telephone and Telegraph Company's Message Telecommunications Service and Western Union Telegraph Company's Public Message Service, should also be subject to any standards established.

comments and the situation overall fails to justify undertaking a comprehensive regulatory program in the area of quality and reliability of service at this time.

7. Our determination that the public interest does not require the development of minimum performance standards is based, in large part, on the fact that we have not received a significant number of complaints or comments which quantitatively or substantively indicate the need for such standards of general applicability. It appears that the forces of the marketplace have been adequate to satisfy the information and service needs of communications users. If anything, experience to date would indicate that it is clearly in the interest of the involved carriers to compete in the area of quality and reliability of service in the same manner as they do in pricing. In short, we perceive at this time a significant incentive among carriers to educate the user public and fully disclose the advantages of their service over others so as to enhance their competitive position. Carriers seem to be well aware of the customer's ability to switch to another provider of service if the promised performance standards are not met or if service quality and reliability do not satisfy the customer's needs. Thus, we conclude that marketplace forces should be adequate to protect the consuming public.

8. Under the Communications Act, carriers are required to provide service in accordance with their tariffs and, therefore, must adhere to tariff statements of service quality and reliability, as well as liability for loss of service. Through our complaint procedures, moreover, customers will continue to have protection against carrier misconduct. We encourage carriers to strive for consistency and clarity in their tariffs and promotional materials so that potential subscribers are able to make informed judgments about the variety of services available and advantageous service selections. Provided such information continues to be made readily available to potential subscribers, the responsibility for monitoring system performance can initially rest with the subscribers.

9. Accordingly, it is ordered, that Docket No. 18920, is terminated.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 80-21031 Filed 7-14-80; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[Docket No. 80-253; RM-2898; FCC 80-327]

Revision of Applications for Renewal of License of Commercial and Noncommercial AM, FM and Television Licensees

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: On its own motion, the FCC has adopted a Notice of Proposed Rule Making proposing to subsitute a short-form renewal application for all broadcast licensees and random audits of a percentage of all of those licenses for the current in-depth renewal application filed by all renewal applicants. The proposal, if adopted, would significantly reduce the time and expense in the renewal process for the Commission and the industry.

DATES: Comments must be filed on or before October 1, 1980, and reply comments on or before November 3, 1980.

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

FOR FURTHER INFORMATION CONTACT: Rosa I. Ovaitt, Broadcast Bureau (202) 632-6302.

SUPPLEMENTARY INFORMATION:

Summary

"Postcard Size" Renewal Form Proposed for Most Broadcasters; FCC to Move to Random Field Enforcement Audits (BC Docket No. 80-253)

Released: July 11, 1980

The FCC has proposed to take a major step to eliminate government paperwork by shortening to postcard size the renewal application each radio and television licensee must file every three years, and to substitute random complete audits of selected broadcasters as a more effective enforcement tool.

Over 9,000 renewal applicants receive a review of their past, present and proposed operations for compliance with FCC rules and the Communications Act every three years. The FCC is proposing to allow the vast majority of these stations to file a very short form containing only a few questions that could be processed by a computer. It would supplement this review with random audits and field inspections that would allow an in-depth analysis of the operations of at least 5 percent of all licensees.

In this way, the Commission said, it could modify the cost of the renewal process without altering its substance, and in fact increase its effectiveness, at a great savings to both the public and the industry.

Under the present procedures, every broadcast licensee files a substantial application for renewal every three years. FCC Form 303 for television license renewals is 21 pages, and while FCC Form 303-R for radio license renewals is only 2 pages long, even these applications become lengthy when all exhibits and attachments are included. Noncommercial (public) station renewal applications are 15 pages long.

These applications (3,000 each year) are reviewed by the FCC's processing staff to determine whether there is any evidence that the licensee violates the Communications Act or the FCC's rules and whether the licensee meets or exceeds certain commercial time and informational programing processing standards. If there is a problem, further inquiry is made by the FCC staff to determine whether the facts and circumstances call for consideration of the application by the full Commission.

The FCC said its experience has shown that most licensees meet or exceed FCC processing guidelines. The best vehicle for bringing violations to FCC attention has been public participation in its processes through petitions to deny, informal objections and complaints. Continuing the current approach to license renewal review might place a largely unnecessary paperwork and administrative burden on licensees and the FCC, while a shift in resources for enforcement to taking a truly "hard look" at random samplings of license renewal applications, through field inspections of some licensees and completion of a renewal audit form for others, might serve the public far better.

The FCC said the audit and field inspections would provide strong incentive for industry compliance, much like Internal Revenue Service audits assure general taxpayer compliance. No licensee would have advance warning of its selection. The remainder of the industry would submit a simplified renewal application.

The Commission stressed it was not proposing to eliminate the requirement that licensees place critical data concerning their operations in their public files. No changes in burdens of proof or proceeding or changes in the petition to deny or informal objection process were proposed.

Short Form

The proposed short form will ask (1) if the three most recent Annual Employment Reports (FCC Form 395) and the applicant's Ownership Report (FCC Form 323 or 323-E) are on file at

the Commission; (2) if the applicant is in compliance with the rules relating to interests of aliens and foreign governments; (3) if, since the last renewal application was filed, any adverse finding or final action has been approved by any court or administrative body concerning certain charges that may go to the character of the applicant; and (4) if the applicant has placed in its public inspection file the documentation required by the rules relating to the station's operations. Comment is sought on whether additional questions concerning past and proposed programing should appear on the short renewal form.

Long Form

Licensees selected at random for an in-depth evaluation will be asked to submit answers to detailed questions on their technical performance, programing performance and legal qualifications. In addition, Broadcast Bureau personnel may conduct field audits of licensees whose applications raised particular concerns or to check the reliability of information filed with the Commission. EEO compliance would continue to be monitored pursuant to present procedures.

The FCC proposed selecting at random a minimum of 5 percent of its licensees, or about 25 every two months, for audit. It solicited comment on this figure as well as on whether it should establish a sampling system that would make certain that each station will be selected for audit within a certain time period, for instance, 15 years. It also asked whether it should select separate random samples from different types of stations (AM, FM, TV, commercial, noncommercial) or from different regions.

FOB Field Audits

In addition to the long form renewal evaluation and field investigations conducted by the Broadcast Bureau's EEO and Compliance Branches, the Commission proposed investigations by its Field Operations Bureau to be made of a randomly selected group of stations, e.g., 80 every two months. The Broadcast Bureau would coordinate these inspections with FOB. The Field Operations Bureau would verify the licensee's technical engineering compliance and inspect the station's public file to assure that the data and information required the FCC rules is contained therein.

EEO Program

The Commission noted that in a separate proceeding it was proposing to modify its model EEO program. The data from each station's Annual Minority Employment Report would continue to be used to monitor the employment status of women and minorities. Most stations will be required to keep their model EEO programs in their public files and not file them with the FCC. If potential problems are noted, a station could be asked to submit its model EEO program even though it submits a short form renewal. EEO field investigations may be conducted, if necessary, independently of any renewal field audit. All renewal field audits will make certain the station's model EEO program is in the public file.

Programing Issues

The Commission asked for comment on whether to retain the requirement for FCC Form 303–A, Annual Television Programing Report, now filed by all commercial TV stations in the Licensee's public file and with the FCC annually, and if it were retained, whether to have it only placed in the public file, not filed with the Commission. The Commission also asked whether it should include questions on the short form as to future programing proposals, and whether such proposals should continue to be placed in the station's public file.

The Commission also asked for comment on two proposals suggested by outside groups.

The National Black Media Coalition proposed expansion of the renewal sanctions available to the Commission. Its proposals included suspension of a licensee's use of its profits, imposed timesharing and "rehabilitation."

The National Radio Broadcasters Association proposed simplifing the currently complex rules on when and how licensees are required to broadcast a notice that their stations are operated in the public interest under FCC license and soliciting comments on the stations operations.

Comments due: October 1, 1980, and Reply comments due November 3, 1980.

Action by the Commission June 4, 1980, by Notice of Proposed Rulemaking (FCC 80–327). Commissioners Ferris (Chairman), Lee, Quello, Fogarty, Brown and Jones with Commissioner Washburn concurring with a statement and chairman Ferris and Commissioner Lee issuing separate statements.

The text of the FCC's Notice of Proposed Rule Making has been released publicly July 11, 1980. Because of the cost of printing so voluminous a text, it will not be published in the **Federal Register.** However, the FCC has prepared a limited number of copies that are available upon request (Notice of Proposed Rule Making, FCC 80–327, BC Docket No. 80–253, adopted July 11, 1980, "Renewal of Applications for Renewal of License of Commercial and Noncommercial AM, FM and Television Licenses") at its Information Office, Room 202, 1919 M Street, N.W., Washington, D.C. 20554. The Notice of Proposed Rule Making is also available for inspection at the Commission's Docket Reference Room, or can be acquired through a copier service.

For further information contact Rosa I. Ovaitt (202) 632–6302.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 80–21106 Filed 7–14–80; 8:45 am]

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47 CFR Part 76

[Docket No. 20423; FCC 80–355]

Amending Rules Regarding Cable Television Systems and Postponement of Divestiture Requirement Relative to Prohibited Cross Ownership in Existence on or before July 1, 1970

AGENCY: Federal Communications Commission.

ACTION: Proposed rulemaking in Docket 20423.

SUMMARY: Commission proposes requiring divestiture of all commonly-owned television stations and cable systems within same local broadcast service area and proposes list of criteria by which to evaluate waiver requests. This proposal is in response to a Commission requested remand from the U.S. Court of Appeals.

DATES: Comments must be received on or before October 6, 1980 and reply comments on or before November 5, 1980.

ADDRESSES: Office of the Secretary, Federal Communications Commission, 1919 "M" Street NW., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Deborah Stuehrmann, Cable Television Bureau, (202) 632–6468.

In the matter of amendment of Part 76, Subpart J, of the Commission's rules and regulations relative to Cable Television Systems; and Postponement of divestiture requirement of § 76.501 relative to prohibited cross ownership in existence on or before July 1, 1970, Docket No. 20423. See also 40 FR 57361.

Adopted: June 6, 1980.

Released: June 25, 1980.

By the Commission; Commissioner Lee dissenting; Commissioner

Washburn dissenting and issuing a statement; Commissioner Jones concurring and issuing a statement.

Introduction

1. In 1970, the Commission adopted rules prohibiting common ownership interests in broadcast television stations and cable television systems within their local service areas (Grade B contours).[1] Existing interests in violation of this rule were to be divested within three years.[2] In 1975, the divestiture requirement of these rules (§ 76.501(b)(2)) was amended to grandfather the majority of then existing cross-ownership interests and require divestiture of only those judged most "egregious" according to a standard specified in the rules.[3] Judicial review of this decision was sought both by parties that believed more divestiture should have been required and by parties urging that there should be less divestiture.[4] The proceeding we are now commencing is a consequence of a Commission-requested remand of that judicial proceeding.[5]

2. In requesting that this proceeding be remanded, the Commission indicated it had concluded "that the subject orders are unlikely to withstand judicial review" and that remand was being sought "so that the Commission can reassess its position in this area."[6] More specifically it was stated that "there are arguable differences, which the Commission failed to address in the orders under review, between the cable/broadcast and newspaper/broadcast situations, insofar as the relevance of various factors to the divestiture issue is concerned."[7]

3. It is the purpose of this proceeding to examine these differences more particularly and to determine which factors are pertinent in evaluating the issues involved in cable broadcast television divestiture. Having received comment on our conclusions and proposals from the public and other interested parties we anticipate that we will be in a position to issue a *Report and Order* and thereby definitively establish a cohesive policy in this matter.

Background

4. Commission policy concerning cable-broadcast television cross-ownership has evolved incrementally and with an apparent lack of consistency.[8] Upon its initial consideration of the question the Commission decided that its cross-ownership rules should not be applied and that there might even be some public benefits to be found in such cable-broadcast cross-ownership.[9] There followed a period during which the issue was treated only on an *ad hoc* basis and during which such cross-interests were considered as demerits but not disqualifying considerations in comparative broadcast station licensing proceedings.[10] In 1968, however, a new attitude toward the issue was expressed in a Commission proposal to prospectively prohibit all such cross-relationships and eventually obtain divestiture of all existing interests.[11] In 1970 this proposal was adopted.[12] The divestiture requirement, however, was never fully implemented. On reconsideration the divestiture requirement was retained but existing owners were invited to file waiver petitions so that the specifics of particular situations could be reviewed individually.[13] Approximately 70 petitions of this type were received. All were evaluated on a preliminary basis, their facts summarized and the arguments presented, analyzed and categorized and the process of acting on them commenced. This process terminated, however, after only a small number of the 70 requests had been acted on.[14]

5. The focus of the Commission's attention then shifted to a consideration of the issues relating to cross-ownership between television and radio broadcast stations and between broadcast stations and daily newspapers under review in Docket 18110.[15] Further activity with respect to the cable waiver proceedings was suspended with the expectation that policy decisions taken in Docket 18110 would have significant carryover value with respect to what where then perceived to be comparable cross/ownership issues in the cable-broadcast television area.

6. The decision in Docket 18110, with respect to divestiture, looked two ways. With respect to AM–FM and TV-radio combinations the Commission decided for the present not to require any divestiture. Divestiture of commonly owned television (and radio) stations and newspapers was adjudged necessary only in a limited number of situations considered to be the most egregious due to the absence of any other effective local television or newspaper competition.[16] It was this latter model that the Commission proposed to follow in the cable-broadcast television area. The original decision from 1970 to require total divestitute had been appealed to the Ninth Circuit Court of Appeals[17] and a remand of that proceeding was obtained in order to "harmonize the two cross-ownership rulemakings"[18], conforming rule changes were proposed[19], a stay of the divestiture date granted[20], and a

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[1] *Second Report and Order in Docket 18397*, 23 FCC 2d 816 (1970), *recon. denied* 39 FCC 2d 377 (1973).

[2] On petitions for reconsideration extended to five years. *Memorandum Opinion and Order in Docket 18397*, 39 FCC 2d 377 (1973).

[3] *Second Report and Order in Docket 20423*, 55 FCC 2d 540 (1975), *recon. denied* 58 FCC 2d 296 (1976). Divestiture was to be required in only those situations where there was a common ownership interest between a cable system and "a non-satellite television broadcast station which places a principal community contour encompassing the entire (cable) community and there is no other commercial non-satellite television broadcast station placing a principal contour encompassing the entire community." Section 76.501(b)(2).

[4] *National Citizens Committee for Broadcasting* v. *FCC*, No. 75–1933 *et al.* (D.C. Cir.).

[5] The Commission's request for a remand was granted on December 18, 1978.

[6] Motion for Remand filed October 6, 1978.

[7] Reply to Partial Opposition to Motion for Remand filed October 26, 1978.

[8] *See*, e.g., Commissioner Robinson's dissent to the *Second report and order in Docket 20423, supra.*

[9] *First Report in Docket 15415*, 1 FCC 2d 387, (1965).

[10] See, for example, *General Electric Cable Corp.*, 10 FCC 2d 198 (1967), *Lorain Community Broadcasting*, 13 FCC 2d 106 (1968), and *Citizens TV Protest Committee* v. *FCC*, 358 F. 2d 56 (1965).

[11] *Notice of Proposed Rulemaking* and *Notice of Inquiry in Docket 18397*, 15 FCC ed 417 (1968). This proposal superceded the more general *Notice of Inquiry in Docket 17371*, 7 FCC 2d 853 (1967).

[12] *Second Report and Order in Docket 18397, supra* n.1.

[13] *Memorandum Opinion and Order in Docket 18387, supra* n.2.

[14] In this initial processing seven waiver requests were acted on: one was granted on a temporary basis *(King Broadcasting Company*, FCC 73–1321, ——— FCC 2d ——— (1973)), two involving relatively small cable communities some 60 and 70 miles from the broadcast station cities were granted (*Southern Communications Corp.* FCC 73–1320 ——— FCC 2d ——— (1973) and *Peninsula Broadcasting Corp.*, 44 FCC 2d (1973)), one involving a noncommercial educational television station was granted *(Full V.U. Television*, 44 FCC 2d 305 (1973)), and one involving an independent major-market station was denied (*Thomas Broadcasting Companies, Inc.*, 44 FCC 2d 230 (1973)). Two involving translator stations were granted, one conditionally (*Uvalde Television Cable Co.*, 44 FCC 2d 481 (1974) and *Fort Mason TV Improvement.*

[15] See *Further Notice of Proposed Rulemaking in Docket 18110*, 22 FCC 2d 339 (1970). The interrelated nature of the various cable and broadcast proceedings was recognized at an early date (*Notice of Proposed Rulemaking and of Inquiry in Docket 18891*, 45 FCC 2d 768 para. 11 (1974)) but it was decided that the proceedings should be kept formally separate (*Memorandum Opinion and Order in Docket 18110*, 23 FCC 2d 339 (1970)) and the issues merely resolved at approximately the same time (*Memorandum Opinion and Order in Docket 18891*, 45 FCC 2d 1050 (1974)).

[16] *Second Report and Order in docket 18110*, 50 FCC 2d 1046 (1975).

[17] *Gill Cable Inc.* v. *FCC*, No. 73–1344 *et al.* (9th Cir.)

[18] The Commission's Motion for Remand was filed January 31, 1975 and was granted February 20, 1975.

[19] *Notice of Proposed Rule Making in Docket 20423*, 52 FCC 2d 161 (1975).

[20] *First Report and Order in Docket 20423*, 53 FCC 2d 1102 (1975).

decision was made to amend the rules to parallel those applicable to newspapers and television stations.[21]

7. Both the Commission's decision in Docket 18110 and the decision to follow the pattern established in that proceeding in Docket 20423 were appealed to District of Columbia Circuit Court of Appeals both by parties seeking more extensive divestiture and by those resisting both the prospective rules and the divestiture requirements. Docket 18110 was regarded as the lead proceeding and its judicial review proceeded while review of the parallel cable proceeding was held in abeyance. The *Order* adopted in Docket 18110, insofar as it related to the divestiture of existing interests, was reversed by the Court of Appeals and the proceeding remanded to the Commission for the adoption of rules calling for more extensive divestiture.[22] The Supreme Court then reversed this judgment and affirmed the Commission's decision in its entirety.[23] The Court of Appeals then asked the parties to the appeal of the cable rules for a report on the status of that proceeding and the Commission, for the reasons described above, requested the remand which is the subject of this present proceeding.

Discussion

8. The principal consideration that runs through the Commission's seemingly disparate pronouncements on divestiture of cable-broadcast television cross-ownerships is the unique and continuously-changing nature of cable television service. As the Commission's perception of the role of cable television as a creator and distributor of diverse nonbroadcast programming evolved, so did its stand on divestiture. Furthermore, the more cable television's capability to present diversified and specialized nonbroadcast program services indicated that divestiture would be appropriate, at least theoretically, in order to realize the Commission's regulatory goals of economic competition and competition in the marketplace of ideas, the greater the Commission's concern became over the relative harshness attendant on divestiture and the greater its efforts to settle on a standard that would appropriately balance the need for divestiture with the costs associated therewith.

9. This overview not only makes it easier to understand the Commission's varying approach to the cable-broadcast television divestiture question but also facilitates analysis of the weaknesses of the general divestiture rule adopted in the *Second Report and Order in Docket 20423, supra*. In initially declining to adopt cross-ownership rules in 1965 the Commission reflected the prevailing perception of cable television as a passive distribution medium rather than as a program producer and distributor.[24] At the same time, however, the Commission recognized that its judgment was preliminary and tentative, and as such subject to subsequent modification.[25] The dramatic change that cable television service underwent in the ensuing three years was reflected in the Commission's reversal of its divestiture policy in 1968. In its proposal to proscribe cable-broadcast cross-ownership the Commission specifically adverted to the fact that cable television's new and developing program origination capability required prospective proscription of cable-broadcast television cross-ownership.[26] In adopting its cross-ownership proscription and determining to require divestiture of existing cross-interests in 1970, the Commission recognized that "the program origination developments, and the possible provision of other services on cable systems," mandated this new regulatory scheme. At the same time, however, the Commission stated that the public interest might require waivers in individual situations, and declared that waiver requests would be considered on an *ad hoc* basis where "it clearly established that a cross-ownership ban would not result in greater diversity."[27]

10. In the *Memorandum Opinion and Order in Docket 18397, supra*, the Commission definitively articulated the public interest goals on which its diversification rules were based while giving further particular consideration to the special concerns and equities pertaining to divestiture as a means to accomplish these goals. Thus, while the Commission declared that its dual regulatory goals of increased competition in the economic marketplace and increased competition in the marketplace of ideas would be served by generally prohibiting prospective cross-ownerships, it also found that divestiture of existing cross-interests has a more severe impact on affected broadcasters than a prospective rule, and therefore requires greater justification. The Commission accordingly set forth the criteria pursuant to which it would make its individual judgments as to whether waiver of the divestiture rule were warranted in particular cases. These criteria included: (1) The extent of the financial loss the cross-owner would sustain from divestiture and (2) the quality of service the system had been providing (*e.g.*, broadcast signal carriage, local originations and access, technical quality and reliability and the extent to which quality of service had been enhanced or impaired by the cross-ownership). In addition, cable systems' provision of access channels was perceived as mitigating the need for divestiture.[28]

11. In the *Second Report and Order in Docket 20423, supra*, the Commission declared that the primary objective of its diversification rules is diversity in program service. It also explicitly recognized a "potential conflict of interest" inherent in the economic competition between cable and broadcast television that could adversely affect the provision of maximum program diversity where the two media were cross-owned.[29] Nevertheless, consistent with its prior statements the Commission recognized the relative harshness of the divestiture and stated that in assessing the need for same it had to balance the goal of program diversity with "other public interest consequences such as continuity of operations, local ownership, demand for capital equity and local dislocations."[30]

The Commission revised § 76.501(b)(2) to reflect what it perceives to be a correct balancing of the interests at stake by requiring divestiture "only in

[21] *Second Report and Order in Docket 20423, supra.*

[22] *National Citizens Committee for Broadcasting* v. *FCC*, 555 F. 2d 938 (1977).

[23] *FCC* v. *National Citizens Committee for Broadcasting*, 435 U.S. 912 (1978).

[24] Thus, the Commission's principal regulatory concerns were that the cross-owned cable system not be used to enhance the competitive position of its broadcast licensee owner vis-a-vis other stations in the market, *e.g.*, through non-carriage of their signals, or to reduce the potential competition the system posed to the licensee owner by operating the system in a technologically deficient manner. *First Report and Order in Docket 15415, supra* at n. 9, 388–9.

[25] *Id.*

[26] *Notice of Proposed Rulemaking and Notice of Inquiry in Docket 18397, supra* at n. 11, 426, referencing the statement, *inter alia*, that "It now appears that cable technology may be on the verge of expanding system capacity to 20 or more channels, and that * * * the CATV industry generally is placing increased emphasis on program origination, both of a local public service nature and of the entertainment type." *Id.* at 418 (footnote omitted).

[27] *Second Report and Order in Docket 18397, supra* at 817–18, 821.

[28] *Memorandum Opinion and Order in Docket 18397, supra* at 391–4.

[29] Thus, the Commission noted that, "The more successful a cable system is in introducing new types of programming and services the more the audience of local broadcasters is likely to be reduced," and accordingly, the greater the likelihood that one medium would be operated so as to minimize the competitive effect on the co-owned local competitor. 55 FCC 2d at 542.

[30] *Id.* at 544.

those situations where there would otherwise be a virtual monopoly over local video expression."[31] In *FCC* v. *National Citizens Committee for Broadcasting, supra* at n. 23, the Supreme Court upheld the Commission's finding that the promotion of diversity of program and service viewpoints is the preeminent aim of the diversification rules and policies. The Court also sustained the Commission's differentiation of the equities inhering in existing cross-ownerships, which mandate a balancing of the need for divestiture to bring about maximum program and service diversity with the costs to the broadcaster, the newspaper, and the public.

12. Our retrospective analysis of the permises of our decision in the *Second Report and Order* indicates that the Commission was correct in perceiving that, in certain respects, the divestiture issues in Dockets 18110 and 20423 are clearly similar, if not identical. Retention of the divestiture requirement in the cable television rules or adoption of a divestiture rule in the newspaper-broadcast proceeding might have had virtually the same result—a sale of the television station half of the prohibited cross-ownership combination. The result in either case would be the same. If the Commission was correct in the newspaper-broadcast context that such sales might "reduce local ownership as well as the involvement of owners in management," cause a break in "continuity of operation" since new owners would lack knowledge of the community, cause economic dislocations, and eliminate important public purposes that are served by stability in continuity of ownership,[32] then the result would be the same if the station were sold because of the requirements of the cable-broadcast television cross-ownership rules.[33]

13. At the same time, however, it is also clear that there are differences between the two situations that are of some importance. Most importantly the nature of the competition between television stations and newspapers and television stations and cable systems is different. The competition between newspapers and television stations, to the extent there is any, is a competition for advertising. The principal "competition" between cable systems and television broadcasters is a competition for the attention of television viewers, with television stations interested almost exclusively in total viewers and viewing hours and with cable systems interested primarily in subscriber and pay television revenues. Although cable television systems are to some extent also engaged in the sale of advertising, the competition involved is quite different from the competition presented by a local newspaper. Since the conflicts of economic interests may be sharper in the cable-broadcast television area and because the Commission has regulatory responsibilities with respect to both halves of the combination, this may suggest a greater need for divestiture than is found in the newspaper-television situation.

14. It is also clear that, with respect to the competition for advertising and for viewers, a wide variety of situations within the cable-broadcast television universe is likely to exist. In terms of advertising competition, for example, it is highly unlikely that a several-thousand subscriber cable system in a major market would compete effectively for advertising with a network-affiliated television station in a major market with a potential audience in the hundreds of thousands. A large cable system in a small market might, however, compete to a somewhat greater degree with local stations for advertising revenues. Furthermore, in terms of our more critical regulatory concern with maximized program and service diversity, it is apparent that the multichannel capacity all cable systems have makes all systems capable, at least potentially, of offering an array of nonbroadcast news, entertainment and informational programming services. Effective utilization of this multichannel capacity would promote competition in the economic marketplace and competition in the marketplace of ideas, and utilization of this capacity is not necessarily determined by whether or not the cross-owned television stations happens to be the only one placing a principal community contour over the community served by the system.

15. Our review of the record leads us to conclude that our findings in the *Second Report and Order in Docket 18397, supra,* were correct. Cross-ownerships between co-located cable systems and television stations are undesirable in that they involve an inherent conflict between the operation of the two entities that would lessen competition in the economic and ideological marketplaces that we seek to promote. We believe this inherent conflict attaches to existing as well as prospective cross-ownerships, and, although perhaps mitigated, is not remedied by such factors as the number of other television stations in the market. The narrower divestiture standard of the *Second Report and Order in Docket 20423,* which was in large part motivated by a concern for the number of television stations present in any given market, is, we believe, insufficient to reach the inherent conflict posed by cross-ownership situations in other markets. The existence of this inherent conflict makes it presumptively reasonable and appropriate to require the divestiture of existing cross-ownerships as well as the proscription of future cross-ownerships. Accordingly, we propose to rescind § 76.501(b)(2) and instead require the divestiture of all remaining cross-ownerships between television stations placing a predicted Grade B contour over the co-owned cable system(s) within one year of the effective date of the proposed new rule.

16. In proposing this action we recognize that a number of cross-owners may request waiver of the divestiture rule on an *ad hoc* basis. We believe that consideration of such waiver requests is appropriate. The principal consideration promoting this conclusion is that, where an existing (as opposed to a prospective) cross-ownership situation is involved, the Commission will be able to look at how the cross-owned media are actually being uitlized and, based on the facts at hand, make a reasoned judgment as to whether or not divestiture is in fact necessary in order to achieve our public interest goals of economic competition and maximum program diversity. In some cases divestiture might not be a *sine qua non* of diversity. A key element that makes such individual scrutiny particularly approxpriate is the utilization of the system's multichannel capacity to effectively increase the number of available media voices by the presentation of a selection of nonbroadcast programming. The number and types of nonbroadcast programming available for presentation by cable systems is impressive, far surpassing

[31] *Id.*

[32] *Second Report and Order in Docket 18110, supra,* not 16 at para. 108–19.

[33] The Department of Justice has stated in a brief filed with the District of Columbia Circuit Court of Appeals that among the pertinent differences between this proceeding and that in Docket 18110 is the fact that "there is no Commission policy encouraging local ownership of cable system" and "no long history of renewal expectations for TV–CATV combinations." The first comment, it seems to us reflects a misapprehension. If there is a policy favoring local ownership involved in either of these proceedings, it is a policy which favors local television station ownership not either local newspaper or local cable system ownership. The same policy is involved in both proceedings. Also it appears to us that, for at least some of the interests here involved, there may well be a "long history of renewal expectancies." Several of the cross-ownership situations involved, such as, for example, that in Rich Lake, Wisconsin appear to date back to the middle 1950's.

that obtainable at the time the *Second Report and Order* was adopted in 1975. In addition to access programming, which the Commission fostered for a number of years and which may now be required by local authorities without federal limitations, [34] The advent of domestic satellite transmission has facilitated a dramatic proliferation in the variety of entertainment and informational programming available for carriage on cable systems. This impressive selection of varied nonbroadcast programming alternatives makes possible economic and idelogical competition by cable systems and broadcasters, regardless of their market situation, to a degree not foreseen during our previous efforts to devise a rational method of dealing with the cross-ownership question.

17. The evolution and availability of this diverse array of nonbroadcast programming alternatives cuts two ways. We believe that it strengthens the rationale for retaining the prospective cross-ownership rules and requiring divestiture of co-located stations and systems insofar as the potential for conflict between a television station and a co-owned cable system capable of presenting a much larger array of competitive programming is heightened. On the other hand, however, it may provide a reasonable way of allaying our concerns over the inherent conflicts present in existing cross-ownership situations in that a petitioning cross-owner might be able to show that he is in fact maximizing viewpoint diversity and economic competition by the fullest possible utilization of the system's multichannel capacity to present diverse nonbroadcast programming. In such cases the actual promotion of competition and program diversity that results might satisfactorily overcome the presumption of inherent conflict, and waiver of the divestiture rule could be in order.

18. We specifically request comment on all criteria appropriate for evaluating *ad hoc* whether diverstiture is a necessary precondition for the attainment of the public interest objectives underlying our cross-ownership rules generally. For example, we wish to be advised on the propriety of establishing criteria such as the following and, if so, the relative weight that each should be assigned:

1. The size of the community served by the cross-owned cable system and its location in relation to the service area of the cross-owned television station.

2. The size of the television market in which the cross-owned station and system are located.

3. The total circulation of the cross-owned station in relation to the number of subscribers to the cross-owned cable system.

4. The presence and ownership of other mass media in the market.

5. The extent, if any, to which the cross-owned station enjoys a significant competitive advantage over other television stations in the market because of its interests in the cross-owned cable system.

6. The extent, if any, to which the cross-owned station or the system, especially, in the case of the latter, by the number and type of nonbroadcast programming services provided.

7. The extent, if any, to which divestiture would produce negative results in the areas of economic and program diversity.

8. The extent, if any, to which divestiture would cause undue economic hardship to the parties involved.

19. We emphasize that these criteria do not necessarily constitute an exhaustive list of factors that may be of decisional significance and accordingly we invite interested parties to suggest other criteria whose consideration would be appropriate. Finally, to facilitate administrative dispatch in handling requests for waiver of the divestiture rule we propose to require all such requests to be submitted, with supporting facts and arguments, within sixty days of the effective date of the proposed rule. We request comment on this filing proposal.

20. Authority for the rulemaking proposed herein is contained in Sections 1, 2, 3, 4(i) and (j), 301, 303, 307, 309 and 403 of the Communications Act of 1934, as amended.

21. All interested persons are invited to file written comments or or before October 6, 1980 and reply comments on or before November 5, 1980.

22. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 5 copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission. Participants filing the required copies who also wish each Commissioner to have a personal copy of the comments may file and additional 6 copies. Members of the general public who wish to express their interest by participating informally in the rule making proceeding may do so by submitting one copy of the comments, without regard to form, provided only that the Docket number is specified in the heading. Responses will be available for public inspection during regular business hours in the commission's Docket Reference room at its Headquarters, 1919 "M" Street, N.W., Washington, D.C. Further information on the procedures to be followed to the status of this proceeding may be obtained from Stephen Bailey or William Johnson, Cable Television Bureau, Federal Communications Commission. 202/632-6468.

Federal Communications Commission.[35]

William J. Tricarico,

Secretary.

Appendix A

Television station	Cable television system
1. KRON-TV, San Francisco, CA	Concord, CA
	San Mateo County, CA
	South San Francisco, CA
2. WINK-TV, Fort Myers, FL	Fort Myers, FL
3. KID-TV, Idaho Falls, ID	Idaho Falls, ID
4. WHBF-TV, Rock Island, IL	Sterling, IL
5. KLOE-TV, Goodland, KS [1]	Goodland, KS
6. KARD-TV, Wichita, KS	Wichita, KS
7. WKYH-TV, Hazard, KY [1]	Hazard, KY
8. WKZO-TV, Kalamazoo, MI	Battle Creek, MI
WOTV, Grand Rapids, MI	
9. WCCO-TV, Minneapolis, MN	Rice Lake, WI
10. KXGN-TV, Glendive, MT [1]	Glendive, MT
11. KNOP-TV, North Platte, NE [1]	North Platte, NE
12. WKTV, Utica, NY	Utica, NY
13. KFYR, Bismarck, ND	Bismarck, ND
14. KTEN, Ada, OK [1]	Ada, OK
15. KSWO-TV, Lawton, OK [1]	Lawton, OK
16. KEZI, Eugene, OR [1]	Junction City, OR
	Sweet Home, OR
	Lebanon, OR
	Newport, OR
	Corallis, OR
17. KOBI, Medford, OR [1]	Roseburg, OR
KOTI, Klamath Falls, OR	Medford, OR
KPIC, Roseburg, OR	Grants Pass, OR
18. WSBA-TV, York, PA	York, PA
19. KOTA-TV, Rapid City, SD	Hotsprings, SD
KHSD-TV, Lead, SD	Spearfish, SD
	Belle Fourche, SD
	Sturgis, SD
	Deadwood, SD
20. KELO-TV, Sioux Falls, SD	Sioux Falls, SD
KDLO-TV, Florence, SD	Aberdeen, SD
	Huron, SD
	Redfield, SD
	Webster, SD
KPLO-TV, Reliance, SD	Miller, SD
	Pierre, SD
	Winner, SD
21. KVII-TV, Amarillo, TX	Amarillo, TX
22. KMID-TV, Midland, TX	Odessa, TX
23. KTAL-TV, Texarkana, TX	Hope, AR
	Prescott, AR
	Longview, TX
24. KSL-TV, Salt Lake City, UT	Salt Lake City, UT
KUTV, Salt Lake City, UT	
25. KSL-TV, Salt Lake City, UT	Ogden, UT
	Provo, UT
	Logan, UT

[1] Appear to be subject to diverstitute under existing rules. See *Eastern-Oklahoma Television Company et al*, FCC 77-825, ——— FCC 2d ——— (1977).

June 24, 1980.

Dissenting Statement of Commissioner Abbott Washburn Re: Cable Television-Broadcast Television Cross-Ownership Rules

I have reviewed the divestiture decision which the Commission took in 1975 and am

[34] The access rules adopted in 1972 and modified in 1976 preempted nonfederal authorities from imposing access obligations exceeding those in our rules on any cable system absent waiver. All federal access rules, including this preemption, were vacated in 1978. *FCC* v *Midwest Video Corp.*, 440 U.S. 689 (1978).

[35] See attached Statements of Commissioners Washburn and Jones.

not inclined to disturb it.[1] Requiring divestiture only in "eregious" situations, it still seems to me, strikes an appropriate balance between the equities of grandfathering all existing combinations and the harshness of breaking up all of them, while still promoting the public interest benefits of increased diversity.[2]

I have less enthusiasm for today's Proposed Further Rulemaking, in part because of the majority's outright preference for "nonbroadcast programming" in the sixth criterion for waiver of the divestiture rule.

"The extent, if any, to which the cross-ownership has increased the performance of either the cross-owned station or the system, especially, in the case of the latter, by the number and type of nonbroadcast programming services provided."

The carriage of nonbroadcast news, entertainment and informational programming is but one way to maximize program and service diversity. Carriage of additional broadcast signals is another. And there are others. The purpose of this stress on nonbroadcast material is to goad the cross-owned cable systems into originating more local programs of their own.

But much more thought needs to be given to the propriety of a government agency making specific kinds of programming the *quid pro quo* for the waiver of a divestiture rule. Such a trade seems more than a little ironic coming from the same Commission that is currently proposing the do away with other cable signal carriage rules.

Concurring Statement of Commissioner Anne P. Jones

I am not persuaded that divestiture of existing cable television-broadcasting television combinations is required; however, I concur because provision has been made for what I believe will be a liberal waiver policy.

[FR Doc. 80-21017 Filed 7-14-80; 8:45 am]

BILLING CODE 6712-01

[1] *Second Report and Order in Docket 20423*, 55 FCC 2d 540 (1975), *recon. denied*, 58 FCC 2d 596 (1976).

[2] These considerations outweigh today's Further Notice's reasons for adding another 17 stations to the remaining 8 which are now subject to divestiture.

Notices

Federal Register
Vol. 45, No. 137
Tuesday, July 15, 1980

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

Economics, Statistics, and Cooperative Service

Discontinuance of Certain Commodity Estimates

Notice is hereby given that the Economics, Statistics, and Cooperatives Service will (1) discontinue the November 1 forecast of fall potato production, and (2) eliminate estimates of fall potato stocks in eight minor producing states.

At present, production forecasts for fall potatoes are made October 1, November 1, and December 1. During the past ten years, the forecast of fall potato production as of November varied from the October forecast by an average of less than one-half of one percent. Accordingly, it has been determined to discontinue the November 1, forecast.

In addition, estimates of fall crop potato stocks in Connecticut, Indiana, Massachusetts, Rhode Island, South Dakota, Utah, Vermont and Wyoming will be discontinued. In recent years, these states as a group have made up less than two percent of the total stocks during December through February, and well below one percent during March through May. Accordingly, it has been determined to discontinue the estimates for fall potato stocks in these states. Estimates of fall potato stocks for other states now published December through May will continue.

Members of the public were invited to comment on the proposed changes in a notice published in the **Federal Register** dated April 23, 1980. No negative comments were received.

Done at Washington, D.C. this 15th day of July 1980.

Kenneth R. Farrell,
Administrator.

[FR Doc. 80-21103 Filed 7-14-80; 8:45 am]
BILLING CODE 3410-18-M

Food and Nutrition Service

Child Care Food Program; National Average Payment Rates, Home Sponsoring Organization Administrative Payment Rates, and Day Care Home Food Service Payment Rates for the Period July 1–December 31, 1980, and the Period July 1, 1980–June 30, 1981

Correction

In FR Doc. 80–20819 appearing on page 46833 in the issue of Friday, July 11, 1980, make the following correction:

In the center column of page 46833, in the table designated **Section 10(a)–Alaska**, under "Breakfasts" change "Free 79.25 + paid 24.00 = 84.25" to read "Free 60.25 + paid 24.00 = 84.25".

BILLING CODE 1505-01-M

Food Safety and Quality Service

Nitrites and Nitrosamines in Meat Food Products

Correction

In FR Doc. 80–19239, published at page 43447, on Friday, June 27, 1980, on page 43448, in the second column, under *Pumped Bacon*, in the sixth line of the second paragraph, "nitrate ^{3}" should be corrected to read "nitrite ^{3}".

BILLING CODE 1505-01-M

Rural Electrification Administration

Copper Valley Electric Association, Inc., Glennallen, Alaska; Proposed Loan Guarantee

Under the authority of Pub. L. 93–32 (87 Stat. 65) and in conformance with applicable agency policies and procedures as set forth in REA Bulletin 20–22 (Guarantee of Loans for Bulk Power Supply Facilities), notice is hereby given that the Administrator of REA will consider (a) providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of $3,130,000 to Copper Valley Electric Association, Inc., of Glennallen, Alaska, and (b) supplementing such a loan with an insured REA loan at 5 percent interest in the approximate amount of $13,900,000 to this cooperative. These loan funds will be used to finance cost overruns on a project consisting of a 12,500 kV hydro generating unit, substation, and 106 miles of 138 kV and 4 miles of 24.9 kV transmission line.

Legally organized lending agencies capable of making, holding and servicing the loan proposed to be guaranteed may obtain information on the proposed project, including the engineering and economic feasibility studies and the proposed schedule for the advance to the borrower of the guaranteed loan funds from Mr. James F. Palin, Manager, Copper Valley Electric Association, Inc., Box 45, Glennallen, Alaska 99588.

In order to be considered, proposals must be submitted (within 30 days from the date of this notice) to Mr. Palin. The right is reserved to give such consideration and make such evaluation or other disposition of all proposals received, as Copper Valley Electric Association, Inc., and REA deem appropriate. Prospective lenders are advised that the guaranteed financing for this project is available from the Federal Financing Bank under a standing agreement with the Rural Electrification Administration.

Copies of REA Bulletin 20–22 are available from the Director, Office of Information and Public Affairs, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington, D.C., this 8th day of July 1980.

Robert W. Feragen,
Administrator, Rural Electrification Administration.

[FR Doc. 80-21037 Filed 7-14-80; 8:45 am]
BILLING CODE 3410-15-M

Deseret Generation & Transmission Cooperative, Sandy, Utah; Proposed Loan Guarantee

Under the authority of Public Law 93–32 (87 Stat. 65) and in conformance with applicable agency policies and procedures as set forth in REA Bulletin 20–22 (Guarantee of Loans for Bulk Power Supply Facilities), notice is hereby given that the Administrator of REA will consider providing a guarantee

supported by the full faith and credit of the United States of America for a loan in the approximate amount of $75,000,000 to Deseret Generation & Transmission Cooperative, of Sandy, Utah. These loan funds will be used to finance the purchase of a 25.11 percent undivided ownership share of Utah Power and Light Company's 400 MW Hunter II steam electric generating unit and related costs.

Legally organized lending agencies capable of making, holding and servicing the loan proposed to be guaranteed may obtain information on the proposed project, including the engineering and economic feasibility studies and the proposed schedule for the advances to the borrower of the guaranteed loan funds from Mr. Merrill J. Millett, Manager, Deseret Generation & Transmission Cooperative, P.O. Box BB, Sandy, Utah 84070.

In order to be considered, proposals must be submitted (within 30 days from the date of the **Federal Register** publication of this notice) to Mr. Millett. The right is reserved to give such consideration and make such evaluation or other disposition of all proposals received, as Deseret and REA deem appropriate. Prospective lenders are advised that the guaranteed financing for this project is available from the Federal Financing Bank under a standing agreement with the Rural Electrification Administration.

Copies of REA Bulletin 20–22 are available from the Director, Office of Information and Public Affairs, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington, D.C. this 9th day of July 1980.

Susan T. Shepherd,

Acting Administrator, Rural Electrification Administration.

[FR Doc. 80-21102 Filed 7-14-80; 8:45 am]

BILLING CODE 3410-15-M

Soil Conservation Service

Addition of Critical Area Treatment to West Valley Park Public Water-Based Recreation R.C. & D. Measure, Wash.; Finding of No Significant Impact

AGENCY: Soil Conservation Service, U.S. Department of Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT:

Mr. Lynn A. Brown, State Conservationist, Soil Conservation Service, U.S. Courthouse, Room 360, Spokane, Washington 99201, telephone 509–456–3711.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the West Valley Park Public Water-Based Recreation and Critical Area Treatment RC&D Measure, Yakima County, Washington.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Lynn A. Brown, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for adding the purpose of critical area treatment to a park that is approximately 99 percent completed.

The planned works of improvement include debris removal from that portion of Wide Hollow Creek within the park boundaries, shape and riprap approximately 1,200 feet of critically-eroding creek bank, seed the approximately 1,200 feet of creek bank to grass, and provide additional landscaping as needed.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Lynn A. Brown, State Conservationist, Soil Conservation Service, U.S. Courthouse, Room 360, Spokane, Washinton 99201, telephone 59–456–3711. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until August 14, 1980.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Public Law 87–703, 16 U.S.C. 590a–f, q)

James W. Mitchell,

Associate Deputy Chief for Natural Resource Projects

[FR Doc. 80-21046 Filed 7-14-80; 8:45 am]

BILLING CODE 3410-16-M

Deer Point Lake Water-Based Recreation R.C. & D. Measure, Fla.; Finding of No Significant Impact

AGENCY: Soil Conservation Service, U.S. Department of Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT:

Mr. William E. Austin, State Conservationist, Soil Conservation Service, 401 SE. First Avenue, Gainesville, Florida, 32601, telephone 904–377–8732.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Deer Point Lake Water-Based Recreation R.C. & D. Measure, Bay County, Florida.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. William E. Austin, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for water-based recreational facilities in Bay County. The planned works of improvement include picnic facilities, campgrounds with tent pads and campfire rings, restrooms, playground equipment, recreation field, paved roads and parking lots, nature trails, boardwalk, sidewalks, boat ramps, canoe launches, fencing, landscape plantings, critical area treatment, electrical facilities, and water supply systems.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. William E. Austin, State Conservationist, Soil Conservation Service, 401 SE. First Avenue Gainesville, Florida 32601, telephone 904–377–8732. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until August 14, 1980.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Public Law 87–703, 16 U.S.C. 590a–f, q)

James W. Mitchell,

Associate Deputy Chief for Natural Resource Projects.

[FR Doc. 80–21049 Filed 7–14–80; 8:45 am]

BILLING CODE 3410–16–M

Goose Creek Watershed, Washington; Finding of No Significant Impact

AGENCY: Soil Conservation Service, U.S. Department of Agriculture.

ACTION: Notice of finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. Lynn A. Brown, State Conservationist, Soil Conservation Service, 360 U.S. Courthouse, Spokane, Washington 99201, telephone (509) 456–3711.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1960; the Council of Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the deauthorization of Federal funding of the Goose Creek Watershed, Lincoln County, Washington.

The environmental assessment of this action indicates that deauthorization of Federal funding of the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Lynn A. Brown State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this action.

The watershed project, which included land treatment, flood control structures, and recreation facilities, will not be constructed and will not contribute to watershed protection, flood prevention, or recreational development of the area.

The finding of no significant impact has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Lynn A. Brown. An environmental impact appraisal has been prepared and sent to various Federal, state, and local agencies and interested parties. A limited number of copies of the environmental impact appraisal are available to fill single copy requests at the above address.

No administrative action on implementation of the proposal will be taken until September 15, 1980.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program, Public Law 83–566, 16 U.S.C. 1001–1008)

Dated: July 4, 1980.

James W. Mitchell,

Associate Deputy Chief for Natural Resource Projects.

[FR Doc. 80–21044 Filed 7–14–80; 8:45 am]

BILLING CODE 3410–16–M

Hogansburg Agricultural Land Drainage R.C. & D. Measure, N.Y.; Availability of a Record of Decision

AGENCY: Soil Conservation Service, U.S. Department of Agriculture.

ACTION: Notice of availability of a record of decision.

FOR FURTHER INFORMATION CONTACT: Mr. Paul A. Dodd, State Conservationist, Soil Conservation Service, Room 771, Federal Building, 100 South Clinton Street, Syracuse, New York 13260, telephone 315–423–5521.

NOTICE: Mr. Paul A. Dodd, responsible Federal official for projects administered under the provisions of Section 102 of the Food and Agriculture Act of 1962 (Pub. L. 87–703), and the Soil Conservation Act of April 27, 1935 (16 U.S.C. 590 a–f), in the State of New York, is hereby providing notification that a record of decision is available for the Hogansburg RC&D Measure. Single copies of this record of decision may be obtained from Mr. Paul A. Dodd, State Conservationist, Soil Conservation Service, Room 771, Federal Building, 100 South Clinton Street, Syracuse, New York 13260, telephone 315–423–5521.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Public Law 87–703, 16 U.S.C. 590a–f, q)

James W. Mitchell,

Associate Deputy Chief for Natural Resources Projects.

July 4, 1980.

[FR Doc. 80–21047 Filed 7–14–80; 8:45 am]

BILLING CODE 3410–16–M

Kickapoo Creek Critical Area Treatment R.C. & D. Measure, Tex.; Finding of No Significant Impact

AGENCY: Soil Conservation Service, U.S. Department of Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. George C. Marks, State Conservationist, Soil Conservation Service, W. R. Poage Federal Building, P.O. Box 648, Temple, Texas 76501, telephone 817–774–1214.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; The Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Kickapoo Creek Critical Area Treatment R.C. & D. Measure, Red River County, Texas.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. George C. Marks, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for installation of erosion control practices on privately-owned agricultural land. The planned works of improvement include shaping, smoothing, and establishing permanent vegetated cover on about 1,090 acres of separate gullied areas; small grade stabilization structures, diversions, critical area plantings, fencing, and grassed waterways will be applied where needed to control gully erosion and associated sediment damage.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. George C. Marks, State Conservationist, Soil Conservation Service, W. R. Poage Federal Building, P.O. Box 648, Temple, Texas 76501, telephone 817–774–1214. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until August 14, 1980.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Pub. L. 87–703, 16 U.S.C. 590a–f, q)

Dated: July 3, 1980.

James W. Mitchell,

Associate Deputy Chief for Natural Resource Projects.

[FR Doc. 80–21052 Filed 7–14–80; 8:45 am]

BILLING CODE 3410–16–M

Lake Parker Agriculture-Related Pollution Control R.C. & D. Measure, Vermont; Finding of No Significant Impact

AGENCY: Soil Conservation Service, U.S. Department of Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. Coy A. Garrett, State Conservationist, Soil Conservation Service, One Burlington Square, Room 205, Burlington, Vermont 05401, telephone 802–951–6795.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Lake Parker Agriculture-Related Pollution Control R.C. & D. Measure, Orleans County, Vermont.

The environmental assessment of this federal assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Coy A. Garrett, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for the installation of a series of animal-waste storage systems for agriculture-related pollution control in the Lake Parker Watershed. The planned works of improvement include agricultural waste management systems on individual farms. There are nine farms which will be affected by the measure.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Coy A. Garrett, State Conservationist, Soil Conservation Service, One Burlington Square, Room 205, Burlington, Vermont 05401, telephone 802–951–6795. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until August 14, 1980.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Public Law 87–703, 16 U.S.C. 590a–f, q)

Dated: July 3, 1980.

James W. Mitchell,

Associate Deputy Chief for Natural Resource Projects.

[FR Doc. 80–21053 Filed 7–14–80; 8:45 am]

BILLING CODE 3410–16–M

Newton High School Land Drainage R.C. & D. Measure, N.J.; Finding of No Significant Impact

AGENCY: Soil Conservation Service, U.S. Department of Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. Plater T. Campbell, State Conservationist, Soil Conservation Service, 1370 Hamilton Street, Somerset, New Jersey 08873, telephone 201–246–1205.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Newton High School Land Drainage R.C. & D. Measure, Sussex County, New Jersey.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Plater T. Campbell, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for the installation of a surface and subsurface drainage system for the athletic fields on the Newton High School grounds. The planned works of improvement include grading, shaping, installation of tile, and reestablishment of the athletic turf.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Plater T. Campbell, State Conservationist, Soil Conservation Service, 1370 Hamilton Street, Somerset, New Jersey 08873, telephone 201–246–1205. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until August 14, 1980.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Public Law 87–703, 16 U.S.C. 590a–f, q)

Dated: July 3, 1980.

James W. Mitchell,

Associate Deputy Chief for Natural Resource Projects.

[FR Doc. 80–21051 Filed 7–14–80; 8:45 am]

BILLING CODE 3410–16–M

Nanaimo Park Public Water-Based Recreation and Critical Area Treatment R.C. & D. Measure, Mich.; Finding of No Significant Impact

AGENCY: Soil Conservation Service, U.S. Department of Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. Arthur H. Cratty, State Conservationist, Soil Conservation Service, 1405 South Harrison Road, East Lansing, Michigan 48823, telephone 517–372–1910, Ext. 242.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Nanaimo Park Public Water-Based Recreation and Critical Area Treatment RC&D Measure, Iron County, Michigan.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Arthur H. Cratty, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for critical area treatment and public water-based recreation. The planned works of improvement include the installation of foot and bike trails; access roads; two parking lots; two foot bridges; playground and picnic equipment; canoe dock; two toilet buildings; sewer, water, and electric service with security lights; and 2.8 acres of land shaping and seeding for erosion control. Total construction cost is estimated to be $163,000; $86,000 R.C. & D. funds and $77,000 local funds.The notice of a

finding of no significant impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Arthur H. Cratty, State Conservationist, Soil Conservation Service, 1405 South Harrison Road, East Lansing, Michigan 48823, telephone 517–372–1910, Ext. 242. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until August 14, 1980.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Public Law 87–703, 16 U.S.C. 590a–f, q)

Dated: July 3, 1980.

James W. Mitchell,

Associate Deputy Chief for Natural Resource Projects.

[FR Doc. 80–21048 Filed 7–14–80; 8:45 am]

BILLING CODE 3410–16–M

Sentinel Butte Land Drainage R.C. & D. Measure, N. Dak.; Finding of No Signficiant Impact

AGENCY: Soil Conservation Service, U.S. Department of Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. J. Michael Nethery, State Conservationist, Soil Conservation Service, P.O. Box 1458, Bismarck, North Dakota 58501, telephone 701–255–4011, Extension 425.

NOTICE: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Sentinel Butte Land Drainage RC&D Measure, Golden Valley County, North Dakota.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. J. Michael Nethery, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for the installation of a tile drainage system to lower the water table in the city of Sentinel Butte, North Dakota. The planned works of improvement consists of 3,850 feet of 6-inch corrugated plastic tile drain at a depth of approximately 8 feet with 2-foot wide by 2-foot deep drain collector material in the trench bottom. The system will function by gravity flow, outletting into a natural ephemeral channel.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. J. Michael Nethery, State Conservationist, Soil Conservation Service, P.O. Box 1458, Bismarck, North Dakota 58501, telephone 701–255–4011, Extension 425. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until August 14, 1980.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Public Law 87–703, 16 U.S.C. 590a–f, q)

Dated: July 4, 1980.

James W. Mitchell,

Associate Deputy Chief for Natural Resource Projects.

[FR Doc. 80–21045 Filed 7–14–80; 8:45 am]

BILLING CODE 3410–16–M

Shoreline Park Water-Based Recreation R.C. & D. Measure, Fla.; Finding of No Significant Impact

AGENCY: Soil Conservation Service, U.S. Department of Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. William E. Austin, State Conservationist, Soil Conservation Service, P.O. Box 1208, Gainesville, Florida 32602, telephone 904–377–8732.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Shoreline Park Water-Based Recreation RC&D Measure, Santa Rosa County, Florida.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. William E. Austin, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan to upgrade existing water-based recreational facilities in the City of Gulf Breeze and the region. The planned works of improvement include a pavilion, observation tower, paved nature trail, paved parking spaces, boardwalk, paved access road, picnic tables, restroom additions, hiking trail, landscaping, and refuse cans.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. William E. Austin, State Conservationist, Soil Conservation Service, P.O. Box 1208, Gainesville, Florida 32602, telephone 904–377–8732. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until August 14, 1980.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Public Law 87–703, 16 U.S.C. 590a–f, q)

Dated: July 3, 1980.

James W. Mitchell,

Associate Deputy Chief for Natural Resource Projects.

[FR Doc. 80–21050 Filed 7–14–80; 8:45 am]

BILLING CODE 3410–16–M

CHRYSLER CORP. LOAN GUARANTEE BOARD

Closed Board Meeting

The Chrysler Corporation Loan Guarantee Board will hold a meeting closed to the public on July 15, 1980 at 3:00 p.m., in Room 4121, U.S. Treasury Department, 15th and Pennsylvania Avenue, N.W. Washington, D.C.

The Board expects to receive an application from the Chrysler Corporation for the issuance of loan guarantees under the Chrysler Corporation Loan Guarantee Act Pub. L. 96–185 (the "Act"). The Board will consider whether Chrysler Corporation has satisfied the various requirements set forth in the Act for such Federal assistance.

Discussions of the above matters are closed to the public because of applicable exemptions under the Government in the Sunshine Act. The discussions at the meeting will involve significant amounts of non-public financial and commercial information received from Chrysler Corporation and its creditors, relating to proposed financing transactions, negotiations with dealers, domestic and foreign banks, suppliers, labor unions, and foreign, State and local governments; and anticipated productivity, profitability and market positions.

An open meeting is likely to disclose (1) confidential commercial and financial information, which is exempt under 5 U.S.C. 552b(c)(4); (2) information the premature disclosure of which would (a) lead to speculation in securities which is exempt under 5 U.S.C. 552b(c)(9)(A), and (b) be likely to significantly frustrate implementation of Board action, which is exempt under 5 U.S.C. 552(b)(c)(9)(B).

Board members voting to close the meeting are Secretary Miller, Chairman Volcker, and Comptroller General Staats.

Those persons expected to attend the meeting, or portions thereof, include the Board members, the General Counsel Executive Director and Secretary of the Board and members of the respective staffs of each Board member and outside attorneys and advisors to the Board.

Those persons desiring further information should contact Brian M. Freeman, Secretary of the Board, at (202) 566–5888.

This notice is given as a result of Court Order. The position of the Board is that it is not subject to the Government in the Sunshine Act.

Dated: July 11, 1980.

Brian M. Freeman,

Secretary of the Board.

[FR Doc. 80-21193 Filed 7-14-80; 8:45 am]

BILLING CODE 4810-27-M

DEPARTMENT OF COMMERCE

International Trade Administration

Countertop Microwave Ovens From Japan: Preliminary Determination of Sales at Less Than Fair Value, Suspension of Liquidation and Exclusions From Suspension of Liquidation

AGENCY: Department of Commerce, International Trade Administration.

ACTION: Preliminary determination of sales at less than fair value, suspension of liquidation and exclusions from preliminary determination.

SUMMARY: This notice is to advise the public that, based on an antidumping investigation, the Department of Commerce has reached a preliminary determination that countertop microwave ovens from Japan are being, or are likely to be, sold at less than fair value within the meaning of section 733 of the Tariff Act of 1930 (19 U.S.C. 1973b). Suspension of liquidation is being ordered for all entries of this merchandise which are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice, with the exception of entries of this merchandise produced by Matsushita Electric Industrial Co., Ltd., Sanyo Electric Co., Ltd. and Sharp Corporation. We are referring this case to the United States International Trade Commission for an investigation to determine if an industry in the United States is being injured by reason of sales of this merchandise at less than fair value. Interested persons are invited to comment on this action.

EFFECTIVE DATE: July 15, 1980.

FOR FURTHER INFORMATION CONTACT: Charles Wilson, Koichi Beckwith or Richard Rimlinger, Office of Investigations, Import Administration, International Trade Administration, Department of Commerce, Washington, D.C. 20230 (202–377–5288, 3174 or 3962).

SUPPLEMENTARY INFORMATION:

Procedural Background

On August 29, 1979, an "Antidumping Proceeding Notice" was published in the **Federal Register** (44 FR 50668) by the Department of the Treasury. This investigation was initiated on the basis of a petition received from counsel representing the Association of Home Appliance Manufacturers, Chicago, Illinois, and Amana Refrigeration, Inc., Amana, Iowa, alleging that countertop microwave ovens from Japan are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, (19 U.S.C. 160 *et seq.*) ("the 1921 Act"). A previous investigation into the alleged dumping of microwave ovens from Japan was initiated by the Department of the Treasury on September 21, 1972, pursuant to a petition filed by Amana Refrigeration, Inc. The investigation resulted in a determination of no sales at less than fair value, published on May 22, 1973 (38 FR 13493).

On August 29, 1979, an "Antidumping Proceeding Notice" was published (44 FR 50668) by the Department of the Treasury. Although this notice indicated that there was evidence on the record concerning injury to, or likelihood of injury to, an industry in the United States, the notice further indicated that there was substantial doubt that imports of such merchandise were causing, or were likely to cause, injury. Treasury so advised the United States International Trade Commission (ITC) pursuant to section 201(c)(2) of the 1921 Act. On September 20, 1979, the ITC notified Treasury that there was reasonable indication that an industry in the United States is being, or is likely to be, injured by reason of the importation of this merchandise.

On January 1, 1980, Title I of the Trade Agreements Act of 1979, (93 Stat. 151, 19 U.S.C. 1671 *et seq.*), took effect. The 1979 Act repealed the 1921 Act and replaced it with Subtitle B of Title VII of the Tariff Act of 1930 ("the Act"). Under the terms of section 102(b) of the 1979 Act, any investigations for which no preliminary determination had been made by January 1, 1980, were terminated and treated as if they had been initiated under section 732 of the Act on January 1, 1980. Also, section 102 of the 1979 Act required the ITC to conduct preliminary antidumping investigations in cases where, on January 1, 1980, the Administering Authority had begun an investigation, but not yet made a preliminary determination under section 732 of the Tariff Act of 1930. Accordingly, effective January 1, 1980, the ITC instituted a preliminary antidumping investigation under section 733(a) of the Tariff Act of 1930, as amended, to determine whether there is a reasonable indication that an industry in the United States is materially injured or is threatened with material injury by reason of imports of countertop microwave ovens from Japan. On February 14, 1980, the ITC notified the Commerce Department (which became the Administering Authority on January 4, 1980) that there was a reasonable indication that an industry in the United States is materially injured, or threatened with material injury by reason of the imports of this merchandise.

On May 7, 1980, the Commerce Department published a "Postponement of Preliminary Determination" notice (45 FR 30101) based on the difficulties involved in selecting the home market oven models most comparable to those exported to the United States, and the need for additional time to make legal determinations with respect to the allowability of certain circumstance of sale claims. The notice indicated that a preliminary determination would be made no later than July 9, 1980.

For purposes of this determination, the term "countertop microwave ovens" means countertop microwave ovens classifiable under item 684.2500 Tariff Schedules of the United States Annotated (1980).

Nature of the Industry

Approximately 98 percent of all imports of the countertop microwave ovens from Japan are produced by Sharp Corporation (Sharp), Sanyo Electric Co., Ltd. (Sanyo), Tokyo Shibaura Corporation (Toshiba), and Matsushita Electric Industrial Co., Ltd. (Matsushita). At the time this case was initiated, Sharp, Sanyo and Toshiba were selected for investigation Shortly after, however, Matsushita requested to be included in the investigation and voluntarily submitted sales data. In accordance with § 353.38(a), Commerce Regulations (19 CFR 353.38(a)), pricing information was obtained for the period March 1, 1979, through Augsust 31, 1979.

The four Japanese firms under investigation are all large multinational corporations that manufacture a wide variety of consumer electronic products.

During the period under investigation, all four Japanese producers utilized two principal methods of marketing their microwave ovens in the United States. Microwave ovens were either sold under brand names to wholly owned subsidiaries in the United States for resale primarily to distributors (wholesalers) or dealers (retailers), or were sold directly to large independent U.S. retailers under private labels. Approximately 740,000 microwave ovens valued at $149 million were imported from Japan in 1979.

United States Price

For transactions in which sales were made to U.S. customers through wholly owned U.S. subsidiaries of the Japanese producers, exporter's sales price, as defined in section 722(c) of the Act (93 Stat. 181, 19 U.S.C. 1677a(c)), was calculated for the purpose of considering whether the merchandise in question is being, or is likely to be, sold at less than fair value within the meaning of the Act. Exporter's sales price was calculated on the basis of the selling price to unrelated U.S. distributors or dealers, with deductions, where applicable, for Japanese inland freight, shipping, ocean freight brokerage, U.S. duty, U.S. inland freight, insurance, banking charges, drayage, discounts, rebates, commissions, warranty costs, patent fees, payment term costs, advertising, co-op advertising, promotional costs, and selling expenses. An addition to exporter's sales price was made for the Japanese commodity tax incurred with respect to home market sales but rebated or not collected on exported merchandise.

For transactions in which sales were made directly from Japan to unrelated U.S. retailers, purchase price, as defined in section 772(b) of the Act (93 Stat. 181, 19 U.S.C. 1677a(b)), was calculated for the purpose of considering whether the merchandise in question is being, or is likely to be, sold at less than fair value within the meaning of the Act. Purchase price was calculated on the basis of the f.o.b. Japan price to unrelated U.S. retailers with deductions, where applicable, for Japanese inland freight, shipping charges, and patent fees. An addition to purchase price was made for the Japanese commodity tax incurred with respect to home market sales but rebated or not collected on exported merchandise. Of special note are the situations which exist with respect to the exporter's sales price calculations of Matsushita and Toshiba. In the case of Matsushita, since the company sold only to distributors in the home market, exporter's sales price comparisons have been limited to sales made by Matsushita's U.S. subsidiaries to U.S. distributors in order to insure that comparisons were made at the same commercial level of trade as in Japan. With this limitation, comparisions were made on 68.2 percent of total microwave oven sales in the United States but on 85 percent of U.S. sales of those models exported during the period March 1, 1979 through August 31, 1979. The distinction between total sales and sales of models exported during the investigatory period is significant because § 353.45 of Commerce Regulations (19 CFR 353.45, 45 FR 8203) requires that a minimum of 75 percent of the *exports* can be examined before a firm can be excluded from an affirmative determination. In the case of Toshiba, sales through its U.S. subsidiaries were made mainly to unrelated U.S. dealers with some sales being made to distributors. Although Toshiba's sales in the home market were also made exclusively to distributors, we have not eliminated U.S. dealer sales from our fair value comparisons. The elimination of dealer sales would result in an inadequate examination of Toshiba's total sales to the United States. Level of trade adjustments may be made prior to a final decision in this case, if the Commerce Department determines that an adjustment is appropriate based upon the factual information available.

Foreign Market Value

During the period under investigation, all four Japanese producers had adequate sales in the home market. Therefore, home market price as defined in section 353.3, Commerce Regulations (19 CFR 353.3, 45 FR 8191), was calculated for the purpose of considering whether the merchandise in question is being, or is likely to be, sold at less than fair value within meaning of the Act. Home market price was based on the price to Japanese distributors with deductions, where applicable, for inland freight, rebates, discounts, commissions, payment term expenses, warranty, advertising and promotional expenses. For comparisons involving exporter's sales price, an additional deduction was made for selling expenses to offset all, or part, of the selling expenses deducted from the U.S. price. Adjustments were also made for differences in merchandise and packing.

In the cases of Sanyo and Matsushita, sales were made to both related and unrelated distributors. However, since there was no distinction in sales price between sales to related and unrelated distributors, all distributor sales data have been considered in calculating home market price for these firms. Sanyo claimed a deduction from home market price for salesmen's salaries and commissions. This claim has been disallowed as a circumstance of sale adjustment because Sanyo has made no attempt to differentiate between salaries paid to third parties, which are allowable, and salaries paid to Sanyo employees, which are not. The allowability under law and regulation of a number of circumstances of sale adjustments claimed by Matsushita are in question. These claims include:

1. An incentive discount paid by Matsushita to a wholly owned finance company as a subsidy for handling installment sales.

2. General selling expenses such as repair and servicing, salaries, overhead etc., which are incurred by a special microwave oven department in Matsushita's organizational structure.

3. A series of volume rebates which are paid by Matsushita to home market distributors, or to home market retailers through distributors, based on purchases of a composite of products over a given period of time.

4. Interest expenses incurred on rebate funds left deposited with Matsushita by members of a Matsushita dealer's association.

In the antidumping case involving televisions from Japan (T.D. 71–76), Matsushita made the same claims. In that case, the first two items were not considered to be bona fide differences in circumstances of sale within the meaning of section 353.15(a), Commerce Regulations (19 CFR 353.15(a), 45 FR

8194). The first item was disallowed because the expense was incurred between related firms and can be regarded as an internal transfer of funds. The second item was disallowed because the expense did not bear a sufficiently direct relationship to the sales under consideration. The remaining two items were considered appropriate for allowance as circumstance of sale adjustments.

For purposes of this preliminary decision, we have used the same methodology followed in the television case. However, comments concerning the appropriateness of these adjustments will be taken into account together with the results of our legal review prior to a final decision in this case.

In the case of Toshiba, complete home market sales data had not been furnished in time to be considered for the preliminary determination. Prior to June 24, 1980, Toshiba had supplied only monthly sales statements for one of the twelve home market sales branches of Toshiba Shoji (Toshiba's wholly owned sales company) covering sales to each of ten unrelated distributors in the Tokyo area during the period October 1, 1978, through March 31, 1979. Although the Commerce Department repeatedly requested all remaining home market sales data for the investigatory period (December 1, 1978 through August 31, 1979), Toshiba did not comply with these requests until June 24.

Therefore, in computing home market sales price, we have used the sales prices to unrelated Tokyo area distributors. These sales prices are said to be the same throughout Japan. However, there are a number of deductions from these base sales prices. Toshiba pays what is termed a "commission" to each of the distributors. This commission is, in effect, a leval of trade discount given to distributors. The amount of commission varies from distributor to distributor.

Toshiba also gives several other discounts on purchases of countertop microwave ovens. These include: a special sales promotion discount which is given on a model-by-model basis to insure price competitiveness and revive sales of lagging models, a retail sales promotion discount which is granted to retailers through distributors to encourage a greater volume of purchases at this level, a sales promotion discount which is granted to assist distributors' local sales promotional activities, and a special discount given on a month-by-month basis to promote sales at selected times of the year. In its initial responses, Toshiba had quantified its claims for commissions paid and each discount given (with the exception of the special sales promotion discount) based on the assumption that its Tokyo area sales experience was representative of its nationwide sales experience. The total amount of each item paid on microwave oven sales in the Tokyo area was divided by the total sales volume of microwave ovens in the Tokyo area and the resulting percentages were applied against the per unit nationwide sales prices to calculate the exact per unit amount of each deduction. Subsequently in its June 24 submission, Toshiba used nationwide sales data to quantify the same deductions.

However, since the June 24 submission was received too late for consideration by us in this preliminary determination only the Tokyo area sales data was used. Based on this data alone, we could not conclude that the Tokyo area sales experience was representative of the nationwide sales experience. Therefore, we have allowed only those deduction amounts which have been reviewed and verified and have divided the total amount of each item paid on microwave oven sales in the Tokyo area by the total nationwide sales volume of microwave ovens (as opposed to total Tokyo area sales volume) to arrive at the percentage of each deduction.

In the case of special promotion discounts, Toshiba supplied data showing discounts paid on two specific home market models designated as ER 547 DL and ER 557. Based on a technical analysis of information supplied by Toshiba, we have decided that home market model ER 657 was more comparable to certain export models than model ER 547 DL and have replaced model ER 547 DL with model ER 657 for all applicable fair value comparisons. Since Toshiba has not indicated the total amount of special promotion discount attributable to sales of model ER 657, no deduction has been made for this cost item. With respect to model ER 557, Toshiba's monthly sales statements indicate that virtually all special promotional discounts paid on this model were for sales made in October 1978, which is outside the period of exportation for models resold in the United States during the investigative period March 1, 1979, through August 31, 1979. Therefore, the special promotion discount for this model has also been disallowed.

Toshiba did not supply any information concerning the adjustments needed for differences in domestic and export models. We have relied on descriptive literature and specification information supplied by Toshiba, and cost adjustment information supplied by the other respondents in this investigation, to estimate the proper adjustments for differences in merchandise needed to make equitable comparisons. In making its final determination in this investigation, the Department will consider all information provided by Toshiba to the extent that such information can be verified prior to that determination.

In the case of Sharp, home market sales were made to 15 related distributors, with Sharp's stock ownership ranging from 15 to 100 percent. Section 353.22(b), Commerce Regulations (19 CFR 353.22(b), 45 FR 8195) permits sale to related parties to be used for calculation of foreign market provided that such sales are demonstrated to the satisfaction of the Secretary to be at prices comparable to those at which such or similar merchandise is sold to persons unrelated to the seller. Since in this case there are no sales made to unrelated parties, there remains a question as to whether the prices charged to Sharp's related distributors are "arms length" and should be used in computing fair value. Although prices to Sharp's related distributors were used for comparison purposes in the television case and the previous case involving microwave ovens from Japan, for purpose of this investigation we have decided that additional information is needed to determine whether Sharp's prices to related distributors were at "arms length." We have recently requested home market sales information with respect to the sales of countertop microwave ovens made by four of Sharp's distributors, accounting for approximately 60 percent of home market sales of countertop microwave ovens produced by Sharp. This data will be used to judge whether the distributor's mark-ups are reasonable. However, for purpose of this preliminary determination, we have decided to remain consistent with past practice and use the prices to Sharp's related distributors for fair value comparisons. The additional information we have requested will be verified and taken into account prior to making a final decision in this matter.

Sharp has requested a circumstance of sale adjustment claim for credit rebate paid to retailers through distributors for installment purchases of all Sharp kitchen products. This claim has been disallowed due to the inability of Sharp to tie this expense directly to sales of microwave ovens as required by section

353.15(a), Commerce Regulations (19 CFR 353.15(a), 45 FR 8194).

Portions of Sharps's circumstance of sale claim for direct advertising have been disallowed because they were either fixed overhead expenses which do not bear a direct relationship to the sales under consideration, or the expenses were attributable to sales of all kitchen products and could not be broken down on a product line basis. Finally, Sharp has requested a circumstance of sale adjustment for differences in cost to process export and home market orders. This claim has been disallowed because the expense item is considered to be a fixed general selling expense which does not meet the criteria set forth in § 353.15, and is not attributable to a later sale of the merchandise by a purchaser.

Other Issues

All of the respondents have requested circumstance of sale adjustments based on advertising or promotional expenses incurred in the selling of ranges in the home market. The term "ranges" includes not only microwave ovens *per se*, but also combination units (which have the ability to serve not only as a microwave oven, but also a regular oven or steam range as well) and, in some cases, ranges without microwave capability. In their everyday accounting records, none of the respondents maintains a record of expenditures in a way which would allow the calculation of the exact expenses attributable to countertop microwave ovens. There is a question as to whether the range expenses could be considered directly related to countertop microwave ovens, since sales of other types of cooking devices are also being promoted.

For purposes of the preliminary determination, we have decided that an allowance should be made for direct advertising and promotional expenses by allocating total range advertising or promotional costs over total range sales. This decision is based on our opinion that the product category covering ranges is sufficiently close to the merchandise under investigation as to render any tighter standard of acceptability unreasonable and unrealistic.

Verification

In accordance with section 776(a) of the Act (93 Stat. 186, 19 U.S.C. 1677e(a)), officials of both the Department of Commerce and the U.S. Customs Service verified all information used in making this preliminary determination to the extent that such information by its nature is verifiable. The officials were granted access to the books and records of the foreign producers and their U.S. subsidiaries and used traditional verification procedures. These procedures included on site inspection of randomly selected source documents (such as audited financial statements, bills of materials, various accounting ledgers and proof of payment records such as invoices and cancelled checks) pertinent to this investigation, inspection of promotional materials and material advertisements, and, in certain instances, inspection of specific microwave oven models.

Finding

Based on the foregoing, I hereby preliminarily determine, pursuant to section 733(b) of the Act (93 Stat. 163, 19 U.S.C. 1673(b)), that the United States price of countertop microwave ovens from Japan, except those produced by Sharp, Sanyo and Matsushita, is less than the fair value, and thereby the foreign market value of such or similar merchandise.

Fair value comparisons were made on approximately 92 percent of the subject merchandise sold either directly from Japan, or through Japanese subsidiaries in the United States to unrelated U.S. customers by all four manufacturers subject to this investigation. Dumping margins were found on 6.2 percent of the sales compared ranging from 1.6 to 155.3 percent for the sales at margin. The overall weighted average margin found on all sales compared was 5 percent.

Virtually all margins found were on sales made by Toshiba. Toshiba had margins on over 99 percent of the sales compared. Toshiba's weighted average on such sales was 80.1 percent. Both Sharp's and Sanyo's total sales at margin were negligible, resulting in weighted average margins of .006 and .0005 percent, respectively. Both percentages are legally considered to be *de minimis*. No margins have been found on sales made by Matsushita.

Accordingly, Customs officers are being directed to suspend liquidation, pursuant to section 733(d)(1) of the Act (93 Stat. 165, 19 U.S.C. 1673b), for all countertop microwave ovens from Japan with the exception of those produced by Sanyo, Sharp and Matsushita. In accordance with section 733(d)(2) of the Act (93 Stat. 165, 19 U.S.C. 1673b), importers will be required to post a cash deposit, bond, or other security in the amount of 80.1 percent of the f.o.b. value of all countertop microwave ovens produced by Toshiba, and 5 percent of the f.o.b. value for all countertop microwave ovens produced by all other Japanese manufacturers except Sharp, Sanyo and Matsushita.

The ITC is being advised of this preliminary determination so that it can begin an investigation pursuant to section 731(2) of the Act (93 Stat. 162, 19 U.S.C. 1673) to determine if an industry in the United States is materially injured, or threatened with material injury, or the establishment of an industry in the United States is materially retarded by reason of import of this merchandise. In accordance with § 353.47, Commerce Regulations (19 CFR 353.47, 45 FR 8204), the Department of Commerce will afford interested parties an opportunity to present oral views.

This hearing is scheduled to be held, if requested, at the U.S. Department of Commerce, Room 6802, 14th and Constitution Avenue, N.W. Washington, D.C. 20230, beginning at 11 a.m., August 19, 1980. Interested parties who desire such a conference should provide a written request for a conference to the Office of the Deputy Assistant Secretary for Import Administration, Room 2800, at the address shown above. The request should contain (1) the name, address, and telephone number of the party requesting the conference (2) the number of participants and the reason for attending, and (3) a list of the issues to be discussed. All requests must be received by the Deputy Assistant Secretary no later than 10 days after publication of this notice. Any written views filed in accordance with section 353.46(a), Commerce Regulations (19 CFR 353.46(a), 45 FR 8203) should be filed at the address indicated above in at least 10 copies. Any written views should be filed not later than August 14, 1980. All persons submitting written views or arguments should avoid repetitious and merely cumulative material. Counsel for the petitioner and for respondents are also requested to serve all written submissions on all other counsel, including non-confidential summaries of approximated presentations of all confidential information.

This preliminary determination is being published pursuant to section 773(f) of the Act (93 Stat. 165, 19 U.S.C. 1673b(f)).

Dated: July 9, 1980.

John D. Greenwald,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 80-21055 Filed 7-14-80; 8:45 am]

BILLING CODE 3510-25-M

DEPARTMENT OF DEFENSE

Corps of Engineers

Intent To Prepare a Draft Environmental Impact Statement for Proposed Flood Control Project on South Fork of the Santa Clara River, Los Angeles County, Calif.

AGENCY: US Army Corps of Engineers, Department of Defense.

ACTION: Notice of intent to prepare a draft environmental impact statement.

SUMMARY: 1. Proposed Action. The tentatively selected plan (identified as Plan E–3) for flood control along the South Fork of the Santa Clara River, Los Angeles County, California consists of the following: an open space floodway area from 1–5 to an inlet structure about 800 feet upstream of Wiley Canyon Road crossing; 4,200 feet of rectangular concrete channel from the inlet structure to Lyons Avenue; a levee parallel to the south side of an existing commercial building near Lyons Creek to 1–5; and new bridges at Atwood Boulevard and DeWolfe Road (to replace dip crossings). Environmental enhancement—planting of native plant species along the channel—will be included in this plan.

2. Alternatives. Alternatives considered during the detailed planning process include 2 plans with debris basins (Plans A and B), a plan for flood plain management (Plan G), and a "no action" alternative (Plan H). Plan H considered no Federal action in reducing or eliminating the flood problem and has been carried forward to be used as a basis for comparison of alternatives. It was not selected for implementation because other alternatives, which would solve the flooding problem, were found to be viable. Plan G would provide 100-year flood protection to existing structures through construction of floodwalls around each building and the institution of a flood warning system. New development would conform to the regulations under the National Insurance Program and would be elevated or otherwise protected from the 100-year flood. Plan A would provide protection from the standard project flood through construction of a debris basin at the junction of Towsley and Wiley Canyon; a rectangular concrete channel from 1–5 to Lyons Avenue; a low-floow diversion into 1,700 feet of the natural channel near the Oakridge Estates to maintain existing riparian vegetation and to provide a streambed recharge area; and new bridges at Atwood Boulevard and DeWolfe Road. Plan B would be similar to Plan A except that the rectangular concrete channel between 1–5 and Lyons Avenue would be designed for the 100-year flood.

3. Scoping Process. The South Fork Citizens Advisory Board was formed on 29 September 1975 to assist the Corps in the development of alternative solutions to the flood problems along the South Fork of the Santa Clara River. Plan A had been the recommended plan at this time and had the approval of the local residents and local sponsoring agency (The Los Angeles Flood Control District). In March of 1977, the Local Flood Control District withdrew support due to economic factors. Plan E–3 was then developed and approved by the Los Angeles Flood Control District, but many of the local residents still support Plan A. The Corps has initiated coordination efforts with the U.S. Fish and Wildlife Service and the California Department of Fish and Game to resolve potential environmental problems.

4. Future Public Meetings. A public meeting will be scheduled to discuss the project and obtain public comment.

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 in late 1981.

Address: Questions about the proposed action and draft environmental impact statement can be answered by Vincent Vanni, Water Resources Branch, US Army Corps of Engineers, P.O. Box 2711, Los Angeles, California 90053.

Dated: July 7, 1980.

Gwynn A. Teague,

Colonel, CE, District Engineer.

[FR Doc. 80–21043 Filed 7–14–80; 8:45 am]

BILLING CODE 3710–KF–M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

[ERA Docket No. 79–30–NG]

Columbia Gas Transmission Corp.; Application To Import Natural Gas Into the United States from Canada

AGENCY: Department of Energy, Economic Regulatory Administration.

ACTION: Notice of receipt of application and opportunity for public participation.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) gives notice of receipt of an amended application of Columbia Gas Transmission Corporation (Columbia), filed in ERA Docket No. 79–30–NG on April 14, 1980, for authorization under Section 3 of the Natural Gas Act to import quantities of natural gas not to exceed 41 million cubic feet (MMcf) per day or 13.6 billion cubic feet (Bcf) per annum. Columbia is to purchase the natural gas from Columbia Gas Development of Canada, Ltd. (Columbia Development) at the applicable Canadian border price at the existing interconnection of facilities of Westcoast Transmission Company Limited (Westcoast) and Northwest Pipeline Corporation (Northwest) near Sumas, Washington. Petitions to intervene are invited.

DATES: Petition to intervene are due on or before July 25, 1980.

FOR FURTHER INFORMATION CONTACT:

Gary A. Barch (Natural Gas Division), 2000 M Street, N.W., Room 7108 Washington, D.C. 20461, (202) 653–3220.

James G. Beste (Office of the General Counsel), 1000 Independence Ave., S.W., Room 5E–074, Washington, D.C. 20585, (202) 252–2900.

SUPPLEMENTARY INFORMATION: On April 14, 1980, Columbia Gas Transmission Corporation filed an amended application in ERA Docket No. 79–30–NG for authorization under Section 3 of the Natural Gas Act to import natural gas from Canada. The natural gas which Columbia proposes to import is to be purchased from Columbia Development in quantities not to exceed 41 MMcf per day or 13.6 Bcf per annum for a period of fifteen years. It is stated that the contract sales price will be the applicable border price set by the Canadian National Energy Board (NEB), which at the time of filing of the application was $4.47 (U.S.) per MMBtu. Columbia alleges in its amendment that the $4.47 per MMBtu price is reasonable.

It is stated that the natural gas to be purchased by Columbia will be produced from the Kotaneelee gas field in the Yukon Territory and transported through Westcoast's facilities to the Canadian-United States border. The application states that the exportation of the gas from Canada was approved by the NEB on December 6, 1977.

If approved, the gas will be imported into the United States by Columbia for transportation via Northwest's pipeline facilities, commencing at an existing delivery point on the international border near Sumas, Washington. Columbia will arrange for the transportation of the gas inside the United States. The imported gas will be delivered by Northwest to El Paso Natural Gas Company (El Paso) in LaPlata County, Colorado. El Paso will then deliver portions of the gas in Southern Louisiana to Columbia Gulf Transmission Company (Columbia

Gulf), an affiliate of Columbia. The remaining portion of the gas will be delivered to Northern Natural Gas Company (Northern) at existing points of interconnection between El Paso and Northern. Northern will in turn deliver the remaining portion of gas from its supply in the Gulf of Mexico region to Columbia Gulf in Southern Louisiana. Columbia Gulf would then transport all gas received from El Paso and Northern through its existing pipeline system to Columbia at existing points of delivery in Kentucky. The arrangements for the transportation of gas within the United States will be the subject of separate applications with the FERC under Section 7(c) of the Natural Gas Act.

The ERA, in Opinion and Order No. 14, issued on February 16, 1980, denied Columbia's then pending application to import the same volumes upon the finding that the Canadian border price of $4.47 per MMBtu for natural gas exports was not reasonable and that no overwhelming need for the gas at that price had been demonstrated. The denial was made without prejudice to refiling at a future time when the proposed price might be competitive with the price of alternative fuels.

On March 17, 1980, Columbia filed a petition for rehearing of Opinion and Order No. 14. Before the ERA acted on that petition Columbia, on April 14, 1980, filed the new application which is the subject of this notice. On April 23, 1980, the ERA in Opinion and Order 14–A granted rehearing for the purpose of further consideration. No further action has been taken by the ERA on the peition for rehearing. Although the April 14, 1980, application was not styled as an amendment to the October 24, 1979, application, ERA considers the later application to be an amendment to the initial one because the two documents request essentially the same relief. The only substantive change in the amended application concerns the interstate transportation of the imported gas within the United States, a matter to be resolved by the FERC. In addition, although the April 14, 1980, application is updated to reflect the present Canadian border price of $4.47 per MMBtu, Colubmia has not modified its original request for authorization to pay the applicable border price over the life of the import. The amendment will be considered, therefore, in the same docket and at the same time as the petition for rehearing is resolved.

There has been a significant change in circumstances during the period between the denial of the original application and the filing of the amended application. On April 1, 1980, shipments of liquified natural gas from Algeria to the United States were suspended by Sonatrach, the Algerian national energy company. Columbia had been authorized to receive up to 350,000 Mcf per day of this LNG through a subsidiary for use in its gas system.

Given the fact that it is unknown when or if deliveries of Algerian LNG will resume, the ERA is seeking by separate order comment from all present parties concerning the impact of this changed circumstance and its relevance to this proceeding. Persons who petition to intervene or who give notice of their intervention in response to this notice are also invited to comment on this issue.

All parties who have been granted intervention in ERA Docket No. 79–30–NG will be considered intervenors in any procedings concerning the amended application and need not reapply for intervenor status. An order detailing the information contained in this **Federal Register** notice has been issued by ERA in Docket No. 79–30–NG (Columbia Gas Transmission Corporation) on July 8, 1980 and served on all the current parties.

OTHER INFORMATION: The ERA invites petitions for intervention in this proceeding. Such petitions are to be filed with the Economic Regulatory Administration, Room 7108, 2000 M Street NW., Washington, D.C. 20461, in accordance with the requirements of the rules of practice and procedure (18 CFR 1.8). Such petitions for intervention will be accepted for consideration if filed on or before July 25, 1980.

Any person wishing to become a party to these procedings or to participate as a party in any hearing which may be convened therein must file a petition to intervene. Any person desiring to make any protests with reference to the application should file a protest with the ERA in accordance with the requirements of the rules of practice and procedure (18 CFR 1.10). All protests filed with the ERA will be considered by it in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding.

A formal hearing will not be held unless a motion for such hearing is made by any party or intervener and is granted by the ERA, or if the ERA on its own motion believes that such a hearing is required. If such hearing is required, due notice will be given.

Copies of petitions to intervene or protests are available for public inspection and copying in Room B–120, 2000 M Street, N.W., Washington, D.C. 20461, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, D.C., July 9, 1980.

F. Scott Bush,

Assistant Administrator, Regulations and Emergency Planning, Economic Regulatory Administration.

[FR Doc. 80–21112 Filed 7–14–80; 8:45 am]

BILLING CODE 6450–01–M

Powerplant and Industrial Fuel Use Act of 1978 Withdrawal of Acceptance of Petitions for Exemptions

The Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice that it has withdrawn its acceptance of petitions for temporary public interest exemptions filed pursuant to Section 311(e) of the Powerplant and Industrial Fuel Use Act of 1978 (FUA or the Act), 42 U.S.C. 8301 *et seq.* and 10 CFR Part 508. The petitions sought exemptions from the prohibitions of sections 301(a) (2) and (3) of the Act on behalf of the following petitioners:

Docket No.	Petitioner	Generating station	Unit identification
53355–2024–03–41	City of Worthington, Minnesota	Worthington (Worthington, Minnesota)	#3
50904–1239–04–41	Empire District Electric Company	Riverton (Riverton, Kansas)	#7

The petitioners have been sent letters by certified mail informing them that acceptance of their petitions for the above listed powerplants have been withdrawn since it now appears from information made available to ERA that the petitioners are not eligible to obtain exemptions from the prohibitions of Sections 301(a) (2) and (3) of the Act for these powerplants.

SUPPLEMENTARY INFORMATION: ERA previously published in the **Federal Register** on June 1, 1979 and July 20, 1979 (44 FR 31677 and 44 FR 42756) Notices of Acceptance of Petitions. The petitioners had filed for temporary public interest exemptions pursuant to 10 CFR Part 508.

If granted, the exemptions would have allowed the petitioners' powerplants to use natural gas as a primary energy source, notwithstanding the prohibitions contained in Sections 301(a) (2) and (3) of the Act.

In the previously accepted petitions, the petitioners represented that the powerplant for which the exemptions were sought, were subject to the prohibitions of either Section 301(a) (2) or (3) of FUA. Based upon this information, ERA published its Notices of Acceptance of Petitions in the **Federal Register.** After publication of the Notices of Acceptance, ERA obtained new information, indicating that these powerplants can use coal as a primary energy source. Subsequent telephone conversations with the petitioners indicated that the powerplants are now using coal. It now appears that the above-named powerplants for which petitions were accepted are not eligible to petition for exemptions from either Section 301(a) (2) or (3) of FUA pursuant to 10 CFR Part 508.2(b)(2). Therefore, ERA has withdrawn its acceptance of the petitions filed on behalf of these powerplants.

Any questions regarding these temporary public interest exemptions should be directed to Mr. James W. Workman, Acting Director, Powerplants Conversion Division, Office of Fuels Conversion, Economic Regulatory Administration, Department of Energy, Room 3128, 2000 M Street, N.W., Washington, D.C. 20461, (202) 653–3637.

Issued in Washington, D.C., on July 9, 1980.

Robert L. Davies,

Assistant Administrator, Office of Fuels Conversion, Economic Regulatory Administration.

[FR Doc. 80–21113 Filed 7–14–80; 8:45 am]

BILLING CODE 6450–01–M

Powerplant and Industrial Fuel Use Act of 1978; Withdrawal of Acceptance of Petitions for Exemptions

The Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice that it has withdrawn its acceptance of petitions for temporary public interest exemptions filed pursuant to Section 311(e) of the Powerplant and Industrial Fuel Use Act of 1978 (FUA or the Act), 42 U.S.C. 8301 *et seq.* and 10 CFR Part 508. The petitions sought exemptions from the prohibitions of Sections 301(a) (2) and (3) of the Act on behalf of the following petitioners:

Docket No.	Petitioner	Generating station	Unit identification
50904–1239–01–41	Empire District Electric	Riverton (Riverton, Kansas)	#3
51549–1443–01–41	Lafayette Utilities System	Doc Bonin (Lafayette, Louisiana).	#1
51549–1445–03–41		Rodemacher (Lafayette, Louisiana).	#3

The petitioners have been sent letters by certified mail informing them that acceptance of their petitions for the above listed powerplants have been withdrawn since it now appears from information made available to ERA that the petitioners are not eligible to obtain an exemption from the prohibitions of Sections 301(a) (2) and (3) of the Act for these powerplants.

SUPPLEMENTARY INFORMATION: ERA published published in the **Federal Register,** notices accepting the petitions on June 1, 1979 and August 28, 1979 (44 FR 31677 and 44 FR 50395). The petitioners had filed for temporary public interest exemptions pursuant to 10 CFR Part 508.

If granted, the exemptions would have allowed the petitioners' powerplants to use natural gas as a primary energy source, notwithstanding the prohibitions contained in Sections 301(a) (2) and (3) of the Act.

In each of the previously accepted petitions, the petitioners represented that each powerplant for which an exemption was sought, was subject to the prohibitions of either Section 301 (a) (2) or (3) of FUA. Based upon this information, ERA published its Notices of Acceptance of Petitions in the **Federal Register.** After publication of the Notices of Acceptance, the petitioners submitted new information, on ERA Form 316, indicating that each powerplant had used natural gas as a primary energy source in calendar year 1977 and that each powerplant had used only natural gas as a primary energy source during the calendar year 1974 through 1976. It now appears that each of the above-named powerplants for which a petition was accepted is not required to seek an exemption from either Section 301(a) (2) or (3) of FUA. Therefore, since the powerplants do not meet the eligibility requirements set forth in 10 CFR Part 508.2(a), ERA has withdrawn its acceptance of the petitions filed on behalf of these powerplants.

Any questions regarding these temporary public interest exemptions should be directed to Mr. James W. Workman, Acting Director, Powerplants Conversion Division, Office of Fuels Conversion, Economic Regulatory Administration, Department of Energy, Room 3128, 2000 M Street NW., Washington, D.C. 20461, (202) 653–3637.

Issued in Washington, D.C., on July 9, 1980.

Robert L. Davies,

Assistant Administrator, Office of Fuels Conversion, Economic Regulatory Administration.

[FR Doc. 80–21114 Filed 7–14–80; 8:45 am]

BILLING CODE 6450–01–M

Powerplant and Industrial Fuel Use Act of 1978 Withdrawal of Acceptance of Petitions for Exemptions

The Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice that it has withdrawn its acceptance of petitions for temporary public interest exemptions filed pursuant to Section 311(e) of the Powerplant and Industrial Fuel Use Act of 1978 (FUA or the Act), 42 U.S.C. 8301 *et seq.* and 10 CFR Part 508. The petitions sought exemptions from the natural gas use prohibitions of Sections 301(a) (2) and (3) of the Act on behalf of the following petitioners:

Docket No.	Petitioner	Generating station	Unit identification	Fuel heat input MM Btu/hr.
53355–2024–02–41	City of Worthington, Minnesota.	Worthington (Worthington, Minnesota).	#2	75
52674–2011–02–41	Sleepy Eye Municipal Utility, Minnesota.	Sleepy Eye (Sleepy Eye, Minnesota).	#2	20(est)

The petitioners have been sent letters by certified mail informing them that acceptance of the petitions for the above listed units have been withdrawn since it now appears from information made available to ERA that the petitioners are not eligible to obtain exemptions from the prohibitions of Sections 301(a) (2) and (3) of the act for these units.

SUPPLEMENTARY INFORMATION: ERA previously published in the **Federal Register** on July 20, 1979 and August 28, 1979 (44 FR 42756 and 44 FR 50395) Notices of Acceptance of Petitions. The petitioners had filed for temporary public interest exemptions pursuant to 10 CFR Part 508.

If granted, the exemptions would have allowed the petitioners' units to use natural gas as a primary energy source, notwithstanding the prohibitions contained in Sections 301(a) (2) and (3) of the Act.

In the previously accepted petitions, the petitioners represented that the units, for which the exemptions were sought, were subject to the prohibitions of either Section 301(a) (2) or (3) of FUA. Based upon this information, ERA published its Notices of Acceptance of Petitions in the **Federal Register**. After publication of the Notices of Acceptance, the petitioners provided ERA with new information.

This information indicated that the above mentioned units are technically not powerplants within the meaning of the Act, because the fuel heat input rate of the units are less than the jurisdictional threshold set forth in Title I, Section 103(a)(7)(A) of FUA. Therefore, the units are not prohibited by the Act from burning natural gas. Since the units are not subject to the prohibitions of Sections 301(a) (2) and (3), ERA has withdrawn its acceptance of the petitions.

Any questions regarding these temporary public interest exemptions should be directed to Mr. James W. Workman, Acting Director, Powerplants Conversion Division, Office of Fuels Conversion, Economic Regulatory Administration, Department of Energy, Room 3128, 2000 M Street, N.W., Washington, D.C. 20461, (202) 653-3637.

Issued in Washington, D.C., on July 9, 1980.

Robert L. Davies,

Assistant Administrator, Office of Fuels Conversion, Economic Regulatory Administration.

[FR Doc. 80-21115 Filed 7-14-80; 8:45 am]

BILLING CODE 6450-01-M

Office of Energy Research

Energy Research Advisory Board, Solar Photovoltaic Energy Advisory Committee; Open Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given of the following meeting:

Name: Solar Photovoltaic Energy Advisory Committee of the Energy Research Advisory Board.

Date, Time, and Place: Wednesday, August 6, 1980, 10:00 a.m.-4:00 p.m.; Thursday, August 7, 1980, 10:00 a.m.-4:00 p.m., Department of Energy, Forrestal Building, Room 7E069, 1000 Independence Avenue SW., Washington, D.C. 20585.

Contact: Georgia Hildreth, Director, Advisory Committee Management, Department of Energy, Forrestal Building, Room 8G087, 1000 Independence Avenue SW., Washington, D.C. 20585, Telephone: 202-252-5187.

Purpose of the Committee:
To advise the Secretary on the scope and pace of research and development with respect to solar photovoltaic energy systems; the need for and timing of solar photovoltaid energy systems demonstration projects; the need for change in any research, development, or demonstration program established under this Act; and the economic, technological, and environmental consequences of the use of solar photovoltaic energy systems.

Tentative Agenda:

- Organizational Matters
- Presentations on DOE Solar Photovoltaic Program
- Review and Discussion of Critical Problems Which Committee Will Address
- Public Comment (10 minute rule)

Public Participation: The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact the Advisory Committee Management Office at the address or telephone number listed above. Requests must be received at least 5 days prior to the meeting and reasonable provision will be made to include the presentation on the agenda. The Chairperson of the Committee is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Transcripts: Available for public review and copying at the Public Reading Room, Room 5B180, Forrestal Building, 1000 Independence Avenue SW., Washington, D.C., between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Executive Summary: Available approximately 30 days following the meetings from the Advisory Committee Management Office.

Issued at Washington, D.C., on July 9, 1980.

Georgia Hildreth,

Director, Advisory Committee Management.

[FR Doc. 80-20996 Filed 7-14-80; 8:45 am]

BILLING CODE 6450-01-M

Resource Applications R. & D. Subpanel of the Energy Research Advisory Board; Open Meeting

Notice is hereby given of the following meeting:

Name: Resource Applications R&D Subpanel of the Energy Research Advisory Board (ERAB). ERAB is a Committee constituted under the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770).

Date and time: July 29, 1980-9:00 a.m. to 4:00 p.m.

Place: Department of Energy, Forrestal Building, Room 4E-069, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

Contact: Eudora M. Taylor, Staff Assistant, Energy Research Advisory Board, Department of Energy, Forrestal Building—MS 3F-032, 1000 Independence Avenue, S.W., Washington, D.C. 20585, Telephone: 202/252-8933.

Purpose of the Parent Board: To advise the Department of Energy on the overall research and development conducted in DOE and to provide long-range guidance in these areas to the Department.

Tentative Agenda:—Review DOE documents on the technology base component of DOE's Resource Applications R&D program —Initial discussions on Resource Applications R&D Subpanel input into ERAB Technology Base Report

Public Participation: The meeting is open to the public. Written statements may be filed with the Subpanel either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact the Energy Research Advisory Board at the address or telephone number listed above. Requests must be received prior to the meeting and reasonable provision will be made to include the presentation on the agenda. The Chairperson of the Subpanel is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Transcripts: Available for public review and copying at the Freedom of Information Public Reading Room, 5B-180, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between 8:00 a.m. and 4:00 p.m. Monday through Friday, except Federal Holidays.

Issued at Washington, D.C. on July 9, 1980.

Edward A. Frieman,

Director of Energy Research.

[FR Doc. 80-21205 Filed 7-14-80; 8:55 am]

BILLING CODE 6450-01-M

Solar Energy R. & D. Subpanel of the Energy Research Advisory Board; Open Meeting

Notice is hereby given of the following meeting:

Name: Solar Energy R&D Subpanel of the Energy Research Advisory Board (ERAB). ERAB is a Committee constituted under the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770).

Date and Time: July 23, 1980—9:30 a.m. to 4:00 p.m.

Place: Department of Energy, Forrestal Building, Room 6A–110, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

Contact: Eudora M. Taylor, Staff Assistant, Energy Research Advisory Board, Department of Energy, Forrestal Building—MS 3F–032, 1000 Independence Avenue, S.W., Washington, D.C. 20585, Telephone: 202/252–8933.

Purpose of the Parent Board: To advise the Department of Energy on the overall research and development conducted in DOE and to provide long-range guidance in these areas to the Department.

Tentative Agenda:—Review DOE documents on the technology base component of DOE's Solar Energy R&D program
—Initial discussions on Solar Energy R&D Subpanel input into ERAB Technology Base Report

Public Participation: The meeting is open to the public. Written statements may be filed with the Subpanel either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact the Energy Research Advisory Board at the address or telephone number listed above. Requests must be received prior to the meeting and reasonable provision will be made to include the presentation on the agenda. The Chairperson of the Subpanel is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of businesss.

Transcripts: Available for public review and copying at the Freedom of Information Public Reading Room, 5B–180, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between 8:00 a.m. and 4:00 p.m. Monday through Friday, except Federal Holidays.

Issued at Washington, D.C. on July 9, 1980.

Edward A. Frieman,

Director of Energy Research.

[FR Doc. 80–21206 Filed 7–14–80; 8:55 am]

BILLING CODE 6450–01–M

FEDERAL COUNCIL ON THE AGING

Senior Services Committee; Meeting

The Federal Council on the Aging was established by the 1973 amendments to the Older Americans Act of 1965 (Pub. L. 93–29, 42 U.S.C. 3015) for the purpose of advising the President, the Secretary of Health and Human Services, the Commissioner on Aging, and the Congress, on matters relating to the special needs of older Americans.

Notice is hereby given pursuant to the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C. App. 1, sec. 10, 1976) that the Committee will hold a meeting on Friday, July 18, 1980 from 10:00 a.m. to 1:00 p.m. in Room 4244, Health and Human Services North Building, 300 Independence Avenue, S.W., Washington, D.C. 20201.

The agenda will consist of a discussion of the Committee's ongoing employment study and future study options.

Further information on the Council and the Committee may be obtained from the Federal Council on the Aging, Washington, D.C., 20201, telephone (202) 245–0441. FCA meetings are open for public observation.

Dated: July 3, 1980.

Rev. Msgr. Charles J. Fahey,

Chairman, Federal Council on the Aging.

[FR Doc. 80–21061 Filed 7–14–80; 8:45 am]

BILLING CODE 4110–92–M

Special Aging Populations Committee; Meeting

The Federal Council on the Aging was established by the 1973 amendments to the Older Americans Act of 1965 (Pub. L. 93–29, 42 U.S.C. 3015) for the purpose of advising the President, the Secretary of Health and Human Services, the Commissioner on Aging, and the Congress on matters relating to the special needs of older Americans.

Notice is hereby given pursuant to the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C. App. 1, sec. 10, 1976) that the Special Aging Populations Committee of the Council will hold a workshop in cooperation with the National Urban League on Tuesday, August 5, 1980 from 3:30 p.m. to 5 p.m., Sheraton Center, Georgian B., Room 870, 7th Avenue, New York, New York 10019.

The purpose of the workshop is to focus on issues concerning the present living condition of those elderly persons who, because of economic, social and psychological problems have found themselves trapped in unregulated living facilities (Boarding Homes, Single Room Occupancies, etc.) The workshop will also examine the impact of Federal, State and local policies in addressing the needs of these groups.

The agenda will consist of an opening statement by the Chairman of the Committee, Dr. Fernando Torres-Gil regarding the Council's role, goals and objectives concerning the above.

Three broad topics will be addressed by four panelists. They are as follows:

A. The Characteristics of Persons Living in Unregulated Living Facilities.

B. Governmental Responsibilities.

C. Environmental Living Conditions.

Approximately 60 minutes will be available for a question and answer period.

Further information regarding the Workshop and/or the Council may be obtained from Mrs. Mona Negm, Staff, Federal Council on the Aging, 330 Independence Avenue, Room 4260 North Building, Washington, D.C. 20201, telephone (202) 245–0441, or Dr. Fernando Torres-Gil, Chairman, Special Aging Populations Committee.

FCA meetings are open for public observation.

Dated: July 3, 1980.

Msgr. Charles J. Fahey,

Chairman, Federal Council on the Aging.

[FR Doc. 80–21062 Filed 7–14–80; 8:45 am]

BILLING CODE 4110–92–M

FEDERAL MARITIME COMMISSION

Agreements Filed

The Federal Maritime Commission hereby gives notice that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of each of the agreements and the justifications offered therefor at the Washington Office of the Federal Maritime Commission, 1100 L Street, NW., Room 10218; or may inspect the agreements at the Field Offices located at New York, N.Y.; New Orleans, Louisiana; San Francisco, California; Chicago, Illinois; and San Juan, Puerto Rico. Interested parties may submit comments on each agreement, including requests for hearing, to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before August 4, 1980. Comments should include facts and arguments concerning the approval, modification, or disapproval of the proposed agreement. Comments shall discuss with particularlity allegations that the agreement is unjustly discriminatory or unfair as betwen carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or opeates to the detriment of the commerce of the United States, or is contrary to the public interest, or is in violation of the Act.

A copy of any comments should also be forwarded to the party filing the agreements and the statement should indicate that this has been done.

Agreement No.: T–3047–2.

Filing Party: Leslie E. Still, Jr., Senior Deputy City Attorney, Harbor Branch Office, Harbor Administration Building, P.O. Box 470, Long Beach, California 90801.

Summary: Agreement No. T-3047-2, between the City of Long Beach (City) and Forest Terminals Corporation (Forest), amends the parties' basic agreement which provides for the nonexclusive preferential assignment to Forest of certain berthing facilities and the exclusive assignment to Forest of land area, transit shed offices, and other improvements. The purpose of the modification is to (1) provide that, under certain circumstances, the tariff revenues accruing from the temporary use of Parcel I by the City or its assignees will be credited against Forest's minimum obligation for Parcels I, II and III; (2) formalize the parties' renegotiation of compensation for Parcels I, II and III in accordance with Paragraphs 1, 5 and 8 of the basic agreement, effective as of April 1, 1980, to provide for an increase in Forest's minimum obligation for these parcels; (3) amend the indemnification and termination paragraphs; and (4) add new paragraphs relating to taxes and relocation assistance.

Agreement No.: T-3911.

Filing Party: Dennis P. Myers, Assistant Attorney General, State of North Carolina, Department of Justice, P.O. Box 629, Raleigh, North Carolina 27602.

Summary: Agreement No. T-3911, between North Carolina State Ports Authority (Port) and Seatrain Intermodal Service Corp. (Seatrain) provides for Seatrain's use of 9.41 acres of land, together with a building known as Maritime Power House Building at Wilmington Port Terminal, and preferential use of: (1) Berths 7 and 8 on two consecutive days each week; (2) a gantry crane of at least 40-ton capacity; and (3) a truck scale. As compensation, Seatrain will pay Port $94,100 per annum land rental and $4,200 per annum building rental. In addition, Seatrain will pay Port wharfage, subject to a guaranteed minimum of 75,000 tons per contract year, and dockage at rates as set forth in the Port's Terminal Tariff No. 4, FMC T-5. Seatrain will pay the Port $300 a month for preferential use of the truck scale. This agreement supersedes and cancels FMC Agreement No. T-3734, between the Port and Seatrain Transportation, Inc., approved by the Commission November 28, 1978.

Agreement No.: 8900-16.

Filing Party: Marc J. Fink, Esquire, Billig, Sher & Jones, P.C., Suite 300, 2033 K Street, N.W., Washington, D.C. 20006.

Summary: Agreement No 8900-16, among the member lines of the Eighty-Nine Hundred Rate Agreement, would extend the authority granted to the Rate Agreement to establish through or joint rate intermodal arrangements for an additional period of three (3) years to December 1, 1983 beyond its present expiration date of December 1, 1980.

Agreement No.: 10293 Sub 1.

Filing Party: Renato C. Giallorenzi, Giallorenzi and Campbell, 67 Broad Street, New York, New York 10004.

Summary: Agreement No. 10293 Sub 1, between Flota Mercante Grancolombiana, S.A. (FMG) and Andino Chemical Shipping Co., Inc. (ACS), provides for the space charter by ACS to FMG for the carriage of bulk liquid cargo between Colombian ports on the Caribbean and U.S. Gulf ports. FMG will take over the canvassing and contracting of bulk liquid cargo for import and export and ACS will be the sole coordinator of shipments of all cargo shipped from U.S. Gulf ports and will be responsible for the carrying of such cargo. FMG will fix rates applicable to Colombian importers and exporters. ACS will inform FMG of the capacity available on its vessels and the kind of cargo that can be accepted. FMG will endeavor to pay ACS the space charter hire no later than 30 days after the date of discharge in Colombia and other charges on receipt of payment. ACS, as agents for FMG in U.S. Gulf ports, will handle shipments and will be responsible for the operations of the vessels and for all commercial matters which derive from the agreement and that must be dealt with in the name and representation of FMG. FMG's agent in Colombia will take care of all agency matters regarding ACS's vessels in Colombian ports. ACS will appoint, on its own account, a permanent representative in Bogota to assure the proper coordination between both companies. The agreement may be terminated by the parties on a notice of not less than 90 days. At the request of the parties, commissions paid between the parties (Articles 9 and 10 and Addendum 4BIS) and the space charter hire (Addenda 1 and 4) will be kept confidential and will be deleted from copies of the agreement. Agreement No. 10293 Sub 1 is filed pursuant to proceedings in Dockets Nos. 79-2 and 79-3.

Agreement No.: 10295 Sub 1.

Filing Party: Renato C. Giallorenzi, Giallorenzi and Campbell, 67 Broad Street, New York, New York 10004.

Summary: Agreement No. 10295 Sub 1, between Flota Mercante Grancolombiana, S.A. (FMG) and Maritima Transligra, S.A. (Transligra), provides for the space charter by Transligra to FMG for the carriage of bulk liquid cargo between Colombian ports on the Pacific Coast and U.S. Gulf ports. FMG will take over the canvassing and contracting of bulk liquid cargo for import and export and Transligra will be the sole coordinator of shipments of all cargo shipped from U.S. Gulf ports and will be responsible for the carrying of such cargo. FMG will fix rates applicable to Colombian importers and exporters. Transligra will inform FMG of the capacity available on its vessels and the kind of cargo that can be accepted. FMG will endeavor to pay Transligra the space charter hire no later than 30 days after the date of discharge in Colombia and other charges on receipt of payment. Transligra's general agents as agents for FMG in the U.S. Gulf ports, will be responsible for the operation of the vessels and for all commercial matters which derive from the agreement and that must be dealt with in the name and representation of FMG. FMG's agents in Colombia will take care of all agency matters regarding Transligra's vessels in Colombian West Coast ports. The agreement may be terminated by either party with notice of not less than 90 days. At the request of the parties, commissions paid between the parties (Article 8) and the space charter hire (Addendum 1) will be kept confidential and will be deleted from copies of the agreement. Agreement No. 10295 Sub 1 is filed pursuant to proceedings in Dockets Nos. 79-2 and 79-3.

Dated: July 9, 1980.

By Order of the Federal Maritime Commission.

Francis C. Hurney,

Secretary.

[FR Doc. 80-21001 Filed 7-14-80; 8:45 am]

BILLING CODE 6730-01-M

Independent Ocean Freight Forwarder License; Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders pursuant to section 44(a) of the Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reasons why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

Dan-Transport Corporation, 1201 Corbin Street, Port Elizabeth, Elizabeth, NJ 07201. Officers: Adolf Lamprecht, President/Director; Joergen Moeller, Vice President; Rene Sidor, Assistant Vice President; Ejvind Frandsen, Secretary/Treasurer; William J. O'Neill, Director.

Damar Cargo Services, Inc., Building 2144, Door N-3, Miami Int'l Airport, Depot, Miami, FL 33152. Officers: Dario Curatas, President/Director; Margarita Cuartas, Secretary/Treasurer/Director.

World International Shipping (Ana T. Binns, d.b.a.), 4260½ 8th Avenue, Los Angeles, CA 90008.

Virginia A. Miller & Company (Virginia A. Miller, d.b.a.), 6945 Clinton Drive, Suite E, P.O. Box 53275, Houston, TX 77052.

Sea-Trans International Corporation, 5th & Chestnut Sts., #1014, Philadelphia, PA 19106. Officers: Joseph F. X. Fasy, Secretary; F. J. Santa Clara, President/Treasurer/Director; Herman Haferkamp, Director; Dieter Larsonneur, Vice President, Director.

Edward Pugliese, 474 Ottawa Avenue, Hasbrouck Hgts., NJ 07604.

By the Federal Maritime Commission.

Dated: July 10, 1980.

Francis C. Hurney,

Secretary.

[FR Doc. 80-21104 Filed 7-14-80; 8:45 am]

BILLING CODE 6730-01-M

Port of Portland and Sea-Land Service, Inc., Lease Agreement; Cancellation

FILING PARTY: Betty I. Crofoot, House Counsel, Port of Portland, Box 3529, Portland, Oregon 97208.

AGREEMENT NO.: T-3064.

SUMMARY: On June 23, 1980, the Commission received notice of the cancellation of lease Agreement No. T-3064, between the Port of Portland and Sea-Land Service, Inc., effective June 14, 1980, and the termination of all rights and obligations under the agreement as of that date.

By Order of the Federal Maritime Commission.

Dated: July 9, 1980.

Francis C. Hurney,

Secretary.

[FR Doc. 80-21105 Filed 7-14-80; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

American National Agency, Inc.

American National Agency, Inc., Nashwauk, Minnesota, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to continue to engage in the activity of acting as agent in the sale of any type of insurance in a community with a population of under 5,000. These activities would be performed from offices of Applicant's subsidiary in Nashwauk, Minnesota, and the geographic areas to be served are within a radius of 15 miles of Nashwauk, Minnesota. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washinton, D.C. 20551, not later than August 7, 1980.

Board of Governors of the Federal Reserve System, July 9, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-21011 Filed 7-14-80; 8:45 am]

BILLING CODE 6210-01-M

Bank Holding Companies; Proposed de Novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than August 6, 1980.

A. *Federal Reserve Bank of New York* (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. Manufacturers Hanover Corporation, New York, New York (mortgage banking, loan servicing and insurance agency activities; Virginia): To engage through its subsidiary Manufacturers Hanover Mortgage Corporation in arranging, making or acquiring for its own account or for the account of others, loans and other extensions of credit such as would be made or acquired by a mortgage company; servicing any such loans and other extensions of credit for any persons; acting as agent or broker, through an indirect subsidiary known as CMC Insurance Agency, Inc., for the sale of credit life insurance and credit accident and health insurance relating to such loans and other extensions of credit. These activities would be conducted from an office in Newport News, Virginia and serving the cities of Newport News, Hampton, Poquoson and Williamsburg and the counties of Gloucester, James City and York.

2. Fidelity Union Bancorporation, Newark, New Jersey (consumer finance activities; New Jersey): To engage through its subsidiary, Suburban Finance Company, in making loans in the maximum amount permitted under the provisions of the New Jersey Small Loan Law. These activities would be conducted from offices in Newark, South Orange, Nutley, Springfield, Watching, Wayne, Franklin, Rockaway, Garfield, Berkeley Township, and Wall Township, New Jersey, serving the municipalities in which the offices are located and portions of the municipalities immediately contiguous to these offices.

B. *Federal Reserve Bank of Atlanta* (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

Planters Bancshares, Inc., Opelousas, Louisiana (leasing activities; Louisiana): To engage through its subsidiary, Planters Bancshares Leasing, Inc., in field leasing personal property in accordance with the Board's Regulation Y. These activities will be conducted from an office in Opelousas, Louisiana, serving St. Landry Parish, Louisiana and surrounding areas in southern Louisiana.

C. *Federal Reserve Bank of San Francisco* (Harry W. Green, Vice President) 400 Sansome Street, San Francisco, California 94120:

Security Pacific Corporation, Los Angeles, California (trust company activities; United States): To expand the activities of its subsidiary, Security Pacific Clearing & Services Corp., to include clearing and custodian activities with respect to securities, commercial paper and similar instruments, such as acting as forwarding agent, coupon paying agent and provider of trade confirmation services for securities and acting as issuing and paying agent for commercial paper and similar instruments. These activities would be

conducted from offices of Security Pacific Clearing & Services Corp. in New York, New York; Los Angeles, California; Chicago, Illinois; Pittsburgh, Pennsylvania and Memphis, Tennessee, serving the United States.

D. *Other Federal Reserve Banks:* None.

Board of Governors of the Federal Reserve System, July 7, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-21014 Filed 7-14-80; 8:45 am]

BILLING CODE 6210-01-M

Bank Holding Companies; Proposed de Novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and, except as noted, received by the appropriate Federal Reserve Bank not later than August 4, 1980.

A. *Federal Reserve Bank of Atlanta* (Robert E. Heck, Vice President), 104 Marietta Street, NW., Atlanta, Georgia 30303:

Southeast Banking Corporation, Miami, Florida (trust activities; Florida): To engage through its subsidiary, Southeast Banks Trust Company, N.A., in activities that may be carried on by a trust company, including activities of a fiduciary, investment advisory, agency, or custodial nature. These activities would be conducted from an office in Port Richey, Florida, serving Pasco County, Florida. Comments on this application must be received by July 23, 1980.

B. *Federal Reserve Bank of Kansas City* (Thomas M. Hoenig, Assistant Vice President), 925 Grand Avenue, Kansas City, Missouri 64198:

This notice is a republication of a previous **Federal Register** document (FR Doc. 80-15243) appearing at page 32775 of the issue for Thursday, May 19, 1980.

First Midwest Bancorp, Inc., St. Joseph, Missouri (agricultural financing; Missouri) to engage, through First AgCorp, Inc., in the following activities: All aspects of the business of agricultural finance, including the making and servicing of loans to individuals, partnerships, corporations and other business entities, the proceeds of which are to be used for the purpose of engaging in the production of livestock and other agricultural activities. Such activities will be conducted at offices in the following location: Fourth and Felix Streets, St. Joseph, Missouri and will service Missouri, Kansas, Iowa and parts of the states of Illinois, Colorado, and Nebraska. Comments on this application must be received by July 25, 1980.

C. *Federal Reserve Bank of San Francisco* (Harry W. Green, Vice President), 400 Sansome Street, San Francisco, California 94120:

U.S. Bancorp, Portland, Oregon (expanded insurance activities; Oregon): To broaden insurance coverage available to VISA cardholders offered by its subsidiary, Mt. Hood Credit Life Insurance Agency, Inc. by revising the current disability insurance to pay the minimum monthly payment retroactive after the borrower has been disabled only 30 days and adding involuntary loss of income insurance. These activities would be conducted from the main office of its subsidiary Mt. Hood Credit Life Insurance Agency, Inc. at Portland, Oregon for customers of another subsidary of U.S. Bancorp, United States National Bank of Oregon, with branch offices throughout the State of Oregon.

D. *Other Federal Reserve Banks:* None.

Board of Governors of the Federal Reserve System, July 7, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-21015 Filed 7-14-80; 8:45 am]

BILLING CODE 6210-01-M

First Kenesaw Co.; Proposed Retention of Nolte-Norris Insurance Agency

First Kenesaw Company, Kenesaw, Nebraska, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to retain voting shares of Nolte-Norris Insurance Agency, Kenesaw, Nebraska.

Applicant states that the proposed subsidiary would continue to engage in the activity of acting as general insurance agent in a community with a population of less than 5,000. These activities would be performed from offices of Applicant's subsidiary in Kenesaw, Nebraska, and the geographic area to be served is Adams County, Nebraska. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than August 6, 1980.

Board of Governors of the Federal Reserve System, July 9, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-21012 Filed 7-14-80; 8:45 am]

BILLING CODE 6210-01-M

Oakland Financial, Inc.; Proposed Acquisition of Farmers and Merchants National Bank Agency and Vern Zetterman Agency

Oakland Financial, Inc., Omaha, Nebraska, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire the insurance business of Farmers and Merchants National Bank Agency, and Vern Zetterman Agency, both of Oakland, Nebraska, to be conducted through a wholly-owned subsidiary, Tri-County Insurance, Inc., Omaha, Nebraska.

Applicant states that the proposed subsidiary would engage to the activity of acting as agent for the sale of general insurance in a town of less than 5,000. These activities would be performed from offices of Applicant's subsidiary in Oakland, Nebraska, and the geographic area to be served is approximated by a circle with its center at Oakland, Nebraska, and having a radius of ten miles. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than August 7, 1980.

Board of Governors of the Federal Reserve System, July 9, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-21013 Filed 7-14-80; 8:45 am]

BILLING CODE 6210-01-M

American Bancorporation of Merritt Island; Formation of Bank Holding Company

American Bancorporation of Merritt Island, Merritt Island, Florida, 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 83 per cent or more of the voting shares of The American Bank of Merritt Island, Merritt Island, Florida. 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 Atlanta. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than August 8, 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, July 8, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-21068 Filed 7-14-80; 8:45 am]

BILLING CODE 6210-01-M

Bank Holding Companies; Proposed de Novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and, except as noted, received by the appropriate Federal Reserve Bank not later than August 8, 1980.

A. *Federal Reserve Bank of Atlanta* (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

The Attalla Trust Company, Gadsden, Alabama, (financing and small loan activities and credit-related insurance activities; Alabama): to engage through its subsidiary, Etowah Finance Corporation, in financing loans for consumer and other purposes for individuals unable to secure bank loans; and to engage through its subsidiary Etowah Loan Company in operating a small loans company, engaging in activities including the extension of direct loans for consumer and other purposes and acting as agent for the sale of life insurance directly related to its extension of credit. These activities would be conducted from an office in Altoona, Alabama, serving a 10-mile radius of Altoona, Alabama, which is within Etowah County, Alabama.

B. *Federal Reserve Bank of Kansas City* (Thomas M. Hoenig, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

First National Bancorporation, Inc., Denver, Colorado (leasing activities; Arizona, California, Colorado, Idaho, Kansas, Louisiana, Montana, Nebraska, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, Wyoming): to engage, through a subsidiary known as First Colorado Leasing Corporation, in leasing personal or real property or acting as agent, broker or advisor in leasing such property and servicing such

leases. The activities will be conducted from an office located in Denver, Colorado, serving Arizona, California, Colorado, Idaho, Kansas, Louisiana, Montana, Nebraska, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington and Wyoming.

C. *Federal Reserve Bank of San Francisco* (Harry W. Green, Vice President) 400 Sansome Street, San Francisco, California 94120:

Security Pacific Corporation, Los Angeles, California (financing; Massachusetts): to engage through its subsidiary Security Pacific Finance Corp. of New Hampshire (formerly American Finance Corporation of New Hampshire), in making or acquiring for its own account or for the account of others, loans and extensions of credit, including making consumer installment personal loans, purchasing consumer installment sales finance contracts, making loans to small businesses and other extensions of credit such as would be made by a factoring company or a consumer finance company. These activities would be conducted from an office of Security Pacific Finance Corp. of New Hampshire in Burlington, Massachusetts, serving the State of Massachusetts. Comments on this application must be received by August 1, 1980.

D. *Other Federal Reserve Banks: None.*

Board of Governors of the Federal Reserve System, July 9, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-21070 Filed 7-14-80; 8:45 am]

BILLING CODE 6210-01-M

FNB Bancorp., Inc.; Formation of Bank Holding Company

FNB Bancorp., Inc., Chicago Heights, Illinois, 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 100 per cent of the voting shares (less directors' qualifying shares) of the successor by merger to First National Bank in Chicago Heights, Chicago Heights, Illinois. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than August 8, 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, July 8, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-21064 Filed 7-14-80; 8:45 am]

BILLING CODE 6210-01-M

Florida Park Banks, Inc.; Formation of Bank Holding Company

Florida Park Banks, Inc., St. Petersburg, Florida, 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 80 per cent or more of the voting shares of Park Bank of Florida, St. Petersburg, Florida. 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 Atlanta. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than August 8, 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, July 9, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-21065 Filed 7-14-80; 8:45 am]

BILLING CODE 6210-01-M

Mountain Holding, Inc.; Formation of Bank Holding Company

Mountain Holding, Inc., Aurora, Colorado, 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 100 percent of the voting shares of Jefferson Bank East, Aurora, Colorado. The factors that are considered in acting on the application are set forth in Section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than August 8, 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, July 9, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-21066 Filed 7-14-80; 8:45 am]

BILLING CODE 6210-01-M

Niobrara Investment Co.

Niobrara Investment Company, Niobrara, Nebraska, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to continue to engage in the activities of acting as general insurance agent or broker in a community that has a population not exceeding 5,000. These activities would be performed from offices of Applicant's subsidiary in Niobrara, Nebraska, and the geographic area to be served is Knox County, Nebraska. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than August 6, 1980.

Board of Governors of the Federal Reserve System, July 8, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-21067 Filed 7-14-80; 8:45 am]

BILLING CODE 6210-01-M

Persons Banking Co., Inc.; Formation of Bank Holding Company

Persons Banking Company, Inc., Forsyth, Georgia, 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 100 per cent of the voting shares of The Farmers Bank, Forsyth, Georgia, and 89 per cent or more of the voting shares of The Peoples Bank, Lithonia, Georgia. 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 Atlanta. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than August 8, 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, July 8, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-21069 Filed 7-14-80; 8:45 am]

BILLING CODE 6210-01-M

GENERAL SERVICES ADMINISTRATION

[GSA Bulletin FPMR F-120]

ADP and Telecommunications; Hardware and Data Standards

July 10, 1980.

1. *Purpose.* This bulletin provides information regarding recent court actions concerning the effective date of Federal Processing Standards Publications (FIPS PUBS) 60, 61, 62, and 63. These standards are effective June 23, 1980.

2. *Expiration date.* This bulletin expires July 31, 1981, unless it is canceled or superseded at an earlier date.

3. *Background.* FIPS PUBS 60, 61, 62, and 63 were developed by the National Bureau of Standards (NBS) and issued by the Secretary of Commerce under Public Law 89-306 (40 U.S.C. 759(f)) and Executive Order 11717. GSA in FPMR Amendment F-40 (45 FR 43415, June 27, 1980) published standard terminology to be used in solicitation documents when conformance with these FIPS PUBS is required. The GSA amendment states that its provisions are to be applied to solicitations issued on or after June 23, 1980.

4. *Court action.*

a. These FIPS PUBS are the subject of litigation, and on June 24, 1980, the U.S. Court of Appeals for the District of Columbia Circuit stayed the effective date of the four FIPS PUBS, pending appeal. That is, the Court ruled that the FIPS PUBS shall not be effective pending further order of the Court.

b. Upon application of the Solicitor General, on July 2, 1980, the Supreme Court of the United States (Order A-1168 in Pending Cases) vacated the order of the Court of Appeals.

5. *Agency action.* In view of the above, the FIPS PUBS remain effective from June 23, 1980. Likewise, FPMR Amendment F-40 remains effective from June 23, 1980. Therefore, agencies are required to apply the FIPS PUBS to applicable solicitations, by amendment if necessary, issued on or after June 23, 1980.

6. *Information and assistance.* For further information or assistance, please telephone the Procurement Policy and Regulations Branch, Mr. Roger W. Walker (202-566-0194).

R. A. Coyer,

Acting Commissioner, Automated Data and Telecommunications Service.

[FR Doc. 80-21028 Filed 7-14-80; 8:45 am]

BILLING CODE 6820-25-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Alcohol, Drug Abuse, and Mental Health Administration

Community Alcoholism Services Review Committee and Federal Employee Alcoholism Programs Work Group; Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. Appendix I), announcement is made of the following National advisory bodies scheduled to assemble during the month of August 1980.

Community Alcoholism Services Review Committee, August 1-3; 7:00 p.m., Fairfax Hotel, 2100 Massachusetts Avenue NW., Washington, D.C. 20008. Open: August 1, 7:00 p.m.-9:30 p.m. Closed: Otherwise. Contact: Mr. Phillip Dawes, Room 16C-26, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857 (301) 443-4273.

Purpose. The Committee is charged with the initial review of grant applications for Federal assistance in the program area administered by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) relating to alcoholism service activities and makes recommendations to the National Advisory Council on Alcohol Abuse and Alcoholism for final review.

Agenda. From 7:00 p.m. to 9:30 p.m., August 1, 1980, the meeting will be open for discussion of administrative, legislative, and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, purusuant to the provisions of Section 552b(c)(6), Title 5 U.S. Code and Section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

The Federal Employee Alcoholism Programs Work Group, Interagency Committee on Federal Activities for Alcohol Abuse and Alcoholism, August 5; 9:30 a.m. (open), Conference Room G, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857. Contact: Mr. Leslie C. Gray, Jr., Room 11A-05, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857 (301) 443-1148.

Purpose. The Federal Employee Alcoholism Programs Work Group (1) evaluates the adequacy and technical soundness of all internal programs dealing with employee alcoholism within all Federal military and civilian organizations of 1,000 employees or more; (2) provides for the communication and exchange of information necessary to maintain the coordination and effectiveness of such programs and activities; (3) seeks to coordinate efforts among Federal agencies for internal employee alcoholism programs; and (4) submits reports and recommendations to the Interagency Committee as necessary in order to perform the above functions.

Agenda. The meeting will consist of a discussion of suggested revisions of the Office of Personnel Management (OPM) annual report form; a briefing on OPM research projects and plans; and a review of FPM Letter 792-12, Subject:

Cooperative Employee Counseling Services Program.

Substantive program information may be obtained from the contact persons listed above. The NIAAA Public Affairs Office will furnish upon request summaries of the meeting and a roster of Committee members. Contact Mr. Paul Garner, Office of Public Affairs, NIAAA, Room 11A–17, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857 (301) 443–3306.

Dated: July 8, 1980.

Elizabeth A. Connolly,

Committee Management Officer, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc. 80–20998 Filed 7–14–80; 8:45 am]

BILLING CODE 4110–88–M

Food and Drug Administration

Advisory Committee; Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). This notice also sets forth a summary of the procedures governing committee meetings and methods by which interested persons may participate in open public hearings conducted by the committees and is issued under section 10(a) (1) and (2) of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770–776 (5 U.S.C. App. I)), and FDA regulations (21 CFR Part 14) relating to advisory committees. The following advisory committee meeting is announced:

Anesthesiology Device Section of the Respiratory and Nervous System Devices Panel

Date, time, and place. August 22, 9 a.m., Rm. 425, 8757 Georgia Ave., Silver Spring, MD.

Type of meeting and contact person. Closed presentation of data, 9 a.m. to 11 a.m.; open public hearing, 11 a.m. to 12 m.; open committee discussion, 12 m. to 4 p.m.; David S. Shindell (HFK–430), Bureau of Medical Devices, Food and Drug Administration, 8757 Georgia Ave., Silver Spring, MD 20910, 301–427–7226.

General function of the Committee. The Committee reviews and evaluates available data on the safety and effectiveness of devices currently in use and makes appropriate recommendations for their regulation.

Agenda—Closed presentation of data. The sponsor of premarket approval application P790031 will present trade secret information concerning the device and respond to questions from the Panel members. This portion of the meeting will be closed to permit discussion of trade secret data (5 U.S.C. 552b(c)(4)).

Open public hearing. Interested persons are encouraged to present information pertinent to anesthesiology devices. Those desiring to make formal presentations should notify David S. Shindell by August 8, 1980, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, references to any data to be relied on, and also an indication of the approximate time required to make their comments.

Open committee discussion. The Panel will review and discuss the safety and effectiveness data for the transcutaneous carbon dioxide monitor submitted in support of premarket approval application P790031.

Applications for reimbursement. Must be received by August 5, 1980.

Each public advisory committee meeting listed above may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meeting shall have an open public hearing portion. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. The dates and times reserved for the separate portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open hearing reprsents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairman determines will facilitate the committee's work.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this Federal Register notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairman's discretion.

Persons interested in specific agenda items to be discussed in open session may ascertain from the contact person the approximate time of discussion.

A list of committee members and summary minutes of meetings may be obtained from the Administrative Proceedings Staff (HFA–305), Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857, between the hours of 9 a.m. and 4 p.m., Monday through Friday. The FDA regulations relating to public advisory committees may be found in 21 CFR Part 14.

The Commissioner, with the concurrence of the Chief Counsel, has determined for the reasons stated that those portions of the advisory committee meetings so designated in this notice shall be closed. The Federal Advisory Committee Act (FACA), as amended by the Government in the Sunshine Act (Pub. L. 94–409), permits such closed advisory committee meetings in certain circumstances. Those portions of a meeting designated as closed, however, shall be closed for the shortest possible time, consistent with the intent of the cited statutes.

The FACA, as amended, provides that a portion of a meeting may be closed where the matter for discussion involves a trade secret; commercial or financial information that is privileged or confidential; information on a personal nature, disclosure of which would be a clearly unwarranted invasion of personal privacy; investigatory files compiled for law enforcement purposes; information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action; and information in certain other instances not generally relevant to FDA matters.

Examples of portions of FDA advisory committee meetings that ordinarily may be closed, where necessary and in accordance with FACA criteria, include the review, discussion, and evaluation of drafts of regulations or guidelines or similar preexisting internal agency documents, but only if their premature disclosure is likely to significantly frustrate implementation of proposed agency action; review of trade secrets and confidential commercial or financial information submitted to the agency; consideration of matters involving investigatory files compiled for law enforcement purposes; and review of matters, such as personnel records or individual patient records, where disclosure would constitute a clearly unwarranted invasion of personal privacy.

Examples of portions of FDA advisory committee meetings that ordinarily shall not be closed include the review, discussion, and evaluation of general preclinical and clinical test protocols and procedures for a class of drugs or devices; consideration of labeling requirements for a class of marketed drugs or devices; review of data and information on specific investigational or marketed drugs and devices that have previously been made public; presentation of any other data or information that is not exempt from public disclosure pursuant to the FACA, as amended; and, notably deliberative sessions to formulate advice and recommendations to the agency on matters that do not independently justify closing.

Applications for reimbursement for participation in the meeting(s) listed above should be sent to Ronald Wylie (HFE–90), Office of Consumer Affairs, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, rather than to the Hearing Clerk as prescribed in § 10.210 of the regulations (21 CFR 10.210). If you wish to submit an application or wish more information regarding the reimbursement program, please call Ronald Wylie at 201–443–2932.

FDA has established expedited procedures for review of any application for reimbursement for participation in the meeting(s) announced in this notice. The Office of Consumer Affairs, FDA, will file any application for reimbursement for participation in the meeting(s) announced in this notice in the docket for this notice.

Dated: July 7, 1980.

Jere E. Goyan,

Commissioner of Food and Drugs.

[FR Doc. 80–20835 Filed 7–14–80; 8:45 am]

BILLING CODE 4110–03–M

Advisory Committees; Meetings

AGENCY: Food and Drug Administration.

ACTION: Notice

SUMMARY: This notice announces forthcoming meetings of public advisory committees of the Food and Drug Administration (FDA). This notice also sets forth a summary of the procedures governing committee meetings and methods by which interested persons may participate in open public hearings conducted by the committees and is issued under section 10(a) (1) and (2) of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770–776 (5 U.S.C. App. I)), and FDA regulations (21 CFR Part 14) relating to advisory committees.

The following advisory committee meetings are announced:

1. Miscellaneous External Drug Products Panel

DATE, TIME, AND PLACE. August 3 and 4, 9 a.m., Holiday Inn, Bethesda, MD (August 3), Conference Rm. C, Parklawn Building, 5600 Fishers Lane, Rockville, MD (August 4).

Type of meeting and contact person. Open committee discussion, August 3, 9 a.m. to 4:30 p.m.; open public hearing, August 4, 9 a.m. to 10 a.m.; open committee discussion, August 4, 10 a.m. to 4:30 p.m.; John T. McElroy (HFD–510), Bureau of Drugs, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–1430.

General function of the Committee. The Committee reviews and evaluates available data on the safety and effectiveness of nonprescription drug products.

Agenda—Open public hearing. Any interested person may present data, information, or views, orally or in writing, on issues pending before the Committee. Those who desire to make such a presentation should notify the contact person before July 29, 1980, and submit a brief statement of the general nature of the data, information, or views they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required for their presentation.

Open committee discussion. The Panel will review data submitted pursuant to the over-the-counter (OTC) review's call for data for this Panel (see also 21 CFR 330.10(a)(2)). The Panel will review, vote upon, and modify the content of summary minutes and categorization of ingredients and claims.

Applications for reimbursement. Must be received by July 25, 1980.

2. Miscellaneous Internal Drug Products Panel

Date, time, and place. August 8 and 9, 9 a.m., Conference Rm B, Parklawn Building, 5600 Fishers Lane, Rockville, MD (August 8), Holiday Inn, Bethesda, MD (August 9).

Type of meeting and contact person. Open public hearing, August 8, 10 a.m. to 10 a.m.; open committee discussion, August 8, 9 a.m. to 4:30 p.m.; August 9, 9 a.m. to 4:30 p.m.; John R. Short (HFD–510), Bureau of Drugs, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–6156.

General function of the Committee. The Committee reviews and evaluates available data on the safety and effectiveness of non prescription drug products.

Agenda—Open public hearing. Any interested person may present data, information, or views, orally or in writing, on issues pending before the Committee. Those who desire to make such a presentation should notify the contact person before August 1, 1980 and submit a brief statement of the general nature of the data, information, or views they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required for their presentation.

Open committee discussion. The Panel will review data submitted pursuant to the over-the-counter (OTC) review's call for data for this Panel (see also 21 CFR 330.10(a)(2)). The Panel will review, vote upon, and modify the content of summary minutes and categorization of ingredients and claims.

Applications for reimbursement. Must be received by July 28, 1980.

FDA public advisory committee meetings may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meetings shall have an open public hearing portion. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. There are no closed portions for the meetings anounced in this notice. The dates and times reserved for the open portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairman determines will facilitate the committee's work.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this **Federal Register** notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right of make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at

the hearing's conclusion, if time permits, at the chairman's discretion.

Persons interested in specific agenda items to be discussed in open session may ascertain from the contact person the approximate time of discussion.

A list of committee members and summary minutes of meetings may be obtained from the Administrative Proceedings Staff (HFA–305), Rm. 4–62 5600 Fishers Lane, Rockville, MD 20857, between the hours of 9 a.m. and 4 p.m., Monday through Friday. The FDA regulations relating to public advisory committees may be found in 21 CFR Part 14.

Applications for reimbursement for participation in the meeting(s) listed above should be sent to Ronald Wylie (HFE–90), Office of Consumer Affairs, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, rather than to the Hearing Clerk as prescribed in § 10.210 of the regulations (21 CFR 10.210). If you wish to submit an application or wish more information regarding the reimbursement program, please call Ronald Wylie at 201–443–2932.

FDA has established expedited procedures for review of any application for reimbursement for participation in the meeting(s) announced in this notice. The Office of Consumer Affairs, FDA, will file any application for reimbursement for participation in the meeting(s) announced in this notice in the docket for this notice.

Dated: July 7, 1980

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 80–20836 Filed 7–14–80; 8:45 am]

BILLING CODE 4110–03–M

[Docket No. 80F–0219]

Ciba-Geigy Corp.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: Ciba-Geigy Corp. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of tris (2,4-di-*tert*-butylphenyl)-phosphite as an antioxidant and thermal stabilizer for ethylene-vinyl acetate copolymers intended for use in contact with food.

FOR FURTHER INFORMATON CONTACT: Neal D. Singletary, Bureau of Foods (HFF–334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–472–5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP OB3511) has been filed by Ciba-Geigy Corp., Ardsley, NY 10502, proposing that § 178.2010 *Antioxidants and/or stabilizers for polymers* (21 CFR 178.2010) be amended to provide for the safe use of tris (2,4-di-*tert*-butylphenyl)-phosphite as an antioxidant and thermal stabilizer for ethylene-vinyl acetate copolymers intended for use in contact with food and complying with § 177.1350 (21 CFR 177.1350).

The Food and Drug Administration (FDA) has carefully considered the potential environmental effects of this action and has found that the action will not have a significant impact on the human environment and that no environmental impact statement is required. FDA's finding of no significant impact and the evidence supporting that document may be seen in the office of the Hearing Clerk (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday.

Dated: July 3, 1980.

Sanford A. Miller,

Director, Bureau of Foods.

[FR Doc. 80–20832 Filed 7–14–80; 8:45 am]

BILLING CODE 4110–03–M

Norden Laboratories, Inc.; Dexiron-100 Injectable; Withdrawal of Approval of NADA

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The agency withdraws approval of a new animal drug application (NADA) sponsored by Norden Laboratories, Inc., providing for use of Dexiron-100 (colloidal ferric oxide injection) for prevention and treatment of iron deficiency anemia in baby pigs. Norden Laboratories, Inc., has requested the withdrawal of approval.

EFFECTIVE DATE: July 25, 1980.

FOR FURTHER INFORMATION CONTACT: David N. Scarr, Bureau of Veterinary Medicine (HFV–214), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3183.

SUPPLEMENTARY INFORMATION: Norden Laboratories, Inc., 601 W. Cornhusker Highway, P.O. Box 80809, Lincoln, NE 68501, is the sponsor of NADA 15–035 which provides for safe and effective use of Dexiron-100 (colloidal ferric oxide injection) in baby pigs for prevention and treatment of iron deficiency anemia. The application was originally approved October 13, 1964. By letter of August 14, 1979, the sponsor requested withdrawal of approval of the NADA because the product is no longer being manufactured or marketed.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345–347 (21 U.S.C. 360b(e))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.84), and in accordance with § 514.115 *Withdrawal of approval of applications* (21 CFR 514.115), notice is given that approval of NADA 15–035 and all supplements for Norden Laboratories, Inc., Dexiron-100 Injectable is withdrawn, effecitve July 25, 1980.

Dated: July 2, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80–20833 Filed 7–14–80; 8:45 am]

BILLING CODE 4110–03–M

Syntex Corp.; Syntex Tylan Medicated Premixes; Withdrawal of Approval of NADA

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The agency withdraws approval of a new animal drug application (NADA) providing for use of Syntex Tylan Medicated Premixes, containing tylosin, in complete swine feeds for growth promotion and feed efficiency. The sponsor, Syntex Corp., requested this action.

EFFECTIVE DATE: July 25, 1980.

FOR FURTHER INFORMATION CONTACT: David N. Scarr, Bureau of Veterinary Medicine (HFV–214), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3183.

SUPPLEMENTARY INFORMATION: Syntex Corp., 3401 Hillview Ave., Palo Alto, CA 94304, is sponsor of NADA 101–528 which provides for use of intermediate premixes containing 4- and 10-grams-per-pound each of tylosin (as the phosphate) in complete swine feeds for growth promotion and feed efficiency. The application was originally approved December 31, 1975. By letter of August 6, 1979, the firm requested that approval of the NADA be withdrawn because the product has been neither manufactured nor marketed.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345–347 (21 U.S.C. 360b(e))) and under authority delegated to the Commission of Food and Drugs (21 CFR 5.1) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.84), and in accordance with § 514.115 *Withdrawal of approval of applications*

(21 CFR 514.115), notice is given that approval of NADA 101–528 and all supplements for Tylan 4 and Tylan 10 Medicated Premixes is hereby withdrawn, effective July 25, 1980.

In a separate document published elsewhere in this issue of the **Federal Register**, § 558.625 *Tylosin* is amended to delete that portion of the regulation which reflects approval of this NADA.

Dated: July 2, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80–20834 Filed 7–14–80; 8:45 am]

BILLING CODE 4110–03–M

Office of the Secretary

Statement of Organization, Functions, and Delegations of Authority

Part A, Chapter AT (Office for Civil Rights) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health and Human Services (43 FR 40927, September 13, 1978) is replaced to reflect a reorganization of the Office for Civil Rights. The reorganization is in response to the transfer of civil rights functions to the Department of Education.

The reorganization is designed to strengthen the coordination and management of the program offices; correct a previous imbalance between administrative and program functions; and assign directly interrelated functions within the same organizational component.

1. Replace Part A, Chapter AT with the following:

Chapter AT

Office for Civil Rights

AT.00 Mission
AT.10 Organization
AT.20 Functions
AT.30 Delegations of Authority

Sec. AT.00 Mission: The primary mission of the Office for Civil Rights is to eliminate unlawful discrimination and to insure equal opportunities for the beneficiaries and potential beneficiaries of Federal financial assistance provided by the Department of Health and Human Services. This shall be accomplished as quickly and as effectively as possible, but with careful review and meaningful efforts at voluntary compliance.

Sec. AT.10 Organization: The Office for Civil Rights is under the supervision of the Director, who reports to the Secretary. The Director also serves as the Secretary's Special Assistant for Civil Rights, responsible for overall coordination of the Department's civil rights activities. The Office is comprised of the following headquarters and regional components.

Organization

Office of the Director

Executive Secretariat
Office of Public Affairs
Office of Intergovernmental Affairs
Office of Quality Assurance
EEO Affirmative Action Coordinator
Office of Administration

Office of the Deputy Director for Compliance and Enforcement

Division of Compliance Review and Assistance
Division of Special Projects and New Programs
Division of Field Management

Office of the Deputy Director for Program Development

Division of Policy and Procedures
Division of Program Planning, Support, and Evaluation

Office of the Deputy Director for Technical Assistance

Division of External Technical Assistance
Division of Intra-Departmental Civil Rights Coordination

Office of the Regional Director (Regions I–X)

Program Review and Management Support Division
Investigative Divisions

Sec. AT.20 Functions: A. *Office of the Director:* As the Department's chief officer for the enforcement of the nondiscrimination provisions of law and as adviser to the Secretary on civil rights, the Director is responsible for the overall operations of the Office for Civil Rights (the Office); establishes policy and serves as adviser to the Secretary on civil rights matters, including intradepartmental activities aimed at incorporating civil rights compliance into programs the Department administers; sets overall direction and priorities of the Office by formulating budget requests and long-range and annual operating plans; determines policies and standards for the civil rights compliance program in coordination with the Secretary and other Federal agencies; determines cases for enforcement action. In consultation with the Office of the General Counsel (OGC), identifies cases for referral to the Department of Justice for legal action and cases for the institution of administrative enforcement proceedings; consults with and advises the Assistant General Counsel for Civil Rights concerning the work load and priorities of the Office of the General Counsel, Civil Rights Division; represents the Secretary before Congress and the Executive Office of the President on matters relating to civil rights; and solicits the participation of beneficiaries and recipients in the conduct of the Department's civil rights compliance program. The Director of the Office is served by a Principal Deputy who acts as his/her alter ego.

1. *Executive Secretariat:* Reviews completeness and responsiveness of all documents forwarded to the Director and Principal Deputy for approval; establishes and monitors procedures for insuring that the Office furnishes complete and timely responses to informational requests from the Secretary, Under Secretary, Department components, Congress, government agencies, and the public. In conjunction with the Director, assigns responsibility for the preparation of documents and completion dates; determines internal clearance procedures for documents and correspondence, insuring legal clearances and necessary coordination with other Departmental components; insures that Office priorities are met with respect to matters referred to OCR for action. Follows up on the work assignments made by the Director, insures the communication in headquarters of the Director's decisions; serves as point of contact with the Secretary's executive secretariat; and maintains the Director and Principal Deputy's official Office correspondence files and records. Recommends changes to increase efficiency of paperwork management processes.

2. *Office of Public Affairs:* In coordination with the Assistant Secretary for Public Affairs, plans and directs a comprehensive civil rights public information program, provides advice and counsel from a public affairs perspective on OCR planning and decision making, performs a variety of editorial services and disseminates informational materials for print and audiovisual media in connection with OCR activities. Serves as the primary channel for dissemination of civil rights news to recipients and to the general public; provides access to interested groups and citizens to participate in OCR planning, policy and operational activities. Develops short-range and long-range public affairs programs; reviews, and approves or disapproves, all proposed contracts for public communication sevices; plans and carries out OCR's publications program. Maintains liaison with the media to facilitate coverage and interpretation of OCR's compliance program, including the preparation of news releases, articles, and other informational materials and conducts a speaker's bureau. Provides guidance on public affairs matters to Regional Civil Rights Directors and to other regional

personnel; and administers the Freedom of Information Act and the Privacy Act. Advises OCR components on the preparation of materials for the public and clears all materials prepared.

3. *Office of Intergovernmental Affairs:* Maintains liaison with Congress, Federal departments and agencies, and State and local governments (including organizations representing such units of government); conducts activities in coordination and consultation with the Office of the Assistant Secretary for Legislation, establishes processes to facilitate exchange of information between the Office for Civil Rights and the Congress. Reviews pending legislation for civil rights implications; develops position statements; coordinates policy and legal or statutory interpretation of issues with the Deputy Director, Office of Program Development; develops civil rights legislative proposals; coordinates participation in the Department's legislative planning process; serves as principal staff coordinator with the staff of the Office of the Assistant Secretary for Legislation.

Coordinates with the Director and appropriate Departmental offices the preparation of testimony and briefing materials for Congressional hearings pertaining to civil rights, including the preparation of testmony and other materials relating to OCR's annual budget request presentation before the Appropriations Committees; monitors the status of pending civil rights legislation and Congressional (including appropriations) hearings related to civil rights matters and arranges for Office input as necessary; arranges and participates in briefings of Congressional members and staffs on civil rights matters; notifies appropriate Congressional committees of significant civil rights developments, and informs members of compliance developments affecting recipients of Federal funds in their Congressional districts. Attends and provides summaries of legislative hearings; coordinates preparation of responses to Congressional inquiries and develops a tracking system for legislative purposes; maintains legislative library, including review of the Congressional Record and **Federal Register** and preparation of summaries for Office use.

Facilitates communication of matters related to civil rights with other Departmental offices, Federal departments and non-HHS agencies, and State and local governments (including organizations representing such units of government); arranges and participates in briefings of State and local governments on civil rights matters and coordinates participation of Office program officials in regional or national conferences which relate to Office enforcement authority; coordinates activities related to interagency delegations of authority; insures that major Office communications with groups representing government organizations are coordinated within the Office before release; facilitates participation of organizations in Office planning, policy, and operational activities; and coordinates Office review of documents submitted by such organizations.

4. *Office of Quality Assurance:* Develops and directs ongoing substantive quality assurance program, including review and analysis of selected completed cases to assess consistency in the application of Office policies and procedures as well as review and analysis of case processing and support systems to assess efficiency and effectiveness of program. Prepares reports and recommendations for improving regional aprogram activity; informs the Division of Policy and Procedures, Office of Program Development and the Office of Compliance and Enforcement, of staff training needs as identified through quality assurance reviews of regional and headquarters office performance; identifies areas in which new or modified compliance policies are necessary to respond to problems encountered by regional offices, and makes appropriate recommendations to the Office of Program Development and the Office of Compliance and Enforcement. Prepares reports and recommendations for improving headquarters program support activity.

At the direction of the Director or Principal Deputy, conducts audits of specified program and program support activities within the Office to assess quality, effectiveness, and efficiency; develops recommendations for improved operation as necessary; reviews implementation of recommendations to guarantee their accomplishment.

5. *EEO/Affirmative Action Coordinator:* Acts as principal adviser to the Director and Principal Deputy regarding affirmative action planning, implementation, and direction. Is responsible for meeting with and assisting OCR Senior Staff and Regional Civil Rights Directors to identify and achieve affirmative action goals. Works with Department-level affirmative action staff to insure that OCR's plans and procedures adhere to Departmental and Equal Employment Opportunity Commission (EEOC) guidelines. Serves as primary liaison to OS Personnel for the implementation of OCR's Federal Equal Opportunity Recruitment Program (FEORP) in headquarters, and advises Regional Civil Rights Directors on FEORP liaisons with Regional Personnel Offices. Serves as primary contact with all standing OCR affirmative action committees and acts as a conduit of information both to and from such committees.

6. *Office of Administration:* Serves as Director's principal adviser on budget execution, administration, and automated data processing (ADP) systems for the Office.

Serves as liaison with Departmental fiscal management units. Consistent with Departmental directives and policy, establishes policies, procedures, and reports on fiscal matters including pay, travel, contract services, supplies, and space. Assists offices and operating divisions in the development of financial resource requirements and justifications; provides actual cost data and estimates of future obligations for incorporation into budget. Manages national budget execution and control system to insure conformance with allotments and timely reporting on commitments and expenditures; submits regular financial status reports; advises Director on financial commitments and recommends alternative expenditure plans.

Directs Office contracts program in accordance with established policies, procedures, and standards. Coordinates contract processes with planning and resource management processes. Reviews and makes recommendations on all contract proposals to insure adherence to guidelines set by the Office of the Secretary, Division of Contracts and Grants; and maintains liaison with GAS, GPO, SBA, and other executive agencies, contractors, and vendors of administrative services as they relate to contracts.

Provides ADP services to meet the informational needs of OCR components. Conducts studies to determine areas where needs could be met by the use of data processing technoloy. Develops standards for ADP-related processes and products and insures adherence to these as well as applicable Departmental and Federal standards; establishes controls to assure the security of ADP equipment and the data within information systems; performs analyses necessary to develop specifications for ADP systems; and develops the procedures and computer programs that constitute ADP systems. Provides support, technical assistance and production services to the Office of Program Development, the Office of

Compliance and Enforcement, and other OCR components whenever they need data processing support. Acquires equipment, supplies, and products necessary to support computer-based information systems. Participates in the evaluation of external service proposals whenever any of the above-mentioned functions are to be performed by contractors.

Tracks and reports on Director and Secretary level management by objective initiatives. Advises Principal Deputy as to what corrective actions are necessary in response to shortfalls and recommends appropriate actions.

Assists in the development and monitors the implementation of performance standards for headquarters personnel. Insures regional/headquarters interaction in the development of standards. Administers merit pay system for OCR.

Develops and maintains an administrative directives system which includes all management and administrative policy and guidance as well as delegations of authority; advises Director on effect of proposed changes to established directives and initiates revisions in response to Departmental directives.

Functions as liaison with the Office of the Assistant Secretary for Personnel Administration, the Office of the Secretary Personnel Office, and the Regional Personnel Offices. Provides a full range of property management services including space, equipment, and supplies management; manages central mailroom and duplicating services; manages records retention, transfer, retirement, and disposal systems of the Office and establishes and monitors files and records maintenance systems used throughout the Office; insures adherence to Federal and Departmental policies and standards regarding security of records, files, and equipment. Sets standards for forms and reports development and control and provides technical assistance to Office components in the development and use of forms and reports.

Manages the OCR Training Institute. Develops and directs counseling and training activities concerning employees' career development opportunities, staff development, executive development, and other programs for personnel development.

B. *Office of Compliance and Enforcement:* Directs a program of headquarters support for the conduct of compliance reviews, complaint investigations, and other enforcement activities assigned by the Director. Has direct supervisory authority over regional offices; oversees conduct of compliance reviews, complaint investigations, and other enforcement activities; insures that regulations, guidelines, and standards developed by the Office of Program Development and approved by the Director are implemented in a uniform, effective, and timely manner. Provides regional offices with necessary headquarters assistance concerning substantive program matters; reviews cases recommended for enforcement and makes final enforcement recommendations to the Director and the Office of the General Counsel.

Reports to the Director on achievement of case processing goals; analyzes workload and recommends adjustments; and in conjunction with Office of Program Development, identifies needed policy, procedures, and training. Recommends operational resource and organizational adjustments and improvements to increase regional office management efficiency and effectiveness. Oversees the development of performance standards for regional directors and monitors their implementation.

1. *Division of Compliance Review and Assistance:* Conducts civil rights compliance program and provides case-related technical assistance to OCR staff in the areas of health and human services. Insures that determinations related to a recipient's compliance status are reached in an appropriate and timely manner and that they correctly apply established policies and procedures. Monitors ongoing regional compliance activities to assess adherence to the Annual Operating Plan and approved changes to that plan and to determine successes or problems with investigative procedures.

Assesses cases in progress; reviews investigative plans and letters of findings to insure cases are developed according to established standards and procedures and that findings are fully supported by evidence collected and analyzed. Provides necessary liaison between headquarters and regional offices to facilitate resolution of previously unaddressed issues and interpretations of existing policy and procedures. Responds to field inquiries on program matters, referring policy issues to the Office of Program Development and obtaining advice from the Office of the General Counsel (OGC), as necessary.

Examines all cases recommended by regional offices for enforcement action; conducts negotiations with recipients, in conjunction with regional offices, to secure voluntary compliance in such cases; reviews appeals of regional findings by recipients and beneficiaries; recommends manner of enforcement (i.e., initiation of administrative enforcement proceedings or referral to the Department of Justice for court proceedings); provides necessary liaison with Office of the General Counsel regarding enforcement action; and secures resource persons for preparation of expert testimony in cases involved in enforcement action.

Assists regional personnel in the development of cases and provides staff to supplement extensive, precedent setting investigations.

2. *Division of Field Management:* Receives and disseminates the appropriate headquarters component (including OGC) all cases referred from regional offices to headquarters. Acts as central control point for tracking all headquarters case-related activities, and provides necessary liaison between headquarters and regional offices to facilitate timely processing of cases. Operates Office system to warn Director and Secretary of imminent case decisions and their potential effect. Serves as the intake unit for age discrimination complaints; determines jurisdiction and forwards the cases to the Federal Mediation and Conciliation Service for negotiation.

Develops, implements, and monitors regional management systems. Provides management guidance to and analysis of regional offices and components; maintains management and administrative liaison with regional offices; recommends operational resource and organizational adjustments and improvements to increase regional office management efficiency and effectiveness. Conducts studies and designs and recommends model programs to increase the effectiveness of regional office management. Recommends appropriate standards to measure regional performance and monitors implementation of the standards set.

Prepares reports on all case activity and identifies shortfalls against goals set by the Office. Conducts case work load analyses and reports on time frame compliance using information generated by the Case Information Management System (CIMS). Conducts on-site audits to insure the validity of the information in CIMS; conducts training or revises CIMS procedures to improve the accuracy and timeliness of data in the system. Conducts work measurement studies and plans, implements and evaluates OCR's Staff Resources Measurement System in accordance with Departmental criteria. Predicts the expected number of complaint receipts, estimates resulting caseloads, and

recommends staffing levels based upon work loads; develops internal goals and time frames needed to achieve AOP and budget targets; coordinates internal case processing objectives with initiatives and directives from the Secretary and any external commitments.

Studies OCR procedures for collecting, storing, retrieving, and analyzing information and recommends methods for reducing costs and improving quality and effectiveness.

Compiles Interagency Report on status of recipients of Departmental funds. Maintains assurances of compliance with civil rights requirements filed with the Department by recipients of Federal financial assistance. Advises recipients on requirements of filing assurances.

3. *Division of Special Projects and New Programs:* In conjunction with other Office components, initiates and implements pilot or model compliance reviews to test new program approaches and to validate standards and procedures. In coordination with the Division of Program Planning, Support and Evaluation, selects review subjects and sites based on analysis of developing or unresolved compliance issues; bases analysis on examination of completed investigations, investigations in progress, as well as issues identified in long-range plans and projections of the Office. Translates pilot or model review findings into specific program activities needed to support further similar reviews; in conjunction with the Office of Program Development, identifies policy, procedures, and statistical systems to be developed, and training to be provided.

Analyzes investigations and reviews conducted, and in coordination with Division of Policy and Procedures, identifies unresolved policy issues and areas in which new or modified compliance policies are necessary to respond to problems encountered by regional offices.

Provides the Office of Program Development with information on appropriate review issues and sites to support office objectives in short and long-range plans.

Develops and directs a program of expert/consultant services to support investigations and reviews; identifies required resources and obtains such resources either in-house or externally; maintains a register of in-house and external experts (e.g., statisticians, psychologists, linguists, physicians) and secures their services as necessary. Provides expert staff for consultation during investigations, in the development of findings, and in the presentation of evidence.

C. *Office of Program Development:* Serves as the Director's chief adviser on civil rights policy; directs the development and dissemination of compliance policies, legal standards, regulations, gudelines, procedures and statements; and directs civil rights research program. Provides policy interpretations and research to other units of the Office; reviews Departmental regulations for civil rights adequacy; and reviews the policy implications of legislative proposals and budget documents submitted to the Director for approval. Approves, with the concurrence of the Director, all Office surveys, and forms and procedures for conducting such surveys; and monitors all survey and research contracts.

Serves as Director's principal adviser on budget formulation, long-range planning and annual operating plan development and program evaluation; develops and directs civil rights training program.

1. *Division of Policy and Procedures:* Formulates policies, legal standards, regulations, guidelines, procedures, and interpretations establishing actions required by the statutes OCR enforces. Insures that regional and headquarters components as well as beneficiaries and recipients of HEW funds contribute to the development of such policy. Identifies information needed to formulate and implement policies, regulations, guidelines, and statements and communicates these needs to the Division of Program Planning, Support, and Evaluation and other headquarters components as appropriate. Directs development of manuals explaining case-development and investigatory procedures; coordinates and consults with the Office of Compliance and Enforcement and the regional offices on procedures that affect existing policy or development of new policy; and participates with the Office of Compliance and Enforcement in designing and directing special compliance reviews to formulate policies and procedures.

Provides policy guidance to other OCR offices and clears policy-related material prepared by those offices, including reviewing policies and procedures developed by the Office of Technical Assistance to define the civil rights responsibilities of POCs and their respective program agencies, and civil rights legislative proposals developed by the Office of Intergovernmental Affairs to insure adherence to OCR policy and legal standards. Reviews regulations of other Departmental components to insure civil rights adequacy and serves on regulation panels.

Develops and directs civil rights training programs for headquarters and regional offices: assists Office components in identifying training needs; locates appropriate sources to meet those needs, including outside training courses, consultant instruction, and development of internal programs; coordinates planning and scheduling of training; and works with other components to prepare training materials.

2. *Division of Program Planning, Support, and Evaluation:* Plans and directs research on recipient and beneficiary populations to identify unresolved policy issues and provide to the Office of Program Development information needed as a foundation for policy formulation. Plans and implements all OCR national surveys and data collection projects which provide information on recipient and beneficiary populations, and performs analyses of resulting data. Serves as the primary OCR resource of information on recipients and beneficiary populations. Performs research on a quick turnaround basis to support time-constrained policy, guideline, and procedure development tasks. Coordinates the development and implementation of all research and information collection projects with appropriate OCR components. Shares the products of information collection and analysis activities and research studies with all OCR components to support the recipient and beneficiary population information needs of those offices. Assists the Divisions of Compliance Review and Assistance and Special Projects and New Programs in targeting compliance reviews. Participates with those Divisions and selected region(s) in the conduct of special and precedent setting reviews to collect and analyze data needed to support the formulation of policy, guidelines, and procedures.

Maintains technical supervision over all contracts designed to support the information collection, analysis, and research of the Office of Program Development. Designs and conducts case statistical analyses; designs, implements, and directs program-related automated data processing efforts; assists other components of the Office by providing data processing advice and support. Disseminates data analyses and formal analytical and research reports within the Office and to interested parties outside OCR.

Develops Office-wide goals and national priorities and translates them into plans, budgets, and supportive

documentation for legislative recommendations. Sets planning calendar and develops resource and operations planning, budget, and legislative development guidelines within framework established by OMB and the Department. Advises Deputy Director for Program Development on effects of shifting goals and priorities and recommends courses of action to insure an effective program and an efficient use of resources. Establishes evaluation systems and conducts studies to determine the impact, effectiveness, and benefits of OCR's programs on beneficiaries and client groups. Coordinates evaluation studies with appropriate OCR components. Serves as principal adviser to the Deputy Director for Program Development on planning, budget development, and evaluation matters emanating from the Office of the Secretary, and as principal staff coordinator on such matters with the staffs of the Offices of the Assistant Secretaries for Planning and Evaluation and Management and Budget.

D. *Office of Technical Assistance:* Plans, coordinates, and manages OCR's initiative to incorporate civil rights activities into the program operations of Principal Operating Components (POC's). Oversees establishment and implementation of a Departmental civil rights program in the POC's and development of appropriate procedures for advising the Director and Secretary regarding civil rights performance of POC's. Coordinates OCR interactions with POC's in civil rights matters: designs, develops, and establishes operational criteria to guide the POC's in the administration of their civil rights program; provides technical assistance and support services to POC's for civil rights policy implementation, including securing support from other OCR components; and reviews and appraises civil rights activities undertaken by POC's, including prefunding reviews. Plans Departmental programs to provide financial and technical assistance to beneficiaries and recipients to support civil rights compliance; coordinates the Department's efforts to deliver such civil rights technical assistance and manages OCR's contractual technical assistance program and the Regional Technical Assistance Staffs; serves as liaison to other Federal agencies in their technical assistance efforts. Provides direct technical assistance to national organizations, recipients, beneficiaries, and other organizations.

1. *Division of External Technical Assistance:* Plans, develops, and manages OCR's program of direct technical assistance provided through contracts and other means to recipients, beneficiaries, public officials and others. Coordinates and manages the Regional Technical Assistance Staffs (RTAS). Provides leadership, advice, and guidance on planning and conducting technical assistance programs to Federal grant-making agencies implementing nondiscrimination requirements. Develops and disseminates specialized materials and publications, such as self-evaluation guides and technical assistance manuals, for recipients, beneficiaries, and other Federal agencies, to increase voluntary compliance with the civil rights statutes OCR enforces. Evaluates similar materials produced by other Federal agencies and nongovernmental sources to ascertain their usefulness in increasing compliance by HHS recipients, and arranges for widespread dissemination of useful materials. Serves as a focal point for contact with, and maintains communications channels with, organizations representing protected classes of individuals; participates in national conferences and meetings to explain technical assistance programs and inform beneficiary and recipient groups about the programs of OCR and the availability of technical assistance; conducts needs assessments of recipient groups.

2. *Division of Intra-Departmental Civil Rights Coordination:* Administers OCR's initiative to incorporate civil rights activities into the POC's: develops procedures for implementing civil rights responsibilities in POC program operations; designs civil rights management systems and operational criteria to guide the POC's in the administration of their civil rights programs; negotiates memoranda of understanding; develops annual work plans; establishes information systems to improve the management of POC civil rights efforts; conducts programs to train POC staff to carry out their civil rights responsibilities; and facilitates the sharing of data and compliance information between OCR and the POCs. Works with the Offices of Compliance and Enforcement and Policy Development to insure proper coordination of POC activities with the implementation of OCR's goals and objectives.

Reviews POC directives and instructions to insure support of the Department's civil rights authorities and coordinates the preparation of guidelines for POC civil rights review of their program regulations. Develops, with POCs and related components in the Office of the Secretary, pregrant and postgrant review procedures. Coordinates with POC's and monitors implementation of procedures to insure recipients' compliance with civil rights requirements. Coordinates OCR's response to POC civil rights issues and concerns and coordinates the submission of POC comments on OCR policy and procedures being developed and compliance activities planned.

Works with the POC's to identify broad issues hindering recipients' civil rights compliance and the delivery of services to beneficiaries; guides the POC's in establishing technical assistance programs to explain civil rights requirements to recipients, contractors, and grantees; develops with the POC's methods to monitor their recipients' civil rights compliance and existing civil rights agreements.

E. *Office of the Regional Director:* Within goals set by the Director, develops a comprehensive regional compliance and enforcement program to carry out the Office's mission. Manages the staff and other resources allocated to the regional office to meet the OCR objectives for the regional office activities with respect to: the number of compliance activities completed; the completion of compliance activities within established time frames; the achievement of change for beneficiaries; maintenance of a high level of quality in all compliance decisions; and adherence to OCR compliance policies. Establishes priorities for the work assigned to the chief of the civil rights unit in the regional attorney's office.

Insures the implementation of policy regarding nondiscrimination; targets, schedules, and directs the conduct of complaint investigations and compliance reviews; determines compliance of recipients of Federal financial assistance; negotiates voluntary compliance; approves, disapproves, and monitors implementation of voluntary compliance and corrective plans; approves, disapproves, and monitors State agency Methods of Administration; determines the most effective enforcement method, including conciliation of differences between complainants and recipients; recommends to the Deputy Director for Compliance and Enforcement administrative and/or judicial enforcement actions when voluntary compliance cannot be obtained; participates in headquarters policy and program development.

Prepares regional budget proposal and supporting resource and work measurement justifications; implements final budget allotment for region; in conjunction with the Deputy Director for Compliance and Enforcement, develops

the part of the Annual Operating Plan (AOP) pertaining to the conduct of complaint investigations, compliance reviews, staff training and other regional office activities; implements regional portion of approved AOP.

Provides input on civil rights matters at Principal Regional Official's request; works with Office of Technical Assistance to establish and maintain effective relations with POC's, especially regarding crosscutting enforcement and compliance responsibilities; coordinates with the Freedom of Information Officer and OCR Headquarters on information requests and news media inquiries. Establishes and maintains effective relations with offices of Governors, mayors, county officials, and other key State and local officials; furnishes advice and assistance to them in civil rights matters, and strives to develop mutually beneficial Federal-State-local partnerships. Responds promptly and thoroughly to Congressional inquiries; implements court decisions as they pertain to region.

Recruits, selects, and trains employees in program areas; maintains and effectively manages staff of supervisory personnel, equal opportunity specialists, and support and clerical employees; provides input into and implements OCR's affirmative action plan.

Reports to the Deputy Director for Compliance and Enforcement; is served by a Deputy Regional Director who acts as alter ego to Regional Director.

1. *Program Review and Management Support Division:* Provides the Regional Director with evaluative reports and advice concerning the Office's achievement of its overall goals and objectives, specifically with regard to: the quantity of compliance activities completed; the completion of compliance actions within established time frames; the achievement of change for beneficiaries.

Prepares and monitors regional AOP; oversees regional resource planning; analyzes programs; conducts regional data collections, support services, computer programming, analysis, and research; assesses and assists in meeting regional training needs; provides administrative support services such as personnel, reproduction of materials, space and supply acquisition and utilization, maintenance, correspondence control, safety, and travel. Processes all complaints received, including determination of jurisdiction and completeness; coordinates and implements OCR's Case Information Management System; provides internal program quality control; and disseminates information.

2. *Investigative Divisions:* Under the authorities the Office enforces, conducts complaint investigations and compliance reviews of health and human services institutions to eliminate unlawful discrimination and to insure equal opportunity for the beneficiaries of Federal financial assistance provided by the Department of Health and Human Services; determines compliance of recipients; negotiates voluntary compliance; advises Regional Director on critical compliance matters, and recommends cases for enforcement action; provides technical assistance to recipients for corrective action; and monitors implementation of corrective plans. Coordinates with regional civil rights attorneys, POC regional officials State, local, and other Federal agencies, and, as appropriate, headquarters offices and divisions; solicits chief regional civil rights attorney's legal opinion on investigations and compliance reviews, as appropriate. Represents the regional office to promote understanding of the Office's responsibilities and compliance programs.

Sec. A T.30 Delegations of Authority: The following authorities have been delegated by the Secretary to the Director, Office for Civil Rights:

1. Title VI of the Civil Rights Act of 1964, Pub. L. 88–352.
2. Section 504 of the Rehabilitation Act of 1973, Pub. L. 93–112.
3. Title IX of the Education Amendments of 1972, Pub. L. 92–318.
4. Sections 799A and 855 of the Public Health Service Act, Pub. L. 92–157 and 92–158.
5. Section 407 of the Drug Abuse Office and Treatment Act of 1972, Pub. L. 92–255.
6. Section 321 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970, as amended, Pub. L. 91–616 and 93–282.
7. Age Discrimination Act of 1975, Pub. L. 94–135.
8. Equal Employment Opportunity Provisions of the Public Telecommunications Financing Act of 1978, Pub. L. 95–567.

This delegation includes all powers necessary to effectuate the above listed provisions including, but not limited to, (1) the conduct of investigations, (2) the conduct of negotiations to secure voluntary compliance, (3) the determination that such voluntary compliance cannot be secured, (4) the evaluation and acceptance or rejection of corrective action plans, and (5) the conduct of enforcement activities. The Director of the Office for Civil Rights is authorized to redelegate the authority delegated to him subject to the review and concurrence of the Secretary.

Dated: July 1, 1980.

Patricia Roberts Harris,

Secretary, Department of Health and Human Services.

[FR Doc. 80-21109 Filed 7-14-80; 8:45 am]

BILLING CODE 4110-12-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA 7081 WR, CA 7084 WR, CA 7087 WR, CA 7099 WR]

California; Proposed Continuation of Withdrawals and Opportunity for Public Hearing

As a result of the reviews made pursuant to Section 204(1) of the Federal Land Policy and Management Act of 1976 (90 Stat. 2754; 43 U.S.C. 1714), the Bureau of Land Management, U.S. Department of the Interior, proposes to continue the following Public Water Reserve withdrawals:

San Bernardino Meridian, California

1. Public Water Reserve, CA 7081 WR:
T. 18 S., R. 7 E.,
Sec. 9, NW¼NE¼;
Sec. 15, Lot 7.
The area described aggregates 85.19 acres in San Diego County, California.

2. Public Water Reserve 107, Interpretation, CA 7084 WR:
T. 15 S., R. 7 E.,
Sec. 4, SE¼NE¼.
The area described aggregates 40.00 acres in San Diego County, California.

3. Public Water Reserve 107, Interpretation, CA 7087 WR:
T. 2 N., R. 9 E.,
Sec. 31, NE¼SE¼.
The area described aggregates 40.00 acres in San Bernardino County, California.

4. Public Water Reserve 107, Interpretation, CA 7099 WR:
T. 10 N., R. 21 E.,
Sec. 18, Lot 4.
The area described aggregates 34.29 acres in Imperial County, California.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal continuations may present their views in writing to the undersigned authorized officer of the Bureau of Land Management.

Pursuant to Section 204(h) of the Federal Land Policy and Management Act of 1976, notice is hereby given that an opportunity for a public hearing is afforded in connection with the

proposed withdrawal continuations. All interested persons who desire to be heard on the proposed continuations must submit a written request for a hearing to the undersigned officer. If the State Director, in his discretion, determines that a public hearing is justified, a notice will be published in the **Federal Register** giving the time and place of such hearing. The public hearing will be scheduled and conducted in accordance with BLM Manual, Section 2351.16B.

The Bureau of Land Management's procedures provide that the authorized officer will review the justification and recommended termination date for each existing BLM withdrawal to ensure that continuation provides for maximum public and private use of the withdrawn lands consistent with the purpose of the withdrawal and that all withdrawals lacking justification are recommended for either total or partial revocation.

The authorized officer will prepare a report for consideration by the Secretary of the Interior, who will determine whether, and for how long, the continuation of the existing withdrawals is justified. The determination of the Secretary will be published in the **Federal Register.**

All communications in connection with the withdrawal continuations should be addressed to the undersigned, Bureau of Land Management, Room E-2841, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

Walter F. Holmes,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 80-21040 Filed 7-14-80; 8:45 am]

BILLING CODE 4310-84-M

[CA 700 WR]

California; Proposed Continuation of Withdrawal and Opportunity for Public Hearing

As a result of the review made pursuant to Section 204(l) of the Federal Land Policy and Management Act of 1976 (90 Stat. 2754; 43 U.S.C. 1714), the Bureau of Land Management, U.S. Department of the Interior, proposes to continue the following Protection of Historic Site and Endangered Species withdrawal, established by Public Land Order 5437 of September 30, 1974:

San Bernardino Meridian, California

T. 12 N., R. 8 E.,
Sec. 2, W½ (unsurveyed);
Sec. 11, All;
Sec. 14, NW¼.
T. 13 N., R. 8 E.,
Sec. 35, W½ (unsurveyed).

The areas described aggregate approximately 1,452 acres in San Bernardino County, California.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal continuation may present their views in writing to the undersigned authorized officer of the Bureau of Land Management.

Pursuant to Section 204(h) of the Federal Land Policy and Management Act of 1976, notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal continuation. All interested persons who desire to be heard on the proposed continuation must submit a written request for a hearing to the undersigned officer. If the State Director, in his discretion, determines that a public hearing is justified, a notice will be published in the **Federal Register** giving the time and place of such hearing. The public hearing will be scheduled and conducted in accordance with BLM Manual, Section 2351.16B.

The Bureau of Land Management's procedures provide that the authorized officer will review the justification and recommended termination date for each existing BLM withdrawal to ensure that continuation provides for maximum public and private use of the withdrawn lands consistent with the purpose of the withdrawal and that all withdrawals lacking justification are recommended for either total or partial revocation.

The authorized officer will prepare a report for consideration by the Secretary of the Interior, who will determine whether, and for how long, the continuation of the existing withdrawal is justified. The determination of the Secretary will be published in the **Federal Register.**

All communications in connection with the withdrawal continuation should be addressed to the undersigned, Bureau of Land Management, Room E-2841, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

Walter F. Holmes,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 80-21041 Filed 7-14-80; 8:45 am]

BILLING CODE 4310-84-M

Fish and Wildlife Service

Endangered Species Permit; Receipt of Applications

The applicants listed below wish to be authorized to conduct the specified activity with the indicated Endangered Species:

PRT 2-6706

Applicant: Land Management Branch, Buildings and Grounds Division, Ft. Stewart, GA 31314

The applicant requests a permit to capture, band, mark with patagium streamers, and radio-tag red cockaded woodpeckers (*Picoides borealis*) on Fort Stewart, Georgia for enhancement of survival. Data gained in this study will be used to develop a timber management plan which is consistent with the overall welfare of this species.

PRT 2-6691

Applicant: Jaime Collazo, Juncos, Puerto Rico 00666

The applicant requests a permit to capture and harass brown pelicans (*Pelecanus occidentalis*) in Puerto Rico and the U.S. Virgin Islands for scientific research. Activities would include visiting nesting colonies, banding, weighing, etc., collecting some viable eggs and under favorable conditions collect up to ten adult birds and to salvage dead eggs or birds or parts thereof. This study is supported by the U.S. Fish and Wildlife Service and the Puerto Rico Department of Natural Resources.

PRT 2-6733

Applicant: Patuxent Wildlife Research Center, U.S. Fish & Wildlife Service, Laurel, MD 20811

The applicant requests a permit to import blood and tissue samples of peregrine falcons (*Falco peregrinus*) taken in South America and to import any dead bird or eggs or parts thereof for scientific research.

PRT 2-6718

Applicant: Raymond P. Fisher, Orlando, FL 32856

The applicant requests a permit to capture injured brown pelicans (*Pelecanus occidentalis*) in Florida for rehabilitation purposes thus enhancing the survival of the wild population. Most birds will be treated and released at the site of capture; however, critically injured birds will be held and cared for at the Trai Animal Clinic, Orlando, Florida.

Humane care and treatment during transport, if applicable, has been indicated by the applicant.

Documents and other information submitted with these applications are available to the public during normal business hours in Room 605, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the Director, U.S. Fish & Wildlife Service, WPO, Washington, D.C. 20240.

Interested persons may comment on these applications on or before August 14, 1980, by submitting written data, views, or arguments to the Director at the above address.

Dated: July 9, 1980.

Donald G. Donahoo,

Chief, Permit Branch, Federal Wildlife Permit Office, U.S. Fish & Wildlife Service.

[FR Doc. 80-21107 Filed 7-14-80; 8:45 am]

BILLING CODE 4310-55-M

Endangered Species Permit; Receipt of Applications

The applicants listed below wish to be authorized to conduct the specified activity with the indicated Endangered Species:

PRT 2-6606

Applicant: Cheyenne Mountain Zoological Park, P.O. Box 158, Colorado Springs, CO 80901.

The applicant requests a permit to import one female captive born snow leopard *(Panthera uncia)* from Helsinki (Finland) Zoo for enhancement of propagation.

PRT 2-6704

Applicant: San Diego Wild Animal Park, Route 1, Box 725E, Escondido, CA 92025.

The applicant requests a permit to export one male and one female captive born Przewalski's wild horse *(Equus przewalskii)* to Peking (China) Zoo for enhancement of propagation.

PRT 2-6397

Applicant: Arizona-Sonora Desert Museum, Rt. 9, Box 900, Tucson, AZ 85704.

The applicant requests a permit to export one male and one female captive bred jaguarundi *(Felis yagouaroundi tolteca)* from the Netherlands for enhancement of propagation.

Humane care and treatment during transport, if applicable, has been indicated by the applicant.

Documents and other information submitted with these applications are available to the public during normal business hours in Room 605, 1000 N. Glebe Road, Arlington, Virginia 22203, or by writing to the Director, U.S. Fish & Wildlife Service, WPO, Washington, D.C. 20240.

Interested persons may comment on these applications on or before August 14, 1980, by submitting written data, views, or arguments to the Director at the above address.

Dated: July 8, 1980.

Donald G. Donahoo,

Chief, Permit Office, Federal Wildlife Permit Office.

[FR Doc. 80-21106 Filed 7-14-80; 8:45 am]

BILLING CODE 4310-55-M

Heritage Conservation and Recreation Service

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the Heritage Conservation and Recreation Service before July 3, 1980. Pursuant to section 1202.13 of 36 CFR Part 1202, written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, Heritage Conservation and Recreation Service, U.S. Department of the Interior, Washington DC 20243. Written comments should be submitted by July 30, 1980.

Ronald M. Greenberg,

Acting Chief, National Register of Historic Places.

ALABAMA

Henry County

Headland, *Seaboard Coast Line Railroad Depot*, Broad St.

COLORADO

Boulder County

Nederland vicinity, *Denver, Northwestern and Pacific Railway Historic District* (also in Gilpin and Grand Counties).

Chaffee County

Salida, *Gray, Garret and Julia, Cottage*, 125 E. 5th St.

Clear Creek County

Idaho Springs vicinity, *Evans-Elbert Ranch*, Upper Bear Creek Rd.

Denver County

Denver, *Clements Rowhouse*, 2201-2217 Glenarm Pl.

Denver, *Evans School*, 1115 Acoma St.

El Paso County

Colorado Springs, *Old Colorado City Historic District*, Colorado Ave. between 24th and 27th Sts.

Colorado Springs, *Second Midland School*, 815 S. 25th St.

Colorado Springs, *Stockbridge House*, 2801 W. Colorado Ave.

Manitou Springs, *Wheeler Bank*, 717-719 Manitou Ave.

Elbert County

Elbert, *St. Mark United Presbyterian Church*, 225 Main St.

La Plata County

Durango, *Main Avenue Historic District*, Main Ave.

Larimer County

Fort Collins, *Maxwell, R. G., House*, 2340 W. Mulberry St.

Montrose County

Montrose, *Townsend, Thomas B., House*, 222 S. 5th St.

FLORIDA

Volusia County

New Smyrna Beach vicinity, *North Mosquito Lagoon Archeological District.*

Oak Hill vicinity, *Cat Hammock Site.*

Oak Hill vicinity, *Ross Hammock Site.*

GEORGIA

Meriwether County

Greenville, *Twin Oaks*, GA 100.

Talbot County

Talbotton, *Bailey, Frederick A., House*, U.S. 80.

Talbotton, *Carreker, Newton P., House*, Jackson St.

GUAM

Dededo vicinity, *Ritidian*, N of Dededo.

Yigo vicinity, *Pajon Point* N of Yigo.

Yigo vicinity, *Pati Point Site.*

Yigo vicinity, *Tarague Beach Site.*

HAWAII

Honolulu County

Honolulu, *Young, Alexander, Building*, Bishop St.

Elkhart County

Bristol, *St. John of the Cross Episcopal Church, Rectory and Cemetery*, 601 and 611 E. Vistula Rd.

Fayette County

Lexington, *Fayette Safety Vault and Trust Company Building*, 113—113 Cheapside St.

Lexington, *Smith, Mitchell Baker, Company Building*, 230—232 W. Main St.

Lexington vicinity, *Cleveland-Rogers House*, SE of Lexington at 8151 Richmond Rd.

Jefferson County

JEFFERSON COUNTY MULTIPLE RESOURCE AREA (Partial Inventory). This area includes: *Waverly Hills Tuberculosis Sanatarium Historic Buildings Thematic Resources.* Reference—see individual listings under Jefferson County; Anchorage, *Anchorage Historic District*, KY 146; *Anchorage Fire House*, 1307 Evergreen Rd.; *Anchorage, The*, 804 Evergreen Rd.; *Bayless House*, 1116 Bellewood Rd.; *Bonavita-Weller House*, 12006 Ridge Rd.; *Bonnycot*, 1111 Bellewood Rd.; *Carriage House*, 2006 Stonegate Rd.; *Coldeway House*, 12005 E. Osage Rd.; *Courtney, James, House*, 12006 Hazelwood Rd.;

Forrester House, 1103 Evergreen Rd.; *Gardner's Cottage,* 2006 Stonegate Rd.; *Garr Log House,* 2100 Evergreen Rd.; *Gwathmey, Richard, House,* 1205 Elm Rd.; *Hannah House,* 1306 Evergreen Rd.; *Hausgen House,* 1404 Walnut Lane; *Jenning Cabin,* 11606 Valley View; *Hillcrest,* 11600 Owl Creek Rd.; *Hobbs Chapel and Cemetery,* Osage Rd.; *Jones Estate,* 1905 Stonegate Rd.; *Kentucky Lunatic Asylum,* Lakeland Dr.; *Marshall, John, Sr., House,* 12106 Osage Rd.; *May, Robert, House,* 11104 Owl Creek Rd.; *Nash-McDonald House,* 1306 Bellewood Rd.; *Newland Log House,* 12007 Log Cabin Rd.; *Nock House,* 1401 Elm Rd.; *Presbyterian Manse,* 125 Bellewood Rd.; *Railway Depot,* 1500 Evergreen Rd.; *St. Lukes Church,* 1204 Maple Lane; *Sewell, Robert E., House,* 11700 Osage Rd.; *Shallcross,* 11804 Ridge Rd.; *Sherley Mansion,* 2006 Stonegate Rd.; *Simrall-Warfield House,* 1509 Cold Spring Rd.; *Thompson, James, House,* 1400 Walmut Land; *Twin Gates Carriage House,* 11801 Osage Rd.; *Walker, James, House,* 1902 Evergreen Rd.; *Webb, John, House,* 12200 Lucas Lane; *Williams, Eustace, House,* 11705 Owl Creek Rd.; *Winston's Dr., House,* 11906 Ridge Rd.; *Yager House,* Aiken Rd.; Buechel, *Bannon, Martin, House,* 4510 Bardstown Rd.; *Bannon, Patrick, House,* 4518 Bardstown Rd.; *Gaar-Fenton, Ben, House,* 4124 Nachand Lane; *Taggart House,* 5000 Bardstown Rd.; *Stivers, Zodia, House,* 3701 Montclair; Eastwood, *Hord, Robert, House,* U.S. 60; Fern Creek, *Bates, Levin, House,* 7300 Bardstown Rd.; *Funk, Abraham, House,* 12500 Seatonville Rd.; *Hite, Abraham, House,* Starlight Lane; *Hite-Chenoweth House,* 4219 Starlight Lane; *Snapp House,* 8300 Bardstown Rd.; *Triaero,* 8310 Johnson School Rd.; Fisherville, *Carmichael House,* Off SR 155; *East Cedar Hill Institute,* Clark Station Rd.; *Fisher House,* 15103 Old Taylorsville Rd.; *Gilliland House,* 1601 Gilliland Rd.; *Masonic Hall,* 15116 Old Taylorsville Rd.; *Moore, Simeon, House,* 17317 Taylorsville Rd.; *Glenview,* Berry Hill, Dunraven Ct.; Harrods Creek, *Allison-Barrickman House,* Wolf Pen Branch Rd.; *Ashbourne,* Upper River Rd.; *Barber-Barbour House,* 6415 Transylvania Ave.; *Bingham-Hilliand Doll House,* 5001 Avish Lane; *Chrisler House,* 4508 Upper River Rd.; *Croghan-Blankenbaker Half-Penny,* River Rd. and Blankenbaker Lane; *Fitzhugh House,* Wolf Pen Branch Rd.; *Wymond House,* 4801 Upper River Rd.; Jeffersontown, *Allen House,* 2609 Hunsinger Lane; *Beech Lawn,* 8000 Six Mile Lane; *Beechland* 8500 Six Mile Lane; *Bryan, William F., House,* 8505 Six Mile Lane; *Diamond Fruit Farm,* 8101 Six Mile Lane; *Floore House,* Taylorsville Rd.; *Funk's Branch,* 9011 Taylorsville; *Funk, Harriet, House,* 9316 Hurstbourne; *Funk, James H., House,* 9000 Taylorsville; *Hoke, Andrew, House,* 2700 Llandovery Dr.; *Hunsinger-Kennedy House,* 4334 Taylorsville; *Hurstbourne Farm Gatehouse,* Shelbyville; *Kirby, Judge, House,* Kirby Lane; *Leatherman House,* 3606 College Dr.; *Omer-Pound House,* 6609 Billtown Rd.; *Rock Dale,* 12109 Taylorsville; *Seaton House,* 10320 Watterson Trail; *Stout, Ben, House,* 8630 Stout Rd.; *Stucky House,* 3504 Marlin Dr.; *Tucker, Hazael, House,* 2406 Tucker Station Rd.; *Tway House: Tyler, Moses, House,* 3200 Tucker Station Rd.; *Tyler, Robert, House,* 12603 Taylorsville; *Westwood Farm,* 7800 Six Mile Lane; *Yenowine, George, House,* 1021 Watterson Trail; *Yenowine-Kennedy House,* 4420 Taylorsville; Louisville, *Cardinal Hill Reservoir,* Cardinal Hill Rd.; Lyndon, *Bellevoir-Ormsby Village,* Whipps Mill Rd.; *Lynnford-Lyndon Hall,* 8222 Shelbyville Rd.; *Maghera Glass-Ormsby Hall,* 8521 LaGrange Rd.; *Murray, Dr. Farm,* Murray Hill Pike; *Murray, Jesse, House,* 2810 Weissinger Rd.; *Nachand House,* Westport Rd.; *Soldiers Retreat Site,* Seaton Springs Pkwy.; *Williams, Abraham L., L & N Guest House,* Murphy Lane; Middletown, *Abell House,* 12210 Old Shelbyville Rd.; *Bank of Middletown,*11615 Main St.; *Beynroth House,* 11503 Main St.; *Brengman-Fry House,* 11101 Shelbyville Rd.; *Bull, William, House,* 11918 Old Shelbyville Rd.; *Davis Tavern,* 11180 Shelbyville Rd.; *Frank, Henry, House,* Madison Ave.; *Marders, Jefferson, House,* 211 Madison Ave.; *Middletown Inn,* 11705 Main St.; *Middletown United Methodist Church,* Madison and Main Sts.; Okolona, *Bates, John, House,* Pennsylvania Run Rd.; *Cooper Memorial Church,* 9900 Preston Hwy.; *Fishpool Plantation,* 9710 Preston Hwy.; *Locust Avenue Clearwater Farm,* 1814 Fern Valley Rd.; *Pennsylvania Run Presbyterian Church* Vaughn's Mill Rd.; *Seebolt-Wilhofte-Pendergrass House,* 6010 Fern Valley Rd.; Prospect, *Trigg, James, House,* Covered Bridge Rd.; *Wilhoyte House,* Covered Bridge Rd.; St. Matthews, *Blankenbaker Station,* 21 Poplar Hill Rd.; *Brown, James, House,* Browns Lane; *Brown, Theodore, House,* Browns Lane; *Chenoweth House,* 255 Chenoweth Lane; *Floyd's Station Springhouse,* Prince Williams St.; *Indian Hill Stock Farm Springhouse,* 119 Arrowhead Rd.; *Indian Hill Stock Farm Veech House,* 125 Indian Hills Trail; *Lewis, Dr., House,* 220 Ridgeway Ave.; *Taylor, Zachary, National Cemetery,* 4701 Brownsboro Rd.; *Winchester House,* 613 Breckinridge Lane; Valley Station, *Aydelott House,* 6814 Bethany Lane; *Cedar Hill, Fenley House,* Rayburn St.; *Farnsley House,* 4816 Cane Run Rd.; *Jones House,* 4998 Valley Station Rd.; *Kosmosdale Depot, Lewiston House,* 4902 Ranchland.

Louisville, *Annex Building (Waverly Hills Tuberculosis Sanatarium Historic Buildings Thematic Resources)* Dixie Hwy.

Louisville, *Baker-Hawkins House,* 3603 W. Market St.

Louisville, *Bray Place,* 2227 Bashford Manor Lane.

Louisville, *Hayfield,* 1809 Tyler Lane.

Louisville, *Main Building (Waverly Hills Tuberculosis Sanatarium Historic Buildings Thematic Resources)* Dixie Hwy.

Louisville, *Staff Building (Waverly Hills Tuberculosis Sanatarium Historic Buildings Thematic Resources)* Dixie Hwy.

Kenton County

Covington, *Mutter Gottes Historic District,* Roughly bounded by Madison Ave., 4th, Harvey and Johnson Sts. (boundary increase).

Montgomery County

Mount Sterling, *Smith, Enoch, House,* SR 1.

Perry County

Viper vicinity, *Archeological Site 15 Pe 8.*

Whitley County

Williamsburg, *Gatliff, Dr. Ancil, House,* S. 5th St.

MARYLAND

Carroll County

Westminster, *Westminster Historic District,* MD 32 and MD 97.

MASSACHUSETTS

Berkshire County

Pittsfield, *Old Central High School,* 1st St.

Essex County

CENTRAL VILLAGE, IPSWICH, MASSACHUSETTS MULTIPLE RESOURCE AREA (Partial Inventory). This area includes: Ipswich, *East End Historic District,* East St.; *High Street Historic District,* High St. *Meetinghouse Green Historic District,* N. Main St.; *South Green Historic Disctrict,* MA 1A.; *South Green Historic District,* MA 1A; *Bailey House,* 40 Market St.; *Brown's Manor,* 115 High St.; *Burnham-Patch House,* 1 Turkey Shore Rd.; *Calef, Dr. John, House,* 7 Poplar St.; *Grant, Benhamin, House,* 47 County St.; *Heard-Lakeman House,* 2 Turkey Shore Rd.; *Merrifield House,* 7 Woods Lane; *Rust, Nathaniel, Mansion,* 83 County St.; *Wade House,* 5 Woods Lane; *Wilson, Shoreborne House,* 4 S. Main St.

Franklin County

Greenfield, *Weldon Hotel,* 54 High St.

MISSOURI

Callaway County

Fulton, *Hockaday, John Augustus, House,* 105 Hockaday Ave.

Cape Girardeau County

Cape Girardeau, *Oliver-Leming House (Home of the Missouri State Flag)* 740 North St.

St. Louis (independent city)

Lewis Place Historic District, Lewis Pl.

St. Mary of Victories Church, 744 S. 3rd St.

Saline County

Sweet Springs, *First Christian Chruch,* 400 Bridge St.

MONTANA

Chouteau County

Fort Benton, *Fort Benton Steamboat Levee,* Along the banks of the Missouri River.

Fort Benton, *Masonic Building (Sharps Store)* 1418 Front St.

Geraldine vicinity, *Lonetree,* S of Geraldine.

NEVADA

Carson City (independent city)

Brougher Mansion, 204 W. Spear St.

NEW MEXICO

Bernalillo County

Albuquerque, *Hope Building*, 220 Gold St., SW.

OKLAHOMA

CHOCTAW REMOVAL SITES IN SOUTHEASTERN OKLAHOMA THEMATIC RESOURCES. Reference—see individual listings under McCurtain County.

McCurtain County

Eagletown vicinity, *Bethabara Crossing (Choctaw Removal Sites in Southeastern Oklahoma Thematic Resources).*
Eagletown vicinity, *Bethabara Mission (Choctaw Removal Sites in Southeastern Oklahoma Thematic Resources).*
Eagletown vicinity, *Eagle County Court Grounds (Choctaw Removal Sites in Southeastern Oklahoma Thematic Resources).*
Eagletown vicinity, *Eagletown Town Site (Choctaw Removal Sites in Southeastern Oklahoma Thematic Resources).*
Eagletown vicinity, *Giant Cypress Tree (Choctaw Removal Sites in Southeastern Oklahoma Thematic Resources).*
Eagletown vicinity, *Harris Mill Cemetery (Choctaw Removal Sites in Southeastern Oklahoma Thematic Resources).*
Eagletown vicinity, *Howell Cemetery (Choctaw Removal Sites in Southeastern Oklahoma Thematic Resources).*
Eagletown vicinity, *Military Trace (Choctaw Removal Sites in Southeastern Oklahoma Thematic Resources).*
Eagletown vicinity, *Peachlynn Cemetery (Choctaw Removal Sites in Southeastern Oklahoma Thematic Resources).*
Eagletown vicinity, *Pitchlynn's, Peter P., Farm (Choctaw Removal Sites in Southeastern Oklahoma Thematic Resources).*

OREGON

Harney County

Burns vicinity, *Allison Ranger Station*, NE of Burns.

Jackson County

Medford, *Front Street Transportation District*, Front St.

Multonomah County

Portland, *Gilbert Building*, 319 SW. Taylor St.

Wasco County

The Dalles, *Rock Fort Campsite*, Columbia River shoreline.

PENNSYLVANIA

COVERED BRIDGES OF ERIE COUNTY THEMATIC RESOURCES. Reference—see individual listings under Erie County.

Adams County

Orrtanna vicinity, *Lower Marsh Creek Presbyterian Church*, SE of Orrtanna.

Allegheny County

McKeesport, *Carnegie Free Library*, 1507 Liberty Ave.
McKeesport, *McKeesport National Bank*, 5th and Sinclair Sts.

Beaver County

Bridgewater, *Dunlap, William B., Mansion*, 1298 Market St.
Midland vicinity, *Merrill Lock No. 6*, E of Midland on PA 68.

Bradford County

Camptown vicinity, *Merryall Manse*, S of Camptown on PA 106.

Bucks County

Edgewood, *Village of Edgewood Historic District*, Yardley-Langhorne, Edgewood and Stoney Hill Rds.
Pineville vicinity, *Stockdale, John, Farm*, E of Pineville on Street Rd.

Chester County

Parkersbury, *Parkesburg National Bank*, Gay and Main Sts.
Spring vicinity, *River Bend Farm*, N of Spring City on Sanatoga Rd.
Wagontown vicinity, *Hatfield-Hibernia Historic District*, N. of Wagontown.
West Chester vicinity, *Quarry House*, S. of West Chester on PA 926.

Cumberland County

Shippensburg, *Burd Plantation*, Off U.S. 11.

Dauphin County

Harrisburg, *Camp Curtin Fire Station*, 2504 N. 6th St.
Hershey, *Hershey Community Center Building*, 2 Chocolate Ave.

Erie County

Albion vicinity, *Harrington Covered Bridge (Covered Bridges of Erie County Thematic Resources).*
Erie, *West Park Place*, Bounded by N. Park Row, Peach, 5th and State Sts.
Girard vicinity, *Gudgeonville Covered Bridge (Covered Bridges of Erie County Thematic Resources).*
Waterford vicinity, *Waterford Covered Bridge (Covered Bridges of Erie County Thematic Resources).*
West Sringfield vicinity, *Carman Covered Bridge (Covered Bridges of Erie County Thematic Resources).*

Fayette County

Brownsville, *St. Peter's Church*, Church St.

Franklin County

Greencastle, *Mitchell-Shook House*, Leitersburg St.

Fulton County

Burnt Cabins, *Burnt Cabins Gristmill Property*, Allen's Valley Rd.

Lebanon County

Cornwall, *Buckingham Mansion*, Off PA 419
Palmyra, *Landis Shoe Company Building*, N. Chestnut and E. Broad St.

Lehigh County

Coplay, *Coplay Cement Company Kilns*, N. 2nd St.

Luzerne County

Wilkes-Barre, *Luzerne County Courthouse*, N. River St.

Montgomery County

Rosemont, *Sinnott, Joseph, Mansion*, Montgomery and Lendover Aves.

Northampton County

Easton, *Parsons-Taylor House*, 4th and Ferry Sts.
Nazareth, *Nazareth Hall Tract*, Zizendorf Sq.

Philadelphia County

Philadelphia, *Alden Park Manor*, School House Lane and Wissahickon Ave.
Philadelphia, *Awbury*, Ardleigh St. and Washington Lane
Philadelphia, *Reading Company Grain Elevator*, 411 N. 20th St.
Philadelphia, *Union Methodist Episcopal Church*, 2019 W. Diamond St.
Philadelphia, *Watson Sally, House*, 5128 Wayne Ave.

Pike County

Milford, *Hotel Fauchere and Annex*, 401 and 403 Broad St.

Schuykill County

Pottsville, *Pottsville Downtown Historic District*, Roughly bounded by Laurel Blvd., Railroad, Morris and 4th Sts.

Wayne County

Honesdale, *Old Stone Jail*, 10th St.

Westmoreland County

Greensburg, *Greene, Gen., Hotel*, 24 W. Otterman St.

York County

York, *Nook, The (Francis Farquhar House)* 1101 Farquhar Dr.

SOUTH CAROLINA

Darlington County

Darlington, *St. John's Historic District*, Park, St. John's, Sanders and Orange Sts.

Greenville County

Greenville, *Donaldson, T. Q., House*, 412 Crescent Ave.

TEXAS

Bexar County

San Antonio, *Ximenes Chapel*, 113 Ruiz St.

Franklin County

Mount Vernon vicinity, *Rogers-Drummond House*, 7 mi. SE of Mount Vernon on TX 21

Grimes County

Navasota vicinity, *Foster House*, 2 mi. E of Navasota on TX 90

Madison County

Madisonville, *Shapira Hotel*, 209 N. Madison St.

Panola County

Carthage vicinity, *Methodist Church Concord*, SE of Carthage off TX 59

VERMONT

Franklin County

Richford, *Downtown Richford Historic District*, Main and River Sts.

Windsor County

Hartford, *White River Junction Historic District*, Railroad Row, Main, Currier, Bridge and Gates Sts.

WISCONSIN

Milwaukee County

Milwaukee, *Forest Home Cemetery and Chapel*, 2405 Forest Home Ave.

[FR Doc. 80-20677 Filed 7-14-80; 8:45 am]

BILLING CODE 4310-03-M

INTERSTATE COMMERCE COMMISSION

Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's *Rules of Practice* (49 CFR 1100.247). These rules provide, among other things, that a petition for intervention, either in support of or in opposition to the granting of an application, must be filed with the Commission within 30 days after the date notice of the application is published in the **Federal Register**. Protests (such as were allowed to filings prior to March 1, 1979) *will be rejected*. A petition for intervention without leave must comply with Rule 247(k) which requires petitioner to demonstrate that it (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points.

Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(l) setting forth the specific grounds upon which it is made, including a detailed statement of petitoner's interest, the particular facts, matters, and things relied upon, including the extent, if any, to which petitioner (a) has solicited the traffic or business of those supporting the application, or, (b) where the identity of those supporting the application is not included in the published application notice, has solicited traffic or business identical to any part of that sought by applicant within the affected marketplace. The Commission will also consider (a) the nature and extent of the property, financial, or other interest of the petitioner, (b) the effect of the decision which may be rendered upon petitioner's interest, (c) the availability of other means by which the petitoner's interest might be protected, (d) the extent to which petitioner's interest will be represented by other parties, (e) the extent to which petitioner's participation may reasonably be expected to assist in the development of a sound record, and (f) the extent to which participation by the petitioner would broaden the issues or delay the proceeding.

Petitions not in reasonable compliance with the requirements of the rule may be rejected. An original and one copy of the petition to intervene shall be filed with the Commission indicating the specific rule under which the petition to intervene is being filed, and a copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named.

Section 247(f) provides, in part, that an applicant which does not intend to timely prosecute its application shall promptly request that it be dismissed, and that failure to prosecute an application under the procedures of the Commission will result in its dismissal.

If an applicant has introduced rates as an issue it is noted. Upon request, an applicant must provide a copy of the tentative rate schedule to any protestant.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after July 15, 1980.*

Any authority granted may reflect administrative acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each common carrier applicant has demonstrated that its proposed service is required by the present and future public convenience and necessity, and that each contract carrier applicant qualifies as a contract carrier and its proposed contract carrier service will be consistent with the public interest and the transportation policy of 49 U.S.C. 10101. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulation. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In those proceedings containing a statement or note that dual operations are or may be involved we find, preliminarily and in the absence of the issue being raised by a petitioner, that the proposed dual operations are consistent with the public interest and the transportation policy of 49 U.S.C. 10101 subject to the right of the Commission, which is expressly reserved, to impose such terms, conditions or limitations as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. 10930(a) (formerly section 210 of the Interstate Commerce Act).

In the absence of legally sufficient petitions for intervention, filed on or before August 14, 1980 (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of the decision-notice. To the extent that the authority sought below may duplicate an applicant's other authority, such duplication shall be construed as conferring only a single operating right.

Applicants must comply with all specific conditions set forth in the following decision-notices within 30 days after publication, or the application shall stand denied.

Note.—All applications are for authority to operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, except as otherwise noted.

(Volume No. 205)

Decided: June 13, 1980.

By the Commission, Review Board Number 3, Members Parker, Fortier and Hill.

MC 531 (Sub-444F), filed April 1, 1980. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road (P.O. Box 14048), Houston, TX 77021. Representative: Wray E. Hughes, (same address as applicant). Transporting *glycol, butyl, and propylene*, in bulk, in tank vehicles, from the facilities of KMCO, at Crosby, TX, to points in CA, LA, MS, OH, OR and WA. (Hearing site: Houston, TX.)

MC 720 (Sub-81F), filed April 3, 1980. Applicant: BIRD TRUCKING COMPANY INC., P.O. Box 227, Waupun, WI 53963. Representative: Tom Westerman (same address as applicant). Transporting (1) *foodstuffs*, and (2) *materials, equipment and supplies* used in the manufacture and distribution of foodstuffs, between points in the U.S. in and east of ND, SD, NE, KS, OK, and

TX, restricted to traffic originating at or destined to the facilities of Big Stone, Inc. (Hearing site: Minneapolis, MN, or Madison, WI.)

MC 720 (Sub-82F), filed April 3, 1980. Applicant: BIRD TRUCKING COMPANY, INC., P.O. Box 227, Waupun, WI 53963. Representative: Tom Westerman (same address as applicant). Transporting (1) *materials, equipment, and supplies* used in the production of household laundry products, household cleaning compounds, and textile softeners, from St. Louis, MO, to points in IL on and north of U.S. Hwy 36, (2) *household laundry products, household cleaning compounds, and textile softeners,* and (3) *materials, equipment, and supplies* used in the production of the commodities in (2) above, from points in WI, and the Upper Peninsula of MI, restricted in (1), (2), and (3) to traffic originating at the facilities of Purex Corporation and destined to the indicated destinations. (Hearing site: Milwaukee or Madison, WI.)

MC 720 (Sub-83F), filed April 4, 1980. Applicant: BIRD TRUCKING COMPANY, INC., P.O. Box 227, Waupun, WI 53963. Representative: Tom Westerman, P.O. Box 227, Waupun, WI 53963. Transporting *foodstuffs* from Minneapolis, MN, to points in IL (except Chicago), IN; IA, MI, MO, NE, and OH, restricted to traffic originating at the facilities of Northern Star Company and destined to the indicated destinations. (Hearing site: Minneapolis, MN, or Madison, WI.)

MC 720 (Sub-84F), filed April 7, 1980. Applicant: BIRD TRUCKING COMPANY, INC., P.O. Box 227, Waupun, WI 53963. Representative: Tom Westerman (same address as applicant). Transporting (1) *such commodities* as are manufactured or processed by foundries, and (2) *materials, equipment, and supplies* used in the manufacturing or processing of foundry products (except commodities in bulk, in tank vehicles), between the facilities of Neenah Foundry Company at or near Neenah, WI, on the one hand, and, on the other, points in the U.S. in and east of ND, SD, NE, CO, OK, and TX (except points in WI), restricted to traffic originating at the named origins and destined to the indicated destinations. (Hearing site: Appleton or Fon du Lac, WI.)

MC 730 (Sub-502F), filed April 3, 1980. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a Corporation, 25 No. Via Monte, Walnut Creek, CA 94596. Representative: E. E. Reddick (same address as applicant). *Over regular routes,* transporting *general commodities* (except commodities in bulk, in tank vehicles, classes A and B explosives, household goods as described by the Commission, and those requiring the use of special equipment), serving Honeybrook, Myerstown, Leola, Temple, Boyertown, and Wyomissing, PA, as an off-route point in connection with carriers otherwise authorized regular route operations. Condition: The person or persons engaged in common control of applicant and another regulated carrier must file an application for approval under 49 U.S.C. § 11343, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Philadelphia, PA, or Washington, DC.)

MC 921 (Sub-34F), filed March 20, 1980. Applicant: DEAN TRUCK LINE, INC., P.O. Drawer 631 (Fulton Drive), Corinth, MS 38834. Representative: William W. Odom, Jr. (same address as applicant). Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined in 17 M.C.C. 467, commodities in bulk and articles which because of size or weight require special equipment), to serve the facilities of Union Camp Corporation at or near Houston, MS, as an off-route point in conjunction with its existing authority in MC-921 (Sub-No. 21), between Montgomery, AL, and Tupelo, MS. (Hearing site: Montgomery, AL, or Memphis, TN.)

MC 1181 (Sub-3F), filed March 19, 1980. Applicant: D. A. WOOLEVER AND E. C. WOOLEVER, d.b.a., WOOLEVER TRANSFER, 112 South Loyalsock Ave., Montoursville, PA 17754. Representative: J. B. Walter, P.O. Box 1146, 410 North Third St., Harrisburg, PA 17108. Transporting *cross ties, bridge ties, and lumber,* between the facility of Koppers Company, Inc., in Clinton Township, Lycoming County, PA, on the one hand, and, on the other, points in OH, NY, VT, NH, ME, MA, RI, CT, NJ, MD, DE, VA, WV, and DC. (Hearing site: Harrisburg, PA, or Washington, DC.)

MC 2860 (Sub-204F), filed April 7, 1980. Applicant: NATIONAL FREIGHT, INC., 71 West Park Ave., Vineland, NY 08360. Representative: Peter J. Nickles, 888 Sixteenth St. NW., Washington, D.C. 20006. Transporting *plastic articles and materials,* between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Amoco Foam Products Company. (Hearing site: Washington, D.C.)

MC 11220 (Sub-175F), filed August 20, 1979, and previously noticed in **Federal Register** issue of February 26, 1980. Applicant: GORDONS TRANSPORTS, INC., 185 West McLemore Avenue, Memphis, TN 38101. Representative: James J. Emigh, P.O. Box 59, Memphis, TN 38101. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the facilities of the Toro Company at points in the Minneapolis-St. Paul, MN Commercial Zone, on the one hand, and, on the other, points in AL and MS, those in that part of GA located on and west of U.S. Hwy 441, and those in that part of TN located on and west of Interstate Hwy 24. (Hearing site: Minneapolis, MN.)

Note.—This republication reflects the correct territorial description.

MC 11220 (Sub-208F), filed April 1, 1980. Applicant: GORDONS TRANSPORTS, INC., 185 West McLemore Avenue, Memphis, TN 38101. Representative: James J. Emigh, P.O. Box 59, Memphis, TN 38101. Transporting *ground limestone and crushed marble,* in bags, from points in Talladega County, AL, to points in AR, GA, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, OH, OK, PA, TN, TX, WV, and WI. (Hearing site: Atlanta, GA.)

Note.—Applicant intends to tack this authority with its existing authority.

MC 11220 (Sub-207F), filed April 1, 1980. Applicant: GORDONS TRANSPORTS, INC., 185 West McLemore Avenue, Memphis, TN 38101. Representative: James J. Emigh, P.O. Box 59, Memphis, TN 38101. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the facilities of International Paper Company, located about 16 miles northeast of Mansfield, LA, on the one hand, and, on the other, Fort Smith, AR, and points in AL, GA, IL, IN, IA, KY, MI, MN, MS, MO, OH, TN, WV, and WI. (Hearing site: New Orleans, LA.)

Note.—Applicant intends to tack this authority with its existing authority.

MC 18121 (Sub-32F), filed April 4, 1980. Applicant: ADVANCE TRANSPORTATION COMPANY, a corporation, P.O. Box 719, Milwaukee, WI 53201. Representative: Wayne W. Wilson, 150 East Gilman St., Madison, WI 53703. 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 Davenport, IA as an off-route point, in connection with carriers otherwise authorized

regular route operations. (Hearing site: Madison or Milwaukee, WI.)

Note.—Applicant intends to tack this authority with its existing authority.

MC 23441 (Sub-23F), filed October 24, 1979, and previously noticed in **Federal Register** issue of March 18, 1980. Applicant: LAY TRUCKING COMPANY, INC., 104 Hawthorne, LaPorte, IN 46350. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Transporting *agricultural implement parts,* from the facilities of French & Hecht Division at Davenport and Walcott, IA, to the facilities of Allis Chalmers Corporation at West Allis, WI. (Hearing site: Milwaukee, WI.)

Note.—This republication clarifies the territorial description.

MC 29910 (Sub-259F), filed April 7, 1980. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th St., Fort Smith, AR 72901. Representative: Don A. Smith, P.O. Box 43, 510 North Greenwood Ave., Fort Smith, AR 72902. Transporting *machinery and machinery parts,* between Chicago, IL, Detroit, MI, Philadelphia and Titusville, PA, Los Angeles and San Francisco, CA, Buffalo and New York City, NY, Baltimore, MD, and Houston, TX, on the one hand, and, on the other, points in the U.S. (except AK and HI.) (Hearing site: Chicago, IL.)

MC 35320 (Sub-560F), filed March 19, 1980. Applicant: T.I.M.E.-DC, Inc., 2598 74th St., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). 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 McAllen, TX, as an off-route point in connection with carrier's otherwise authorized regular route authority, restricted to traffic originating at or destined to the facilities of the General Electric Company. Applicant intends to tack to its existing authority. (Hearing site: Dallas, TX, or Chicago, IL.)

MC 35320 (Sub-561F), filed March 19, 1980. Applicant: T. I. M. E.-DC, INC., 2598 74th St. P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). 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 The Kenndall Co., at or near Franklin, KY, as an off-route point in connection with carrier's otherwise authorized regular route operations. Applicant intends to tack to its existing authority. (Hearing site: Boston, MA, or Washington, DC.)

MC 35320 (Sub-564F), filed March 19, 1980. Applicant: T. I. M. E.-DC, INC., 2598 74th St. P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). 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 Hill-Rom Company, Inc., at or near Batesville, IN, as an off-route point in connection with carrier's otherwise authorized regular route operations. Applicant intends to tack to its existing authority. (Hearing site: Cincinnati, OH, or Washington, DC.)

MC 35320 (Sub-565F), filed March 19, 1980. Applicant: T. I. M. E.-DC, INC., 2598 74th St. P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). 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 Badgar Foundry Co., at or near Winona, MN, as an off-route point in connection with carrier's otherwise authorized regular route operations. Applicant intends to tack to its existing authority. (Hearing site: Minneapolis, MN, or Chicago, IL.)

MC 35320 (Sub-566F), filed March 19, 1980. Applicant: T. I. M. E.-DC, INC., 2598 74th St. P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). Over regular routes, Transporting *general commodities,* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between McMinnville and Cookeville, TN, on the one hand, and, Del Rio, TX, on the other. Applicant intends to tack to its existing authority. (Hearing site: Nashville, TN, or Washington, DC.)

MC 35320 (Sub-570F), filed March 19, 1980. Applicant: T.I.M.E.–DC, INC., 2598 74th St., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). 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 Texas Instruments, Inc., at or near Abilene, TX, as an off-route point in connection with carrier's otherwise authorized regular route operations. Applicant intends to tack to its existing authority. (Hearing site: Dallas, or Houston, TX.)

MC 35320 (Sub-574F), filed March 19, 1980. Applicant: T.I.M.E.–DC, INC., 2598 74th St., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). 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 Plastic Molding Corp., at or near East Enterprise, IN, as an off-route point in connection with carrier's otherwise authorized regular route operations. Applicant intends to tack to its existing authority. (Hearing site: Cincinnati, OH, or Washington, DC.)

MC 35320 (Sub-575F), filed March 19, 1980. Applicant: T.I.M.E.–DC, INC., 2598 74th St., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). 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 Epsey Mfg. & Electronics Corp., at or near Saratoga Springs, NY, as an off-route point in connection with carrier's otherwise authorized regular route operations. Applicant intends to tack to its existing authority. (Hearing site: Albany, NY, or Washington, DC.)

MC 35320 (Sub-576F), filed March 19, 1980. Applicant: T.I.M.E.–DC, INC., 2598 74th St., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). 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 Winona Industries, Inc., at or near Winona, MN, as an off-route point in connection with carrier's otherwise authorized regular route operations. Applicant intends to tack to its existing authority. (Hearing site: Minneapolis, MN, or Chicago, IL.)

MC 38400 (Sub-6F), filed April 4, 1980. Applicant: HITCHCOCK BROS., INCORPORATED, Box 212, Canaan, CT 06018. Representative: Thomas W. Murrett, 342 North Main St., West Hartford, CT 06117. Transporting *lime and limestone products*, from Canaan, CT, to points in NY, NJ, PA, VT, NH, and ME. (Hearing site: Hartford, CT, or New York, NY.)

MC 42011 (Sub-63F), filed March 21, 1980. Applicant: D. Q. WISE & CO., INC., P.O. Drawer L, Tulsa, OK 74112. Representative: J. G. Dail, Jr., P.O. Box LL, McLean, VA 22101. Transporting: *pumps, pump parts, and equipment, materials, and supplies used in, or in connection with, the transportation, installation, operation, repair, removal, maintenance, manufacture of pumps and pump parts (except commodities in bulk)*, between the facilities of Byron Jackson Pump Division, at or near Charlotte, NC, Elgin, IL, and New Orleans, LA, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the named facilities. (Hearing site: Tulsa, OK.)

MC 61440 (Sub-188F), filed April 4, 1980. Applicant: LEE WAY MOTOR FREIGHT, INC., P.O. Box 12750, Oklahoma City, OK 73157. Representative: Richard H. Champlin (same address as applicant). Over regular routes, transporting *automotive parts and accessories*, between San Antonio, and Laredo, TX, over Interstate Hwy 35, serving no intermediate points. (Hearing site: Oklahoma City, OK, or Washington, DC.)

Note.—Applicant intends to tack this authority with its existing regular route authority in MC-61440.

MC 67500 (Sub-9F), filed March 17, 1980. Applicant: BLUE RIDGE TRUCKING COMPANY, INC., P.O. Box 5118, Sweeten Creek Road, Asheville, NC 28803. Representative: Jones P. Byrd, 29 North Market, Suite 300, Asheville, NC 28801. Transporting *general commodities* (except those of unusual value, classes and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Canton, Waynesville, Sylva, Cherokee, Bryson City, Franklin, Murphy, Highlands, Cashiers, Brevard, Pisgah Forest, Cedar Mountain, Hazelwood, Hendersonville, Hayesville, and Asheville, NC, on the one hand, and, on the other, Rabun Gap, GA. (Hearing site: Asheville or Charlotte, NC.)

Note.—Applicant intends to tack with existing regular-route authority.

MC 65920 (Sub-9F), filed March 24, 1980. Applicant: BISHOP MOTOR EXPRESS, INC., 607 Century Avenue, S.W., Grand Rapids, MI 49503. Representative: William B. Elmer, 21635 East Nine Mile Road, St. Clair Shores, MI 48080. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring the use of special equipment), between Grand Rapids, MI, and St. Paul, MN, serving no intermediate points: (1) from Grand Rapids, MI, over U.S. Hwy 131 to junction to junction U.S. Hwy 31, then over U.S. Hwy 31 to junction I Hwy 75, then over I Hwy 75 to junction U.S. Hwy 2, then over U.S. Hwy 2 to junction U.S. Hwy 8, then over U.S. Hwy 8 to junction I Hwy 35, then over I Hwy 35 to St. Paul, MN, and return over the same routes; (2) from Grand Rapids, MI, over I Hwy 196 to junction I Hwy 94, then over I Hwy 94 to St. Paul, MN, and return over the same routes. (Hearing site: Grand Rapids, MI.)

MC 75281 (Sub-17F), filed March 20, 1980. Applicant: BOOTHEEL TRANSPORTATION COMPANY, a corporation, P.O. Box 511, Sikeston, MO 63801. Representative: Frank D. Hall, Suite 713, 3384 Peachtree Road, N.E., Atlanta, GA 30326. Transporting (1) *such commodities* as are dealt in by manufacturers of conduit, wire, cable, cord, sets, plastic materials, and (2) *materials, equipment, and supplies* used in the conduct of such business (except commodities in bulk, in tank vehicles), between the facilities of Triangle PWC, Inc. at Jewett City and Montville, CT, Glendale, WV, and New Brunswick, NJ, on the one hand, and, on the other, points in GA, FL, MI, IL, IN, MO, TN, AR, OK, TX, NM, CA, KS, NE, IA, CO, MN, ND, SD, NC, SC, AZ, MT, WY, NV, ID, WI, WA, MS, LA, UT, KY, OH, PA, VA, and WV. (Hearing site: Washington, DC.)

MC 78400 (Sub–84F), filed April 2, 1980. Applicant: BEAUFORT TRANSFER COMPANY, P.O. Box 151, Gerald, MO 63037. Representative: Ernest A. Brooks II, 1301 Ambassador Bldg., St. Louis, MO 63101. Transporting (1) *component parts used in the manufacture of shoes*, from Sullivan, MO, to points in NE, NH, CT, MA, and NY, and (2) *materials and supplies* used in the manufacture of shoe parts in the reverse direction. (Hearing site: St. Louis, MO.)

MC 85561 (Sub–11F), filed April 3, 1980. Applicant: OLIVER TRUCK LINES, INC., 1238 South Cleveland-Massillon Rd., Akron, OH 44321. Representative: David A. Turano, 100 East Broad St., Columbus, OH 43215. Transporting *general commodities* (except those of unusual value, classes A and B explosives, commodities in bulk and those requiring special equipment) between points in Lordstown Township, Trumbull County, OH, on the one hand, and, on the other, points in OH, restricted to traffic having a prior or subsequent movement by rail. (Hearing site: Columbus, OH.)

MC 95490 (Sub-52F), filed March 20, 1980. Applicant: UNION CARTAGE COMPANY, INC., 37 Southwest Cutoff, Worcester, MA 01604. Representative: Edward J. Kiley, 1730 M St. NW., Washington, DC 20036. Transporting *foodstuffs*, in containers, from Canajoharie, NY, to points in CT. (Hearing site: Boston, MA, or Washington, DC.)

MC 95540 (Sub-1159F), filed April 3, 1980. Applicant: WATKINS MOTOR LINES, INC., 1144 West Griffin Rd., P.O. Box 1636, Lakeland, FL 33802. Representative: Benjy W. Fincher (same address as applicant). Transporting (1) *alcoholic liquors*, and (2) *materials, equipment, and supplies* used in the manufacture and distribution of alcoholic liquors (except in bulk, in tank vehicles), between Fort Smith, AR, Bardstown and Louisville, KY, Scobeyville, NJ, New Orleans, LA, and Plainfield, IL, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Hiram Walker & Sons, Inc. (Hearing site: Chicago, IL, or Washington, DC.)

MC 95540 (Sub-1161F), filed April 7, 1980. Applicant: WATKINS MOTOR LINES, INC., 1144 West Griffin Road, P.O. Box 1636, Lakeland, FL 33802. Representative: Benjy W. Fincher (same address as applicant). Transporting *medical supplies, hypodermic needles, and syringes*, between points in FL and points in TX. (Hearing site: Orlando or Tampa, FL, or Washington, DC.)

MC 97310 (Sub-38F), filed April 3, 1980. Applicant: SHARRON MOTOR LINES, INC., P.O. Box 5636, Meridian, MS 39301. Representative: Bruce E. Mitchell, Suite 520, Lenox Towers South, 3390 Peachtree Road, N.W., Atlanta, GA 30326. Over regular routes, transporting *general commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment)* between Montgomery, AL and Atlanta, GA as follows: (1) from Montgomery over U.S. Hwy. 80 to junction U.S. Hwy. 29, then over U.S. Hwy. 29 to Atlanta, and return over the

same routes, serving no intermediate points, and (2) from Montgomery over U.S. Hwy. 31 to junction U.S. Hwy. 78, then over U.S. Hwy. 78 to Atlanta, and return over the same route, serving all intermediate points on U.S. Hwy. 31. (Hearing site: Birmingham, AL or Memphis, TN.)

MC 104421 (Sub-34F), filed April 4, 1980. Applicant: ECONOLINES, INC., P.O. Box 623 D.T.S., Omaha, NE 68101. Representative: Roger W. Norris (same address as applicant). Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, foodstuffs, hides, agricultural equipment, contractors' equipment, and lumber), between points in Burt County, NE, on the one hand, and, on the other, points in the U.S. (except AL, AK, AR, FL, GA, ID, KY, LA, HI, MS, MT, NC, ND, OR, SC, TN, TX, WA, and WY). (Hearing site: Omaha, NE.)

MC 106001 (Sub-18F), filed March 19, 1980. Applicant: DENNIS TRUCKING CO., INC., 6951 Norwitch Drive, Philadelphia, PA 19153. Representative: James W. Patterson, 1200 Western Savings Bank Building, Philadelphia, PA 19107. Transporting *railroad car and locomotive wheels and materials and supplies* used in the manufacture of railroad car and locomotive wheels, between Quemahoning Township (Somerset County), PA, on the one hand, and, on the other, points in IL, IN, KY, MO, OH, and WV. (Hearing site: Philadelphia, PA.)

MC 108651 (Sub-28F), filed March 20, 1980. Applicant: ROY B. MOORE, INC., P.O. Box 628, Kingsport, TN 37662. Representative: Daniel H. Moore (same address as applicant). Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Kingsport, TN, and Leroy, NY. (Hearing site: Kingsport, TN, or Washington, DC.)

MC 109490 (Sub-20F), filed April 4, 1980. Applicant: HEDING TRUCK SERVICE, INC., P.O. Box 97, Union Center, WI 53962. Representative: Ronald E. Laitsch, 117 S. Third Street, Watertown, WI 53094. Transporting *feed and feed ingredients* from Madison, WI, to points in the U.S. (except AK and HI). (Hearing site: Milwaukee or Madison, WI.)

MC 109490 (Sub-21F), filed April 4, 1980. Applicant: HEDING TRUCK SERVICE, INC., P.O. Box 97, Union Center, WI 53962. Representative: Ronald E. Laitsch, 117 S. Third Street, Watertown, WI 53094. Transporting *insulation* from Lake Mills, WI, to points in the U.S. (except AK and HI). (Hearing site: Milwaukee or Madison, WI.)

MC 110420 (Sub-848F), filed March 24, 1980. Applicant: QUALITY CARRIERS, INC., 100 Waukegan Road, P.O. Box 1000, Lak Bluff, IL 60044. Representative: John R. Sims, Jr., 915 Pennsylvania Building, 425 13th Street, N.W., Washington, DC 20004. Transporting *liquid chemicals*, in bulk, in tank vehicles, from the facilities of Air Products and Chemicals, Inc., at or near Dayton and Paulsboro, NJ and Elkton, MD, to points in IL, IN, IA, KY, MI, MN, MO, OH, and WI. (Hearing site: Washington, DC)

MC 111231 (Sub-302), filed April 7, 1980. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, AR 72764. Representative: Don A. Smith, P.O. Box 43, 510 North Greenwood Avenue, Fort Smith, AR 72902. Transporting (1) *television sets* (2) recorders, and (3) *accessories and parts* for products in (1) and (2) above, from the facilities of General Electric Company at or near Little Rock, AR, to points in LA, MS and OK. (Hearing site: Little Rock, AR.)

MC 113651 (Sub-340F), filed April 7, 1980. Applicant: INDIANA REFRIGERATOR LINES, INC., P.O. Box 552, Reggin Road, Muncie, IN 47305. Representative: Henry Higgs (same address as applicant). Transporting *meats, meat products, meat by-products, and articles destributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and 766 (except commodities in bulk), from Tupelo, MS, to points in FL, AL, GA, and LA. (Hearing sites: Tupelo, MS or Washington, DC)

MC 114211 (Sub-460F), filed April 1, 1980. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, IA 50704. Representative: Kurt E. Vragel, Jr. (same address as applicant). Transporting (1) *such commodities as are manufactured, distributed, dealt in, or used by manufacturers, distributors, or dealers of agricultural, construction, and industrial machinery and equipment*, and (2) *parts, accessories and attachments* for the commodities in (1), between Claremore, OK, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Tulsa, OK)

MC 114211 (Sub-461F), filed April 1, 1980. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, IA 50704. Representative: Kurt E. Vragel, Jr. (same address as applicant). Transporting *such commodities as are dealt in, or used by manufacturers, dealers, or distributors of contractors' and construction machinery and equipment and material handling machinery and equipment*, between Wichita, KS, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Wichita, KS)

MC 114211 (Sub-462F), filed April 1, 1980. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, IA 50704. Representative: Kurt E. Vragel, Jr. (same address as applicant). Transporting *such commodities as are dealt in, or used by manufacturers, dealers, distributors or operators of scrap, junk, and waste collection*, between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities used by SCA Waste Services, Inc. (Hearing site: Des Moines, IA).

MC 115311 (Sub-388F), filed March 20, 1980. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, GA 31061. Representative: Paul M. Daniell, P.O. Box 872, Atlanta, GA 30301. Transporting (1) *gypsum, gypsum products, and building materials*, and (2) *materials, equipment, and supplies* used in the manufacture, installation, and distribution of the commodities in (1) above (except commodities in bulk), between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Georgia-Pacific Corporation, Gypsum Division. (Hearing site; Atlanta, GA, or Washington, DC.)

MC 115311 (Sub-391F), filed March 20, 1980. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, GA 31061. Representative: Paul M. Daniell, P.O. Box 872, Atlanta, GA 30301. Transporting (1) *construction materials*, and (2) *materials, equipment and supplies* used in the manufacture, installation, and distribution of construction materials (except commodities in bulk, in tank vehicles), between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of GAF Corporation. (Hearing site: Atlanta, GA, or New York, NY.)

MC 115311 (Sub-392F), filed March 24, 1980. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, GA 31061. Representative: Kim G. Meyer, P.O. Box 872, Atlanta, GA 30301. Transporting *alcoholic beverages, beverage mixes*, and *materials, equipment, and supplies*

used in the manufacture and distribution of alcoholic beverages and beverage mixes (except commodities in bulk), between points in AL, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Atlanta, GA, or Montgomery, AL.)

MC 115841 (Sub-760F), filed April 1, 1980. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., McBride Lane, P.O. Box 22168, Knoxville, TN 37922. Representative: D. R. Beeler (same address as applicant). Transporting *fresh, frozen and canned meats* from Wilson, NC, to points in CT, MA, MD, NJ, NY, PA, and RI. (Hearing site: Charlotte, NC, or Washington, DC.)

MC 118130 (Sub-119F), filed March 24, 1980. Applicant: SOUTH EASTERN XPRESS, INC., P.O. Box 6459, Fort Worth, TX 76115. Representative: Billy R. Reid, 1721 Carl St., Fort Worth, TX 76103. Transporting *frozen potatoes and potato products*, from Plover, WI to points in the U.S. (except AK and HI). (Hearing site: Fort Worth, TX.)

MC 118431 (Sub-34F), filed April 1, 1980. Applicant: DENVER SOUTHWEST EXPRESS, INC., P.O. Box 9799, Little Rock, AR 72209. Representative: Scott E. Daniel, 800 Nebraska Savings Bldg., 1623 Farnam, Omaha, NE 68102. *Contract carrier*, transporting *meats, meat products, meat by-products and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions on Motor Carrier Certificates*, 61 MCC 209 and 766 (except hides and commodities in bulk), from the facilities of Iowa Beef Processors, Inc., at or near (1) Wallula, WA, to points in CA, NV, AZ; and (2) Dakota City, NE, Emporia and Wichita, KS, and Amarillo, TX to points in and east of ND, SD, NE, KS, OK and TX. (Hearing site: Omaha, NE, or Kansas City, MO.)

Note.—Dual operations may be involved.

MC 119741 (Sub-261F), filed April 4, 1980. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., 1515 Third Avenue, N.W., P.O. Box 1235, Fort Dodge, IA 50501. Representative: D. L. Robson (same address as applicant). Transporting (1) *animal feed*, in bags, from Louisville, KY, to points in CT, IL, IN, MA, MI, NJ, NY, OH, PA, and WV, (2) *dog food* (except in bulk), from (1) Minneapolis, MN, to points in CT, IL, IN, MA, MI, NJ, NY, OH, PA, and WV, and (b) from Mankato, MN to points in IL, IN, IA, and WI, and (3) *wheat flour* (except in bulk), from Mankato, MN, to points in IA, IL, IN, MI, OH, PA, and WI, restricted to traffic originating at the facilities of Hubbard Milling Company. (Hearing site: Minneapolis, MN.)

MC 119741 (Sub-262F), filed April 4, 1980. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., 1515 Third Avenue, N.W., P.O. Box 1235, Fort Dodge, IA 50501. Representative: D. L. Robson (same address as applicant). Transporting *plastic and plastic articles* (except in bulk, in tank vehicles), from the facilities of Honeycorr, Div. McCardell Enterprises, at Newton, IA, to points in AL, AR, CO, CT, DE, DC, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MS, MO, NE, NH, NJ, NY, NC, ND, OH, OK, PA, RI, SC, SD, TN, TX, VT, VA, WV, and WI. (Hearing site: Des Moines, IA.)

MC 120181 (Sub-18F), filed March 20, 1980. Applicant: MAIN LINE HAULING CO., INC., Box C, St. Clair, MO 63077. Representative: William H. Shawn, Suite 501, 1730 M St. NW., Washington, DC 20036. Transporting (1) *charcoal, hats, foodstuffs, wheat bran and wheat shorts, tires, scrap materials, milk cooling, wine and fertilizer tanks, and peening and milking machines*, (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk and those which because of size or weight require the use of special equipment), and (3) *materials and supplies* used in the manufacture and distribution of mobile homes and recreational vehicles, between points in AL, AR, FL, GA, IL, IN, IA, KS, KY, LA, MI, MO, MN, MS, NE, NC, OK, OH, SC, TN, TX, VA, WV, and WI. (Hearing site: St. Louis, MO.)

MC 120910 (Sub-47F), filed March 18, 1980. Applicant: SERVICE EXPRESS, INC., P.O. Box 1009, Tuscaloosa, AL 35403. Representative: Donald B. Sweeney, Jr., 603 Frank Nelson Bldg., Birmingham, AL 35203. Transporting *hazardous waste material, industrial waste material, and debris* categorized as hazardous or potentially hazardous as defined by Pub. L. 94–580, known as the *Resource and Conservation Act of 1976*, from points in and east of ND, SD, NE, KS, OK, and TX, to points in Sumter County, AL. (Hearing site: Birmingham, AL, or Atlanta, GA.)

MC 121470 (Sub-59F), filed April 4, 1980. Applicant: TANKSLEY TRANSFER COMPANY, 801 Cowan St., Nashville, TN 37207. Representative: Roy L. Tanksley (same address as applicant). Transporting *decking iron and steel*, from the facilities of Southeast Metal Deck, at Norfolk, VA, to points in AR, GA, AL, KY, NC, and SC. (Hearing site: Nashville, TN.)

MC 121821 (Sub-6F), filed March 24, 1980. Applicant: TENNESSEE MOTOR LINES, INC., P.O. Box 100363, Nashville, TN 37210. Representative: Paul M. Daniell, P.O. Box 872, Atlanta, GA 30301. Transporting *general commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Knoxville, TN and points in Loudon County, TN. Note: The purpose of this application is to convert a Certificate of Registration to a Certificate of Public Convenience and Necessity. Applicant shall request in writing coincidental cancellation of the Certificate of Registration issued in MC 121821 issued May 30, 1979. (Hearing site: Nashville, TN.)

MC 124141 (Sub-38F), filed March 20, 1980. Applicant: JULIAN MARTIN, INC., Highway 25 West, P.O. Box 3348, Batesville, AR 72501. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Boulevard, McLean, VA 22101. Transporting *alcoholic liquors and materials, equipment, and supplies* used in the manufacture and distribution of alcoholic liquors (except in bulk, in tank vehicles), (1) between Fort Smith, AR, on the one hand, and, on the other, points in the U.S. (except AK and HI); (2) between Bardstown and Louisville, KY, on the one hand, and, on the other, points in the Lower Peninsula of MI, IL, IN, PA, NY, WV, TN NC, SC, GA, AR and FL; (3) between Plainfield, IL on the one hand, and, on the other, points in MN, WI, IN, IA, NE, CO, KS, MO, OK, NM, and TX; and (4) between New Orleans, LA, on the one hand, and, on the other, points in CA, AZ, NM, TX, OK, AR, MS, AL, GA and FL, restricted to traffic originating at or destined to the facilities of Hiram Walker and Sons, Inc.

MC 124141 (Sub-38F), filed April 2, 1980. Applicant: JULIAN MARTIN, INC., Highway 25 West, P.O. Box 3348, Batesville, AR 72501. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Boulevard, McLean, VA 22101. Transporting *meats, meat products, and meat by-products* as described in section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk) from Palestine, TX, to points in the U.S. (except AK and HI). (Hearing site: Washington, DC or Dallas, TX.)

MC 126091 (Sub-7F), filed March 17, 1980. Applicant: FRALEY & SCHILLING, INC., Rural Route 1, Rushville, IN. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Transporting *ferro alloys, silicon metal, manganese metal, pig iron, chemicals and ores, and materials, equipment, and supplies used in the manufacture of ferro alloys, silicon metal, manganese metal, pig iron, chemicals and ores,*

between the facilities of Foote Mineral Company at Frazer, PA, Kings Mountain, NC, and Sunbright, VA, on the one hand, and, on the other points in the U.S. in and east of MN, IA, MO, AR, and LA, under a continuing contract(s) with Foote Mineral Company of Exton, PA. (Hearing site: Washington, DC.)

MC 126930 (Sub-38F), filed April 3, 1980. Applicant: BRAZOS TRANSPORT CO., P.O. Box 2746, Lubbock, TX 79408. Representative: Richard Hubbert, P.O. Box 10236, Lubbock, TX 79408. Transporting *valves, hydrants and accessories* for the foregoing commodities from the facilities of American Valve and Hydrant Manufacturing Company at Beaumont, TX, to points in OK, KS, NE, IA, MI, CO, WY, SD, ND, AR, MO, LA, MS and TN. (Hearing site: Houston or Lubbock, TX.)

MC 126930 (Sub-39F), filed April 3, 1980. Applicant: BRAZOS TRANSPORT CO., a Corporation, P.O. Box 2746, Lubbock, TX 79408. Representative: Richard Hubbert, P.O. Box 10236, Lubbock, TX 79408. Transporting *iron and steel articles and pipe* from the facilities of Fort Worth Pipe and Supply Company at Conroe, TX, to points in LA, MS, AR, OK, NM, CO, KS, MO, IL, IA, NE, SD, ND, MN and WI. Hearing site: Houston or Lubbock, TX.)

MC 127840 (Sub-162F), filed April 3, 1980. Applicant: MONTGOMERY TANK LINES, INC., 17550 Fritz Dr., Lansing, IL 60438. Representative: William H. Towle, 180 North LaSalle St., Chicago, IL 60601. Transporting *vegetable oils and vegetable oil byproducts,* between the facilities of Cargill, Inc., at or near Riverside, ND, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Chicago, IL, or Minneapolis, MN.)

MC 133570 (Sub-8F), filed April 1, 1980. Applicant: A OF I, INC., P.O. Box 27, Hamilton, IN 46742. Representative: James P. Kirkhope, P.O. Box 15296, Fort Wayne, IN 46885. *Contract carrier,* transporting (1) *machinery and machinery parts,* and (2) *materials, supplies and equipment* used in the manufacture, sale and distribution of the commodities in (1), between the facilities of Blaw Knox Foundry and Mill Machinery at East Chicago, IN on the one hand, and, on the other, points in the U.S. (except AK and HI), under continuing contract(s) with Blaw Knox Foundry and Mill Machinery, Division of White Consolidated Industries, of East Chicago, IN. (Hearing site: Indianapolis, IN or Chicago, IL.)

MC 134730 (sub-20F), filed March 24, 1980. Applicant: METALS TRANSPORT, INC., 528 South 108th St., West Allis, WI 53214. Representative: M. H. Dawes (same address as applicant). Transporting *non-ferrous metals and scrap metals* between points in WI, on the one hand, and, on the other, points in AL, AZ, AR, CO, GA, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, NE, NM, NC, OH, OK, PA, TN, and TX, under continuing contract(s) with Balco Metals, Inc., and Pioneer Iron & Metal Co., Inc. (Hearing site: Milwaukee or Madison, WI.)

MC 135070 (Sub-159F), filed March 24, 1980. Applicant: JAY LINES, INC., P.O. Box 30180, Amarillo, TX 79120. Representative: Gailyn L. Larsen, P.O. Box 82816. Lincoln, NE 68501. Transporting (1) *agricultural chemicals,* (a) from Lafayette, IN, to points in IA and NE, and (b) from Clarksdale, MS, to points in TX; and (2) *cosmetics and toilet preparations,* from Roanoke, VA, to Dallas, TX. (Hearing site: Indianapolis, IN, or Dallas, TX.)

Note.—Dual Operations may be involved.

MC 135070 (Sub-160F), filed March 24, 1980. Applicant: JAY LINES, INC., P.O. Box 30180, Amarillo, TX 79120. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. Transporting (1) *medicines, toilet preparations, and health care products,* in vehicles equipped with mechanical refrigeration (except in bulk), (a) from Philadelphia, PA, and Sanford, NC, to points in CA, GA, and IN, and (b) *alumina calcined and magnesium hydroxide,* in vehicles equipped with mechanical refrigeration (except in bulk), from Lewes, DE, to Laredo, TX. (Hearing site: Philadelphia, PA, or Dallas, TX.)

Note.—Dual operation may be involved.

MC 135070 (Sub-161F), filed March 24, 1980. Applicant: JAY LINES, INC., P.O. Box 30180. Amarillo, TX 79120. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. Transporting *foodstuffs,* (except frozen and except in bulk), (1) From Chester and Rock Hill, SC, to points in AZ, CA, CO, FL, GA, IL, MA, MI, MN, MO, NJ, NY, OH, PA, TN, and TX, and (2) from Chicago, IL, to points in CO, GA, MA, and TX. (Hearing site: Columbus, OH, or Dallas, TX.)

Note.—Dual operations may be involved.

MC 135070 (Sub-162F), filed March 24, 1980. Applicant: JAY LINES, INC., P.O. Box 30180, Amarillo, TX 79120. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. Transporting (1) *oils, esters, cleaning and washing compounds, wax, softeners, textile, fireproofing compounds, chemicals (except in bulk)* and (2) *materials and supplies* used in the manufacture and distribution of the commodities in (1) (except in bulk), between Linden, NJ; Lock Haven, PA; Mauldin, SC; and Santa Fe Springs, CA, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Greenville, SC, or Dallas, TX.)

Note.—Dual operations may be involved.

MC 135861 (Sub-68F), filed March 20, 1980. Applicant: LISA MOTOR LINES, INC., P.O. Box 4550, Fort Worth, TX 76106. Representative: Billy R. Reid, 1721 Carl St., Fort Worth, TX 76103. Transporting *general commodities* (except commodities in bulk and classes A and B explosives) from the facilities of Dal-Worth Shippers Association and Houston Merchants Shippers Association in, CA, GA, IL, MA, NC, NJ, NY and PA, to points in TX, under continuing contract(s) with Dal-Worth Shippers Association of Dallax, TX and Houston Merchants Shippers Association of Houston, TX. (Hearing site: Fort Worth or Houston, TX.)

MC 135861 (Sub-71F), filed March 24, 1980. Applicant: LISA MOTOR LINES, INC., P.O. Box 4550, Fort Worth, TX 76106. Representative: Billy R. Reid, 1721 Carl St., Fort Worth, TX 76103 Transporting *meats, meat products, meat byproducts and articles distributed by meat-packing houses* as described in sections A and C to Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), between the facilities of Swift & Company in the U.S. (except AK and HI), on the one hand, and, on the other, points in the U.S. (except AK and HI), under continuing contract(s) with Swift & Company of Chicago, IL. (Hearing site: Fort Worth, TX or Chicago, IL.)

MC 135861 (Sub-74F), filed April 3, 1980. Applicant: LISA MOTOR LINES, INC., P.O. Box 4550, Fort Worth, TX 76106. Representative: Billy R. Reid, 1721 Carl Street, Fort Worth, TX 76103. *Contract carrier,* transporting (1) *plastic and vinyl building materials, siding, window profiles, insulation board, and accessories for the foregoing commodities,* from Weatherford and Saginaw, TX, to points in the U.S. (except AK and HI), and (2) *materials, equipment and supplies used in the manufacture and distribution of commodities named in (1) in the reverse direction,* under continuing contract(s) with Master Shield, Inc. div. of Robintech, Inc., of Fort Worth, TX. (Hearing site: Fort Worth, TX.)

MC 135861 (Sub-75F), filed April 3, 1980. Applicant: LISA MOTOR LINES, INC., P.O. Box 4550, Fort Worth, TX 76106. Representative: Billy R. Reid, 1721

Carl St., Fort Worth, TX 76103. *Contract carrier,* transporting *foodstuffs* (except commodities in bulk), from San Francisco, CA, and points in NY and NJ, to Houston, TX, under continuing contract(s) with Fanci Foods, Inc., of So. San Francisco, CA. (Hearing site: Fort Worth, TX.)

MC 136100 (Sub-8F), filed April 7, 1980. Applicant: K & K TRANSPORTATION CORP., 4515 North 24th Street, Omaha, NE 68110. Representative: Marshall D. Becker, Suite 610, 7171 Mercy Road, Omaha, NE 68106. *Contract carrier,* transporting *exempt commodities* in mixed loads with non-exempt commodities, (1) from Omaha, NE, to points in the U.S. (except AK and HI), under continuing contract(s) with Henningsen Foods, Inc., of Omaha, NE, and (2) from points in WA, OR, CA, AZ, NM, CO, and TX to Omaha, NE, under continuing contract(s) with Safeway Stores Inc., of Oakland, CA. (Hearing site: Omaha, NE.)

MC 136500 (Sub-14F), filed April 3, 1980. Applicant: SERVICE EQUIPMENT & TRUCKING, INC., Box 162, East Rt. 316, Mattoon, IL 61932. Representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, IL 62701. *Contract carrier,* transporting *magazines, periodicals, and printed matter,* from Mattoon and Effingham, IL, to points in the U.S. (except AK and HI), under continuing contract(s) with Family Circle, Inc. of New York, NY. (Hearing site: St. Louis, MO, Chicago, IL.)

MC 136511 (Sub-99F), filed April 1, 1980. Applicant: VIRGINIAN APPALACHIAN LUMBER CORPORATION, 9640 Timberlake Rd., Lynchburg, VA 23502. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh St., NW, Washington, D.C. 20001. Transporting *new furniture and furniture parts,* from West End, NC, Waynesboro, VA, and points in Henry County, VA, to points in TX, OK, and LA. (Hearing site: Washington, DC.)

MC 13800 (Sub-68F), filed March 24, 1980. Applicant: ARTHUR H. FULTON, INC., P.O. Box 86, Stephens City, VA 22655. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740. Transporting *Malt beverages,* from Eden, NC to Cincinnati, OH. (Hearing site: Cincinnati, OH.)

Note.—Dual operations may be involved.

MC 142920 (Sub-15F), filed March 21, 1980. Applicant: OLIVER TRUCKING CORP., 2203 West Oliver Street, Indianapolis, IN 46221. Representative: Morton E. Kiel, Suite 1832, 2 World Trade Center, New York, NY 10084. Transporting *such commodities* as are dealt in or used by manufacturers or distributors of sound, communications, educational or entertainment materials (except in bulk), (1) from points in NJ to points in MD, and (2) from points in MD to points in IN, under continuing contract(s) with CBS, Inc. of New York, NY. (Hearing site: New York, NY.)

MC 142941 (Sub-60F), filed March 24, 1980. Applicant: SCARBOROUGH TRUCK LINES, INC., P.O. Box 6716, Phoenix, AZ 85005. Representative: Doug W. Sinclair (same address as applicant). Transporting *foodstuffs,* in vehicles equipped with mechanical refrigeration (except commodities in bulk), from Los Angeles, CA to points in the U.S. in and east of MN, IA, MO, AR, and TX. (Hearing site: Los Angeles, CA or Phoenix, AZ.)

MC 142941 (Sub-61F), filed March 24, 1980. Applicant: SCARBOROUGH TRUCK LINES, INC., P.O. Box 6716, Phoenix, AZ 85005. Representative: Doug W. Sinclair (same address as applicant). Transporting *meats, 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 in Motor Carrier Certificates,* 61 M.C.C. 209 and 766, (except hides and commodities in bulk), from points in AZ to points in CA and TX. (Hearing site: Phoenix, AZ or San Francisco, CA.)

MC 143471 (Sub-24F), filed April 3, 1980. Applicant: DAKOTA PACIFIC TRANSPORT, INC., 308 West Blvd., Rapid City, SD 57701. Representative: J. Maurice Andren, 1734 Sheridan Lake Rd., Rapid City, SD 57701. *Contract carrier,* transporting *iron and Steel articles* from Peoria, IL, to points in MT, NE, ND, SD and WY, under continuing contract(s) with Keystone Group, Keystone Consolidated Ind., Inc., of Peoria, IL. (Hearing site: Peoria, IL or Rapid City, SD.)

MC 143621 (Sub-43F), filed March 21, 1980. Applicant: TENNESSEE STEEL HAULERS, INC., 901 5th Avenue, North, Post Office Box 5748., Nashville, TN 37208. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, DC 20014. Transporting *earthmoving equipment and parts and accessories* for earthmoving equipment, (1) from Peoria, Decatur, Joliet, Mossville, and Aurora, IL to the facilities of the Thompson Green Corporation at or near La Vergne, TN, and (2) between the facilities of the Thompson Green Corporation at or near La Vergne, TN, on the one hand, and, on the other, points in AL, GA, KY, and TN. (Hearing site: Nashville, TN.)

MC 143621 (Sub-44F), filed March 21, 1980. Applicant: TENNESSEE STEEL HAULERS, INC., 901 5th Ave., North, P.O. Box 5748, Nashivlle, TN 37208. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Ave., Washington, DC 20014. Transporting: *lumber, and wood products* between the facilities of Norvell Wood Products, Inc. at Nashville, TN, on the one hand, and, on the other, points in the U.S. in and east of TX, OK, KS, NE, SD, and ND. (Hearing site: Nashville, TN.)

MC 143890 (Sub-3F), filed April 4, 1980. Applicant: C. H. EURE TRUCKING, INC., Rte. 1, Box 363, Hobbsville, NC 27946. Representative: C. H. Eure (same address as applicant). Transporting *lumber, fencing materials, and wood residuals,* (1) from points in Hertford, Bertie, Gates Chowan, Perquimans, Pasquotank, Camden, and Currituck Counties, NC, to points in VA, MD, DE, and NJ, and (2) from points in NJ, DE, MD, and VA, to points in NC, and VA. (Hearings site: Charlotte, NC.)

MC 144080 (Sub-1F), filed February 4, 1980. Applicant: ROBERT VERN PONTIUS d.b.a. PONTIUS TRUCKING, a corporation 11640 Seola Beach Drive SW., Seattle, WA 98146. Representative: James T. Johson, 1610 IBM Building, Seattle, WA 98101. Transporting *recyclable materials, scrap metal, plastic articles, soild fuels, dry bulk materials, coal handling machinery, and salvage* (1) between points in WA, UT, OR, ID, MT and CA, and (2) between points in (1) above, on the one hand, and, on the other, points in AK. (Hearings site: Seattle, WA.)

MC 144121 (Sub-4F), filed April 1, 1980. Applicant: LARRY'S EXPRESS, INC., 720 Lake St., Tomah, WI 54660. Representative: James A. Spiegel, Olde Towne Office Park, 6425 Odana Rd., Madison, WI 53719. Transporting *heating units and materials, equipment and supplies* used in the manufacture and distribution of heating units from Chippewa Falls, WI, and points in IA and MI to points in GA, IN, IA, KY, MA, MI, NC, OH, PA, SC, TN and VA, restricted to trafice originating at or destined to the facilities of Chippewa Welding, Inc., and Basic Energy Systems, Inc. (Hearings site: LaCrosse or Madison, WI.)

MC 145481 (Sub-18F), filed April 2, 1980. Applicant: COYOTE TRUCK LINE, INC., 501 Sam Ralston Rd., Lebanon, IN 46052. Representative: John T. Wirth, 717 17th St., Suite 2600, Denver, CO 80202. Transporting *such commodities as are dealt in by department stores* (except commodities in bulk), from points in and east of MN, NE, KS, OK and TX to the facilities of or used by The Akron, Inc.,

in Los Angeles, CA. (Hearings site: Los Angeles, CA.)

Note.—Dual operations may be involved.

MC 145610 (Sub-5F), filed March 21, 1980. Applicant: TRUCK AIR OF GEORGIA, INC., 576 Lake Mirror Rd., College Park, GA 30349. Representative: Robert E. Born, Suite 508, 1447 Peachtree St. N.E., Atlanta, Ga 30309. Transporting *shoes, handbags and shoe and handbag supplies,* between Atlanta, GA, on the one hand, and, on the other, Birmingham, Decatur, Florence, Huntsville and Montgomery, AL; between Birmingham, AL, on the one hand, and, on the other, Decatur, Florence, Huntsville and Montgomery, AL, restricted to traffic having an immediately prior or subsequent movement in interstate commerce originating at or destined to the facilities of Hahn's Shoes, Inc. at Landover, MD. (Hearing site: Atlanta, GA or Washington, DC.)

MC 145950 (Sub-78F), filed March 21, 1980. Applicant: BAYWOOD TRANSPORT, INC., Route 6, P.O. Box 2611, Waco, TX 76706. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh Street, NW, Washington, DC 20001. Transporting (1) *boxes, chests or coolers, hand portable insulated in boxes or crates* and (2) *water coolers, in boxes,* from the facilities of Igloo Corporation at or near Katy, TX, to points in OH, PA, WV, KY, VA, MD, ME, DE, NJ, NY, CT, MA, RI, VT, NH, and DC. (Hearing site: Houston, TX.)

MC 145950 (Sub-80F), filed April 1, 1980. Applicant: BAYWOOD TRANSPORT, INC., Route 6, P.O. Box 2611, Waco, TX 76706. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh Street, NW, Washington, DC 20001. Transporting *earthenwave,* (except in bulk) from points in Harrison County, OH, to points in AR, LA, MS, MO, OK, and TX. (Hearing site: Columbus, OH.)

MC 146111 (Sub-4F), filed April 2, 1980. Applicant: INDUSTRIAL TRANSPORT, INC., 11910 Harvard Ave., Cleveland, OH 44105. Representative: Brian S. Stern, 2425 Wilson Blvd., Suite 367, Arlington, VA 22201. Transporting *aluminum* and *aluminum articles* from the facilities of Kaiser Aluminum & Chemical Corporation at or near Heath, Cincinnati, Toledo, and Belpre, OH, to points in AL, AR, CT, DE, FL, GA, IL, IN, IA, KY, LA, ME, MD, MA, MI, MN, MS, MO, NH, NJ, NY, NC, OH, PA, RI, SC, TN, TX, VT, VA, WV, WI, and DC. (Hearing site: Chicago, IL or Washington, DC.)

MC 146290 (Sub-6F), filed April 7, 1980. Applicant: Don Threde, d.b.a. DON THREDE TRUCKING COMPANY, 1777 Arnold Industrial Hwy., Concord, CA 94520. Representative: Eldon M. Johnson, 650 California St., Suite 2808, San Francisco, CA 94108. *Contract Carrier,* transporting *Irrigation pipe and accessories* between the facilities of Western Oilfield Supplies in CA and points in AZ and NM., under continuing contract(s) with Western Oilfields Supply Co. of Bakersfield, CA. (Hearing site: San Francisco and Fresno, CA.)

MC 146751 (Sub-3F), filed February 13, 1980. Applicant: J. C. LAWRENCE TRUCKING, INC., 1519 Ripley Street, P.O. Box 5331, Lake Station, IN 46405. Representative: Fred H. Daly, 2550 M. Street, N.W., Suite 475, Washington, DC 20037. Transporting (1) *iron and steel articles,* and (2) *materials, equipment and supplies* used in the manufacture of iron and steel articles between the facilities of United States Steel Corporation at or near Gary, IN, South Chicago, Joliet and Waukegan, IL on the one hand, and, on the other hand, points in AL, GA, MS, and TN. (Hearing site: Chicago, IL or Washington, DC.)

MC 146751 (Sub-6F), filed March 19, 1980. Applicant: J. C. LAWRENCE TRUCKING INC., 1519 Ripley Street, Lake Station, IN 46405. Representative: Fred H. Daly, 2550 M Street, N.W., Suite 475, Washington, D.C. 20037. Transporating *iron and steel articles,* between points in MI, OH, IL, AL, MN, MS, NC, PA, SC, VA, GA, and WI. (Hearing site: Chicago, IL or Washington, DC.)

MC 146751 (Sub-7F), filed March 24, 1980. Applicant: J. C. LAWRENCE TRUCKING INC., P.O. Box 5331, Lake Station, IN 46405. Representative: Fred H. Daly, 2550 M Street, N.W., Suite 475, Washington, D.C. 20037. Transporting (1) *trailer axles, assemblies and accessories* and (2) *materials, equipment, supplies and machinery used in the manufacture of (1),* between Montgomery, AL, on the one hand, and, on the other, points in IL, IN, MI, WI, OH, PA, NY, NJ, GA, FL, MS, TN, and LA. (Hearing site: Birmingham, AL or Washington, DC.)

MC 146781 (Sub-3F), filed April 4, 1980. Applicant: ZANE SHACKELFORD d.b.a. ZANE SHACKELFORD TRUCKING, P.O. Box 112, Millport, AL 35576. Representative: Fred W. Johnson, Jr., P.O. Box 22807, Jackson, MS 39205. Transporting *wood chips* from the facilities of Weyerhauser Company at or near Bruce, MS, to Counce, TN. (Hearing site: Jackson, MS or Washington, DC.)

MC 146880 (Sub-7F), filed April 1, 1980. Applicant: LOWELL E. DENTON d.b.a. DENTON CARTAGE COMPANY, 7322 West 90th St., Bridgeview, IL 60455. Representative: Anthony E. Young, 29 S. LaSalle St., Chicago, Il 60603. Transporting *steel tubing* from the facilities of National Metalware, Inc., at Aurora, Chicago and LaSalle, IL, to points in IL, IN, MI, MN, OH and WI. (Hearing site: Chicago, IL.)

MC 146890 (Sub-23F), filed March 19, 1980. Applicant: C & E TRANSPORT, INC., d.b.a. C & E ZUMSTEIN CO., P.O. Box 27, Lewisburg, OH 45338. Representative: E. Shephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., N.W., Washington, DC 20001. Transporting *facing brick, adhesives, sealers, and floor tile,* from the facilities of VMC Corporation at or near Fort Wayne, IN, to points in the U.S. in and east of ND, SD, NE, KS, OK, and TX. (Hearing site: Seattle, WA.)

MC 147081 (Sub-2F), filed March 21, 1980. Applicant: INTERSTATE CARTAGE CO., INC., 550 Donaldson Center, Greenville, SC 29605. Representative: John H. Lumpkin, Jr., 1250 SCN Center, Columbia, SC 29201. Transporting (1) *oils, esters, cleaning and washing compounds, wax, softner textile, fireproofing compounds, chemicals* (except in bulk, in tank vehicles) and (2) *materials and supplies* used in the manufacture and distribution of the commodities in (1) (except in bulk, in tank vehicles) between points in Greenville County, SC and points in NC, GA and Chattanooga, TN. (Hearing site: Columbia, SC, Charlotte, NC or Atlanta, GA.)

MC 147161 (Sub-8F), filed April 1, 1980. Applicant: MASS TRANSIT, INC., 2450 Orange Street, Signal Hill, CA 90806. Representative: Ronald C. Chauvel, 100 Pine Street, Suite 2550, San Francisco, CA 94111. *Contract carrier, transporting such commodities as are dealt in or used by grocery and food businesses (except commodities in bulk),* from points in AZ, CA, CO, ID, MT, NV, NM, OR, WA and WY to the facilities of Vons Grocery Company, at El Monte, CA, under continuing contract(s) with Vons Grocery Company of El Monte, CA. (Hearing site: San Francisco, or Los Angeles, CA.)

MC 147651 (Sub-2F), filed April 1, 1980. Applicant: PLACER TRUCKING, Route 8, 4335 Keck Drive, Burlington, NC 27215. Representative: W. G. Reese, P.O. Box 3004, Charlotte, NC 28203. *Contract carrier, transporting fire fighting equipment, machinery, chemicals, and plastics,* between the facilities of Walter Kidde Co., Inc., at Belleville, NJ, Chicago, IL, Mebane, NC, Atlanta, GA, and Los Angeles, CA, under continuing contract(s) with Walter Kidde Company,

Inc., of Belleville, NJ. (Hearing site: Charlotte, or Raleigh, NC.)

MC 147840 (Sub-4F), filed April 7, 1980. Applicant: NORTH PACIFIC LUMBER CO., a corporation, 1505 S. E. Gideon Street, Portland, OR 97202. Representative: Michael D. Crew, 1700 Standard Plaza, Portland, OR 97204. Transporting *container manufacturing material and supplies,* from Cucamonga and Pittsburg, CA, to the facilities of Continental Can Co., U.S.A., in OR, WA, and ID. (Hearing site: Portland, OR.)

MC 148740 (Sub-2F), filed April 3, 1980. Applicant: SPECIALIZED SERVICES, INC., 2102 Meadow Lane, Grand Prairie, TX 75050. Representative: E. Larry Wells, P.O. Box 45339, Suite 1125 Exchange Park, Dallas, TX 75245. *Contract carrier, transporting printed paper products and equipment, materials and supplies used in the manufacture of printed paper products* between Louisville, KY, Chicago, IL, Washington, DC, Bastrop, LA, Sylmar, CA, and points in WV, VA, SC, GA, NC, AL, MN, and WI, under continuing contract(s) with Tested Advertising Techniques, Inc., of Sylmar, CA. (Hearing site: Dallas, TX or Los Angeles, CA.)

MC 148791 (Sub-5F), filed March 20, 1980. Applicant: TRANSPORT-WEST, INC., 247 West 1400 South, Salt Lake City, UT 84115. Representative: William S. Richards, Post Office Box 2465, Salt Lake City, UT 84110. Transporting *such commodities as are dealt in or used by* department, discount or variety stores, from Reno, NV to points in WA, MT, NM, WY, CO, AZ, TX, ID and UT. (Hearing site: Salt Lake City, UT or Reno, NV.)

MC 148850 (Sub-2F), filed March 24, 1980. Applicant: PORTLAND AIRPORT LIMOUSINE CO., 1001 Westbrook Street, Portland ME 04102. Representative: Verrill & Dana, Two Canal Plaza, Portland, ME 04112. Transporting *general commodities,* having a prior or subsequent movement by air, (except articles of unusual value; household goods as defined by the Commission, classes A and B explosives; commodities requiring special equipment; commodities in bulk, in tank vehicles) between Logan International Airport, East Boston, MA and points in Cumberland County, ME. (Hearing site: Portland, ME or Boston, MA.)

MC 149170 (Sub-6F), filed March 20, 1980. Applicant: ACTION CARRIER, INC., 1000 East 41st Street, Sioux Falls, SD. Representative: Carl L. Steiner, 39 South LaSalle Street, Chicago, IL 60603. Transporting *general commodities,* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the facilities of Coast-To-Coast Stores (Central Organization) Inc., at Brookings, SD; Kansas City, MO; and Crawfordsville, IN. (Hearing site: Chicago, IL.)

Note.—Common control may be involved in this application.

MC 149170 (Sub-7F), filed March 20, 1980. Applicant: ACTION CARRIER, INC., 1000 East 41st Street, Sioux Falls, SD. Representative: Carl L. Steiner, 39 South LaSalle Street, Chicago, IL 60603. Transporting (1) *bags, envelopes, packets, pouches, wrappers and bag ties, and parts and accessories* for the commodities in (1), from Sioux Falls, SD, to points in the U.S. (except AK and HI); and (2) *commodities* used in the manufacture and distribution of (1) (except commodities in bulk) from points in U.S. (except AK and HI) to Sioux Falls, SD, restricted to traffic originating at or destined to the facilities of American Western Corporation at Sioux Falls, SD. (Hearing site: Chicago, IL.)

Note.—Common control may be involved in this application.

MC 150061F, filed April 4, 1980. Applicant: TONY'S EXPRESS, INC., 907 Flower Street, (Post Office Box 3215), Glendale, CA 91201. Representative: Daniel W. Baker, 100 Pine Street, Suite 2550, San Francisco, CA 94111. *Contract Carrier,* transporting *materials, supplies, equipment and merchandise dealt in by a manufacturer or distributor of cosmetics and toilet preparations,* between points in Los Angeles, Orange, San Diego and Ventura Counties and points in Riverside County on and west of Interstate Hwy. 15–E and points in San Bernardino County, CA, south and west of a boundary line commencing at the Los Angeles County line, then easterly along CA Hwy. 30 to Interstate Hwy. 10 and southerly along Interstate Hwy. 10 to Riverside County line; under continuing contract(s) with Max Factor & Co of Hollywood, CA. (Hearing site: Los Angeles, CA.)

MC 150210F, filed March 4, 1980. Applicant: CULTURED FOODS, INC., 370 University Avenue, St. Paul, MN 55103. Representative: John B. Van de North, Jr., 2200 First National Bank Building, St. Paul, MN 55101. Transporting *fiberboard cartons,* from the facilities of International Paper Company at Golden Valley, MN to the facilities of Consolidated Badger Cooperative at DePere, WI. (Hearing site: Minneapolis, MN, or Green Bay, WI.)

MC 150311F, filed March 17, 1980. Applicant: P & L MOTOR LINES, INC., P.O. Box 4616, Fort Worth, TX 76106. Representative: Billy R. Reid, 1721 Carl Street, Fort Worth, TX 76103. Transporting (1) *medical supplies,* (a) from New Brunswick, Somerset and South Plainfield, NJ, to points in CA, GA, IL, IN, KS, NC, OH, TX, and WA, (b) from Michigan City, IN to points in CA, GA, KS, MA, NJ, TX and WA, (c) from Greensboro, NC to points in AR, KY, IA, IL, IN, MO, NE, and OH, and (d) between Bridgewater and New Brunswick, NJ, on the one hand, and, on the other, Kenley and Greensboro, NC, and (2) *insecticides and insect repellents* (except agricultural insecticides and insect repellents), from Dallas, TX to points in NJ, restricted in (1) and (2) above to traffic originating at or destined to the facilities utilized by E.R. Squibb & Sons, Inc., at New Brunswick, NJ. (Hearing site: Fort Worth or Dallas, TX.)

MC 150311 (Sub-1F), filed March 20, 1980. Applicant: P & L MOTOR LINES, INC., P.O. Box 4616, Fort Worth, TX 76106. Representative: Billy R. Reid, 1721 Carl Street, Fort Worth, TX 76103. Transporting *general commodities* (except commodities in bulk and classes A and B explosives) from the facilities of Dal-Worth Shippers Association and Houston Merchants Shippers Association at points in CA, GA, IL, MA, NC, NJ, NY and PA, to points in TX. (Hearing site: Fort Worth, TX.)

MC 150311 (Sub-5F), filed April 3, 1980. Applicant: P & L MOTOR LINES, INC., P.O. Box 4616, Fort Worth, TX 76106. Representative: Billy R. Reid, 1721 Carl Street, Fort Worth, TX 76103. Transporting *foodstuffs* (except in bulk), (1) from the facilities used by Fanci Foods, Inc., at points in NJ, NY, and San Francisco, CA, to Houston, TX, and (2) from the facilities used by Van Besta Corp., at points in NJ, NY, and San Francisco, CA, to points in AR, IL, MI, OK, and TX. (Hearings site: Fort Worth, TX.)

MC 150311 (Sub–6F), filed April 7, 1980. Applicant: P & L MOTOR LINES, INC., P.O. Box 4616, Fort Worth, TX 76106. Representative: Billy R. Reid, 1721 Carl Street, Fort Worth, TX 76103. Transporting *meats, 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 in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk, from the facilities of Farmland Foods, Inc. at or near Garden City, KS, to points in AL, CT, DE, DC, FL, GA, IL, IN, KY, MA, MD,

ME, MS, NJ, NY, NC, OH, PA, RI, SC, TN, VA, VT & WV. (Hearings site: Fort Worth, TX.)

MC 150420F, filed March 18, 1980. Applicant: WEST-FLO CO., INC., P.O. Box 17401, Tampa, FL 33682. Representative: James E. Wharton, Suite 811, Metcalf Building, 100 South Orange Avenue, Orlando, FL 32801. Transporting *beverages*, between points in FL. (Hearings site: Tampa or Orlando, FL.)

MC 150480F, filed April 4, 1980. Applicant: YOWELL TRANSPORTATION SERVICE, INC., 1840 Cardington Rd., Dayton, OH 45409. Representative: Andrew Jay Burkholder, 275 East State St., Columbus, OH 43215. Transporting *concrete products, and materials, supplies and equipment utilized in the manufacture of concrete products*, between points in Butler and Warren Counties, OH, on the one hand, and, on the other, points in IN, MI, IL, WV, KY and PA. (Hearings site: Columbus, OH.)

MC 150550F, filed April 4, 1980. Applicant: CARROLLTON TRANSPORT, INC., 1 Perimeter Way, Suite 455, Atlanta, GA 30339. Representative: Bill R. Davis, Suite 101—Emerson Center, 2814 New Spring Road, Atlanta, GA 30339. Transporting (1) *frozen bakery products and ice cream* from Carrollton, GA, to points in AL, AR, FL, LA, MS, NC, SC, TN, VA, and WV, and (2) *materials and supplies* used in the manufacture and distribution of the commodities in (1) above, in the reverse direction. (Hearing site: Atlanta, GA.)

MC 150650F, filed April 4, 1980. Applicant: THE LAKE SHORE MOTOR FREIGHT CO., INC., 1200 South State Street, Girard, OH 44420. Representative: Michael R. Werner, 167 Fairfield Road, P.O. Box 1409, Fairfield, NJ 07006. Contract carrier transporting *zinc slabs and ingots and zinc dross*, between points in the U.S. in and east of MN, IA, MO, AR, and LA, under continuing contract(s) with St. Joe Zinc of Pittsburgh, PA. (Hearing site: Pittsburgh, PA.)

Passenger

MC 148841 (Sub-2F), filed March 20, 1980. Applicant: HAYDEN BUS SERVICE, INC., P.O. Box 31A, St. Louis, MO 63166. Representative: L. W. Ward (same address as applicant). Transporting *passengers and their baggage*, in the same vehicle with passengers, in round trip charter and special operations, beginning and ending in Adams, Tazewell, Sangamon, St. Clair, Jackson and Fayette Counties, IL; those points in I Hwy 70 between St. Louis, MO and Terre Haute, IN; and points in St. Louis County, MO, extending to points in the U.S. (including AK, but excluding HI). (Hearing site: St. Louis or Jefferson City, MO.)

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Decided: June 20, 1980.
By the Commission, Review Board Number 1, Members Carleton, Joyce and Jones.

MC 17000 (Sub-23F), filed April 22, 1980. Applicant: HOHENWALD TRUCK LINES, INC., P.O. Box 196, Hohenwald, TN 38462. Representative: Robert L. Baker, 618 United American Bank Bldg., Nashville, TN 37219. Transporting (1) *steel forgings* and (2) *materials, parts, and supplies* used in the manufacture and/or distribution of automotive parts between Franklin, TN, on the one hand, and, on the other, points in IL, MI, and OH. (Hearing site: Nashville, TN.)

MC 35320 (Sub-585F), filed April 21, 1980. Applicant: T.I.M.E.-DC, INC., 2598 74th Street, P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). Over regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Minneapolis, MN, and San Antonio, TX, over Interstate Hwy 35, serving Kansas City, KS, Kansas City, MO, Oklahoma City, OK, Dallas, TX, and Ft. Worth, TX, for purposes of joinder only, as an alternate route for convenience only. Applicant intends to tack and/or interline at points outlined above. (Hearing Site: Dallas, TX, or Washington, DC.)

MC 47171 (Sub-169F), filed April 21, 1980. Applicant: COOPER MOTOR LINES, INC., P.O. Box 2820, Greenville, SC 29602. Representative: Harris G. Andrews (same as above). Transporting *General commodities* (except those of unusual value, classes A and B explosives, household good as defined by the Commission, commodities in bulk, and those requiring special equipment) between Gastonia, NC, and Atlanta, GA. (Hearing site: Atlanta, GA.)

MC 56640 (Sub-49F), filed April 21, 1980. Applicant: DELTA LINES, INC., 333 Hegenberger Road, Oakland, CA 94621. Representative: Donald E. Fernaays, 4040 East McDowell Road, Suite 320, Phoenix, AZ 85008. Transporting *such commodities as are dealt in by wholesale, retail, and chain grocery and food business houses* (except frozen commodities and commodities in bulk), from Fairfield and Oakland, CA) to points in UT and WA. (Hearing site: San Francisco, CA.)

MC 68100 (Sub-42F), filed April 22, 1980. Applicant: D. P. BONHAM TRANSFER, INC., P.O. Drawer G, Bartlesville, OK 74003. Representative: Larry E. Gregg, 641 Harrison Street, P.O. Box 1979, Topeka, KS 66601. Transporting *Pipe, Fittings, Valves, Hydrants*, and *Materials* used in the installation thereof (except in bulk), from the facilities of Clow Corporation at (a) Columbia, MO, (b) Buckhannon, WV, and (c) in Talladega County, AL, to points in the U.S. (except AK and HI). (Hearing site: Chicago, IL, Kansas City, MO.)

MC 85970 (Sub-31F), filed April 18, 1980. Applicant: SARTAIN TRUCK LINE, INC., 1625 Hornbrook Street, Memphis, TN 38024. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. Transporting *Power transmission machinery, metal castings, iron and steel; (2) parts, attachments, accessories and supplies, used in the manufacture and distribution, of items listed* in (1) above, between Chambersburg, PA, and Trenton, TN, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted against commodities which because of size or weight require the use of special equipment. (Hearing site: Memphis, TN.)

MC 85970 (Sub-32F), filed April 18, 1980. Applicant: SARTAIN TRUCK LINE, INC., 1625 Hornbrook St., Memphis, TN 38024. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Transporting (1) *metal and metal products*, and (2) *materials, equipment, and supplies* used in the manufacture of metal and metal products (except commodities in bulk), between the facilities of Mueller Brass Company, at or near Covington, TN, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Memphis, TN.)

MC 102181 (Sub-10F), filed April 21, 1980. Applicant: O. H. & F., INC., P.O. Box 129, Grayville, IL 62844. Representative: William P. Whitney, Jr., 708 McClure Building, Frankfort, KY 40601. Transporting *machinery, equipment, materials, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling*

of pipe lines, including the stringing and picking up thereof (1) between points in MI, IN, IL, and CH, on the one hand, and, on the other, points in WV and PA, and (2) between points in WV and PA. (Hearing site: Wooster or Columbus, OH.)

MC 106400 (Sub-127F), filed April 21, 1980. Applicant: KAW TRANSPORT COMPANY, a Corporation, P.O. Box 8510, Sugar Creek, MO 65054. Representative: Robert L. Hawkins, Jr., P.O. Box 456, Jefferson City, MO 65102. Transporting *alcohol*, in bulk, in tank vehicles, from points in Atchison County, MO, to points in AR, OK, IA, and NE. (Hearing site: Kansas City, MO.)

MC 106961 (Sub-3F), filed April 21, 1980. Applicant: SPEAR TRUCKING CORPORATION, 3 Brick Kiln Road, Billerica, MA 01862. Representative: James F. Martin Jr., 8 W. Morse Road, Bellingham, MA 02019. Transporting *plastic materials* (except in bulk), *cloth, dry goods, and coated fabrics* from the facilities of Pervel Industries Inc., at Plainfield, CT, to New York, NY, and points in NJ. (Hearing site: Boston, MA.)

MC 198021 (Sub-69F), filed May 2, 1980. Applicant: TAYNTON FREIGHT SYSTEM, INC., 40 Main Street, Wellsboro, PA 16901. Representative: Dewey T. Whitford (same address as applicant). Transporting *general commodities* (except those of unusual value, classes A & B explosives, household goods as defined by the Commission) between points in CT, DE, IN, KY, MD, MA, NJ, NY, OH, PA, RI, VA, WV, and DC restricted to traffic originating at or destined to the facilities of Corning Glass Works. (Hearing site: Philadelphia, PA, or Washington, DC.)

MC 111231 (Sub-303F), filed April 23, 1980. Applicant: JONES TRUCK LINES, INC., 610 E. Emma Avenue, Springdale, AR 72764. Representative: John C. Everett, 140 E. Buchanan, P.O. Box A, Prairie Grove, AR 72753. Transporting *furniture parts, and materials, equipment, and supplies* utilized in the manufacture and installation thereof between the facilities of Leggett & Platt, Inc., in MN, WI, IL, KY, TN, AL, GA, FL, NC, NJ, MA, MO, AR, LA, TX, OK, CO, AZ, CA, OR, WA, and UT, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Leggett & Platt, Inc. (Hearing site: Carthage, MO, or Little Rock, AR.)

MC 112430 (Sub-1F), filed April 22, 1980. Applicant: BIG BOY'S RIGGING SERVICE, INC., 4312 Pistorio Road, Baltimore, MD 21229. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. Transporting *commodities which, because of size or weight, require the use of special equipment; castings and structural steel; environmental and climatic control devices; and machinery*, between points in MD, on the one hand, and, on the other, points in CT, DE, MD, NC, NJ, NY, OH, PA, VA, WV, and DC. (Hearing site: Baltimore, MD.)

MC 115841 (Sub-762F), filed April 18, 1980. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 22168, McBride Lane, Knoxville, TN 37922. Representative: D. R. Beeler, P.O. Box 22168, McBride Lane, Knoxville, TN 37922. Transporting *Drugs, toilet preparations, health care products, magnesium hydroxide, alumina calcined* (except in bulk, in tank vehicles), from (1) Philadelphia PA, Greensboro, NC, and Lewes, DE, to points in AL, CA, CO, FL, GA, IA, IL, IN, KS, LA, MI, MO, NC, NM, NY, NE, OH, OK, PA, SC, TN, and TX, (2) Dayton and Jersey City, NJ, to points in IL, TN, and TX, and (3) Memphis, TN, to points in IL, NJ, and TX. (Hearing site: Philadelphia, PA, or Washington, DC.)

MC 115841 (Sub-764F), filed April 23, 1980. Applicant: COLONIAL REFREIGERATED TRANSPORTATION, INC., P.O. Box 22168, McBride Lane, Knoxville, TN 37922. Representative: D. R. Beeler, P.O. Box 22168, McBride Lane, Knoxville, TM 37922. Transporting *such merchandise as is dealt in by discount and variety department stores* (except commodities in bulk), between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Target Stores, a Division of Dayton-Hudson Corporation. (Hearings site: Minneapolis, MN, or Washington, DC.)

MC 115841 (Sub-765F), filed April 21, 1980. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 22168, McBride Lane, Knoxville, TN 37922. Representative: D. R. Beeler (same address as applicant). Transporting (1) *heating and cooling equipment* from points in Davidson County, TN, to points in IL, IN, MI, OH, PA, MO, NC, GA, NY, VA, SC, WV, MD, MS, AL, KY, DE, NJ, and DC and (2) *materials, equipment and supplies used in the manufacture of heating and cooling equipment*, from points in IL, IN, MI, OH, PA, MO, NC, GA, NY, DC, VA, SC, WV, MD, MS, AL, KY, DE, NJ, CA, and DC to points in Davidson County, TN. (Hearing site: Nashville, TN, or Washington, DC.)

MC 115841 (Sub-766F), filed April 21, 1980. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., McBride Lane, P.O. Box 22168, Knoxville, TN 37922. Representative: Richard L. Hollow, 2021 United American Plaza, Knoxville, TN 37922. Transporting (1) *paints, stains, varnishes and caulking compounds*, and (2) *materials, equipment and supplies used in their manufacture* (except commodities in bulk), between the facilities of United Coatings, at or near (a) Charlotte, NC, (b) Chicago, IL, (c) Indianapolis, IN, and (d) Memphis, TN, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, CO, and AZ. (Hearing site: Chicago, IL, or Washington, DC.)

MC 116710 (Sub-40F), filed April 28, 1980. Applicant: MISSISSIPPI CHEMICAL EXPRESS, INC., 2001 East Texas Street, P.O. Box 6176, Bossier City, LA 71010. Representative: Joe T. Lanham, P.O. Box 2165, Austin, TX 78711. *Contract carrier*, transporting *liquid amorphous polypropylene*, in bulk, from the facilities of Hercules, Incorporated, at or near Crowley, LA, to points in AR, DE, GA, IL, IN, KS, KY, MA, MN, MO, NE, NY, NC, PA, OH, SC, TX, VA, and WI, under continuing contract(s) with Hercules, Incorporated, of Norcross, GA. (Hearing site: Houston or Dallas, TX.)

MC 117241 (Sub-4F), filed April 23, 1980. Applicant: RONALD J. EMANUELSON, 418 Higby Road, Middletown, CT 06457. Representative: Robert C. Engstrom, Esq., Halloran, Sage, Phelon & Hagarty, One Financial Plaza, Hartford, CT 06103. Transporting *fertilizer and fertilizer materials, insecticides, pound, fungicides, and herbicides*, (1) from Portland, CT, to points in MA (except Barnstable, Bristol and Plymouth Counties), VT, NH, ME and NY (except Rensselaer, Columbia, Dutchess, Putnam, Westchester, Suffolk, and Nassau Counties), and (2) from points in MA, RI, VT, NH, ME, and NY to Portland, CT. (Hearing site: Hartford, CT; New Haven, CT; or Springfield, MA.)

MC 117241 (Sub-5F), filed April 23, 1980. Applicant: RONALD J. EMANUELSON, 418 Higby Road, Middletown, CT 06457. Representative: Robert C. Engstrom, Esq., Halloran, Sage, Phelon & Hagarty, One Financial Plaza, Hartford, CT 06103. Transporting *fertilizer and fertilizer materials, insecticides, fungicides and herbicides*, between Portland, CT, on the one hand, and, on the other, points in NJ, PA, MD, DE and VA. (Hearing site: Hartford, CT; New Haven, CT; or Springfield, MA.)

MC 117851 (Sub-32F), filed May 2, 1980. Applicant: JOHN CHEESEMAN TRUCKING, INC., 501 N. First St., Ft. Recovery, OH 45846. Representative: Earl N. Merwin, 85 E. Gay St., Columbus,

OH 43215. Contract Carrier, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities which, because of size or weight, require the use of special equipment), (1) from points in Texas and those points in the U.S. on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, then northward along the western boundaries of Itasca and Koochiching Counties, MN, to the international boundary line between the U.S. and Canada to points in FL, and (2) from Winter Haven, FL, to Valdosta, GA, under a continuing contract(s) with Scotty's Inc., of Winter Haven, FL. (Hearing site: Orlando, FL.)

MC 121470 (Sub-60F), filed April 21, 1980. Applicant: TANKSLEY TRANSFER COMPANY, a corporation, 801 Cowan Street, Nashville, TN 37207. Representative: John M. Nader, 1600 Citizens Plaza, Louisville, KY 40202. Transporting *fabricated steel, dust collectors, and water pollution control equipment,* from the facilities of Carborundum Company at or near Knoxville, TN to points in AL, GA, IL, KY, MS, NC, SC, IN, and PA. (Hearing site: Nashville, TN.)

MC 121470 (Sub-61F), filed April 21, 1980. Applicant: TANKSLEY TRANSFER COMPANY, a corporation, 801 Cowan Street, Nashville, TN 37207. Representative: John M. Nader, 1600 Citizens Plaza, Louisville, KY 40202. Transporting *Iron and steel articles,* from the facilities of Production Steel, Inc., at or near Knoxville, TN, to points in AL, GA, IL, KY, MS, NC, and SC. (Hearing site: Nashville, TN.)

MC 121470 (Sub-63F), filed April 21, 1980. Applicant: TANKSLEY TRANSFER COMPANY, a corporation, 801 Cowan Street, Nashville, TN 37207. Representative: John M. Nader, 1600 Citizens Plaza, Louisville, KY 40202. Transporting *self-propelled machinery* and parts and accessories therefor from the facilities of Koehring Lorain Division, at or near Chattanooga, TN, to points in the U.S. (except AK and HI). (Hearing site: Chattanooga or Nashville, TN.)

MC 124111 (Sub-65F), filed April 21, 1980. Applicant: OHIO EASTERN EXPRESS, INC., 300 West Perkins Avenue, Sandusky, OH 44870. Representative: David A. Turano, 100 East Broad Street, Columbus, OH 43215. Transporting *spaghetti, macaroni and noodle products* from Jersey City, NJ to points in IN, IL, KY, MI, OH, WV, TN and those in PA, on and west of U.S. Hwy 219. (Hearing site: Washington, D.C.).

MC 125951 (Sub-60F), filed April 21, 1980. Applicant: SILVEY REFRIGERATED CARRIERS, INC., 7000 West Center Road, Suite 325, Omaha, NE 68106. Representative: Robert M. Cimino, 7000 West Center Road, Suite 325, Omaha, NE 68106. Transporting *bakery goods,* from points in CT to points in OH, MI, IA, and IL, restricted to traffic originating at the named origin and destined to the indicated destinations. (Hearing site: Stamford, CT).

Note.—Dual operations may be involved.

MC 126930 (Sub-40F), filed April 21, 1980. Applicant: BRAZOS TRANSPORT CO., a corporation, P.O. Box 2746, Lubbock, TX 79408. Representative: Richard Hubbert, P.O. Box 10236, Lubbock, TX 79408. Transporting iron and steel particles, *plastic articles, building materials, and materials, equipment and supplies* used in the installation thereof (except commodities in bulk) between the facilities of Gensco, Inc., in TX and OK, on the one hand, and, on the other, points in AL, AR, CO, TN, ND, SD, NE, KS, OK, MO, IN, WI, MN, LA, KS, IL, and TX. (Hearing site: San Antonio, or Dallas TX).

MC 126930 (Sub-41F), filed April 21, 1980. Applicant: BRAZOS TRANSPORT CO., a corporation, P.O. Box 2746, Lubbock, TX 79408. Representative: Richard Hubbert, P.O. Box 10236, Lubbock, TX 79408. Transporting *lumber, lumber products, and particleboard,* from the facilities of Kirby Forest Industries, Inc., in TX to points in OK, AR, LA, MS, AL, TN, MO, KS, NE, IA, IL, WI, and MN. (Hearing site: Houston or Lubbock, TX).

MC 127100 (Sub-18F), filed April 15, 1980. Applicant: B&B MOTOR LINES, INC., 911 Summit Street, Toledo, OH 43604. Representative: Charles K. Boxell, 711 First Federal Plaza, Toledo, OH 43624. *Contract carrier* transporting *malt beverages in containers* from Eden, NC, to Toledo, OH, under continuing contract(s) with Metropolitan Distributing Company, of Toledo, OH. (Hearing site: Columbus, OH or Lansing, MI.)

MC 128951 (Sub-38F), filed April 18, 1980. Applicant: ROBERT H. DITTRICH d.b.a. BOB DITTRICH TRUCKING, 1000 North Front Street, New Ulm, MN 56073. Representative: Rodney H. Jeffrey, 1000 North Front Street, New Ulm, MN 56073. Transporting (1) *liquid fertilizer* from Dunuque, IA, to points in MN, (2) *wood windows, glazed windows, sashes, screens, sliding glass doors and combination doors* between Mankato and Minneapolis-St. Paul, MN, and points in IA, SD, and WI, (3) *siding, siding accessories, soffits, facias, shutters, shingles, commercial wall facing, and materials* used in their installation and manufacture, between Minneapolis-St. Paul, MN, and Denver, CO, points in WI on and south of U.S. Hwy 10, those in IL on and north of Interstate Hwy 74, those in SD on and east of U.S. Hwy 281, and those in IA on and north of Interestate Hwy 80, and (4) *steel and steel products* between points in Brown and Sibley Counties, MN, and Chicago, IL. (Hearing site: Minneapolis-St. Paul, or Mankato, MN).

Note.—Dual operations may be involved.

MC 134730 (Sub-21F), filed April 4, 1980. Applicant: METALS TRANSPORT, INC., 528 South 108th Street, West Allis, WI 53214. Representative: M. H. Dawes, 528 South 108th Street, West Allis, WI 53214. *Contract carrier* transporting *heat processing equipment, parts and accessories therefor and materials, parts, supplies and equipment used in its manufacture and repair* between Watertown, WI, on the one hand, and, on the other, points in the U.S. (except AK and HI) under continuing contract(s) with Lindberg, A Unit of General Signal, of Watertown, WI. (Hearing site: Milwaukee or Madison, WI.)

MC 134730 (Sub-23F), filed April 28, 1980. Applicant: METALS TRANSPORT, INC., 528 South 108th Street, West Allis, WI 53214. Representative: M. H. Dawes, 528 South 108th Street, West Allis, WI 53214. *Contract carrier* transporting *heat processing equipment, parts and accessories therefor and materials, parts, supplies and equipment used in its manufacture and repair* between Germantown, WI, on the one hand, and, on the other, points in the U.S. (including AK but excluding HI), under continuing contract(s) with Energy Recovery Company of Germantown, WI. (Hearing site: Milwaukee, or Madison, WI.)

MC 135680 (Sub-10F), filed April 18, 1980. Applicant: BEVERAGE DISTRIBUTORS, INC., P.O. Box 1180, Yakima, WA 98907. Representative: George H. Hart, 1100 IMB Building, Seattle, WA 98101. *Contract carrier,* transporting *wine and malt beverages* from points in Los Angeles, Napa, San Francisco, Madera, San Joaquin, Santa Clara, Sonoma, and Stanislaus Counties, CA, to Wenatchee, WA, under continuing contract(s) with Burns Distributing Co., of Wenatchee, WA. (Hearing sites: Seattle, WA, or Portland, OR.)

MC 140290 (Sub-4F), filed April 21, 1980. Applicant: KESSEL TRUCKING CO., INC., 615 No. Main, Blue Earth, MN

56013. Representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, MN 55402. *Contract carrier,* transporting (1) *precast concrete flooring* and *columns,* and *precast concrete feed bunks,* and (2) *plastic pipe, plastic conduit, plastic slats, plastic tubing, plastic* and *iron fittings* and *connections, valves, hydrants* and *gaskets* (except commodities as described in *Mercer Extension—Oil Field Commodities,* 74 M.C.C. 459), from Winnebago, MN, to points in AL, AR, AZ, CO, FL, GA, KY, LA, MS, OH, OK, TN, TX, and UT, (3) *materials, equipment,* and *supplies* used in the manufacture and installation of the commodities in (1) and (2) above (except commodities as described in *Mercer Extension—Oil Field Commodities,* 74 M.C.C. 459), between Winnebago, MN, on the one hand, and, on the other, points in the above-named destination States, under continuing contract(s) with Condux International, Inc., of Winnebago, MN. (Hearing site: Minneapolis, MN.)

MC 143621 (Sub-47F), filed April 15, 1980. Applicant: TENNESSEE STEEL HAULERS, INC., P.O. Box 5748, Nashville, TN 37208. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, D.C. 20014. Transporting *plastic pipe and fittings* from the facilities of Can-Tex Industries at or near Sparta, TN, to points in AR, GA, KY, LA, and MS. (Hearing site: Nashville, TN.)

MC 143621 (Sub-48F), filed April 18, 1980. Applicant: TENNESSEE STEEL HAULERS, INC., P.O. Box 5748, Nashville, TN 37208. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, D.C. 20014. Transporting *steel coils* from the facilities of Batesville Casket Co., Inc., at or near Batesville, IN, to the facilities of Batesville Casket Co., Inc., at or near Manchester, TN. (Hearing sites: Indianapolis, IN; Washington, DC.)

MC 144740 (Sub-25F), filed April 19, 1980. Applicant: L. G. DeWITT, INC., P.O. Box 70, Ellerbe, NC 28338. Representative: Terrence D. Jones, 2033 K Street NW., Washington, DC 20006. *Contract carrier* transporting *food and foodstuffs,* from the facilities of Globe Products Co., Inc., at Clifton, NJ, to points in AL, AR, FL, GA, LA, MS, NC, OK, SC, TN, and TX, under a continuing contract(s) with Globe Products Co., Inc., of Clifton, NJ. (Hearing site: Washington, DC.)

Note.—Common control and dual operations may be involved.

MC 145441 (Sub-112F), filed April 21, 1980. Applicant: A.C.B. TRUCKING, INC., P.O. Box 5130, North Little Rock, AR 72119. Representative: E. Lewis Coffey, P.O. box 5130, North Little Rock, AR 72119. Transporting (1) *television sets, radios, phonographs, stereo systems, recorders* and *players, recorded material, speaker* and *audio systems,* and (2) *accessories* and *components* for (1) above from the facilities of RCA Corp., at Bloomington and Indianapolis, IN, to points in CA, OR, and WA. (Hearing site: Indianapolis, IN, or Little Rock, AR.)

Note.—Dual operations may be involved.

MC 145970 (Sub-5F), filed April 18, 1980. Applicant: SKILLETT & SONS, INC., Rush Center, KS 67575. Representative: Erle W. Francis, Esq., 719 Capitol Federal Bldg., Topeka, KS 66603. *Contract carrier* transporting (1) *plastic bottles,* from Denver, CO, to the facilities of Pepsi-Cola of Lyons, Inc., at or near Hays, KS, (2) *glass bottles* from Muskogee and Sapulpa, OK, to the facilities of Pepsi-Cola of Lyons, Inc., at or near Hays, KS, and (3) *non-alcoholic beverages,* in containers, from Tulsa, OK, to the facilities of Pepsi-Cola of Lyons, Inc., at or near Hays, KS, under continuing contract(s) with Pepsi-Cola of Lyons, Inc., of Hays, KS. (Hearing site: Wichita, KS, or Denver, CO.)

MC 146600 (Sub-4F), filed April 18, 1980. Applicant: K & J TRUCKING, 3808 West 6th Street, Sioux Falls, SD 57104. Representative: Claude Stewart, P.O. Box 480, Sioux Falls, SD 57101. Transporting (1) *window sash balance systems* from the facilities of Balance Systems, Inc., at Sioux Falls, SD, to points in IA, IL, IN, MI, MN, OH, PA, and WI, and (2) *window sash parts and accessories,* in the reverse direction. (Hearing site: Sioux Falls, SD, or Sioux City, IA.)

MC 148331 (Sub-3F), filed March 21, 1980. Applicant: MARION TRANSPORT, INC., 265 35th Street, Marion, IA 52302. Representative: Robert E. Cook, 265 35th Street, Marion, IA 52302. *Contract carrier,* transporting (1) *unfrozen foodstuffs* (except dairy products, meats, meat products, meat by products, and articles distributed by meat-packing houses), *in containers, and seasoned salt,* from the facilities of National Oats Company, Inc., at Cedar Rapids and Wall Lake, LA, to points in the U.S. (except AK and HI), and (2) *materials, equipment and supplies* used in the production of unfrozen foodstuffs (except dairy products, meats, meat products, meat by products and articles distributed by meat-packing houses), in the reverse direction, under continuing contract(s) with National Oats Company, Inc., of Cedar Rapids, IA. (Hearing site: Chicago, IL, or Washington, DC.)

Note.—Dual operations may be involved.

MC 148791 (Sub-6F), filed April 21, 1980. Applicant: TRANSPORT-WEST, INC., 247 West 1400 South, Salt Lake City, UT 84115. Representative: William S. Richards, Post Office Box 2465, Salt Lake City, UT 84110. *Contract carrier,* transporting *copper rods and copper cathode,* from the facilities of Magma Copper Company, a subsidiary of Newmont Mining Corporation, at San Manuel, AZ, to points in CA, under continuing contract(s) with Newmont Services Limited, of Tucson, AZ. (Hearing site: Phoenix or Tucson, AZ.)

MC 149360 (Sub-2F), filed April 14, 1980. Applicant: L. B. TRANSPORT SERVICES, INC., 19114 Pioneer Boulevard, Cerritos, CA 90701. Representative: Miles L. Kavaller, 315 South Beverly Drive, Suite 315, Beverly Hills, CA 90212. *Contract carrier,* transporting (1) *fluorescent lighting fixtures* from Gardena, CA, to points in the U.S. (except AK and HI) and (2) *equipment, materials, and supplies* used in the manufacture of fluorescent lighting fixtures from Newark, NJ to Gardena, CA, under continuing contract(s) with Globe Illumination Co., of Gardena, CA. (Hearing site: Los Angeles, CA.)

MC 150190 (Sub-1F), filed April 23, 1980. Applicant: READY-PACK, INC., P.O. Box 2288, McAllen, TX 78501. Representative: John R. Frawley, Jr., 5506 Crestwood Blvd., Birmingham, AL 35212. *Contract carrier,* transporting *general commodities* (except classes A and B, explosives and commodities in bulk) between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Kenneth Fox Supply Co., Inc., at or near McAllen, TX, under a continuing contract(s) with Kenneth Fox Supply Co., Inc., of McAllen, TX. (Hearing site: Dallas or Houston, TX.)

MC 150310 (Sub-1F), filed April 21, 1980. Applicant: LOAD LINE, LTD., P.O. Box 8009, Pittsburgh, PA 15216. Representative: Stanley E. Levine, Esq., 220 Grant Street, Pittsburgh, PA 15219. Transporting *petroleum, petroleum products, vehicle and body sealer, and sound deadener compounds,* in packages, from points in Erie and Niagara Counties, NY; McKean, Venango and Warren Counties, PA; and Hancock and Pleasants Counties, WV, to points in AL, CA, GA, FL, IA, KS, KY, MS, MO, NE, NC, OR, SC, TN, and VA. (Hearing site: Pittsburgh, PA, or Washington, DC.)

MC 150560F, filed April 15 1980. Applicant: EFFICIENCY ENTERPRISES, INC., 19–18 42nd Street, Astoria, NY 11105. Representative: Schreiber Tunick,

375 Park Avenue, New York, NY 10022. *Contract carrier,* transporting (1) *liquor, wine, and other alcoholic beverages,* between points in NJ and Astoria, Smithtown, and Monsey, NY, under continuing contract(s) with Charmer Industries, Inc., of Astoria, NY. (Hearing site: New York, NY, or Newark, NJ.)

MC 150640 (Sub-1F), filed April 23, 1980. Applicant: EMERSON EXPRESS CO., INC., 545 Lyell Avenue, Rochester, NY 14606. Representative: Raymond A. Richards, 35 Curtice Park, Webster, NY 14580. *Contract carrier,* transporting *scrap materials, metals, stainless steel, batteries, and reconditioned steel containers, including tubs,* between points in Monore County, NY, on the one hand, and, on the other, New York, NY, points in Nassau and Suffolk Counties, NY, and points in AL, IL, IN, KY, MO, NJ, OH, and PA, under continuing contract(s) with Krieger Waste Paper Co., of Rochester, NY. (Hearing site: Rochester or Buffalo, NY.)

MC 150920F, filed May 28, 1980. Applicant: CHARLES H. CLOUD, d.b.a. EDGEWOOD TRUCKING CO., Star Route Box 185, Hatchechubbee, AL 36858. Representative: Marcus B. Calhoun, Jr., P.O. Box 2828, Columbus, GA 31902. *Contract carrier,* transporting (1) *folding pulpboard cartons,* from Phenix City, AL, to points in the U.S. (except AK and HI), and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above, in the reverse direction, under continuing contract(s) with Rock-Tenn Company, of Norcross, GA. (Hearing site: Atlanta, GA, or Birmingham, AL.)

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Decided: June 18, 1980.

By the Commission, Review Board Number 2, Members Chandler, Eaton and Liberman.

MC 2862 (Sub-63F), filed May 19, 1980. Applicant: ARROW TRANSPORTATION CO. of Delaware, P.O. Box 10106, Portland, OR 97210. Representative: Jerry R. Woods, Suite 1440, 200 S.W. Market St., Portland, OR 97201. Transporting *jet fuel,* in bulk, in tank vehicles, from the facilities of West Aire, Inc., at or near Hayden Lake, ID, to Walla Walla, WA. (Hearings site: Portland, OR.)

MC 3252 (Sub-113F), filed May 19, 1980. Applicant: MERRILL TRANSPORT CO. a corporation, 1037 Forest Avenue, Portland, ME 04104. Representative: Francis E. Barrett, Jr., 10 Industrial Park Road, Hingham, MA 02043. Transporting *petroleum products,* in bulk, in tank vehicles, from Burlington, VT, to points in Clinton and Essex Counties, NY. (Hearings site: Portland, ME or Boston, MA.)

MC 16682 (Sub-98F), filed May 23, 1980. Applicant: MURAL TRANSPORT, INC., P.O. Box 1785, North Brunswick, NJ 08902. Representative: W. C. Mitchell, 370 Lexington Ave, New York, NY 10017. Transporting *new furniture, and commerical and institutional fixtures and equipment,* between points in AZ, CA, OR, and WA, on the one hand, and, on the other, points in AZ, AR, CA, CO, ID, IA, KS, LA, MN, MT, NV, NM, ND, OK, OR, SD, TX, UT, WA, and WY. (Hearings site: San Francisco or Los Angeles, CA.)

MC 64932 (Sub-614F), filed May 22, 1980. Applicant: ROGERS CARTAGE CO. a corporation, 10735 South Cicero Avenue, Oak Lawn, IL 60453.. Representative: Allan C. Zuckerman, 39 South LaSalle Street, Chicago, IL 60603. Transporting *chemicals,* in bulk, in tank vehicles, from Seneca, IL, to points in the U.S. (except AK and HI). (Hearing site: Chicago, IL.)

MC 69492 (Sub-76F), filed May 23, 1980. Applicant: HENRY EDWARDS d.b.a. HENRY EDWARDS TRUCKING COMPANY, P.O. Box 97, Clinton, KY 42301. Representative: Roland M. Lowell, 618 United American Bank Building, Nashville, TN 37219. Transporting *such commodities,* as are dealt in by rubber manufacturers (1) between the facilities of General Tire & Rubber Company, at or near Mayfield, KY, and the facilities of Goodyear Tire & Rubber Company, at or near Union City, TN, on the one hand, and, on the other, Elk Grove Village, IL, Janesville, WI, Kansas City, MO, Wentzville, MO, and points in TX, and (2) between the facilities of General Tire & Rubber Co., at or near Mayfield, KY, on the one hand, and, on the other, Mt. Vernon, IL, Ft. Wayne, IN, Omaha, NE, and South Bend, IN. (Hearing site: Akron, OH or Nashville, TN.)

MC 80443 (Sub-40F), filed May 13, 1980. Applicant: OVERNITE EXPRESS, INC., 2550 Long Lake Road, Roseville, MN 55113. Representative: Samuel Rubenstein, Post Office Box 5, Minneapolis, MN 55440. Transporting *household appliances, and equipment, materials, and supplies* used in the manufacture and distribution of household appliances, from the facilities of the General Electric Company at Louisville, KY, to points in ND, SD, IA, NE, MN, and WI. (Hearing site: Minneapolis or St. Paul, MN.)

MC 87103 (Sub-62F), filed May 22, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., a corporation, P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Edward P. Bocko (same address as applicant). Transporting (1) *industrial ovens* and *parts* for industrial ovens, (2) *industrial heat processing equipment,* (3) *can curing and container handling equipment,* and (4) *equipment, materials, and supplies* used in the manufacture or distribution of the commodities in (1), (2), and (3) above (except commodities in bulk), between the facilities of Feco Engineered Systems, a Bangor Punta Company, at Cleveland, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the named facilities. (Hearing site: Cleveland, OH or Washington, DC.)

MC 107012 (Sub-539F), filed May 21, 1980. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne IN 46801. Representative: David D. Bishop (same address as applicant). Transporting *spas, whirlpool baths, heaters, filters, pumps, and gazebos,* (2) *parts and accessories* for the commodities in (1) above, and (3) *materials and supplies* used in the manufacture of the commodities (1) and (2) above (except commodities in bulk), from points in CA and FL, to points in the U.S. (except AK and HI). (Hearing sites: Los Angeles, CA or Washington, DC.)

MC 107012 (Sub-540F), filed May 22, 1980. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same address as applicant). Transporting *record changers,* and *parts and accessories* for record changers, from the facilities of Tenva, Inc., at Nogales, AZ, to points in CA, IL, NY, TN, and TX. (Hearing site: San Francisco, CA or Washington, DC.)

MC 107403 (Sub-1335F), filed May 12, 1980. Applicant: MATLACK, INC., Ten West Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same address as applicant). Transporting *petroleum and petroleum products,* in bulk, in tank vehicles, (1) between points in Erie, Crawford, Warren, and McKean Counties, PA, and Chautauqua, Cattaraugus, and Allegany Counties, NY, (2) between points in Wayne, Susquehanna, Bradford, and Tioga Counties, PA, and Broome County, NY, and (3) from Albany, NY, to points in VT, NH, MA, and NJ. (Hearing site: Washington, DC.)

MC 109443 (Sub-30F), filed May 12, 1980. Applicant: SEABOARD TANK LINES, INC., Monahan Avenue, Dunmore, PA 18512. Representative: Joseph F. Hoary, 121 South Main St., Taylor, PA 18517. Transporting *asphalt*

emulsions, in bulk, in tank vehicles, from Whippany and Pequest, NJ, to points in Bradford, Wayne, Susquehanna, Pike, Luzerne, Lackawanna, and Wyoming Counties, PA. (Hearing site: Philadelphia, PA.)

MC 109633 (Sub-45F), filed May 14, 1980. Applicant: ARBET TRUCK LINES, INC., P.O. Box 697, Sheffield, IL 61261. Representative: Arnold L. Burke, 180 North LaSalle St., Chicago, IL 60601. Transporting (1) *cleaning and polishing compounds, textile softeners, disinfectants, lubricants, hypochlorite solution, deodorants, paint, plastic bags, and filters*, and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk), between San Jose and City of Industry, CA, Joliet, IL, Woodbridge, NJ, and Garland, TX, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Economics Laboratory, Inc. (Hearing site: Minneapolis, MN.)

MC 114273 (Sub-731F), filed May 20, 1980. Applicant: CRST, INC., P.O. Box 68, Cedar Rapids, IA 52406. Representative: Kenneth L. Core (same address as applicant). Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between those points in the U.S. in and east of ND, SD, NE, CO, OK, and TX, restricted to traffic originating at or destined to the facilities of Sperry-Vickers Corporation. (Hearing site: Chicago, IL or Washington, DC.)

MC 115092 (Sub-108F), filed May 12, 1980. Applicant: TOMAHAWK TRUCKING, INC., P.O. Box 0, Vernal, UT 84078. Representative: Walter Kobos, 1016 Kehoe Dr., St. Charles, IL 60174. Transporting *meats, meat products and meat by-products, and articles distributed by meat-packing houses*, as described in Sections A and C of Appendix I to the report in *descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides), from Laveen, AZ, to points in CA, CO, OK, TX, and UT, restricted to traffic originating at the named origin. (Hearing site: Phoenix, AZ.)

MC 115162 (Sub-530F), filed May 15, 1980. Applicant: POOLE TRUCK LINE, INC., P.O. Drawer 500, Evergreen, AL 36401. Representative: Robert E. Tate (same address as applicant). Transporting (1) *switchgear, substation electrical transformers, portable electrical substations, equipment* used in the installation of portable electric substations, *iron and steel articles, aluminum articles, breaker sleds, and switching sleds*, from points in Callaway County, MO, to points in the U.S. (except AK and HI), and (2) *materials, equipment, and supplies* used in the manufacture, sale and distribution of the commodities in (1) above (except commodities in bulk, in tank vehicles), in the reverse direction. (Hearing site: St. Louis, MO or Washington, DC.)

MC 121412 (Sub-7F), filed May 19, 1980. Applicant: SUBURBAN LINES, INC., 2121 West Chestnut Street, Washington, PA 15301. Representative: William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219. Transporting *passengers and their baggage*, in the same vehicle with passengers, in round-trip charter and special operations, beginning and ending at points in Allegheny County, PA and those in Washington County, PA, on and west of a line beginning at the Allegheny County-Washington County line and extending along PA Hwy 88 to junction PA Legislative Route 62034, then along PA Legislative Route 62034 to junction PA Legislative Route 62063, then along PA Legislative Route 62063 to junction PA Legislative Route 62056, then along PA Legislative Route 62056 to junction PA Legislative Route 62054, then along PA Legislative Route 62054 to junction PA Legislative Route 62058, then along PA Legislative Route 62058 to junction PA Legislative Route 62177, then along PA Legislative Route 62177 to junction PA Legislative Route 62074, then along PA Legislative Route 62074 to junction PA Route 62176, and then along PA Legislative Route 62176 to Vestaburg, PA, and extending to all points in the U.S. (including AK, but excluding HI). (Hearing site: Pittsburgh, PA.)

MC 123993 (Sub-76F), filed May 13, 1980. Applicant: FOGLEMAN TRUCK LINE, INC., P.O. Box 1504, Crowley, LA 70526. Representative: Austin L. Hatchell, 801 Vaughn Bldg., Austin, TX 78701. Transporting (1) *non-alcoholic beverages* (except in bulk), and (2) *materials, equipment, and supplies* used in the manufacture, distribution, or sale of the commodities in (1) above, between Reserve, LA, on the one hand, and, on the other, points in AL, AR, FL, LA, MS, TN, and TX. (Hearing site: New Orleans or Baton Rouge, LA.)

Note.—Dual operations may be involved.

MC 124032 (Sub-15F), filed May 12, 1980. Applicant: REED'S FUEL COMPANY, a corporation, 4080 Commercial Avenue, Springfield, OR 97477. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Avenue, Portland, OR 97210. Transporting *lumber, lumber mill products*, and *wood products*, between points in OR and WA. (Hearing site: Eugene or Portland, OR.)

MC 126822 (Sub-90F), filed May 22, 1980. Applicant: WESTPORT TRUCKING COMPANY, a corporation, 15580 South 169 Hwy., Olathe, KS 66061. Representative: John T. Pruitt (same address as applicant). Transporting *such commodities* as are dealt in by food business houses, between those points in the U.S. in and east of MT, WY, CO, and NM, restricted to traffic originating at or destined to the facilities of John Sexton & Co. (Hearing site: Chicago, IL.)

MC 129712 (Sub-30F), filed May 27, 1980. Applicant: GEORGE BENNETT MOTOR EXPRESS, INC., P.O. Box 569, McDonough, GA 30253. Representative: Frank D. Hall, Suite 713, 3384 Peachtree Rd. NE, Atlanta, GA 30326. *Contract carrier*, transporting *iron and steel articles*, from the facilities of Atlantic Steel Company, at or near Atlanta and Cartersville, GA, to those points in the U.S. in and east of MN, IA, MO, AR, and LA, under continuing contract(s) with Atlantic Steel Company, of Atlanta, GA. Condition: Applicant must submit a statement indicating how it intends to qualify as a contract carrier under 49 U.S.C. 10102 (12), i.e., either by dedicating equipment to the supporting person's exclusive use or by meeting the distinct needs of each person to be served (if the latter, applicant must explain the distinct need). (Hearing site: Atlanta, GA.)

MC 134922 (Sub-327F), filed May 27, 1980. Applicant: B. J. MCADAMS, INC., Route 6, Box 15, North Little Rock, AR 72118. Representative: Bob McAdams (same address as applicant). Transporting *frozen foods*, from the facilities of Rogers Walla Walla, Inc., at or near Pasco, Wa, to those points in the U.S. in and east of MI, IL, KY, TN, MS, and LA. (Hearing site: Portland, OR, or San Francisco, CA.)

MC 134922 (Sub-328F), filed May 27, 1980. Applicant: B. J. MCADAMS, INC., Rte. 6, Box 15, North Little Rock, AR 72118. Representative: Bob McAdams (same address as applicant). Transporting *meats, meat products, and meat by-products, and articles distributed by meat-packing houses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk and hides), from Searcy, AR, to points in AZ, AL, CA, OR, OK, FL, LA, MS, MD, NC, GA, SC, VA, TN, WA, and TX. (Hearing site: Little Rock, AR, or St. Louis, MO.)

MC 135082 (Sub-109F), filed May 19, 1980. Applicant: ROADRUNNER

TRUCKING, INC., P.O. Box 26748, Albuquerque, NM 87125. Representative: Charles Midkiff (same as applicant). Transporting *gypsum and gypsum products*, from Phoenix, AZ, to points in CA, CO, ID, NM, OR, UT, and WA. (Hearing site: Albuquerque, NM, or Los Angeles, CA.)

MC 135082 (Sub-110F), filed May 23, 1980. Applicant: ROADRUNNER TRUCKING, INC., P.O. Box 26748, Albuquerque, NM 87125. Representative: Charles Midkiff (same as applicant.) Transporting (1) *trailers and trailer bodies*, and (2) *parts and accessories* for trailers, from the facilities of Eidal International Corporation at or near Albuquerque, NM, to Houston, Galveston, and Port Arthur, TX. (Hearing site: Albuquerque, NM.)

MC 135082 (Sub-111F), filed May 23, 1980. Applicant: ROADRUNNER TRUCKING, INC., P.O. Box 26748, Albuquerque, NM 87125. Representative: Charles Midkiff (same as applicant). Transporting *iron and steel articles* (except commodities requring special equipment and those described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), from Reno, NV, Chicago, IL, St. Louis, MO, and Gary, IN, to points in AZ, CO, and NM. (Hearing site: Albuquerque, NM.)

MC 135082 (Sub-112F), filed May 23, 1980. Applicant: ROADRUNNER TRUCKING, INC., P.O. Box 26748, Albuquerque, NM 87125. Representative: Charles Midkiff (same as applicant). Transporting *gypsum and gypsum products*, and *materials and accessories* used in the installation of gypsum and gypsum products, from Albuquerque, NM, to points in CA, KS, NV, OK, TX, UT, and WY. (Hearing site: Albuquerque, NM.)

MC 135803 (Sub-16F), filed May 14, 1980. Applicant: WALLACE TRANSPORT, a corporation, 9290 E. Hwy 140 (P.O. Box 140), Planada, CA 95365. Representative: Donald M. Fennel (address same as above). Transporting *animal and poultry feed, feed supplements, and animal and poultry feed ingredients*, between the facilities of Superene Feed Supplements, Inc., at or near Cypress and Kingsburg, CA, on the one hand, and, on the other, points in AZ, NV, OR, WA, UT, ID, NM, TX, and CA. (Hearing site: San Francisco, CA.)

MC 139923 (Sub-74F), filed May 14, 1980. Applicant: MILLER TRUCKING CO., INC., P.O. Box Drawer "D", Stroud, OK 74079. Representative: Daniel O. Hands, Suite 200, 205 West Touhy Avenue, Park Ridge, IL 60068. Transporting (1) *adhesives, cement compounds, caulking compounds, cleaning and polishing compounds and solutions, mixing emulsions, latex solutions, mastic material, mineral fiber, mineral fiber products, plastic articles, building materials, sealing primer, and solvents* and (2) *materials, equipment, and supplies* used in the manufacture, distribution and installation of the commodities in (1) above, between the facilities of (a) Durabond Products Company, a subsidiary of United States Gypsum Company, at Elk Grove Village and Rosemont, and (b) United States Gypsum Company at Milwaukee, Oconomowoc, and Walworth, WI, on the one hand, and, on the other, points in AZ, CA, CO, ID, KS, MT, NV, NM, OK, OR, TX, UT, WA and WY. (Hearing site: Chicago, IL.)

Note.—Dual operations may be involved.

MC 142082 (Sub-10F), filed May 22, 1980. Applicant: OLIVER BROWN TRUCKING CO., INC., 700 South Avenue, Middlesex, NJ 08846. Representative: Eugene M. Malkin, Suite 1832, Two World Trade Center, New York, NY 10048. *Contract carrier*, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX, restricted to traffic originating at or destined to the facilities used by E. I. du Pont de Nemours and Company, under continuing contract(s) with E. I. du Pont de Nemours and Company. (Hearing site: New York, NY.)

Note.—Dual operations may be involved.

MC 142672 (Sub-141F), filed May 20, 1980. Applicant: DAVID BENEUX PRODUCE & TRUCKING, INC., Post Office Drawer F, Mulberry, AR 72947. Representative: Don Garrison, Post Office Box 1065, Fayetteville, AR 72701. Transporting *Canned Meats*, from the facilities of International Trading Company, at or near Houston, TX, to Cincinnati, OH. (Hearing site: Houston, TX, or Ft. Smith, AR.)

Note.—Dual operations may be involved.

MC 144083 (Sub-13F), filed May 5, 1980. Applicant: RALPH WALKER, INC., P.O. Box 3222, Jackson, MS 39207. Representative: Ralph Walker (same address as applicant). Transporting (1) *new furniture*, from the facilities of Franklin Manufacturing Company, Inc., at or near Houston, MS, to points in the U.S. (except AK and HI); and (2) *equipment, materials, and supplies* used in the manufacture and distribution of the commodities in (1) above, (except commodities in bulk, in tank vehicles), in the reverse direction, restricted to traffic originating at or destined to the named facilities. (Hearing site: Jackson, or Tupelo, MS.)

Note.—Dual operations may be involved.

MC 145102 (Sub-56F), filed May 13, 1980. Applicant: FREYMILLER TRUCKING, INC., P.O. Box 188, Shullsburg, WI 53586. Representative: Wayne W. Wilson, 150 East Gilman Street, Madison, WI 53703. Transporting (1) *foodstuffs*, from Ripon, WI, to points in AZ, CA, CO, ID, MT, NV, NM, OR, UT, WA, and WY; and (2) *materials, equipment, and supplies* used in the manufacture and distribution of foodstuffs, in the reverse direction. (Hearing site: Madison or Oshkosh, WI.)

Note.—Dual operations may be involved.

MC 145102 (Sub-58F), filed May 22, 1980. Applicant: FREYMILLER TRUCKING, INC., P.O. Box 188, Shullsburg, WI 53586. Representative: Wayne W. Wilson, 150 East Gilman Street, Madison, WI 53703. Transporting *canned goods*, from Belledeau and St. Francisville, LA, and Hoopeston and Princeville, IL to points in AZ, CA, CO, ID, MT, NV, NM, OR, UT, WA, and WY. (Hearing site: Madison, WI, or Peoria, IL.)

Note.—Dual operations may be involved.

MC 146402 (Sub-21F), filed May 18, 1980. Applicant: CONALCO CONTRACT CARRIER, INC., P.O. Box 968, Jackson, TN 38301. Representative: Charles W. Teske (same address as applicant). Transporting (1) *electric storage batteries, parts* for electric storage batteries, *battery fluid, battery boxes, battery covers, and battery vents*, and (2) *equipment, materials, and supplies* used in the production and distribution of the commodities in (1) above, between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities used by ESB Incorporated. (Hearing site: Atlanta, GA or Washington, DC.)

Note.—Dual operations may be involved.

MC 147323 (Sub-16F), filed May 19, 1980. Applicant: HADDAD TRANSPORTATION, INC., 5000 Wyoming Ave., Dearborn, MI 48126. Representative: John P. Haddad (same address as applicant). Transporting *such commodities* as are dealt in or used by manufacturers and distributors of iron and steel articles (except commodities in bulk), between points in the U.S. (except AK and HI). (Hearing site: Detroit, MI or Washington, DC.)

Note.—Dual operations may be involved.

MC 147323 (Sub-17F), filed May 15, 1980. Applicant: HADDAD TRANSPORTATION, INC., 5000 Wyoming Ave., Dearborn, MI 48126. Representative: John P. Haddad (same

address as applicant). Transporting *wooden fencing* from the facilities of American Wood Products, Inc., at Longwood, FL, to points in AL, AR, GA, KY, LA, MS, NC, SC, TN, and VA. (Hearing site: Miami, FL or Washington, DC.)

Note.—Dual operations may be involved.

MC 147982 (Sub-3F), filed May 19, 1980. Applicant: BEAVER TRUCKING, INC., Box 86, 1181 Highway 175, Richfield, WI 53076. Representative: James A. Spiegel, Olde Towne Office Park, 6425 Odana Road, Madison, WI 53719. *Contract carrier,* transporting *limestone, rough stone, stone products,* and *gravel,* from points in Milwaukee, Ozaukee, Racine, Washington, and Waukesha Counties, WI, to points in Cook, Lake, and McHenry Counties, IL, under continuing contract(s) with Lannon Stone Products, Inc., and R. & T. Quality Stone, Inc., both of Lannin, WI. (Hearing site: Madison, WI.)

MC 148183 (Sub-24F), filed May 14, 1980. Applicant: ARROW TRUCK LINES, INC., P.O. Box 432, Gainesville, GA 30503. Representative: Pauline E. Myers, Suite 348 Pennsylvania Bldg., 425—13th St. NW., Washington, DC 20004. Transporting *sugar* (except liquid), in containers from the facilities of Godchaux-Henderson Sugar Company, Inc., at Reserve and Kenner, LA, to points in AL, AR, FL, GA, IA, IL, IN, KS, KY, MI, MO, MS, NC, NE, OH, OK, SC, TN, TX, VA, WI, and WV. (Hearing site: Atlanta, GA or Washington, DC.)

MC 150072 (Sub-1F), filed May 5, 1980. Applicant: DEWEY ENTERPRISES, INC., 3320 New S. Province Blvd., Fort Myers, FL 33907. Representative: Leonard E. Mondschein, Suite 108, 1515 NW 7 St., Miami, FL 33125. *Contract carrier,* transporting *malt beverages and wine,* from Perry, GA, and Chicago, IL, to the facilities of Cronin Distributors, at Fort Myers, FL, under continuing contract(s) with Cronin Distributors, of Fort Myers, FL. (Hearing site: Miami or Fort Myers, FL.)

MC 150102 (Sub-1F), filed May 27, 1980. Applicant: MUSTANG TRANSPORTATION, INC., 1101 Rue Corton, Slidell, LA 70458. Representative: Albert T. Riddle (same address as applicant). *Contract carrier,* transporting *tires, tubes, wheels, wheel nuts, wheel weights, tire valves, and hub wheel clips,* between the facilities of Armstrong Rubber Company, at Natchez, MS, on the one hand, and, on the other, the facilities of Sears Roebuck and Company in LA, TX, OK, and NM, under continuing contract(s) with Sears Roebuck and Company, of Dallas, TX. (Hearing site: New Orleans, LA or Dallas, TX.)

MC 150273 (Sub-2F), filed May 14, 1980. Applicant: TRANSIT SERVICING, INC., 8121–C East 34 Mile Road, Cadillac, MI 49601. Representative: Burton A. Hines, Sr., 121 N. Mitchell St., Cadillac, MI 49601. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between those points in MI, in and north of Manistee, Wexford, Missaukee, Roscommon, Ogemaw, and Iosco Counties, on the one hand, and, on the other, Cadillac, Midland, Grand Rapids, and Detroit, MI, Ft. Wayne, IN, and Chicago, IL, restricted to traffic originating at or destined to the facilities of K Mart Corporation. (Hearing site: Chicago, IL.)

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Decided: June 11, 1980.

By the Commission, Review Board Number 2, Members Chandler, Eaton and Liberman.

MC 1263 (Sub-37F), filed April 22, 1980. Applicant: McCARTY TRUCK LINE, INC., 17th & Harris Avenue, Trenton, MO 64683. Representative: Scott Daniel, 800 Nebraska Savings Bldg., 1623 Farnam, Omaha, NE 68102. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of containers (except commodities in bulk), between points in AL, AR, GA, IL, IN, IA, KS, KY, LA, MI, MN, MO, MS, NE, OH, OK, TN, TX, and WI. (Hearing site: Kansas City, MO.)

MC 1753 (Sub-5F), filed April 14, 1980. Applicant: RENZ TRUCK LINES, INC., 4 Midwest Drive, Pacific, MO 63069. Representative: Charles A. Price (same address as applicant). Transporting *fibreboard and pulpboard boxes,* and *materials, equipment, and supplies* used in the manufacture and distribution of fibreboard and pulpboard boxes (except commodities in bulk, and those requiring the use of special equipment), between the facilities of the Alton Box Board Co., at or near Pacific, MO, on the one hand, and, on the other, points in IL, IN, KY, MI, MN, OH and PA. (Hearing site: St. Louis or Jefferson City, MO.)

MC 2253 (Sub-109F), filed April 14, 1980. Applicant: CAROLINA FREIGHT CARRIERS CORP., P.O. Box 697, Cherryville, NC 28021. Representative: J. S. McCallie (same address as applicant). Transporting *plastic granules,* in bulk, from Celriver, SC, to Norfolk, VA. (Hearing site: Charlotte, NC.)

MC 50493 (Sub-63F), filed April 14, 1980. Applicant: P.C.M. TRUCKING, INC., Kernsville Road, P.O. Box 249, Orefield, PA 18069. Representative: Christian V. Graf, 407 North Front Street, Harrisburg, PA 17101. Transporting *animal and poultry feed, and animal and pultry feed ingredients,* (1) between points in Pike and Luzerne Counties, PA, on the one hand, and, on the other, points in NY, DE, MD, and VA, (2) between points in Bergen, Hudson, Essex, Passaic, and Union Counties, NJ, on the one hand, and, on the other, points in PA, and (3) between New York, NY and points in Bergen, Hudson, Essex, Passaic, and Union Counties, NJ, on the one hand, and, on the other, points in DE, MD, VA, and WV. (Hearing site: Washington, DC, or Harrisburg, PA.)

Note.—Dual operations may be involved.

MC 61403 (Sub-286F), filed April 14, 1980. Applicant: THE MASON AND DIXON TANK LINES, INC., P.O. Box 969, Kingsport, TN 37662. Representative: W. C. Mitchell, Suite 1201, 370 Lexington Ave., New York, NY 10017. Transporting *benzene sulfonyl chloride,* in bulk, in tank vehicles, from W. Helena, AR, to Bucks, AL. (Hearing site: Washington, DC.)

MC 63562 (Sub-73F), filed April 21, 1980. Applicant: BN TRANSPORT, INC., 6775 East Evans Avenue, P.O. Box 22694, Denver, CO 80222. Representative: Cecil L. Goettsch, 1100 Des Moines Building, Des Moines, IA 50307. Transporting *such commodities* as are dealt in or used by agricultural equipment and industrial equipment dealers and manufacturers, from the facilities of J I Case Company at (a) Racine, WI and (b) Bettendorf and Burlington, IA, to points in WA, OR, ID, MT, WY, CO, ND, SD, KS, and NE. (Hearing site: Milwaukee, WI, or Chicago, IL.)

MC 69492 (Sub-75F), filed April 21, 1980. Applicant: HENRY EDWARDS d.b.a. HENRY EDWARDS TRUCKING CO., P.O. Box 97, Clinton, KY 42301. Representative: Roland M. Lowell, 618 United American Bank Building, Nashville, TN 37219. Transporting *steel containers, and materials, equipment, and supplies* used in the manufacture and distribution of steel containers, between the facilities of Hoover Universal at or near Dyersburg, TN, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Memphis, TN.)

MC 71593 (Sub-68F), filed April 15, 1980. Applicant: FORWARDERS TRANSPORT, INC., 1608 E. Second Street, Scotch Plains, NJ 07076. Representative: David W. Swenson (same address as applicant). Transporting *general commodities* (except those of unusual value, classes

A and B explosives, household goods as defined by the Commission, and commodities in bulk), between Seattle, WA, on the one hand, and, on the other, points in the U.S. (except AK, HI, and WA). (Hearing site: Newark, NJ; New York, NY.)

MC 82492 (Sub-259F), filed April 14, 1980. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 2109 Olmstead Road, P.O. Box 2853, Kalamazoo, MI 49003. Representatives: Neil E. Hannan (same address as applicant). Transporting (1) *paper and paper products, and plastic and plastic products,* and (2) *equipment, materials and supplies* used in the manufacture, sale, and distribution of the commodities in (1) above (except commodities in bulk), between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities or International Paper Company and its subsidiaries. (Hearing site: Chicago, IL, or Washington, DC.)

MC 87103 (Sub-57F), filed April 22, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., P.O. Box 322, Cuyahoga Falls, OH 44222. Representatives: Edward P. Bocko (same address as applicant). Transporting (1) *furnaces, and parts, attachments, and accessories* for furnaces, (2) *tanks, and parts, attachments, and accessories* for tanks, (3) *fabricated iron and steel articles,* and (4) *equipment, materials and supplies* used in the manufacture and distribution of the commodities in (1), (2), and (3) above (except commodities in bulk), between the facilities of Gunting & Allied Services, Inc., at Carnegie, PA, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the named facilities. (Hearing site: Pittsburgh, PA; Washington, DC.)

Note.—Dual operations may be involved.

MC 103993 (Sub-1047F), filed April 30, 1980. Applicant: MORGAN DRIVE-AWAY, INC., 28651 U.S. 20 West, Elkhart, IN 46515. Representative: James B. Buda (same address as applicant). Transporting *iron and steel articles,* from DeKalb, IL, to points in IN, MI, OH, and WI. (Hearing site: Chicago, IL.)

MC 107012 (Sub-521F), filed April 21, 1980. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S., Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representatives: David D. Bishop (same address as applicant). Transporting *such commodities* as are used in the restaurant business (except commodities in bulk and commodities which because of size or weight require the use of special equipment), from the facilities of Hardees Food Systems, Inc., at or near Rocky Mount, NC, to points in Al, DE, FL, GA, IA, KY, LA, MD, MN, ND, NJ, PA, SC, SD, TN, VA, and WV. (Hearing site: Raleigh, NC, or Washington, DC.)

MC 107403 (Sub-1330F), filed April 14, 1980. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same address as applicant). Transporting *Magnesite,* in bulk, in tank vehicles, from Manistee, MI, to points in AR, AL, CT, FL, GA, IL, IN, KY, LA, MD, MS, MO, NY, NC, OH, PA, SC, TN, VT, VA and WV. (Hearings site: Washington, DC.)

MC 108393 (Sub-148F), filed April 21, 1980. Applicant: SIGNAL DELIVERY SERVICE, INC., 201 East Ogden Ave., Hinsdale, IL 60521. Representative: J. A. Kundtz, 1100 National City Bank Bldg., Cleveland, OH 44114. *Contract carrier,* transporting *electrical and gas appliances, parts,* for electrical and gas applicances, and *equipment, materials and supplies* used in the manufacture, distribution, and repair of electrical and gas applicances (except commodities in bulk, in tank vehicles), between Ft. Smith, AR, LaPorte, IN and St. Paul, MN, on the one hand, and, on the other, points in CT, IL, IN, IA, KY, MA, MI, MO, NJ, NY, OH, PA, TN, TX, VA, WV and WI, under continuing contract(s) with Whirlpool Corporation. (Hearings sites: Chicago, IL; Washington, DC.)

Note.—Dual operations may be involved.

MC 109593 (Sub-12F), filed April 22, 1980. Applicant: H. R. HILL, Box 875, 2007 West Shawnee, Muskogee, OK 74401. Representative: Max G. Morgan, P.O. Box 1540, Edmond, OK 73034. *Contract carrier,* transporting *waste paper and scrap paper,* from points in AR, CO, IL, KS, LA, MO, NE, NM, TX, and WI, to the facilities of Gypsum Division of Georgia-Pacific Corporation, at or near Pryor, OK, under continuing contract(s) with Gypsum Division of Georgia-Pacific Corporation. Condition: Applicant must submit an explanation of the manner in which contractual provisions are to be fulfilled (i.e., either by furnishing transportation service through the assignment of motor vehicles for a continuing period of time to the exclusive use of the person to be served, or by furnishing transportation services designed to meet the distinct need of the person to be served). (Hearings sites: Okahoma City, or Tulsa, OK; Dallas, TX.)

MC 112713 (Sub-302F), filed April 1, 1980. Applicant: YELLOW FREIGHT SYSTEM, INC., P.O. Box 7270, Overland Park, KS 66207. Representative: Robert E. DeLand (same address as applicant). Over regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Beaumont, TX, and Baton Rouge, LA: from Beaumont, over U.S. Hwy 90 to junction U.S. Hwy 167, then over U.S. Hwy 167 to junction U.S. Hwy 190, then over U.S. Hwy 190 to Baton Rouge, and return over the same route, serving all intermediate points and the off-route point of Abbeville, LA. (Hearings sites: New Orleans, LA; Kansas City, MO.)

Note.—Applicant intends to tack this authority with its existing regular-route authority.

MC 114912 (Sub-22F), filed April 10, 1980. Applicant: CHARLES J. KOTWICA d.b.a. ROME EXPRESS, 5953 Rome Taberg Road, P.O. Box 768, Rome, NY 13440. Representative: Morton E. Kiel, Suite 1832, 2 World Trade Center, New York, NY 10048. *Contract carrier* transporting *wire, and materials, supplies, and equipment* used in the manufacture, sale, and distribution of wire (except commodities in bulk), between the facilities of Laribee Wire Co., Inc., at Camden, NY, on the one hand, and, on the other, those points in the U.S. in and east of WI, IL, KY, TN and MS, restricted against the transportation of oil and grease, in containers, from Philadelphia, PA, and points in its commercial zone; under continuing contract(s) with Laribee Wire Co., Inc., of Camden, NY. (Hearing site: Syracuse, NY.)

MC 115092 (Sub-107F), filed April 14, 1980. Applicant: TOMAHAWK TRUCKING, INC., P.O. Box O, Vernal, UT 84078. Representative: Walter Kobos, 1016 Kehoe Dr., St. Charles, IL 60174. Transporting (1) *doors, door frames, and parts and accessories* for doors and door frames, and (2) *materials and supplies* used in the manufacture, distribution, and sale of the commodities in (1) above, between Van Buren, AR, Colorado Springs, CO, and Toledo, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Denver, CO.)

MC 115162 (Sub-523F), filed April 14, 1980. Applicant: POOLE TRUCK LINE, INC., P.O. Drawer 500, Evergreen, AL 36401. Representative: Robert E. Tate (same address as applicant). Transporting: *(1) Lumber, lumber products, composition board, poles, piling, pallets, timbers, crossties, dowels, beams, woodpulp, paper and paper products, plastic and plastic products, matches, and egg cartons, and (2) materials, equipment and supplies* used in the manufacture and distribution

of the commodities in (1) above (except commodities in bulk, in tank vehicles) between points in the U.S. (except AK and HI). (Hearing site: Mobile, AL, or New Orleans, LA.)

MC 118202 (Sub-155F), filed April 21, 1980. Applicant: SCHULTZ TRANSIT, INC., P.O. Box 406, 323 Bridge Street, Winona, MN 55987. Representative: Robert S. Lee, 1000 First National Bank Bldg., Minneapolis, MN 55402. Transporting *dairy products* (except cheese), from Green Bay, WI, to points in TX. (Hearing sites: Chicago, IL; Minneapolis, MN.)

MC 118253 (Sub-9F), filed April 22, 1980. Applicant: S. F. DOUGLAS TRUCK LINES CO., a corporation, 587 First Street S.W., New Brighton, MN 55112. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440. Transporting *foodstuffs*, from Glencoe, MN, to points in MT, ND, SD, and the Upper Peninsula of MI. (Hearing site: Minneapolis or St. Paul, MN.)

MC 119493 (Sub-374F), filed April 14, 1980. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, Joplin, MO 64801. Representative: Thomas D. Boone (same address as applicant). Transporting (1) *building and insulating materials*, and (2) *materials, equipment, and supplies* used in the manufacture, installation, and distribution of building and installation materials, between points in AR, CO, IA, IL, KS, LA, MN, MO, NE, OK, SD, TN, TX, and WY, restricted to traffic originating at or destined to the facilities of CertainTeed Corporation, Shelter Materials Group. (Hearing site: Philadelphia, PA, or Washington, DC.)

MC 119493 (Sub-375F), filed April 22, 1980. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, Joplin, MO 64801. Representative: Thomas D. Boone (same address as applicant). Transporting (1) *flooring, carpeting floor covering materials*, and (2) *materials and supplies* used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk), between points in TX, on the one hand, and, on the other, those points in the U.S. in and east of MT, WY, CO, and NM. (Hearing site: Houston or Dallas, TX.)

MC 123392 (Sub-90F), filed April 14, 1980. Applicant: JACK B. KELLEY, INC., Route 1, Box 400, Amarillo, TX 79106. Representative: Austin L. Hatchell, P.O. Box 2165, Austin, TX 78768. Transporting (1) *liquid chemicals* (except bromine), in bulk, in tank vehicles, from the facilities of Great Lakes Chemical Corporation in Union County, AR, to points in IL, KS, KY, MO, MS, OK, TN, and TX, and (2) *liquid bromine*, in bulk, in tank vehicles, from the facilities of Great Lakes Chemical Corporation in Union County, AR, to points in the U.S. (except AK, AR, and HI). (Hearing site: Little Rock, AR, or Dallas, TX.)

MC 123993 (Sub-72F), filed April 21, 1980. Applicant: FOGLEMAN TRUCK LINE, INC., P.O. Box 1504, Crowley, LA 70526. Representative: Austin L. Hatchell, P.O. Box 2165, Austin, TX 78768. Transporting (1) *canned fruit*, and (2) *materials and supplies* used in the manufacture, distribution and sale of canned fruit, (except commodities in bulk), between the facilities of Wintergreen Warehouse, at or near Brownsville, TX, on the one hand, and, on the other, points in AL, AR, GA, IL, IA, KS, KY, LA, MS, MO, OK, TN, and FL. (Hearing site: New Orleans, LA or Dallas, TX.)

Note.—Dual operations may be involved.

MC 124673 (Sub-41F), filed April 14, 1980. Applicant: FEED TRANSPORTS, INC., P.O. Box 2167, Amarillo, TX 79105. Representative: Thomas F. Sedberry, P.O. Box 2165, Austin, TX 78768. Transporting *bone chips*, in bulk, from the facilities of Iowa Beef Processors, Inc., at or near (a) Amarillo, TX, and (b) Emporia, KS, to points in OK, AR, TX, LA, and MS. (Hearing site: DAllas, TX, or Kansas City, MO.)

MC 125433 (Sub-409F), filed April 14, 1980. Applicant: F–B TRUCK LINE COMPANY, a corporation, 1945 South Redwood Road, Salt Lake City, UT 84104. Representative: John B. Anderson (same address as applicant). Transporting *metal articles and scrap*, between points in the U.S. (except AK and HI). (Hearing site: Salt Lake City, UT.)

MC 125433 (Sub-412F), filed April 14, 1980. Applicant: F–B TRUCK LINE COMPANY, a corporation, 1945 South Redwood Road, Salt Lake City, UT 84104. Representative: John B. Anderson (same address as applicant). Transporting (1) *cooling towers*, (2) *condensers and industrial coolers*, and (3) *parts and accessories* for the commodities in (1) and (2) above, from Madera, CA, to points in the U.S. (except AK and HI), restricted to traffic originating at the facilities of Baltimore Aircoil of California at the named origin. (Hearing site: San Francisco, CA.)

MC 125433 (Sub-413F), filed April 21, 1980. Applicant: F–B TRUCK LINE COMPANY, a corporation, 1945 South Redwood Road, Salt Lake City, UT 84104. Representative: John B. Anderson (same address as applicant). Transporting *paint applicators*, from Reno, NV, to points in the U.S. (except AK and HI), restricted to traffic originating at the facilities of Acme Brush Company, Buckeye Roller Company, and Wooster Magikoter West Division of The Wooster-Brush Company, at the named origin. (Hearing site: Phoenix, AZ.)

MC 126822 (Sub-86F), filed April 14, 1980. Applicant: WESTPORT TRUCKING COMPANY, a corporation, 15580 South 169 Highway, Olathe, KS 66061. Representative: John T. Pruitt (same address as applicant). Transporting (1) *pipe, pipe fittings, couplings, building materials, insulating materials, and materials and supplies* used in the installation of building and insulating materials, (except commodities in bulk), (2) *materials, equipment and supplies* used in the manufacture or distribution of the commodities in (1) above, (except commodities in bulk), between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of CertainTeed Corporation. (Hearing site: Philadelphia, PA.)

MC 128273 (Sub-392F), filed April 30, 1980. Applicant: MIDWESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, KS 66701. Representative: Elden Corban (same address as applicant). Transporting *such commodities* as are dealt in or used by producers and distributors of petroleum and petroleum products, (except commodities in bulk, in tank vehicles), between points in the U.S. (Except AK and HI). Condition: The person or persons who appear to be engaged in common control of applicant and another regulated carrier must either file an application for approval of common control unde 49 U.S.C. § 11343, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Kansas City, MO, or Washington, DC.)

MC 128273 (Sub-393F), filed April 30, 1980. Applicant: MIDWESTERN DISTRIBUTION INC., P.O. Box 189, Fort Scott, KS 66791. Representative: Elden Corban (same address as applicant. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of mineral nicronutrients (except commodities in bulk, in tank vehicles), between Tampa, FL, on the one hand, and, on the other, points in the U.S. except AK and HI). Condition: The person or persons who appear to be engaged in common control of applicant and another regulated carrier must either file an application for approval of common control under 49 U.S.C. § 11343, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Orlando, FL, Washington, DC.)

MC 128543 (Sub-24F), filed April 21, 1980. Applicant: CRESCO LINES, INC.,

13900 South Keller Ave., Crestwood, IL 60445. Representative: Edward G. Bazelon, 39 South LaSalle Street, Chicago, IL 60603. *Contract carrier,* transporting (1) *pipe, wire, and fencing,* (2) *parts and accessories for the commodities in (1) above,* and (3) *materials, equipment and supplies* used in the manufacture and distribution of the commodities in (1) and (2) above, (except commodities in bulk), between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Allied Tube & Conduit Corporation or Coastal Wire Warehouses, Inc., its wholly-owned subsidiary, under continuing contract(s) with Allied Tube & Conduit Corporation and Coastal Wire Warehouses, Inc., its wholly-owned subsidiary. (Hearing site: Chicago, IL.)

MC 135843 (Sub-9F), filed April 15, 1980. Applicant: IOWA GATEWAY, INC. d.b.a. IOWA GATEWAY TERMINAL, Rive Road, Keokuk, IA 52632. Representative: William L. Fairbank, 1980 Financial Center, Des Moines, IA 50309. Transporting *railcar component parts,* between Alliance, NE, on the one hand, and, on the other, points in AL, AZ, FL, GA, IL, IN, KY, OK, PA, TX, and VA. (Hearing site: Omaha, NE, or Chicago, IL.)

Note.—Dual operations may be involved.

MC 141312 (Sub-10F), filed April 14, 1980. Applicant: DOKTER TRUCKING CORP., P.O. Box 408, Weeping Water, NE 68463. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. *Contract carrier,* transporting *phosphatic solution,* in bulk, in tank vehicles, from the facilities of Texasgulf Inc., at or near Weeping Water, NE, to points in IL, IA, KS, MN, MO, ND, SD, WI, AR, OK, CO, WY and MT, under continuing contract(s) with Texasgulf Inc., of Raleigh, NC. (Hearing site: Lincoln, NE.)

MC 142702 (Sub-1F), filed April 14, 1980. Applicant: NOLIA TRUCKING CO., INC., P.O. Box 1091, Augusta, GA 10903. Representative: Ralph B. Matthews, P.O. Box 872, Atlanta, GA 30301. *Contract carrier,* transporting *foodstuffs* (except in bulk), from points in CT, KY, MD, MA, NC, NY, PA, and TN, to Augusta, GA, under continuing contract(s) with Murray Bros. Distributing Co., Inc., of Augusta, GA. (Hearing site: Augusta, GA.)

MC 142733 (Sub-5F), filed April 21, 1980. Applicant: UNITED TRANSPORT, INC., 7275 NW. 8th Street, Miami, FL 33126. Representative: John P. Bond, 2766 Douglas Road, Miami, FL 33133. Transporting *plantains,* between points in FL, on the one hand, and, on the other, and points in NY, CA, and IL. (Hearing site: Miami, FL.)

MC 144203 (Sub-5F), filed April 21, 1980. Applicant: HERMAN BROS. INC., 2565 St. Mary's Avenue, Omaha, NE 68105. Representative: Scott E. Daniel, 800 Nebraska Savings Building, 1623 Farnam, Omaha, NE 68102. *Contract carrier,* transporting *flour, wheat germ, and animal feed,* in bags and in bulk, from the facilities of Dixie Portland Flour Mills, Inc., at or near (a) Barnesville, GA, (b) Chattanooga, Knoxville, and Memphis, TN, and (c) Chicago, IL, to points in AL, AR, DE, FL, GA, IL, IN, KY, LA, MD, MO, MS, NC, NY, OH, PA, SC, NJ, TN, VA and WV, under continuing contract(s) with Dixie Portland Flour Mills, Inc. (Hearings site: Chattanooga, TN or Atlanta, GA.)

Note.—Dual operations may be involved.

MC 144572 (Sub-38F), filed April 14, 1980. Applicant: MONFORT TRANSPORTATION COMPANY, a corporation, P.O. Box G, Greeley, CO 80631. Representative: Steven K. Kuhlmann, 2600 Energy Center, 717—17th Street, Denver, CO 80202. Transporting *such commodities* as are dealt in and used by producers and distributors of alcoholic beverages and wines, from the facilities of Heublein, Inc., at or near Hartford, CT, to points in IL, IN, WI, MI, MO, KY, CO, ID, NV, AZ, MT, CA, and WY, restricted to traffic originating at the named facilities. (Hearing site: Hartford, CT.)

Note.—Dual operations may be involved.

MC 144622 (Sub-165F), filed April 14, 1980. Applicant: GLENN BROTHERS TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: Phillip G. Glenn (same address as applicant). Transporting *meats, meat products and meat by-products, and articles distributed by meat-packing houses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Los Angeles, CA, to Birmingham, AL, Denver, CO, Jacksonville and Tampa, FL, Chicago, IL, Harahan, LA, Watertown, MA, Landover, MD, Kansas City, MO, Bayonne and Camden, NJ, New York, NY, Charleston and Columbia, SC, Nashville, TN, El Paso, Fort Worth, and San Antonio, TX, Norfolk, Richmond, and Williamsburg, VA, and Seattle, WA. (Hearing site: Little Rock, AR.)

Note.—Dual operations may be involved.

MC 145072 (Sub-40F), filed April 21, 1980. Applicant: M. S. CARRIERS, INC., 1797 Florida Street, Memphis, TN 38109. Representative: A. Doyle Cloud Jr., 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. Transporting *heating and air conditioning equipment and materials, equipment, and supplies* used in the manufacture and distribution of heating and air conditioning equipment (except commodities in bulk), between St. Louis, MO, on the one hand, and, on the other, points in AL, AR, GA, IL, IN, KY, LA, MD, MS, NJ, NY, NC, OH, PA, SC, TN, TX, VA, WV, and WI. (Hearing site: Memphis, TN.)

Note.—Dual operations may be involved.

MC 145072 (Sub-41F), filed April 21, 1980. Applicant: M. S. CARRIERS, INC., 1797 Florida Street, Memphis, TN 38109. Representative: A. Doyle Cloud Jr., 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. Transporting *christmas tree decorations, notions, paper products, scrap aluminum, and janitorial supplies,* between New Madrid, MO, on the one hand, and, on the other, those points in the U.S. in and east of MN, IA, MO, KS, OK, and TX. (Hearing site: Memphis, TN.)

MC 145402 (Sub-8F), filed April 21, 1980. Applicant: LAKE LINE EXPRESS, INC., P.O. Box 1021, Appleton, WI 54912. Representative: Richard A. Westley, 4506 Regent Street, Suite 100, Madison, WI 53705. Transporting *materials, equipment, and supplies* used in the manufacture and distribution of trucks, from points in IL, IN, IA, MI, and OH, to the facilities of Oshkosh Truck Corporation at or near Oshkosh, WI. (Hearing sites: Milwaukee, WI; Chicago, IL.)

MC 145792 (Sub-1F), filed April 15, 1980. Applicant: REO MOVERS & VAN LINES, a corporation, 7000 S. Chicago Ave., Chicago, IL 60637. Representative: Walter L. Weart, 548 Anita St., Des Plaines, IL 60016. Transporting (1) *plastic articles and resins,* (except commodities in bulk); and *petroleum products and chemicals,* in containers; between those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX, restricted to traffic originating at or destined to the facilities of Amoco Chemical Corp., and (2)(a) *expanded plastic containers and lids,* and (b) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (2)(a) above, (except commodities in bulk), between those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX, on the one hand, and, on the other, West Chicago, IL, and Metuchen, NJ, restricted to traffic originating at or destined to the facilities of Handi-Kup, Inc. (Hearing site: Chicago, IL.)

MC 146303 (Sub-8F), filed April 29, 1980. Applicant: COLO-TEX INDUSTRIES, INC., 1325 West Quincy Ave., Englewood, CO 88110.

Representative: Wm. Fred Contonwine, 6785 E. 50th Ave., Suite 201, Commerce City, CO 80022. Transporting (1) *foodstuffs,* (except in bulk, in tank vehicles), from points in FL, ID, KS, IL, IN, MI, NJ, NY, OH, and PA to Denver, CO, and (2) *alcoholic beverages and wines,* from points in IL, IN, KY, MA, MI, NJ, NY, OH, PA, and TN, to Denver, CO, and Cheyenne, WY. (Hearing site: Denver, CO.)

MC 146703 (Sub-15F), filed April 29, 1980. Applicant: ROBERTS & OAKE, INC., 4240 Blue Ridge Blvd., Blue Ridge Tower, Suite 820, Kansas City, MO 64133. Representative: Terrence D. Jones, 2033 K Street, NW., Suite 300, Washington, DC 20006. Transporting *folding cartons,* from Kansas City, MO, to points in AR, IA, KS, MN, NE, OK, SD, and TX. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

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Decided: June 20, 1980.

By the Commission, Review Board Number 2, Members Chandler, Eaton, and Liberman.

MC 3468 (Sub-178F), filed March 31, 1980. Applicant: F. J. BOUTELL DRIVEAWAY CO., INC., 705 South Dort Highway, P.O. Box 308, Flint, MI 48501. Representative: Harry C. Ames, Jr., 805 McLachlen Bank Building, 666 Eleventh Street, NW, Washington, DC 20001. Transporting *automobiles, trucks, and chassis,* in secondary movements, in truckaway and driveaway services, (1) from Orange, CT, to points in DE, MD, MA, MI, NJ, NY, NC, OH, PA, VA, WV, and DC, and (2) from Providence, RI, to points in NC and WV. (Hearings site: New York, NY or Washington, D.C.)

MC 5888 (Sub-50F), filed March 31, 1980. Applicant: MID–AMERICAN LINES, INC., 127 West Tenth Street, Kansas City, MO 64105. Representative: Edward G. Bazelon, 39 South LaSalle Street, Chicago, IL 60603. Transporting (1) *windows, screens, doors, and building woodwork,* and (2) *materials, equipment, and supplies* used in the manufacture, distribution, and installation of the commodities in (1) above, from the facilities of Andersen Corporation at Bayport, MN, to points in Lower Penninsula of MI. (Hearing site: Chicago, IL.)

MC 25798 (Sub-395F), filed April 7, 1980. Applicant: CLAY HYDER TRUCKING LINES, INC., Post Office Box 1186, Auburndale, FL 33823. Representative: Tony G. Russell, Post Office Box 1186, Auburndale, FL 33823. Transporting *Meats, meat by-products and meat products, and articles distributed by meat-packing houses* as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Iowa Beef Processors, Inc., at or near (a) near Luverne, MN, and (b) West Point, NE, to points in FL and SC. (Hearing site: Omaha, NE, or Kansas City, MO.)

MC 36448 (Sub-9F), filed April 8, 1980. Applicant: MURFREESBORO FREIGHT LINE, CO., P.O. Box 1113, Murfreesboro, TN 37130. Representative: Henry E. Seaton, 929 Pennsylvania Building, 13th & Pennsylvania Ave., N.W., Washington, DC 20004. Over regular routes, transporting *general commodities* except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring the use of special equipment), between Memphis and Nashville, TN, over Interstate Hwy 40 serving no intermediate points. (Hearing site: Nashville, TN.)

Note.—Applicant intends to tack this authority with its existing regular-route authority.

MC 99208 (Sub-14F), filed March 24, 1980. Applicant: SKYLINE TRANSPORTATION, INC., P.O. Box 3569, Knoxville, TN 37917. Representative: Blaine Buchanan, 1024 James Building, Chattanooga, TN 37402. Over irregular routes, transporting *general commodities,* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Newport, TN, and Charlotte, NC: (1) from Newport over I Hwy 40 to junction U.S. Hwy 74 at or near Asheville, NC, then over U.S. Hwy 74 to Charlotte, and return over the same route, serving no intermediate points; (2) from Newport over I Hwy 40 to junction I Hwy 26 at or near Asheville, NC, then over I Hwy 26 to junction I Hwy 85 at or near Spartanburg, SC, then over I Hwy 85 to Charlotte, and return over the same route, serving no intermediate points. (Hearing site: Knoxville, TN, Charlotte, NC.)

Note.—Applicant intends to tack those routes at Newport to present authorized routes so as to provide through service between Charlotte, NC and points in its commercial zone and all points authorized in AL, KY, and TN.

MC 106398 (Sub-1065F), filed March 3, 1980. Applicant: NATIONAL TRAILER CONVOY, INC., 705 South Elgin, Tulsa, OK 74120. Representative: Gayle Gibson (same address as applicant). Transporting *furniture and steel products,* from the facilities of B.E.F. Manufacturing Company, Inc., at Earle, AR, to points in the U.S. (except AK and HI). (Hearing site: Little Rock, AR.)

MC 107478 (Sub-66F), filed April 9, 1980. Applicant: OLD DOMINION FREIGHT LINE, INC., 1791 Westchester Drive, Post Office Box 2006, High Point, NC 27261. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, DC 20014. 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), over regular routes, (1) Between Charlotte, NC, and Mobile, AL: From Charlotte over Interstate Hwy 85 to Montgomery, AL, and then over Interstate Hwy 65 to Mobile, and return over the same route; (2) Between Charlotte, NC, and Miami, FL: From Charlotte over U.S. Hwy 21 to Columbia, SC, then over U.S. Hwy 321 to junction U.S. Hwy 17, then over U.S. Hwy 17 to junction U.S. Hwy 1, and then over U.S. Hwy 1 to Miami, and return over the same route; (3) Between junction U.S. Hwys 321 and 301 and Tampa, FL, over U.S. Hwy 301; (4) Between Daytona Beach and Tampa, FL, over Interstate Hwy 4, serving Daytona Beach for purposes of joinder only; (5) Between Charleston, SC, and Memphis, TN: From Charleston over Interstate Hwy 26 to Asheville, NC, and then over Interstate Hwy 40 to Memphis, and return over the same route; (6) Between Charleston, SC, and Tallahassee, FL: From Charleston over U.S. Hwy 17 to junction U.S. Hwy 82, then over U.S. Hwy 82 to Waycross, GA, then over U.S. Hwy 84 to Thomasville, GA, and then over U.S. Hwy 319 to Tallahassee, and return over the same route; (7) Between Jacksonville, FL, and Mobile, AL, over U.S. Hwy 90; (8) Between Columbia, SC, and Memphis, TN: From Columbia over Interstate Hwy 20 to Birmingham, AL, and then over U.S. Hwy 78 to Memphis, and return over the same route; (9) Between Tampa, FL, and Nashville, TN, over U.S. Hwy 41; (10) Between Savannah, GA, and Montgomery, AL, over U.S. Hwy 80; (11) Between Atlanta, GA, and Jacksonville, FL, over U.S. Hwy 23; (12) Between Memphis, TN, and Mobile, AL: From Memphis over Interstate Hwy 55 to Jackson, MS, then over U.S. Hwy 49 to Hattiesburg, MS, and then over U.S. Hwy 98 to Mobile, and return over the same route; (13) Between Tallahassee and Miami, FL, over U.S. Hwy 27; (14) Between Ocala and Orlando, FL, over U.S. Hwy 441, serving Ocala for purposes of joinder only; (15) Between Nashville, TN, and

Cottondale, FL, serving Cottondale for purposes of joinder only: From Nashville over U.S. Hwy 31 to Montgomery, AL, and then over U.S. Hwy 231 to Cottondale, and return over the same route; (16) Between Knoxville, TN, and Birmingham, AL, over U.S. Hwy 11; (17) Between Evergreen, AL, and Pensacola, FL, serving Evergreen for purposes of joinder only: From Evergreen over U.S. Hwy 31 to Brewton, AL, and then over U.S. Hwy 29 to Pensacola, and return over the same route; (18) Between Anniston and Huntsville, AL, over U.S. Hwy 431, serving Anniston for purposes of joinder only; (19) Between Huntsville, AL, and Memphis, TN: (A) over U.S. Hwy 72, and (B) From Huntsville over Alternate U.S. Hwy 72 to junction U.S. Hwy 72, and then over U.S. Hwy 72 to Memphis, and return over the same route; (20) Between junction Interstate Hwys 85 and 185 and Dothan, AL: From junction Interstate Hwys 85 and 185 over Interstate Hwy 185 to Columbus, GA, and then over U.S. Hwy 431 to Dothan, and return over the same route; (21) Atlanta, GA, and Tampa, FL, over U.S. Hwy 19; serving in connection with routes (a) through (21) above (I) the intermediate points of Asheville, NC, Columbia and Greenville, SC, Atlanta, Calhoun, Dublin, Macon, and Savannah, GA, Cattanooga, Knowville, and Nashville, TN, Birmingham, Decatur, Dothan, Huntsville, and Montgomery, AL, and Jacksonville, Orlando, Pensacola, and Tallahassee, FL; (II) for purposes of joinder only, the junction of U.S. Hwys 41 and 27, the junction of U.S. Hwys 321 and 301, the junction of Interstate Hwys 85 and 185, Cottondale, Daytona Beach and Ocala, FL, Anniston and Evergreen, AL, and Thomasville, GA, and (III), as off-route points, points in the following counties: Knox, Anderson, Hamilton, Bradley, Davidson, Shelby, Fayette, and Tipton Counties, TN; Morgan, Madison, Limestone, Laurence, Colbert, Lauderdale, Jefferson, Elmore, Macon, Montgomery, Autauga, Mobile, Baldwin, and Houston Counties, AL; and Escambia, Santa Rosa, Duval, Orange, Seminole, Pinellas, Leon, Hillsborough, Gadsden, Dade, Broward, and Palm Beach Counties, FL; and over Irregular routes, (1) Between points in AL, FL, and TN, and (2) between points in AL, FL, and TN, on the one hand, and, on the other hand, those points in MA and CT on and east of U.S. Hwy 5, Corning, NY, and points in NY within 150 miles of Newark, NJ, points in NJ, those points in PA on, east, and south of a line beginning at the MD–PA State line and extending along Interstate Hwy 83 to York, PA, then along U.S. Hwy 30 to junction U.S. Hwy 202, then along U.S. Hwy 202 to the PA–NJ State line, those points in MD bounded by a line (including points on that line) beginning at the DC–MD State line and extending along U.S. Hwy 1 to Baltimore, MD, then along MD Hwy 144 to junction U.S. Hwy 40, then along U.S. Hwy 40 to Frederick, MD, then along Alternate U.S. Hwy 40 to Hagerstown, MD, then along U.S. Hwy 40 to Frostburg, MD, then along U.S. Hwy 40 to the Garrett-Allegany County line, than in a southerly direction along the Garrett-Allegany County line to the MD–WV State line, then in an easterly direction along the MD–WV and the MD–VA State lines to the point of beginning, those points in VA on and east of a line beginning at the WV–VA State line and extending along U.S. Hwy 50 to junction U.S. Hwy 15, then along U.S. Hwy 15 to junction U.S. Hwy 522, then along U.S. Hwy 522 to junction Interstate Hwy 64, then along Interstate Hey 64 to Richmond, VA, then along U.S. Hwy 360 to Danville, VA, then along U.S. Hwy 29 to the VA–NC State line (except Northampton and Accomac Counties), and points in NC, SC, and GA. (Hearing sites: Atlanta, GA; Charlotte, NC; and Washington, DC.)

Note.—Applicant intends to tack the regular routes sought with each other and with existing irregular-route authority, and the irregular-route authority sought with existing regular routes.

MC 112588 (Sub-35F), filed April 4, 1980. Applicant: RUSSELL TRUCKING LINE, INC., 2011 Cleveland Road, Sandusky, OH 44870. Representative: David A. Turano, 100 East Broad Street, Columbus, OH 43215. Transporting *pipe*, from points in the Lower Peninsula of MI to points in OH and PA. (Hearing site: Columbus, OH.)

MC 113678 (Sub-869F), filed April 4, 1980. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, CO 80022. Representative: Roger M. Shaner (same address as applicant). Transporting *meats, meat products and meat by-products, and articles distributed by meat-packing houses* (except commodities in bulk), from Albuquerque, NM, Genesco, IL, and points in AZ, IA, KS, MO, MN, NE, ND, SD, TX, and WA, to points in the U.S. (except AK and HI.) (Hearing site: Chicago, IL; Denver, CO.)

MC 113678 (Sub-870F), filed April 4, 1980. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, CO 80022. Representative: Roger M. Shaner (same address as applicant). Transporting *foodstuffs* (except in bulk) (1) from Vacaville, CA, to points in IL, IN, and UT, and (2) from LaPorte, IN, to points in CA, restricted in (1) and (2) to traffic originating at the facilities of American Home Foods Division of American Home Products Corporation at the named origins. (Hearing site: New York, NY.)

MC 113678 (Sub-872F), filed April 4, 1980. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, CO 80022. Representative: Roger M. Shaner (same address as applicant). Transporting *electrical and electronic appliances and equipment* (except commodities which because of size or weight require the use of special equipment), (1) from Seattle, WA, to Los Angeles, CA, Phoenix, AZ, and Denver, CO, and (2) from Los Angeles, Ceritos, and Long Beach, CA, to points in AZ. (Hearing site: New York, NY.)

MC 116319 (Sub-16F), filed March 24, 1980. Applicant: WASHINGTON TRUCKING, INC., P.O. Box 107, Darrington, WA 98241. Representative: George R. LaBissoniere, 1100 Norton Building, Seattle, WA 98104. Transporting *fertilizer*, in bulk, in tank vehicles, from points in Columbia, Washington, Yamhill, Clackamas, and Multonomah Counties, OR, and Vancouver and Longview, WA, to those points in WA in and west of Whatcom, Skagit, Snohomish, King, Pierce, Thurston, Lewis, and Skamania Counties. (Hearing site: Seattle, WA.)

MC 116519 (Sub-85F), filed March 24, 1980. Applicant: FREDERICK TRANSPORT LIMITED, R.R. 6, Chatham, Ontario, Canada. Representative: Jeremy Kahn, Suite 733 Investment Building, 1511 K Street NW., Washington, DC 20005. In foreign commerce only, transporting (1) *iron and steel articles, aluminum and aluminum products, zinc and zinc products, and non-ferrous metals*, (a) from the ports of entry on the international boundary line between the U.S. and Canada in MI and NY to points in the U.S. (except AK, AZ, CA, CO, HI, ID, MT, NV, NM, OR, UT, WA, and WY), and (b) from points in IL, IN, MI, NY, OH, PA, and WI, to the ports of entry on the international boundary line between the U.S. and Canada in NY and MI; and (2)(a) *prefabricated metal building products*, and (b) *materials* and *supplies* used in the manufacture of prefabricated metal building products, from Connersville, IN, and Ambridge, PA, to the ports of entry on the international boundary line between the U.S. and Canada in NY and MI. (Hearing site: Washington, DC.)

MC 118959 (Sub-250F), filed April 4, 1980. Applicant: JERRY LIPPS, INC., 130 S. Frederick, Cape Giarardeau, MO 63701. Representative: Jack Gleason (same address as applicant). Transporting *materials, supplies, and equipment* used in the manufacture and

distribution of cleaning, scouring, and washing compounds (except commodities in bulk), from the facilities of the Container Corporation of America in TX to the facilities used by The Procter & Gamble Company at or near Alexandria, LA. (Hearing sites: Washington, DC, Chicago, IL.)

MC 119099 (Sub-32F), filed April 7, 1980. Applicant: BJORKLUND TRUCKING, INC., First Ave. N.E. and 8th St., Buffalo, MN 55313. Representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, MN 55402. Transporting *salt and salt products*, from the facilities of Cargill, Inc., at Sioux City, IA, to those points in MN on, east, and south of a line beginning at the IA–MN State line and extending along U.S. Hwy 71 to junction MN Hwy 210, and then along MN Hwy 210 to Lake Superior. (Hearing site: Minneapolis or St. Paul, MN.)

MC 119789 (Sub-694F), filed April 3, 1980. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr. (same as applicant). Transporting *foodstuffs*, and *materials, supplies, equipment* used in the manufacture, sale, or distribution of foodstuffs, between Jacksonville, IL, Sherman, TX, and Humboldt, TN, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Dallas, TX.)

MC 119789 (Sub-695F), filed April 7, 1980. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr. (same as applicant). Transporting *paint*, in containers, and *materials and supplies* used in the sale and application of paint, from Grand Prairie, TX, to Jacksonville, FL. (Hearing site: Dallas, TX.)

MC 121568 (Sub-29F), filed April 8, 1980. Applicant: HUMBOLDT EXPRESS, INC., 345 Hill Avenue, Nashville, TN 37211. Representative: James G. Caldwell (same as applicant). Transporting *foodstuffs* and *materials, supplies and equipment* used in the manufacture and distribution of foodstuffs, between the facilities used by J. Hungerford Smith Co., at or near Humboldt, TN, on the one hand, and, on the other, those points in the U.S. in and east of MT, WY, CO, and NM. (Hearing site: Nashville, TN.)

MC 121658 (Sub-31F), filed April 1, 1980. Applicant: STEVE D. THOMPSON TRUCKING, INC., 710 Prairie Street, P.O. Drawer 149, Winnsboro, LA 71295. Representative: Donald B. Morrison, 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, MS 39205. Over regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment): (1) Between Shreveport and Lake Charles, LA: From Shreveport over U.S. Hwy 171 to DeRidder, LA, then over LA Hwy 27 to junction U.S. Hwy 90 at or near Sulphur, LA, then over U.S. Hwy 90 to Lake Charles, and return over the same route, serving all intermediate points; (2) Between Lake Charles and Lafayette, LA, over U.S. Hwy 90 serving all intermediate points; (3) Between Shreveport and Alexandria, LA, over U.S. Hwy 71, serving all intermediate points; (4) Between Alexandria, LA and Lafayette, LA, over U.S. Hwy 167 serving all intermediate points; (5) Between DeQuincy and Opelousas, LA: From DeQuincy over LA Hwy 12 to Ragley, LA, then over U.S. Hwy 190 to Opelousas, and return over the same routes, serving all intermediate points; (6) Between Alexandria and junction U.S. Hwys 165 and 90 at or near Iowa, LA over U.S. Hwy 165, serving all intermediate points; (7) Between Pickering and Ville Platte, LA, over LA Hwy 10, serving all intermediate points; (8) Between Turkey Creek and Eunice, LA, over LA Hwy 13, serving all intermediate points; (9) Between junction U.S. Hwys 167 and 71 at or near Meeker, LA, and Opelousas, LA: From junction U.S. Hwys 167 and 71 at or near Meeker, over U.S. Hwy 71 to junction LA Hwy 10 at or near Labeau, LA, then over LA Hwy 10 to junction U.S. Hwy 167, then over U.S. Hwy 167 to Opelousas, and return over the same routes, serving all intermediate points; (10) Between Tullos and Alexandria, LA, over U.S. Hwy 165, serving all intermediate points; (11) Between Alexandria and Simmesport, LA, over IA Hwy 1 serving all intermediate points; (12) Between Mansura and Morrow, LA, over LA Hwy 107, serving all intermediate points; (13) Between Leesville and Alexandria, LA, over LA Hwy 28 serving all intermediate points; (14) Between Many and Clarence, LA, over LA Hwy 6, serving all intermediate points; (15) Between Eunice and Crowley, LA, over LA Hwy 13, serving all intermediate points; serving in connection with routes (1) to (15) above the following off-route points: Church Point, Fort Polk, and St. Martinsville, LA, and the facilities of International Paper Company near Carmel, LA. (Hearing site: Alexandria or Lafayette, LA.)

Note.—Applicant intends to tack this authority with its existing regular-route authority.

MC 124579 (Sub-33F), filed April 8, 1980. Applicant: WIKEL BULK EXPRESS, INC., Route 2, Huron, OH 44839. Representative: James Duvall, Post Office Box 97, 220 West Bridge Street, Dublin, OH 43017. Transporting *sugar and syrup, and blends* (of sugar and syrup, in bulk), (1) between Savannah, GA, on the one hand, and, on the other, points in the U.S. (except AK and HI), and (2) between Dayton, OH, and Maywood, NJ, on the one hand, and, on the other, those points in the U.S. in and west of ND, SD, NE, MO, AR, and LA (except AK and HI). (Hearing site: Columbus, OH.)

MC 126118 (Sub-237F), filed April 7, 1980. Applicant: CRETE CARRIER CORP., P.O. Box 81228, Lincoln, NE 68501. Representative: David R. Parker (same as applicant). Transporting *such commodities* as are dealt in or used by manufacturers and distributors of dried yeast (except commodities in bulk, in tank vehicles), from Rhinelander, WI, to points in CA. (Hearing site: Lincoln, NE, or Los Angeles, CA.)

Note.—Dual operations may be involved.

MC 126128 (Sub-7F), filed April 7, 1980. Applicant: D. H. TRUCKING CO., Route 1, Box 39, Lyons, OR 97358. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Avenue, Portland, OR 97210. Transporting: *Lumber, lumber mill products*, and *wood products*, between points in OR and WA. (Hearing site: Portland, OR.)

MC 127539 (Sub-84F), filed April 8, 1980. Applicant: PARKER REFRIGERATED SERVICE, INC., 1108 54th Avenue East, Tacoma, WA 98424. Representatives: Michael D. Duppenthaler, 211 South Washington Street, Seattle, WA 98104. Transporting *Prepared food*, unfrozen, in containers from Tacoma, WA, to McAllen, TX. (Hearing site: Seattle, WA.)

MC 129908 (Sub-38F), filed April 4, 1980. Applicant: AMERICAN FARM LINES, INC., 8125 S.W. 15th Street, Oklahoma City, OK 73107. Representative: T. J. Blaylock (same as applicant). Transporting (1) *munitions and classes A, B, and C explosives*, from the facilities of Milan Ordnance Plant, at or near Milan, TN, to Sunnypoint, NC, and (2) *equipment, materials, and supplies* used in the manufacture of the commodities in (1) above, from the facilities of Norris Industries, Inc., at or near Los Angeles, CA, to the facilities of Milan Ordnance Plant, at or near Milan, TN. Condition: The certificate to be issued in this proceeding shall be limited in point of time to a period expiring 5

years from its date of issue. (Hearing site: Los Angeles, CA.)

MC 129908 (Sub-39F), filed April 4, 1980. Applicant: AMERICAN FARM LINES, INC., 8125 S.W. 15th Street, Oklahoma City, OK 73107. Representative: T. J. Blaylock (same as applicant). Transporting *compressed gas cylinders,* from the facilities of Norris Industries, Inc., Compressed Gas Cylinder Division, at or near (a) Los Angeles, CA, (b) West Milwaukee, WI, and (c) Longview, TX, to points in the U.S. (except AK and HI). (Hearing site: Los Angeles, CA.)

MC 129908 (Sub-40F), filed April 7, 1980. Applicant: AMERICAN FARM LINES, INC., 8125 S.W. 15th Street, Oklahoma City, OK 73107. Representative: T. J. Blaylock (same as applicant). Transporting *air coolers and heat exchangers, cooling and freezing machines,* and refrigerating evaporators, from the facilities of Singer Climate Control Division, at Wilmington, NC, to points in AR, IL, KS, MO, and TX. (Hearing site: Charlotte, NC.)

MC 129908 (Sub-41F), filed April 7, 1980. Applicant: AMERICAN FARM LINES, INC., 8125 S.W. 15th Street, Oklahoma City, OK 73107. Representative: T. J. Blaylock (same as applicant). Transporting *Bentonite clay, lignite coal, drilling mud additives, and foundation water impedance boards,* from Custer, SD, and the facilities of American Colloid Co., at or near (a) Belle Fourche, SD, (b) Gascoyne, ND, (c) Lovell and Upton, WY, and (d) Malta, MT, to points in AR, AZ, CA, CO, IA, ID, IN, IL, KS, KY, LA, MN, MO, MT, ND, NE, NM, NV, OK, OR, SD, TX, UT, WA, WI, and WY. (Hearing site: Chicago, IL.)

MC 133119 (Sub-178F), filed April 8, 1980. Applicant: HEYL TRUCK LINES, INC., P.O. Box 206, 200 Norka Drive, Akron, IA 51001. Representative: A. J. Swanson, P.O. Box 1103, 226 N. Phillips Ave., Sioux Falls, SD 57101. Transporting *foodstuffs,* (except commodities in bulk), from Jacksonville, IL, to points in WI, MN, ND, SD, IA, NE, KS, and MO. (Hearing site: Sioux Falls, SD or Dallas, TX.)

MC 133189 (Sub-37F), filed March 27, 1980. Applicant: VANT TRANSFER, INC., 5075 Northeast Mulcare Drive, Minneapolis, MN 55421. Representative: John B. Van de North Jr., 2200 First National Bank Building, St. Paul, MN 55101. Transporting (1) *fireplace stoves and accessories* for fireplaces, from the facilities of Thermograte, Inc., at or near Minneapolis, MN, to points in the U.S. (except AK and HI); and (2) *materials, equipment and supplies* used in the manufacture, distribution, and operation of the commodities in (1) above in the reverse direction, restricted in (1) and (2) to traffic originating at or destined to the named facilities. (Hearing site: Minneapolis-St. Paul, MN.)

MC 133708 (Sub-42F), filed April 7, 1980. Applicant: FIKSE BROS., INC., 12647 E. South Street, Cerritos, CA 90701. Representative: John C. Russell, 1545 Wilshire Boulevard, Los Angeles, CA 90017. Transporting *gypsum wallboard,* from the facilities of Domtar Gypsum America Inc., at Long Beach, CA to points in Coconino and Yavapai Counties, AZ. (Hearing site: Los Angeles, CA.)

MC 135678 (Sub-16F), filed March 3, 1980. Applicant: MIDWESTERN TRANSPORTATION, INC., 20 SW 10th, Oklahoma City, OK 73125. Representative: C. L. Phillips, Room 248, Classen Terrace Building, 1411 N. Classen, Oklahoma City, OK 73106. Transporting (1) *cabinets for radios, phonographs, recorders, and loud speakers,* (2) *sound amplifying and directing horns, loud speakers, and electrical appliances and instruments,* (3) *microphone stands, radio amplifier sets, transformers, and parts for transformers,* and (4) *equipment, materials, and supplies* used in the manufacture of the commodities in (1), (2), and (3) above, from Oklahoma City, OK, to Anaheim, Azusa, Downey, Gardena, and Hawthorne, CA, and Bend, Or. (Hearing site: Oklahoma City, OK.)

MC 136818 (Sub-111F), filed April 4, 1980. Applicant: SWIFT TRANSPORTATION CO., INC., 335 West Elmwood Road, P.O. Box 3902, Phoenix, AZ 85030. Representative: Donald E. Fernaays, 4040 East McDowell Road, Suite 320, Phoenix, AZ 85008. Transporting (1) *furniture,* (2) *furniture parts,* and (3) *materials, equipment and supplies* used in the manufacture of the commodities in (1) and (2) above, (except commodities in bulk), from the facilities of (a) Gabriel Manufacturing at Tempe, AZ, and (b) Woodstuff Manufacturing, Inc., and Arizona Woodcraft, Inc., at Phoenix, AZ, to points in the U.S. (except AK and HI). (Hearing site: Phoenix, AZ.)

Note.—Dual operations may be involved.

MC 138308 (Sub-112F), filed April 7, 1980. Applicant: KLM, INC., Old Highway 49 South, P.O. Box 6098, Jackson, MS 39208. Representative: Donald B. Morrison, 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, MS 39205. Transporting *such commodities* as are dealt in or used by grocery or food business supply houses or processors (except commodities in bulk), between points in Hinds and Rankin Counties, MS, on the one hand, and, on the other points in the U.S. (except AK and HI). (Hearing site: Jackson, MS or Washington, DC.)

Note.—Dual operations may be involved.

MC 138469 (Sub-230F), filed April 4, 1980. Applicant: DONCO CARRIERS, INC., P.O. Box 75354, Oklahoma City, OK 73107. Representative: Daniel O. Hands, Suite 200, 205 West Touhy Avenue, Park Ridge, IL 60068. Transporting *meats, meat products and meat by-products, and articles distributed by meat-packing houses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), (1) from the facilities of Wilson Foods Corporation at (a) Albert Lea, MN, and (b) Cedar Rapids, IA, to points in TX, and (2) from Cherokee and Des Moines, IA, to points in OK and TX, restricted in (1) and (2) to traffic originating at the named origins and destined to the indicated destinations. (Hearing site: Dallas, TX or Kansas City, MO.)

MC 138469 (Sub-231F), filed April 7, 1980. Applicant: DONCO CARRIERS, INC., P.O. Box 75354, Oklahoma City, OK 73107. Representative: Daniel O. Hands, Suite 200, 205 West Touhy Ave., Park Ridge, IA 60068. Transporting *foodstuffs* (except commodities in bulk) from points in the U.S. (except AK, HI, and OK) to facilities of Allied Institutional Distributors, Inc., at Stroud, OK. (Hearing site: Oklahoma City, OK, or Dallas, TX.)

MC 138609 (Sub-8F), filed April 7, 1980. Applicant: ROBERT L. ARNOLD, d.b.a., PLANTATION TRANSPORT COMPANY, 1122 W. Oglethorpe Ave., P.O. Box 1171, Albany, GA 31702. Representative: Robert L. Arnold (same as applicant). Transporting *Iron and steel,* from Florence, AL, and Chattanooga, TN, to Richland, Sylvester, Ellaville, Moultrie, Waycross, Millen, Thomasville, and Eatonton, GA. (Hearings site: Albany, Columbus, or Atlanta, GA.)

MC 140829 (Sub-362F), filed April 4, 1980. Applicant: CARGO, INC., a New Jersey corporation, P.O. Box 206, U.S. Hwy 20, Sioux City, IA 51102. Representative: David L. King (same as applicant). Transporting *paint and cleaning compunds,* and *materials, equipment and supplies* used in the manufacture, sale, and distribution of paint and cleaning compounds (except in bulk, in tank vehicles), from Dallas, TX, to those points in the U.S. in and east of MT, WY, CO and NM, restricted to traffic originating at the facilities of Standard T Chemical Co., Inc., at Dallas, TX, and destined to the indicated

destinations. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

MC 141988 (Sub-1F), filed March 27, 1980. Applicant: C. F. HEARN, INC., Box 6, Colon, NC. Representative: Ronald L. Perkinson, P.O. Box 1320, 205 Courtland Drive, Sanford, NC 27330. Transporting *passengers and their baggage*, in the same vehicle with passengers, in round-trip charter operations, beginning and ending in Lee, Moore, and Chatham Counties, NC, and extending to points in FL, GA, SC, NC, VA, MD, DE, NY, MA, RI, ME, and PA. (Hearing site: Sanford or Raleigh, NC.)

MC 144188 (Sub-20F), filed April 7, 1980. Applicant: P. L. LAWTON, INC., P.O. Box 325, Berwick, PA 18603. Representative: J. Bruce Walter, P.O. Box 1146, 410 N. Third Street, Harrisburg, PA 17108. Transporting *foodstuffs*, between those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX, restricted to traffic originating at or destined to the facilities used by Borden Foods, a division of Borden, Inc. (Hearing site: Harrisburg, PA.)

MC 146078 (Sub-23F), filed April 7, 1980. Applicant: CAL-ARK, INC., 854 Moline, P.O. Box 610, Malvern, AR 72104. Representative: John C. Everett, 140 E. Buchanan, P.O. Box A, Prairie Grove, AR 72753. Transporting *such commodities* as are dealt in by wholesale grocery businesses, (1) from the facilities of A. E. Staley Manufacturing Company, Inc., at Cicero and Broadview, IL, to (a) the facilities of A. E. Staley Manufacturing Company, Inc., at Arlington, TX, and (b) points in AZ, NM, and CA, (2) from the facilities of A. E. Staley Manufacturing Company at Arlington, TX, to points in AR, OK, AZ, NM, and CA, and (3) from the facilities of Griffin Manufacturing Co., at Muskogee, OK, to points in AR, OK, TX, MO, KS, and LA. (Hearing site: Broadview, IL or Cicero, IL.)

MC 146149 (Sub-15F), filed March 18, 1980. Applicant: KENNEDY FREIGHT LINES, INC., 7401 Fremont Pike, Perrysburg, OH 43551. Representative: Paul F. Beery, 275 East State Street, Columbus, OH 43215. Transporting *absorbents* (except in bulk), between Middleton, TN, on the one hand, and, on the other, points in OH, MI, and IN. (Hearing site: Columbus, OH.)

Note.—Dual operations may be involved.

MC 148728 (Sub-2F), filed March 13, 1980. Applicant: AL-KEN DALE HOLDINGS LTD., P.O. Bellis Box 123, Bellis Alta, Canada T0A 0J0. Representative: Harry Shapka (same address as applicant). In foreign commerce only, transporting *pipe insulation*, from Fuita, CO, and Sedalia, MO, to the port of entry on the international boundary line between the U.S. and Canada at Sweetgrass, MT. (Hearing site: Denver, CO.)

MC 149218 (Sub-5F), filed April 4, 1980. Applicant: SUNBELT EXPRESS, INC., 118 Hamilton Circle, Bremen, GA 30110. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. Transporting (1) *such commodities* as are dealt in by grocery and food business houses and agricultural feed business houses, (2) *spy products, flour products*, and *dairy products*, and (3) *materials, equipment, and supplies* used in the development, manufacture, distribution, and sale of the commodities in (1) and (2) above, between points in AL, AR, FL, GA, IL, IN, KY, LA, MO, MS, NC, OH, SC, TN, VA and WV, restricted to traffic originated at or destined to the facilities of Ralston Purina Company. (Hearing site: St. Louis, MO or Washington, DC.)

MC 150398F, filed March 24, 1980. Applicant: BLUE EXPRESS, INC., P.O. Box "A", Fairchild, WI 54741. Representative: Rick A. Rude, 1730 Rhode Island Avenue, N.W., Suite 611, Washington, DC 20036. Transporting (1) *such commodities* as are used in the farming and agricultural industries, (except machinery and commodities which because of size and weight require the use of special equipment), from the facilities of Sioux Steel Co., at or near (a) Hull, IA, and (b) Lennox and Sioux Falls, SD, to points in the U.S. (except AK and HI); and (2) *materials, supplies, and equipment* used in the manufacture of the commodities described in (1) above, in the reverse direction. (Hearing site: Eau Claire, WI, or Washington, DC.)

MC 150548F, filed April 3, 1980. Applicant: AIR FREIGHT, INC., 105 Trafton Avenue, Lexington, KY 40504. Representative: Rudy Yessin, 314 Wilkinson Street, Frankfort, KY 40601. Transporting *printed matter, paper products, and materials and supplies* used in the manufacture, distribution, and sale of printed matter and paper products, (1) between Versailles and Lexington, KY on the one hand, and on the other, points in IL, IN, OH, and IA; and (2) between Kingsport, and New Canton, TN, Lexington, KY, and Terre Haute and Ft. Wayne, IN, on the one hand, and on the other, points in NJ, IN, IL, OH, PA, NY, KY, and TN. (Hearing site: Lexington, KY.)

MC 150549F, filed April 3, 1980. Applicant: C. A. N. TRANSPORT, INC., 300 Market Street, P.O. Box 24680, Oakland, CA 94607. Representative: David J. Merchant, One Maritime Plaza, Suite 300, San Francisco, CA 94111. Transporting (1) *general commodities* (except classes A and B explosives) in marine containers and trailers, restricted to traffic having a prior or subsequent movement by water, and (2) *marine containers and trailers*, between points in CA, on the one hand, and, on the other, points in CA, AZ, and NV. (Hearing site: San Francisco, CA.)

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Decided: June 20, 1980.

By the Commission, Review Board Number 2, Members Chandler, Eaton and Liberman.

MC 5888 (Sub-51F), filed April 2, 1980. Applicant: MID-AMERICAN LINES, INC., 127 West Tenth Street, Kansas City, MO 64105. Representative: Edward G. Bazelon, 39 South LaSalle Street, Chicago, IL 60603. Transporting (1) *aluminum and zinc ingots*, and (2) *materials, equipment and supplies* used in the manufacture of the commodities in (1) above, between Maple Heights and Cleveland, OH, on the one hand, and, on the other, points in IL, IN, IA, KY, MO, and WI. (Hearing site: Chicago, IL.)

MC 31389 (Sub-300F), filed April 18, 1980. Applicant: McLEAN TRUCKING COMPANY, a corporation, 1920 West First Street, Winston-Salem, NC 27104. Representative: David F. Eshelman, P.O. Box 213, Winston-Salem, NC 27102. Over regular routes, transporting (1) *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of American Lignite, at or near Ione, CA, as an off-route point in conjunction with applicant's otherwise authorized regular-route operations. (Hearing site: Los Angeles, CA or San Francisco, CA.)

Note.—Dual operations may be involved.

MC 35628 (Sub-431F), filed April 1, 1980. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, a corporation, 110 Ionia Avenue, N.W., P.O. Box 175, Grand Rapids, MI 49501. Representative: Michael P. Zell (same address as applicant). 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 Honda Motorcycle, at or near Marysville, OH, as an off-route point in connection with applicant's otherwise authorized regular-route operations. (Hearing site: Columbus or Cincinnati, OH.)

MC 48958 (Sub-212F), filed April 1, 1980. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, P.O. Box 16404, Denver, CO 80216. Representative: Lee E. Lucero (same address as applicant). Transporting *cat box absorbents, crushed rock, and oil absorbents* (except commodities in bulk), from Kirkland and Phoenix, AZ, to points in CA, CO, IA, KS, NE, NM, NV, OK, TX, UT, and WY. (Hearing site: Phoenix, AZ, or Denver, CO.)

MC 56388 (Sub-39F), filed April 1, 1980. Applicant: HAHN TRANSPORTATION, INC., New Market, MD 21774. Representative: Francis J. Ortman, 7101 Wisconsin Avenue, Suite 605, Washington, DC 20014. Transporting *petroleum and petroleum products,* in bulk, in tank vehicles, (1) from Baltimore, MD, to points in VA, WV, and DC, and (2) from Washington, DC to points in MD, VA, and WV. (Hearing site: Washington, DC.)

MC 78228 (Sub-165F), filed April 18, 1980. Applicant: J MILLER EXPRESS, INC., 962 Greentree Road, Pittsburgh, PA 15220. Representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, PA 15219. Transporting *iron and steel articles, and materials, equipment and supplies* used in the manufacture of iron and steel articles, between the facilities used by Manchester Consolidated Industries, at (a) Cleveland, OH, and (b) Chicago and Hennipen, IL, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Washington, D.C. or Pittsburgh, PA.)

MC 96789 (Sub-5F), filed April 21, 1980. Applicant: NAT FARINACCI AND SON, INC., P.O. Box 206, Grand River, 44045. Representative: David A. Turano, 100 East Broad Street, Columbus, OH 43215. Transporting *coke,* in bulk, in dump vehicles, from Fairport Harbor, OH, to points in MI and IN. (Hearing site: Columbus, OH.)

MC 106398 (Sub-1067F), filed April 18, 1980. Applicant: NATIONAL TRAILER CONVOY, INC., 705 South Elgin, Tulsa, OK 74120. Representative: Gayle Gibson (same address as applicant). Transporting (1) *metal products,* and (2) *materials and supplies* used in the manufacture and distribution of metal products, between points in AL, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Birmingham, AL.)

MC 108119 (Sub-249F), filed April 1, 1980. Applicant: E. L. MURPHY TRUCKING COMPANY, a corporation, P.O. Box 43010, St. Paul, MN 55164. Representative: James L. Nelson, 1241 Pierce Butler Route, St. Paul, MN 44104. Transporting (1)(a) *food processing machinery and heat exchanges,* and (b) *parts, attachments and accessories* for the commodities in (1)(a) above, from the facilities of Heat and Control, Inc., at South San Francisco, CA, to points in MS, AL, and FL, and those points in the U.S. in and west of ND, SD, NE, MO, AR, and LA, and (2) *materials, equipment and supplies* used in the manufacture of the commodities named in (1) above (except commodities in bulk), in the reverse direction. (Hearing site: San Francisco or Los Angeles, CA.)

MC 108119 (Sub-250F), filed April 2, 1980. Applicant: E. L. MURPHY TRUCKING COMPANY, a corporation, P.O. Box 43010, St. Paul, MN 55164. Representative: James L. Nelson, 1241 Pierce Butler Route, St. Paul, MN 44104. Transporting *scales,* from the facilities of Colt Industries, Fairbanks Weighing Division, at Meridian, MS, to points in CA, CT, DE, IL, IN, IA, ME, MD, MA, MI, MO, NE, NH, NJ, NY, OH, PA, RI, VT, VA, WV and WI, restricted to traffic originating at the above-named facilities. (Hearing site: Atlanta, GA or Jackson, MS.)

MC 110988 (Sub-424F), filed April 22, 1980. Applicant: SCHNEIDER TANK LINES, INC., 4321 W. College Avenue, Appleton, WI 54911. Representative: Patrick M. Byrne, P.O. Box 2298, Green Bay, WI 54306. Transporting *chemicals,* in bulk, between points in OH, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Georgia Pacific Corporation. (Hearing site: San Francisco, CA or Chicago, IL.)

MC 114569 (Sub-372F), filed April 1, 1980. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, PA 17072. Representative: N. L. Cummins (same address as applicant). Transporting *canned goods,* from Jessup, MD, to those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX. (Hearing site: San Francisco, CA or Washington, DC.)

Note.—Dual operations may be involved.

MC 117119 (Sub-823F), filed April 1, 1980. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, AR 72728. Representative: L. M. McLean (same address as applicant). Transporting *pulpboard, fibreboard, and boxes,* (a) from points in OR and WA, to points in Malheur and Umatilla Counties, OR, and points in ID and UT, and (b) from points in CA, to points, in ID, restricted in (a) and (b) to traffic originating at the named origins and destined to the named destinations. (Hearing site: San Francisco, CA or Portland, OR.)

MC 117589 (Sub-73F), filed April 21, 1980. Applicant: PROVISIONERS FROZEN EXPRESS, INC., 3801 7th Avenue South, Seattle, WA 98108. Representative: Michael D. Duppenthaler, 211 South Washington Street, Seattle, WA 98104. Transporting *meats, meat products, meat by-products and articles distributed by meat packinghouses,* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certifications,* 61 M.C.C. 209 and 766, between points in WA, OR, ID, CO, MT, WY and UT. (Hearing site: Seattle, WA.)

MC 118089 (Sub-41F), filed April 1, 1980. Applicant: ROBERT HEATH TRUCKING, INC., 2909 Avenue C, P.O. Box 2501, Lubbock, TX 79408. Representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. Transporting *hides,* from points Phoenix, AZ and Clovis, NM, and points in ID, WA, CA, and UT, to Phoenix, AZ, Clovis, NM, and Houston and Laredo, TX. (Hearing site: Boise, ID or Lubbock, TX.)

Note.—Dual operations may be involved. (Hearing site: Boise, ID or Lubbock, TX.)

MC 119789 (Sub-688F), filed April 1, 1980. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr. (same address as applicant). Transporting *lamps, wooden wall plaques, switch* or *outlet plates, plastic articles, bassinettes, hampers, dresser chests,* and *dressing tables,* from Phoenix, AZ and Penn Yan, NY, to points in the U.S. (except AK and HI). (Hearing site: Phoenix, AZ.)

MC 119789 (Sub-689F), filed April 1, 1980. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr. (same address as applicant). Transporting *foodstuffs,* (except frozen), from Suffield, CT and Northboro and North Billerica, MA, to points in AZ, CA, CO, KS, LA, MO, NM, OK, and TX. (Hearing site: Newark, NJ.)

MC 119789 (Sub-690F), filed April 1, 1980. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr. (same address as applicant). Transporting *beverage preparations,* in containers, from Dallas, TX, to those points in the U.S., in and East of IL, KY, TN, and MS. (Hearing site: Dallas, TX.)

MC 119789 (Sub-691F), filed April 1, 1980. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr.

(same address as applicant). Transporting *citrus products* (except frozen), from Alamo and Donna, TX, to points in OH, PA, TN, MO, LA, GA, NC, MA, NY, AL, MD, MI, IL, IN, KY, OK, IA, MN, and DC. (Hearing site: Brownsville, TX.)

MC 119789 (Sub-692F), filed April 1, 1980. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr. (same address as applicant). Transporting *urea molding compounds*, from Dallas, TX, to Del Rio, TX. (Hearing site: Dallas, TX.)

MC 119789 (Sub-693F), filed April 3, 1980. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr. (same address as applicant). Transporting *meats, meat products, meat by-products*, and *articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities used by Farmland Foods at (a) Carroll, Cherokee, Denison, Des Moines, Ft. Dodge, Iowa Falls, and Sioux City, IA and (b) Crete, Lincoln and Omaha, NE, to points in AL, AZ, AR, CA, CO, FL, GA, IN, KY, LA, MI, MS, NM, NC, OH, OK, SC, TN, TX, and UT. (Hearing site: Des Moines, IA.)

MC 119789 (Sub-700F), filed April 22, 1980. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr. (same address as applicant). Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, foodstuffs, commodities in bulk, and those requiring special equipment), from Dallas, TX, to points in the U.S. (except AK and HI). (Hearing site: Dallas, TX.)

MC 119988 (Sub-244F), filed April 1, 1980. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, TX 75901. Representative: E. Larry Wells, P.O. Box 45538, Dallas, TX 75245. Transporting *foodstuffs*, from points in Cameron, Hidalgo, Willacy, Starr, Webb, Valverde, and El Paso Counties, TX, to points in the U.S. (except AK and HI). (Hearing site: Dallas, or Houston, TX.)

MC 121658 (Sub-30F), filed April 1, 1980. Applicant: STEVE D. THOMPSON TRUCKING, INC., P.O. Drawer 149, Winnsboro, LA 71295. Representative: Robert L. McArty, 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, MS 39205. Transporting *paper and paper products*, from the facilities of Olinkraft, Inc., at or near West Monroe, LA, to Conway, AR. (Hearing site: Monroe, LA or Little Rock, AR.)

MC 123048 (Sub-482F), filed April 22, 1980. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 5021 21st Street, Racine, WI 53406. Representative: John L. Bruemmer, 121 West Doty Street, Madison, WI 53703. Transporting *such commodities* as are dealt in, or used by, agricultural and industrial equipment dealers and manufacturers (except commodities in bulk), between points in the United States (except AK and HI), restricted to traffic originating at or destined to the facilities used by J. I. Case Company and its dealers. (Hearing site: Chicago, IL, or Washington, DC.)

MC 124078 (Sub-1022F), filed April 3, 1980. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, WI 53215. Representative: Richard H. Prevette, P.O. Box 1601, Milwaukee, WI 53201. Transporting (1) *vegetable oils*, (a) from Dothan, AL, to points in the U.S. (except AK and HI) and (b) from points in AL, GA, FL, LA, MS, OK, and TX, to Dothan, AL, and (2) *limestone slurry*, in bulk, in tank vehicles, from points in Henry County, AL, to points in GA, and FL. (Hearing site: Birmingham, AL, or Atlanta, GA.)

MC 125368 (Sub-110F), filed April 1, 1980. Applicant: CONTINENTAL COAST TRUCKING CO., INC., P.O. Box 26, Holly Ridge, NC 28445. Representative: C. W. Fletcher (same address as applicant). Transporting *beverages*, and *materials, equipment*, and *supplies* used in the manufacture and distribution of beverages, between the facilities used by Carolina Canners, Inc. and Carolina Packaging, Inc., at Cheraw, SC on the one hand, and, on the other, points in AL, AR, FL, GA, KY, LA, MI, MO, TN, TX, VA, and WV. (Hearing site: Washington, DC, or Charlotte, NC.)

MC 125368 (Sub-111F), filed April 18, 1980. Applicant: CONTINENTAL COAST TRUCKING CO., INC., P.O. Box 26, Holly Ridge, NC 28445. Representative: C. W. Fletcher (same address as applicant). Transporting *meats, meat products*, and *meat by-products* and *articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Swift and Company, at or near (a) Bradley, East St. Louis, Rochelle, and St. Charles, IL, and (b) Chattanooga, TN, to points in AL, AR, CO, CT, DE, FL, GA, IA, IL, IN, KS, KY, LA, MA, ME, MD, MI, MN, MO, MS, NJ, NH, NM, NY, NC, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WV, and WI. (Hearing site: Chicago, IL, or Washington, DC.)

MC 125368 (Sub-112F), filed April 22, 1980. Applicant: CONTINENTAL COAST TRUCKING CO., INC., P.O. Box 26, Holly Ridge, NC 28445. Representative: C. W. Fletcher (same address as applicant). Transporting *meats, meat products, meat by-products, dairy products* and *articles distributed by meat packinghouses*, as described in Sections A, B, 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), between the facilities of Northern State Beef Company, at or near Omaha, NE, on the one hand, and, on the other, points in CA, CT, IL, IA, KS, LA, MD, MA, MN, MO, NH, NJ, NY, OK, OH, PA, TX, VA, WA, and WI. (Hearings site: Chicago, IL, or Washington, DC.)

MC 129908 (Sub-43F), filed April 22, 1980. Applicant: AMERICAN FARM LINES, INC., 8125 SW. 15th Street, Oklahoma City, OK 73107. Representative: John S. Odell (same address as applicant). Transporting *such commodities* as are dealt in, or used by, grocery and food business houses (except commodities in bulk), between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities used by Castle & Cooke, Inc. (Hearings site: Oklahoma City, OK, or Washington, DC.)

MC 133099 (Sub-17F), filed April 18, 1980. Applicant: THE GLASGOW & DAVIS CO., a corporation, Salisbury, MO 21801. Representative: Daniel B. Johnson, 4304 East-West Highway, Washington, DC 20014. Transporting *malt beverages*, from Albany, GA, to points in MD, and points in Accomack and Northampton Counties, VA. (Hearings site: Washington, DC.)

MC 133119 (Sub-No. 179F), filed April 22, 1980. Applicant: HEYL TRUCK LINES, INC., P.O. Box 206, 200 Norka Drive, Akron, IA 51001. Representative: A. J. Swanson, P.O. Box 1103, 226 N. Phillips Avenue, Sioux Falls, SD 57101. Transporting (1) *fertilizer, ice melting compound, insulation materials*, and *vermiculite*, and (2) *materials and supplies* used in the manufacture of the commodities named in (1) above, from the facilities of Koos, Inc., at or near Kenosha, WI, to points in the U.S. (except AK and HI). (Hearings site: Sioux Falls, SD, or Kenosha, WI.)

MC 133689 (Sub-341F), filed April 21, 1980. Applicant: OVERLAND EXPRESS,

INC., 8651 Naples Street, N.E., Blaine, MN 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Transporting (1) *drugs, toilet preparations, distilled water,* and *medical care supplies* (except commodities in bulk), and (2) *equipment, materials* and *supplies* used in the manufacture and distribution of the commodities described in (1) above (except commodities in bulk), between the facilities of Abbott Laboratories, at or near Rocky Mount, NC, Altavista, VA, and North Chicago, IL, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX. (Hearing site: St. Paul, MN.)

MC 133689 (Sub-342F), filed April 21, 1980. Applicant: OVERLAND EXPRESS, INC., 8651 Naples Street, N.E., Blaine, MN 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Transporting *such commodities* as are dealt in or used by, by department stores (except commodities in bulk), between Clinton, MA, and those points in the U.S. in and east of MN, IA, MO, TN, and MS. (Hearing site: St. Paul, MN.)

MC 135598 (Sub-43F), filed April 3, 1980. Applicant: SHARKEY TRANSPORTATION, INC., 3803 Dye Road, Quincy, IL 62301. Representative: Carl L. Steiner, 39 So. LaSalle St., Chicago, IL 60603. Transporting (1) *carbon, charcoal, wood chips,* and *lighter fluid,* and (2) *equipment, materials* and *supplies* used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk), between points in AL, AR, CO, GA, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, NE, NY, ND, OH, OK, PA, SD, TN, TX, WV and WI, restricted to traffic originating at or destined to the facilities used by Husky Industries, Inc. (Hearing site: Chicago, IL.)

MC 135678 (Sub-17F), filed April 18, 1980. Applicant: MIDWESTERN TRANSPORTATION, INC., 20 S.W. 17th, Oklahoma City, OK 73125. Representative: C. L. Phillips, Room 248—Classen Terrace Bldg., 1411 N. Classen, Oklahoma City, OK 73106. Transporting (1) *television sets, and recorders,* in crates or cartons, and (2) *accessories* for the commodities in (1) above, from the facilities of the General Electric Company, at Little Rock, AR, to points in NM, OK and TX. (Hearing site: Oklahoma City, OK.)

MC 138308 (Sub-113F), filed April 22, 1980. Applicant: KLM, INC., Old Highway 49 South, P.O. Box 6098, Jackson, MS 39208. Representative: Donald B. Morrison, 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, MS 39205. Transporting (1) *such commodities* as are dealt in, or used by, grocery and food business houses (except commodities in bulk), and (2) *materials and supplies* used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk), between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities used by Castle & Cooke Company. (Hearing site: San Francisco, CA, or Washington, DC.)

Note.—Dual operations are involved.

MC 138469 (Sub-229F), filed April 1, 1980. Applicant: DONCO CARRIERS, INC., P.O. Box 75354, Oklahoma City, OK 73147. Representative: Daniel O. Hands, 205 West Touhy Avenue, Suite 200, Park Ridge, IL 60068. Transporting *meats, meat products, meat by-products, and articles distributed by meat packinghouses* (except commodities in bulk), 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, from the facilities of Wilson Foods Corporation, at (a) Marshall, MO, (b) Monmouth, IL and (c) Omaha, NE, to points in OK and TX, restricted to the transportation of traffic originating at the above named origins and destined to the named destinations. (Hearing site: Dallas, TX, or Kansas City, MO.)

MC 140829 (Sub-361F), filed April 1, 1980. Applicant: CARGO, INC., P.O. Box 206, U.S. Hwy 20, Sioux City, IA 51102. Representative: David L. King, P.O. Box 206, U.S. Hwy 20, Sioux City, IA 51102. Transporting *paper* and *paper articles,* from the facilities used by Hallmark Cards, Inc, at Columbus, GA, to Kansas City, Lawrence, Leavenworth, and Topeka, KS, and Kansas City, MO, restricted to the transportation of traffic originating at the named facilities and destined to the indicated destinations. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

MC 144858 (Sub-31F), filed April 21, 1980. Applicant: DENVER SOUTHWEST EXPRESS, INC., P.O. Box 9799, Little Rock, AR 72209. Representative: Scott E. Daniel, 800 Nebraska Savings Building, 1623 Farnam, Omaha, NE 68102. Transporting *such commodities* as are dealt in, or, used by manufacturers and distributors of photographic *equipment, materials, and supplies* (except commodities in bulk), between the facilities of Eastman Kodak Company, at (a) Rochester, NY, and (b) Windsor, CO, on the one hand, and, on the other, points in CA. (Hearing site: Rochester, NY.)

Note.—Dual operations may be involved.

MC 144889 (Sub-10F), filed April 21, 1980. Applicant: RONWAL TRANSPORTATION, INC., 2600 Calumet Ave., Hammond, IN 46320. Representative: Alki E. Scopelitis, 1301 Merchants Plaza, Indianapolis, IN 46204. Transporting (1) *iron and steel articles,* between the facilities of Dietrich Industries, Inc., at Hammond, IN, on the one hand, and, on the other, points in AL, AR, GA, IL, IA, KS, KY, LA, MI, MN, MS, MO, NJ, NY, OH, OK, PA, TN, TX, WV and WI, and (2) *wrought iron pipe,* from the facilities of Unarco-Leavitt, Div. of Unarco Inds., Inc., at Chicago, IL, to points in IN, IA, KS, MI, MN, MO and NE. (Hearing site: Chicago, IL, or Indianapolis, IN.)

MC 144969 (Sub-21F), filed April 1, 1980. Applicant: WHEATON CARTAGE CO., a corporation, Wheaton Avenue, Millville, NJ 08332. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, NW, Washington, DC 20001. 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), from the facilities of West Coast Shippers Association, at Philadelphia, PA, to St. Louis, MO. (Hearing site: Philadelphia, PA.)

MC 144969 (Sub-22F), filed April 1, 1980. Applicant: WHEATON CARTAGE CO., a corporation, Wheaton Avenue, Millville, NJ 08332. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, NW, Washington, DC 20001. 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), from the facilities of East-West Shippers Association, at Chicago, IL, to St. Louis, MO. (Hearing site: Philadelphia, PA.)

MC 145559 (Sub-5F), filed April 2, 1980. Applicant: NORTH ALABAMA TRANSPORTATION, INC., P.O. Box 38, Ider, AL 35981. Representative: William P. Jackson, Jr., 3426 N. Washington Boulevard, P.O. Box 1240, Arlington, VA 22210. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Los Angeles, CA, on the one hand, and, on the other, points in OR and WA, and those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX, restricted to traffic moving on bills of lading of shipper's associations as

defined in 49 U.S.C. § 1052C(A). (Hearing site: Los Angeles, CA.)

MC 146128 (Sub-10F), filed April 18, 1980. Applicant: MERRITT FOODS CO., a corporation, d.b.a. MERRITT REFRIGERATED SERVICE, 2840 Guinotte Street, Kansas City, MO 64120. Representative: Arthur J. Cerra, 2100 TenMain Center, P.O. Box 19251, Kansas City, MO 64141. Transporting *general commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), from the facilities of Adams Transfer & Storage Co., and Mid-West Terminal Warehouse Co., at Kansas City, MO, to Abilene, Concordia, Hutchinson, Junction City, Lawrence, Manhattan, Salina, Topeka, and Wichita, KS. (Hearing site: Kansas City, MO.)

MC 146298 (Sub-3F), filed April 3, 1980. Applicant: KESS TRANSPORTATION, INC., Box 5091, Cincinnati, OH 45205. Representative: Eric Meierhoefer, Suite 423, 1511 K Street, NW, Washington, DC 20005. Transporting (1) *pesticides and fertilizers* (except commodities in bulk), (2) *plastic bottles*, and (3) *materials and supplies* used in the manufacture and packaging of the commodities in (1) above (except commodities in bulk), between Buckner, KY, on the one hand, and, on the other, points in TN, MO, IA, IL, IN, MI, OH, MS, TX, OK, AR, LA, AL, GA, FL, NC, SC, VA, WV, MD, DE, PA, NY, NJ, MN, and WI. (Hearing site: Louisville, KY.)

MC 146329 (Sub-9F), filed April 18, 1980. Applicant: W–H TRANSPORTATION CO., INC., P.O. Box 1222, Wausau, WI 54401. Representative: Michael J. Wyngaard, 150 East Gilman Street, Madison, WI 53703. Transporting (1) *coatings, construction materials, equipment, and supplies*, and *refractory products*, from Rothschild, WI, to points in the U.S. (except AK and HI); and (2) *Materials, equipment and supplies* used in the manufacture or distribution of the commodities named in part (1), in the reverse direction. (Hearing site: Racine or Milwaukee, WI.)

MC 147499 (Sub-1F), filed April 1, 1980. Applicant: TRANSFER, DONALD HOOPER, d.b.a. D. H. TRANSFER, 671 M–73, Iron River, MI 49935. Representative: Donald Hooper (same address as applicant). Transporting (1) *flooring systems*, (2) *materials* and *supplies* used in the installation of flooring systems, and (3) *lumber, wood products* and *millwork*, from the facilities of Abendroth-Gamble-Ahonen, Inc., at or near Amasa, MI, to those points in the U.S. in and west of MN, WI, IL, MO, AR, and LA (except AK and HI). (Hearing site: Green Bay or Madison, WI.)

MC 150489F, filed April 2, 1980. Applicant: ALL AMERICAN AIRFREIGHT CORP., 6210 N.E. 92nd Avenue, No. 107, Portland, OR 97220. Representative: John A. Anderson, Suite 1440 200 S.W. Market Street, Portland, OR 97201. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), between Portland International Airport, at or near Portland, OR, on the one hand, and, on the other, Seattle-Tacoma International Airport and Boeing Field, both at or near Seattle, WA, restricted to the transportation of traffic having an immediately prior or subsequent movement by air. (Hearing site: Portland, OR.)

MC 150569 (Sub-1F), filed April 18, 1980. Applicant: JOHN THOMAS MISGEN, JR., d.b.a., TOM MISGEN TRUCKING, P.O. Box 147, Ellendale, MN 56026. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440. Transporting: (1) *Electric fence parts*, (2) *plastic articles*, and (3) *wooden rake handles*, from Ellendale, MN, to points in the U.S. (except AK, HI and MN). (Hearing site: Minneapolis or St. Paul, MN.)

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Decided: June 10, 1980.

By the Commission, Review Board Number 3, Members Parker, Fortier and Hill.

MC 757 (Sub-7F), filed April 17, 1980. Applicant: M&M, INC., Solomon, KS 67480. Representative: Bruce C. Harrington, Kansas Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612. Transporting *Trailers*, from points in Barton County, KS to points in IL; IA; MN; MO; NE; ND; SD; and WI. (Hearing site: Kansas City, MO.)

MC 1977 (Sub-41F), filed April 9, 1980. Applicant: NORTHWEST TRANSPORT SERVICE, INC., 5231 Monroe Street, Denver, CO 80216. Representative: Leslie R. Kehl, 1600 Lincoln Center, 1660 Lincoln Street, Denver, CO 80264. Transporting *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); between Seattle, WA, and Albuquerque, NM (1) from Seattle, WA over I–90 to junction I–82 then over I–82 to junction U.S. 12 then over U.S. 12 to WA 14 to U.S. 395 then over U.S. 395 to I–80N to junction I–15 then over I–15 to junction U.S. 89 then over U.S. 89 to junction I–40 then over I–40 to Albuquerque and return; (2) from junction I–80N and U.S. 30 over U.S. 30 to junction U.S. 93 then over U.S. 93 to junction I–40 to junction U.S. 89 and return, serving as intermediate points for joinder only, the junction I–80N and U.S. 30, the junction of U.S. 89 and I–40 and Murray, UT. Authority limited in point of time to 5 years from issuance of a certificate. (Hearing sites: Portland, OR; Phoenix, AZ; and Salt Lake City, UT).

MC 5227 (Sub-68F), filed April 17, 1980. Applicant: ECKLEY TRUCKING, INC., P.O. Box 201, Mead, NE 68041. Representative: A. J. Swanson, P.O. Box 1103, 226 N. Phillips Ave., Sioux Falls, SD 57101. Transporting (1) *pumps*, (2) *accessories and parts* for pumps, and (3) *materials and supplies* used in the manufacture of pumps, between Saunders County, NE, on the one hand, and, on the other, points in the U.S. (excluding HI but including AK). (Hearing site: Omaha, NE or Kansas City, MO.)

MC 21866 (Sub-159F), filed April 24, 1980. Applicant: WEST MOTOR FREIGHT, INC., 740 S. Reading Ave., Boyertown, PA 19512. Representative: Alan Kahn, 1430 Land Title Bldg., Philadelphia, PA 19110. Transporting *automotive parts*, and *materials and supplies* used in the manufacture of automotive parts (except commodities in bulk), between the facilities of or used by USM Corporation, Bailey Division at Seabrook, NH, and Newburyport, MA, on the one hand, and on the other, points in the U.S. (except AK and HI). (Hearing site: Philadelphia, PA or Washington, DC.)

MC 21866 (Sub-160F), filed April 24, 1980. Applicant: WEST MOTOR FREIGHT, INC., 740 S. Reading Ave., Boyertown, PA 19512. Representative: Alan Kahn, 1430 Land Title Bldg., Philadelphia, PA 19110. Transporting: *Cleaning compounds, disinfectants, drain cleaner, air freshener, animal food supplements, insecticides, herbicides, deodorants, wood and metal finishing products, industrial solvents, polishing or buffing compounds* and *materials and supplies* used in the manufacture and distribution of the above named commodities, (except commodities in bulk), between points in the US (except AK and HI). Restricted to the transportation of traffic originating at or destined to the facilities of West Chemical Products, Inc. (Hearing Site: Philadelphia, PA or Washington, D.C.)

MC 44366 (Sub-2F), filed April 21, 1980. Applicant: EUGENE LAVELLE AND EUGENE LAVELLE, JR., d.b.a. LAVELLE'S EXPRESS, 270 North

Sherman St., Wilkes-Barre, PA 18702. Representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, PA 17011. Transporting *household goods*, as defined by the commission, between Wilkes-Barre, PA, on the one hand, and, on the other, points in PA, restricted to traffic having a prior or subsequent movement in interstate or foreign commerce. (Hearing site: Harrisburg, PA.)

MC 51146 (Sub-843F), filed April 17, 1980. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Matthew J. Reid, Jr., (same address as applicant). Transporting: *Bakery products* from Pittsburgh, PA to points in AL, CT, GA, IL, IN, IA, KY, ME, MA, MN, MI, MO, NH, NC, OH, RI, SC, TN, TX, VT, VA, WV, and WI, restricted to traffic originating at or destined to the facilities of Nabisco, Inc. (Hearing site: Philadelphia, PA.)

MC 63417 (Sub-277F), filed April 17, 1980. Applicant: BLUE RIDGE TRANSFER CO., INC., P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same as applicant). Transporting (1) *Recreation equipment and supplies*, and (2) *heating and air conditioning apparatus and parts* (a) from Cedar City, UT; East Bloomfield, NY; New Braunfels, TX; Oceanside, CA; Redmond, WA; Santa Fe Springs, CA; Somerset, PA; Wichita, KS; to points in the U.S. (except AK and HI); (3) *Materials, supplies and equipment* used in the production and distribution of commodities in (1) and (2) and (3) above from points in the US (except AK and HI) to points in (a) above. Restriction: Authority in (1) (2) and (3) above, restricted against the transportation of commodities in bulk or those requiring special equipment. (Hearing site: Washington, D.C.)

MC 63417 (Sub-278F), filed April 21, 1980. Applicant: BLUE RIDGE TRANSFER CO., INC., P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same as applicant). Transporting (1) *Electrical sound amplifying equipment, component parts, and accessories*, (A) from Anaheim, CA, to Oklahoma City, OK, and (B) from Oklahoma City, OK, to points in the U.S. (except AK and HI) and (2) *materials, equipment, and supplies used in the manufacture and distribution of the commodities named in* (1) above, from points in the U.S. (except AK and HI) to Oklahoma City, OK, restricted to traffic originating at or destined to the facilities of the Altec Corporation. (Hearing site: Washington, DC.)

MC 63417 (Sub-279F), filed April 21, 1980. Applicant: BLUE RIDGE TRANSFER CO., INC., P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same as applicant). 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) from the facilities of Streamline Shippers Assoc., Inc., at Los Angeles, CA, to points in the U.S. (except AK and HI). (Hearing site: Washington, DC.)

MC 63417 (Sub-280F), filed April 21, 1980. Applicant: BLUE RIDGE TRANSFER CO., INC., P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same as applicant). Transporting (1) *Shopping carts* and (2) *materials, supplies, and equipment used in the manufacture* of shopping carts, between Pennsauken, NJ, on the one hand, and on the other, points in AL, DC, DE, FL, GA, IL, IN, KY, MD, MI, MS, NC, NJ, NY, OH, PA, SC, TN, VA, WV. (Hearing site: Washington, DC.)

MC 63417 (Sub-281F), filed April 21, 1980. Applicant: BLUE RIDGE TRANSFER CO., INC., P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same as applicant). Transporting (1) *Electrical appliances* and (2) *electrical appliance parts and accessories* from Cape Girardeau, MO, and Long Beach, CA, to points in the U.S. (except AK and HI), (3) *Materials, equipment and supplies* used in the manufacture and distribution of commodities in (1) and (2) above, from points in the U.S. to Cape Girardeau, MO and Long Beach, CA. (Restricted against the transportation of commodities in bulk and those requiring special equipment). (Hearing site: Washington, DC.)

MC 63417 (Sub-282F), filed April 21, 1980. Applicant: BLUE RIDGE TRANSFER CO., INC., P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same as applicant).Transporting: (1) *Machinery, machinery parts*, rubber products, environmental control equipment, and air conditioning units; (2) materials and supplies used in the manufacture and distribution of the commodities in (1) above between the facilities of LSB Industries at or near Oklahoma City, OK, on the one hand, and on the other points in the US (except AK and HI). (Hearing site: Washington, DC.)

MC 67646 (Sub-91F), filed April 23, 1980. Applicant: HALL'S MOTOR TRANSIT COMPANY, 6060 Carlisle Pike, Mechanicsburg, PA 17055. Representative: Edward W. Kelliher (same address as applicant). Transporting: (1) *copper sheet, copper strip, copper coils, copper bars*, and *copper scrap* (except in bulk), between the plantsites of Hussey Metals Division, Copper Range Co., at or near Leetsdale, PA and Eminence, KY, and (2) *copper sheet, copper strip, copper coils* and *copper bars* from the plantsite of Hussey Metals Division, Copper Range Co., at or near Eminence, KY to Chicago, IL, Cincinnati, OH, Beaver, Bethlehem, Erie, Philadelphia and Pittsburgh, PA, and Long Island City, NY. (Hearing site: Harrisburg, PA or Washington, DC.)

MC 69116 (Sub-267F), filed April 21, 1980. Applicant: SPECTOR INDUSTRIES, INC., d.b.a., SPECTOR FREIGHT SYSTEM, 1050 Kingery Highway, Bensenville, IL 60106. Representative: Edward G. Bazelon, 39 S. LaSalle St., Chicago, IL 60603. 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 Lexington, TN, as an off-route point in connection with carrier's otherwise authorized operations. (Hearing site: Memphis, TN.)

MC 69116 (Sub-268F), filed April 21, 1980. Applicant: SPECTOR INDUSTRIES, INC., d.b.a., SPECTOR FREIGHT SYSTEM, 1050 Kingery Highway, Bensenville, IL 60106. Representative: Edward G. Bazelon, 39 S. LaSalle St., Chicago, IL 60603. Transporting: *General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment)*, between Kansas City, KS, and Topeka, KS, (a) over U.S. Highway 24, (b) over U.S. Highway 40, (c) over Interstate Highway 70, serving all intermediate points and serving off-route points in Douglas, Jackson, Jefferson, Leavenworth, and Shawnee Counties, KS. (Hearing site: Kansas City, MO., or Chicago, IL.)

MC 70557 (Sub-28F), filed April 21, 1980. Applicant: NIELSEN BROS. CARTAGE CO., INC., 4619 West Homer St., Chicago, IL 60639. Representative: Carl L. Steiner, 39 South LaSalle St., Chicago, IL 60603. Transporting: (1) *Such commodities as are dealt in by wholesale, retail and chain grocery and food business houses*, and (2) *equipment, materials and supplies* used in connection therewith , (except in (1) and (2) frozen commodities and commodities in bulk) between the facilities utilized by The Clorox Company and its wholly owned subsidiary, The Kingsford Company,

located in Dothan, AL; Cotter, AR; Tampa, FL; Atlanta, GA; Burnside, KY; Byhalia, MS; Kansas City and Belle, MO; Charlotte, NC; Houston and Jacksonville, TX; and Parsons, WV, on the one hand, and, on the other, points in AL, AR, FL, GA, KY, MO, MS, LA, NC, OK, SC, TN, TX, VA and WV. (Hearing site: Miami, FL, or Houston, TX.)

MC 74416 (Sub-25F), filed April 25, 1980. Applicant: LESTER M. PRANGE, INC., Box 1, Kirkwood, PA 17536. Representative: Chester A. Zyblut, 366 Executive Building, 1030 Fifteenth St., NW., Washington, D.C. 20005. Transporting: *Iron and steel and iron and steel articles* and *materials and supplies* used in the manufacture of the aforementioned commodities (except commodities in bulk), (1) between the facilities of Crucible, Inc., Midland, PA, on the one hand, and, on the other, ME, NH, VT, MA, CT, RI, VA and NC. (2) from Claymont, DE, to Philadelphia, PA. (Hearing site: Washington, D.C.)

MC 89617 (Sub-25F), filed April 15, 1980. Applicant: LEWIS TRUCK LINES, INC., P.O. Box 1494, Conway, SC 29526. Representative: Herbert Alan Dubin, 818 Connecticut Ave., NW., Washington, DC 20006. Transporting: *Lumber, plywood, and composition board* from the facilities of Holly Hill Lumber Company at or near Holly Hill and Walterboro, SC, to points in GA, NC, TN, and VA. (Hearing site: Charleston, SC.)

MC 98886 (Sub-3F), filed April 21, 1980. Applicant: ALCO TRANSPORTATION CO., 1603 Chapin Road, Montebello, CA 90640. Representative: Robert R. Brunke (Address same as above). Transporting *general commodities*, between points in California. (Hearing site: Los Angeles, CA.)

MC 105566 (Sub-222F), filed April 24, 1980. Applicant: SAM TANKSLEY TRUCKING, INC., Post Office Box 1120, Cape Girardeau, MO 63701. Representative: Thomas F. Kilroy, Suite 406, Executive Building, 6901 Old Keene Mill Road, Springfield, VA 22150. Transporting *plastics and plastic articles and compounds* (except commodities in bulk) between the facilities of Bamberger-Polymers, Inc., in Edison, NJ, Chicago, IL, Detroit, MI, Houston, TX, Leominister, MA and Philadelphia, PA, on the one hand, and, on the other, points in AZ, CA, CO, CT, ID, IL, IN, ME, MA, MI, MT, NV, NM, NJ, NY, OH, OR, PA, TX, UT, WA, WV, and WY. (Hearing site: Houston, TX.)

MC 106707 (Sub-23F), filed April 8, 1980. Applicant: ADAMS TRUCKING, INC., 1700 West Second Street, Webster City, IA 50595. Representative: Ronald D. Adams (address same as above). Transporting, *Iron and steel articles*, from Chicago, IL, to points in IA, on and east of U.S. Highway 61, and those in IL, on and west of IL Highway 78 and on and north of U.S. Highway 34, restricted to traffic originating at the facilities of Inland Steel Co. and destinad to points in the above named area. (Hearing site: Chicago, IL.)

MC 108046 (Sub-11F), filed April 14, 1980. Applicant: CURATOLA BROS. TRUCKING, INC., 85 Bloomingdale Road, Hicksville, NY 11801. Representative: John L. Alfano, 550 Mamaroneck Avenue, Harrison, NY 10528. *Contract carrier*, transporting (1) *such commodities as are dealt in by Retail Applicance Stores*, (2) *Such commodities as are dealt in by Patio and Garden Supply Stores*, and (3) *Equipment, materials, and supplies used in* the operation of Stores described in (1) and (2) (except commodities in bulk), between Westbury, NY, on the one hand, and, on the other, points in CT, MA, NJ, NY, and PA, under continuing contract(s) with Friendly Frost Inc. of Westbury, NY. (Hearing site: New Yrok, NY.)

MC 115826 (Sub-586F), filed April 21, 1980. Applicant: W. J. DIGBY, INC., 6015 East 58th Avenue, Commerce City, CO 80022. Representative: Howard Gore (address same as above). Transporting (1) *canned and preserved foodstuffs*, from the facilities of Greeley Foods, Inc. at or near Greeley, CO, to points in the U.S. (except CO, AK and HI); (2) *meats and meat products* from the facilities used by Cudahy Foods Company at or near Oelwein, IA to points in AZ, CA, WA and UT. (Hearing site: Denver, CO.)

MC 118696 (Sub-32F), filed April 21, 1980. Applicant: FERREE FURNITURE EXPRESS, INC., 252 Wildwood Road, Hammond, IN 46234. Representative: John F. Wickes, Jr., 1301 Merchants Plaza, Indianapolis, IN 46204. Transporting *Materials, equipment, and supplies*, (except in bulk) used in the manufacture and distribution of cabinets, from points in and east of ND, SD, NE, KS, OK, and TX, to the facilities of AristOKraft, a Division of Beatrice Foods, at or near Jasper, IN; Burnet, TX; Littlestown, PA; and Zumbrota, MN. (Hearing site: Indianapolis, IN or Chicago, IL.)

MC 119176 (Sub-31F), filed April 25, 1980. Applicant: THE SQUAW TRANSIT COMPANY, 6211 South 49th West Ave., P.O. Box 9368, Tulsa, OK 74107. Representative: Clint Oldham, 1108 Continental Life Building, Forth Worth, TX 76102. Transporting (1) *Iron and steel articles* and *pipe*, from the facilities of Fort Worth Pipe & Supply, at or near Conroe, TX, to points in the U.S., (including AK, but excluding HI), and (2) *Materials, equipment* and *supplies* used in the production, manufacture or distribution of iron and steel articles or pipe, from points in the U.S. (including AK, but excluding HI), to the facilities of Fort Worth Pipe & Supply, at or near Conroe, TX. (Hearing site: Fort Worth, TX or Tulsa, OK.)

MC 119366 (Sub-3F), filed April 15, 1980. Applicant: MOTOR CITY CARTAGE COMPANY, 175 12th Street, Detroit, Michigan 48216. Representative: Miss Wilhelmina Boersma, 1600 First Federal Building, 1001 Woodward Avenue Detroit, Michigan 48226. Transporting *candy* and *confectionery* (moving in vehicles equipped with mechanical refrigeration) from Detroit, MI, to points in MI. (Hearing site: Detroit, MI or Chicago, IL.)

MC 119777 (Sub-470F), filed April 21, 1980. Applicant: LIGON SPECIALIZED HAULER, INC., Highway 85 East, Madisonville, KY 42431. Representative: Carl U. Hurst, P.O. Drawer "L", Madisonville, KY 42431. Transporting (1) *air coolers* and *conditioners, heaters, furnaces, humidifiers, washers, blowers, fans and refrigeration evaporators*, (2) *equipment* for heating, cooling, conditioning, humidifying, dehumidifying and moving of air, gas or liquids, (3) *parts, attachments* and *accessories* used in installation and operation of (1) and (2) above, and (4) *materials, equipment* and *supplies* used in manufacture and distribution of (1), (2) and (3) above, between York, PA, and Newark, DE, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Philadelphia, PA.)

MC 119777 (Sub-471F), filed April 21, 1980. Applicant: LIGON SPECIALIZED HAULER, INC., Highway 85 East, Madisonville, KY 42431. Representative: Carl U. Hurst, P.O. Drawer "L", Madisonville, KY 42431. Transporting (1) *Feeds, milk replacer, oats* and *oatmeal, scour treatment, vitamins* and *supplements*, and (2) *commodities exempt* from economic regulation when moving in mixed shipments with (1) above, from St. Ansgar, IA to points in the U.S., in and east of WI, IL, MO, AR and LA. (Hearing site: Akron, OH.)

MC 119777 (Sub-471F), filed April 21, 1980. Applicant: LIGON SPECIALIZED HAULER, INC., Highway 85 East, Madisonville, KY 42431. Representative: Carl U. Hurst, P.O. Drawer L, Madisonville, KY 42431. Transporting *playground equipment and accessories, and timber products*, between facilities of Columbia Cascade Timber Company at or near Vancouver, WA, on the one

hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Portland, OR.)

MC 121336 (Sub-9F), filed April 25, 1980. Applicant: SUPERIOR FAST DRAYAGE, d.b.a. SUPERIOR EXPRESS, 611 North Mission Road, Los Angeles, CA 90033. Representative: David M. Westurn, Manager Corporate Development, P.O. Box 60100, T.A., Los Angeles, CA 90060. Transporting *general commodities* (except those of unusual value, Classes A and B explosives, commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment) moving on bills of lading of freight forwarders operating pursuant to Part IV of the Interstate Commerce Act, between points in CA, on the one hand, and, on the other hand, points in CO, OK, and TX. (Hearing site: Los Angeles, CA or San Francisco, CA.)

MC 123407 (Sub-635F), filed April 14, 1980. Applicant: SAWYER TRANSPORT, INC., Sawyer Center, Rt. 1, Chesterton, IN 46304. Representative: H. E. Miller, Jr. (same address as applicant). Transporting *tanks and hoppers and materials and supplies used in the assembly and installation of tanks and hoppers* from the facilities of Abel Manufacturing Co., Inc., in Outagamie and Winnebago Counties, WI, to points in the U.S. (except AK and HI). (Hearing site: Chicago, IL.)

MC 124887 (Sub-116F), filed April 14, 1980. Applicant: SHELTON TRUCKING SERVICE, INC., Route 1, Box 230, Altha, FL 32421. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. Transporting *Iron and steel articles* and *metals* (except in bulk), between points in and east of ND, SD, NE, KS, OK and TX. (Hearing site: Tallahassee, FL or Atlanta, GA.)

MC 126736 (Sub-136F), filed April 23, 1980. Applicant: FLORIDA ROCK & TANK LINES, INC., 155 East 21st Street, Jacksonville, FL 32206. Representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, FL 32207. Transporting *Commodities in bulk*, between the plantsite of the Buckeye Cellulose Corporation Flint River Mill in Macon County, GA, near Oglethorpe, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Jacksonville, FL or Cincinnati, OH.)

MC 129526 (Sub-13F), filed April 23, 1980. Applicant: FACTOR TRUCK SERVICE, INC., 2607 Old Rodgers Road, Bristol, PA 19007. Representative: Robert B. Einhorn, 3220 P.S.F.S. Building, 12 South 12th St., Philadelphia, PA 19107. *Contract carrier*, transporting *grinding wheels and materials* used in the manufacture of grinding wheels, between Philadelphia, PA and Salem, IL. (Hearing site: Philadelphia, PA or Washington, DC.)

MC 133917 (Sub-7F), filed April 23, 1980. Applicant: CARTHAGE FREIGHT LINE, INC., P.O. Box 315, Carthage, TN 37030. Representative: Henry E. Seaton, 929 Pennsylvania Building, 13th & Penn. Ave., N.W., Washington, D.C. 20004. Transporting *glass containers, closures and materials, supplies and equipment used in the manufacture, sale and distribution of glass containers and closures* between the facilities of Chattanooga Glass Co., at Chattanooga, TN, on the one hand, and, on the other, points in AL and GA. (Hearing site: Chattanooga, TN.)

MC 133917 (Sub–8F), filed April 23, 1980. Applicant: CARTHAGE FREIGHT LINE, INC., P.O. Box 315, Carthage, TN 37030. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th Street, N.W., Washington, DC 20004. Transporting (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 Atlanta, GA, to points in KY and TN and (2) *materials, equipment and supplies used in the manufacture, sale and distribution of the commodities listed in part (1) above*, from points in KY and TN to the facilities of The Clorox Company, at or near Atlanta, GA. Restricted in parts (1) and (2) to traffic originating at or destined to the named facilities. (Hearing site: San Francisco, CA.)

MC 134477 (Sub–418F), filed April 18, 1980. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, MN 55118. Representative: Thomas D. Fischbach, P.O. Box 43496, St. Paul, MN 55164. Transporting *chemicals* (except in bulk), from Kalama, WA, to points in and east of ND, SD, NE, KS, OK, and TX. (Hearing site: St. Paul, MN.)

MC 135797 (Sub–327F), filed April 21, 1980. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul R. Bergant (same address as applicant). Transporting (1) *recreational equipment and sporting goods*, and (2) *materials, equipment and supplies* used in the manufacture and distribution of the commodities named in (1) above between points in the U.S. (except AR and HI). (Hearing site: Providence, RI or Washington, DC.)

MC 138157 (Sub–239F), filed April 21, 1980. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC., d.b.a. SOUTHWEST MOTOR FREIGHT, P.O. Box 9596, Chattanooga, TN 37412. Representative: Patrick E. Quinn (same address as above). Transporting (1) *Chemicals and plastic articles* (except in bulk) between points in CT, DE, IL, LA, MD, MI, MO, NJ, NY, OH, PA, TN, TX and WV, on the one hand; and, on the other, points in and east of MT, WY, CO and NM. (2) *Chemicals and plastic articles* (except in bulk) from points in NJ to points in AZ, CA, OR and WA. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

MC 143436 (Sub-41F), filed April 23, 1980. Applicant: CONTROLLED TEMPERATURE TRANSIT, INC., 8328 Hill Gail Dr., P.O. Box 41228, Indianapolis, IN 46241. Representative: Stephen M. Gentry, 1502 Main St., Speedway, IN 46224. Transporting *foodstuffs* (except in bulk) from the facilities of Welch Food, Inc., at or near Lawton, MI to points in IL, IN, KY, MO, OH and WI. (Hearing site: Indianapolis, IN.)

MC 143576 (Sub-4F), filed April 21, 1980. Applicant: DONALD ORR AND SONS, Route 37, Box 369, West Frankfort, IL 62896. Representative: Harold B. Culley, Jr., 106 S. Emma, West Frankfort, IL 62896. Transporting *fertilizer, phosphate, nitrogen, potash, agricultural clays, aqua, anhydrous ammonia, herbicides, insecticides, acid,* and *lime* to and from points between IL, IN, IA, KY, MO, TN, AR, FL. (Hearing site: Chicago, IL.)

MC 143956 (Sub-12F), filed April 21, 1980. Applicant: GARDNER TRUCKING CO., INC., P.O. Drawer 493, Waterboro, S.C. 29488. Representative: Steven W. Gardner, Suite 770, Century Ctr., 1800 Century Blvd., Atlanta, GA 30345. Transporting *welding products and products dealt in by welding distributors (1) From Skokie, IL, to points in CO, FL, GA, ID, IL, IN, IA, MI, KS, MN, MS, NE, ND, OH, OK, SD, TN, and WI, and (2) Between Monticello, IN, and Hanover, PA, on the one hand, and on the other points in CO, FL, GA, IL, ID, IN, LA, MI, KS, MN, MS, NE, ND, OH, OK, SD, TN, and WI. (Hearing site: Chicago, IL.)*

MC 144027 (Sub-20F), filed April 16, 1980. Applicant: WARD CARTAGE & WAREHOUSING, INC., P.O. Box 685, Glasgow, KY 42141. Representative: Henry E. Seaton, 929 Pennsylvania Building, 425 13th Street, N.W., Washington, D.C. 20004. Transporting (1) *household appliances*, and (2) *equipment, materials and supplies used in the manufacture and distribution commodities in (1)* from the facilities of General Electric Company at Louisville, KY to points in FL, east of the

Apalachicola River. (Hearing site: Louisville, KY.)

MC 145997 (Sub-29F), filed April 14, 1980. Applicant: JEM EQUIPMENT, INC., Post Office Box 396, Alma, AR 72921. Representative: Don Garrison, Esq., Post Office Box 1065, Fayetteville, AR 72701. Transporting *Such merchandise as is dealt in or used by wholesale and retail grocery stores,* between the facilities of Griffin Wholesale Grocery Distributors, at or near Van Buren, AR, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to the transportation of traffic originating at or destined to the facilities of Griffin Wholesale Grocery Distributors. (Hearing site: Ft. Smith, AR.)

MC 147886 (Sub-10F), filed April 18, 1980. Applicant: A M & M, INCORPORATED, P.O. Box 1627, Jackson, TN 38301. Representative: R. Connor Wiggins, Jr., Suite 909, 100 North Main Bldg., Memphis, TN 38103. Transporting (1) *Paper and plastic bags, wrapping paper and materials and supplies used in the manufacture and packaging* and distribution of paper bags (except commodities in bulk, in tank vehicles), from the plantsite of International Paper Co. at or near Jackson, TN to points in the U.S. in and east of ND, SD, NE, KS, OK and TX; and (2) *Materials and supplies used in the manufacture and distribution* of commodities shown in (1) above (except commodities in bulk, in tank vehicles); From points in the U.S. in and east of ND, SD, NE, OK, KS and TX to the plantsite of International Paper Co. at or ner Jackson, TN (Hearing site: Memphis, TN, or Nashville, TN.)

MC 150027 (Sub-1F), filed April 21, 1980. Applicant: FLOYD E. PHILLIPS d.b.a. FUTURE TRUCKING CO., 8125 E. Slauson Ave., Montebello, CA 90640. Representative: John C. Russell, 1545 Wilshire Blvd., Los Angeles, CA 90017. Transporting *pipe, tubing, valves and fittings,* from points in Los Angeles and Orange Counties, CA to points in AZ and Clark County, NV. (Hearing site: Los Angeles, CA.)

MC 150246 (Sub-1F), filed April 18, 1980. Applicant: BENTON TRUCKING SERVICE, INC., 13331 Inkster Road, Livonia, MI 48150. Representative: William B. Elmer, 21635 East Nine Mile Road, St. Clair Shores, MI 48080. Transporting *electrical and electronic equipment and supplies* from the facilities of Controlled Power Company at Troy, MI, to points in the U.S. except AK, HI, and MI. (Hearing site: Detroit, MI.)

MC 150616F, filed April 17, 1980. Applicant: BROOKS SERVICE, INC., Box 392, Vermont, IL 61484. Representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, IL 62701. Transporting *fuel oil, diesel oil and gasoline,* from Palmyra, MO, and Ft. Madison, IA to Astoria, Macomb, Roseville, and Rushville, IL. (Hearing site: Chicago, IL, or St. Louis, MO.)

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Decided: June 10, 1980.

By the Commission, Review Board Number 1, Members Carleton, Joyce and Jones.

MC 21866 (Sub-162F), filed April 25, 1980. Applicant: WEST MOTOR FREIGHT, INC., 740 S. Reading Avenue, Boyertown, PA 19512. Representative: Alan Kahn, 1430 Land Title Building, Philadelphia, PA 19110. Transporting *syrups and dessert toppings,* and *materials and supplies* used in the manufacture of syrups and dessert toppings, (except commodities in bulk), between the facilities of R. W. Snyder, Inc. at Battle Creek, MI and Boyerton PA, on the one hand, and, on the other, points in MA, MD, NJ, NY, OH, PA and VA. (Hearing site: Philadelphia, PA, or Washington, DC.)

MC 27817 (Sub-168F), filed April 21, 1980. Applicant: H. C. GABLER, INC., R.D. #3, P.O. Box 220, Chambersburg, PA 17201. Representative: Christian V. Graf, 407 North Front Street, Harrisburg, PA 17101. Transporting *general commodities* (except articles of unusual value, classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in CT, DE, IL, IN, KY, ME, MD, MA, MI, NH, NJ, NY, NC, OH, PA, RI, SC, VT, VA, WV, and DC, restricted to traffic originating at or destined to the facilities used by Heinz USA, Division of H. J. Heinz Co. (Hearing site: Washington, DC, or Harrisburg, PA.)

MC 41116 (Sub-82F), filed April 21, 1980. Applicant: FOGLEMAN TRUCK LINE, INC., P.O. Box 1504, Crowley, LA 70526. Representative: Austin L. Hatchell, P.O. Box 2165, Austin, TX 78768. *Contract carrier,* transporting (1) *paper and paper products* (except in bulk), and (2) *materials* and *supplies* used in the manufacture and distribution of the commodities named in (1) above, between the facilities of International Paper Company at or near Bastrop, LA, on the other hand, and, on the other points in NM, under continuing contract(s) with International Paper Company, of New York, NY. (Hearing site: New Orleans, LA, or Kansas City, MO.)

MC 42487 (Sub-988F), filed April 28, 1980. Applicant: CONSOLIDATED FREIGHRWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208. Transporting *general commodities, (except commodities in bulk and household goods as defined by the Commission),* serving the facilities of DeZurik Corp. at or near Chehalis, WA, as an off-route point in connection with carrier's otherwise authorized regular-route operations. Condition: Any certificate to be issued in this proceeding will be limited in point of time to a period of 5 years from date of issuance. (Hearing site: Seattle, WA.)

Note.—Applicant intends to tack to its existing authority and any authority it may require in the future.

MC 42487 (Sub-989F), filed April 28, 1980. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208. Transporting *General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment),* serving the facilities of Jack Eckerd Corporation, at or near Newnan, GA, as an off-route point in connection with carrier's authorized regular route operations. (Hearing site: Atlanta, GA.)

Note: Applicant intends to tack to its existing authority and any authority it may acquire in the future.

MC 42846 (Sub-7F), filed April 17, 1980. Applicant: DeBOLT-SOMERSET BUS COMPANY, 337 East Seventh Avenue, Homestead, PA 15120. Representative: John A. Pillar, Esq., 1500 Bank Tower, 307 Fourth Avenue, Pittsburgh, PA 15222. Transporting *passengers and their baggage in special operations* beginning and ending at points in Allegheny County, PA, and extending to points in the U.S. (including AK, but excluding HI). (Hearing site: Pittsburgh, PA.)

MC 48956 (Sub-18F), filed April 14, 1980. Applicant: JAMES FLEMING TRUCKING, INC., 761 East St., Suffield, CT 06078. Representative: S. Michael Richards, 44 North Avenue, Webster, NY 14580. *Contract carrier,* transporting *canned foodstuffs, bakery goods, chips, twists or puffs, and pet food,* from Camden, NJ, to points in CT, MA, and RI, under continuing contract(s) with Campbell Soup Company of Camden, NJ. (Hearing site: Springfield, MA, or Hartford, CT.)

MC 59317 (Sub-18F), filed April 21, 1980. Applicant: BISOM TRUCK LINE, INC., 725 First Street North, Newton, IA 50208. Representative: William L. Fairbank, 1980 Financial Center, Des Moines, IA 50309. Transporting *iron and steel articles*, between Chicago, IL, and Kellogg, IA. (Hearing site: Des Moines, IA, or Chicago, IL.)

MC 59396 (Sub-32F), filed April 25, 1980. Applicant: BUILDERS EXPRESS, INC., Access Road, Route 78, P.O. Box 5219, Clinton, NJ 08809. Representative: Morton E. Kiel, Suite 1832, Two World Trade Center, New York, NY 10048. Transporting *roofing granules and ground limestone*, in bulk, from the 3M facilities at Belle Meade, NJ to the Owens-Corning Fiberglas facilities at Waltham, MA, Kearny, NJ, Jessup, MD, and Morehead City, NC. (Hearing site: New York, NY.)

MC 69116 (Sub-269F), filed April 25, 1980. Applicant: SPECTOR INDUSTRIES, INC. d.b.a. SPECTOR FREIGHT SYSTEM, 1050 Kingery Highway, Bensenville, IL 60106. Representative: Donald B. Levine, 39 S. LaSalle St., Chicago, IL 60603. 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 Old Fort and Green Springs, OH, as off-route points in connection with carrier's otherwise authorized regular-route opertions. (Hearing site: Chicago, IL.)

MC 107107 (Sub-485F), filed April 17, 1980. Applicant: ALTERMAN TRANSPORT LINES, INC., 12805 N.W. 42nd Ave., Opa Locka, FL 33054. Representative: Sidney Atlerman (same address as applicant). Transporting *insoluble starch xanthate* (except in bulk) in mechanically refrigerated equipment, from Garland, TX, to points in AL, CT, DE, FL, GA, MA, MD, NC, NY, PA, RI, SC, TN, VA, and DC. (Hearing site: Dallas or Fort Worth, TX.)

MC 108676 (Sub-159F), filed April 21, 1980. Applicant: A. J. METLER HAULING & RIGGING, INC., 117 Chicamauga Ave., N.E., Knoxville, TN 37917. Representative: Fred F. Bradley, P.O. Box 773, Frankfort, KY 40602. Transporting *flat glass*, from Nashville, TN, to those points in the U.S. in and west of ND, SD, NE, KS, CO, and NM (except AK and HI). (Hearing site: Nashville, TN.)

MC 111397 (Sub-133F, filed April 25, 1980. Applicant: DAVIS TRANSPORT, INC., 1345 South Fourth Street, Paducah, KY 42001. Representative: H. S. Melton, Jr., P.O. Box 1407, Paducah, KY 42001. Transporting *empty radioactive material containers*, from the facilities of United States Department of Energy at Sargents, OH and Paducah, KY to the facilities of Kerr-McGee Nuclear Corporation at Gore, OK. (Hearing site: St. Louis, MO, or Washington, DC.)

MC 114896 (Sub-86F), filed April 14, 1980. Applicant: PUROLATOR ARMORED INC., 255 Old New Brunswick Rd., Piscataway, NJ 08854. Representative: Carl T. Kessler (same address as applicant). *Contract carrier*, transporting *gold, silver and gold alloys, silver alloys, gold and silver alloys, sweeps, and refining bars*, from El Monte, CA to Fairfield, CT, under a continuing contract(s) with Handy & Harman, of El Monte, CA. (Hearing site: Washington, DC.)

Note:—Dual operation may be involved.

MC 118706 (Sub-47F), filed April 28, 1980. Applicant: GULLY TRANSPORTATION, INC., 3820 Wisman Lane, Quincy, IL 62301. Representative: Herman W. Huber, 101 East High Street, Jefferson City, MO 65101. Transporting *printing paper* (except newsprint) from Burlington, IA to San Antonio, TX. (Hearing site: St. Louis, MO, or Springfield, IL.).

MC 121366 (Sub-8F), filed April 25, 1980. Applicant: SUPERIOR FAST DRAYAGE, d.b.a. SUPERIOR EXPRESS, 611 North Mission Rd. Los Angeles, CA 90033. Representative: David M. Westurn, P.O. Box 60100, T.A., Los Angeles, CA 90060. Transporting *general commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment), between points in CA, on the one hand, and on the other, points in AZ, NM, NE, and UT, restricted to traffic moving on bills of lading of freight forwarders. (Hearing site: Los Angeles or San Francisco, CA.)

MC 121517 (Sub-15F), filed April 23, 1980. Applicant: ELLSWORTH MOTOR FREIGHT LINES, INC., P.O. Box 15627, Tulsa, OK 74112. Representative: Wilburn L. Williamson, Suite 615–East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. Transporting *fuel oil*, in bulk, in tank vehicles, from Cushing, OK to points in Collins, Dallas, Franklin, Hopkins, Hunt and Red River Counties, TX. (Hearing site: Dallas, TX.)

MC 121517 (Sub-16F), filed April 22, 1980. Applicant: ELLSWORTH MOTOR FREIGHT LINES, INC., P.O. Box 15627, Tulsa, OK 74112. Representative: Wilburn L. Williamson, Suite 615–East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. Transporting *petroleum and petroleum products*, in bulk, in tank vehicles, between points in Rogers County, OK, on the one hand, and, on the other, points in AR, KS, MO, NM, TX and WY, restricted to traffic originating at or destined to facilities of Apex Oil Company. (Hearing site: Tulsa, OK.)

MC 123407 (Sub-640F), filed April 28, 1980. Applicant: SAWYER TRANSPORT, INC., Sawyer Center, Rt. 1, Chesterton, IN 46304. Representative: H. E. Miller, Jr. (same address as applicant). Transporting *paper and paper products*, between points in the U.S. (except AK and HI) restricted to traffic originating at or destined to the facilities of Packaging Corporation of America. (Hearing site: Chicago, IL.)

MC 123407 (Sub-641F), filed April 28, 1980. Applicant: SAWYER TRANSPORT, INC., Sawyer Center, Rt. 1, Chesterton, IN 46304. Representative: H. E. Miller, Jr. (same address as applicant). Transporting *such commodities as are dealt in or used by manufacturers of kitchen and plumbing products* between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Elkay Manufacturing Company. (Hearing site: Chicago, IL.)

MC 126736 (Sub-137F), filed April 28, 1980. Applicant: FLORIDA ROCK & TANK LINES, INC., 155 East 21st St., Jacksonville, FL 32206. Representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, FL 32207. Transporting *petroleum and petroleum products*, in bulk, from Bainbridge, GA to points in AL and FL. (Hearing site: Jacksonville, FL.)

Note.—Applicant may raise the issue of rates.

MC 128007 (Sub-157F), filed April 22, 1980. Applicant: HOFER, INC., 20th & 69 Bypass, P.O. Box 583, Pittsburg, KS 66762. Representative: Larry E. Gregg, 641 Harrison St., P.O. Box 1979, Topeka, KS 66601. Transporting *bentonite*, from points in Walker County, TX to points in the U.S. (except AK and HI). (Hearing site: Kansas City, MO, or Wichita, KS.)

MC 128007 (Sub-158F), filed April 22, 1980. Applicant: HOFER, INC., 20th & 69 Bypass, P.O. Box 583, Pittsburg, KS 66762. Representative: Larry E. Gregg, 641 Harrison St., P.O. Box 1979, Topeka, KS 66601. Transporting (1) *trace minerals, feed and fertilizer ingredients, and pigments*, from the facilities utilized by Westmin Corporation in Adams County, IL, to points in the U.S. (except AK and HI); and (2) *materials and supplies* used in the manufacture or distribution of the commodities in (1) in the reverse direction. (Hearing: Kansas City, MO, or Chicago, IL.)

MC 129537 (Sub-45F), filed April 25, 1980. Applicant: REEVES TRANSPORTATION CO., a corportion, Rt. 5—Dews Pond Rd., Calhoun, GA 30701. Representative: John C. Vogt, Jr., 406 N. Morgan St., Tampa, FL 33602. Transporting (1)(a) *carpeting* and *carpet padding*, and (b) *floor covering* (except those in (a), and (2) *materials, supplies and equipment* used in the installation and manufacture of the commodities in (1) above, between points in Lubbock County, TX, on the one hand, and, on the other, points in NM.

MC 135797 (Sub-328F), filed April 29, 1980. Applicant: J. B. HUNT TRANSPORT, INC., Post Office Box 130, Lowell, AR 72745. Representative: Paul R. Bergant (same as above). Transporting *such commodities* as are dealt in or used by retail discount or variety stores (except in bulk), from Baltimore, MD; Chicago, IL and New York, NY to points in FL, restricted to traffic originating at or destined to the facilities of Montgomery Ward. (Hearing site: Chicago, IL, or Washington, DC)

MC 139206 (Sub-73F), filed April 3, 1980. Applicant: F.M.S. TRANSPORTATION, INC., 2564 Harley Drive, Maryland Heights, MO 63043. Representative: John E. McBride (same address as applicant). *Contract carrier*, transporting *Material handling equipment* (except commodities because of size or weight requiring the use of special equipment), and *food basket carts*, between Knoxville, TN, on the one hand, and, on the other, points in the U.S. (except AK and HI), under a continuing contract(s) with Food Distribution Equipment Brokers, Inc. of Knoxville, TN. (Hearing site: St. Louis or Jefferson City, MO).

Note.—Dual operations may be involved.

MC 140267 (Sub-10F), filed April 7, 1980. Applicant: R. A. TRANSPORTATION, INC., Six Connerty Court, East Brunswick, NJ 08816. Representative: Thomas J. Beener, Suite 2510, 67 Wall Street, New York, NY 10005. *Contract carrier*, transporting (1) *such commodities* as are dealt in by grocery and department stores, and food business houses (except malt beverages), and (2) *equipment, materials and supplies* used in the conduct of the businesses in (1) above (except in bulk), from Baltimore, MD to points in NY, under continuing contract(s) with Lever Brothers Company, of New York, NY. (Hearing site: New York, NY)

MC 140986 (Sub-14F), filed April 16, 1980. Applicant: GREAT NORTHERN TRUCK LINES, INC., Bank Street, Netcong, NJ 07857. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904. *Contract carrier*, transporting (1) *adhesive, composition boards, gypsum products, gypsum board paper, mineral fiber products, paint and paint products*, and (2) *building materials*, (except those in (1) above), and (3) *materials and supplies* used in the packaging, installation or distribution of the commodities in (1) and (2) above (except in bulk), from the facilities of the United States Gypsum Company, Gypsum, OH to points in CT, DE, MD, NY, NJ, PA, WV, VA, and DC, under continuing contract(s) with United States Gypsum Company, of Gypsum, OH. (Hearing site: Newark, NJ.)

MC 142407 (Sub-3F), filed April 14, 1980. Applicant: ROLL-ON, INC., P.O. Box 1962, Clovis, NM 88101. Representative: Richard Hubbert, P.O. Box 10236, Lubbock, TX 79408. *Contract carrier*, transporting *Vacuum Cleaners, attachments, tools* and *parts of vacuum cleaners* and *vacuum cleaner cleaning compounds*, from points in OH to the plantsite of the Kirby Division of Scott Fetzer Company, located at or near Andrews, TX, under a continuing contract(s) with Kirby Division of Scott Fetzer Company, of Lakewood, OH. (Hearing site: Dallas, TX, or Cleveland, OH.)

MC 143267 (Sub-110F), filed April 22, 1980. Applicant: CARLTON ENTERPRISES, INC., P.O. Box 520, Mantua, OH 44255. Representative: Neal A. Jackson, 1156 15th Street NW., Washington, D.C. 20005. Transporting *plastic pipe* from the facilities of Bristol Products Co. at or near Leola, PA to points in ME, NH, VT, MA, CT, RI, NY, NJ, DE, MD, OH, WV, KY, VA, TN, NC, SC, GA, FL, MI, IN, IL and WI. (Hearing site: Cleveland, OH or Washington, DC.)

MC 144407 (Sub-20F), filed April 25, 1980. Applicant: DECKER TRANSPORT CO., INC., 412 Route 23, Pompton Plains, NJ 07444. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Transporting *Fans* and *Ventilators, and materials, equipment, and supplies*, used in the manufacture, sale, and installation of Fans and Ventilators, between New Britain, CT, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: New York, NY, or Washington, DC.)

Note.—Dual operations may be involved.

MC 144547 (Sub-10F), filed April 25, 1980. Applicant: DURA-VENT TRANSPORT CORP., P.O. Box 2249, 2525 El Camino Real, Redwood City, CA 94064. Representative: Barry Roberts, 888 17th Street NW., Washington, DC 20006. *Contract carrier*, transporting (1) *cleaning, scouring and washing compounds, and insecticides and rodenticides* (except agricultural) and *material, equipment and supplies* used in the manufacture and distribution of the commodities in (1) (except in bulk), from Alliance, OH to points in CA, under a continuing contract(s) with Lehh & Fink Products Group/Sterling Drug, Inc., of Montvale, NJ. (Hearing site: Washington, DC.)

MC 144927 (Sub-31F), filed April 25, 1980. Applicant: REMINGTON FREIGHT LINES, INC., P.O. Box 315, Remington, IN 47977. Representative: Gerald R. Morlan (same address as applicant). Transporting *paper and paper products*, between Philadelphia, Lancaster, Harrisburg, Pittsburgh, Etglen and Plumspadville, PA; Baltimore, Glen Burnie, and Glendale, MD; Alexandria, Lynchburg, Strasburg, and Springfield, VA; Milwaukee, Brookfield, Madison, Pewaukee, and Racine, WI; Atlanta, GA; Chicago, Joliet, Mattoon, Dwight, Effingham, Franklin Park, Mt. Morris, Pontiac, Salem, Sparta, and Broadview, IL; Cleveland, Columbus, Dayton, Lima, Springfield, and Willard, OH; Columbus, and Corinth, MS; Crawsfordville, Hammond, Indianapolis, Kokomo, and Warsaw, IN; Dallas and Houston, TX; Depew, Ithaca, New York, and Plattsburg, NY; Des Moines, IA; Detroit and Escanaba, MI; Franklin, Louisville, and Versailles, KY; Gallatin, Memphis, Nashville, Whitehaven, Franklin and Dresden, TN; Los Angeles and San Jose, CA; Miami, St. Petersburg, and Hollywood, FL; New Orleans, LA; Providence, RI; Springfield, MA; St. Louis, MO; Old Saybrook and Bloomfield, CT; Jonesboro, AR; Petersburg, WV; and Colorado Springs, CO. (Hearing site: Chicago, IL or Indianapolis, IN.)

MC 146587 (Sub-5F), filed April 17, 1980. Applicant: W. K. THOMAS, INC., 72 Tait Street, Ludlow, MA 01056. Representative: Patrick A. Doyle, 60 Robbins Road, Springfield, MA 01104. *Contract carrier*, transporting *greeting cards, gift wrapping, stationery, booklets, wax candles, and photo albums*, from East Longmeadow and Springfield, MA, to points in NH, MA, CT, RI, PA, NY, OH, NJ, IN, and IL, under continuing contract(s) with Sunshine Art Studios, Inc., of Springfield, MA. (Hearing site: Boston, MA or Hartford, CT.)

MC 146646 (Sub-94F), filed April 28, 1980. Applicant: BRISTOW TRUCKING, CO., a corporation, P.O. Box 6355 A., Birmingham, AL 35217. Representative: James W. Segrest (same address as applicant). Transporting *(1) Fireplaces, air heaters, ventilators, barbecue grills (2) and accessories, equipment, materials and supplies used in the*

manufacture and distribution of commodities named in (1) above between the facilities of Superior The Fireplace Company, division of Mobex Company at Fullerton, CA; Baltimore, MD; Union City, TN and points in the U.S. (except AK and HI). (Hearing site: Los Angeles, CA or Birmingham, AL.)

MC 146646 (Sub-95F), filed April 28, 1980. Applicant: BRISTOW TRUCKING CO, a corporation, P.O. Box 6355 A., Birmingham, AL 35217. Representative: James W. Segrest (same address as applicant). Transporting *such commodities as are dealt in by grocery and food business houses (except frozen foods and commodities in bulk)* between the facilities of The Clorox Company at Forest Park, GA, Charlotte, NC and points in AL, MS, AR, TN, KY, FL, VA, WV, SC, IN and TX. (Hearing site: Atlanta, GA or Birmingham, AL.)

MC 146646 (Sub-96F), filed April 28, 1980. Applicant: BRISTOW TRUCKING CO., a corporation, P.O. Box 6355A, Birmingham, AL 35217. Representative: James W. Segrest (same address as applicant). Transporting (1) *carpet*, and (2) *floor covering* (except commodities in bulk and carpet), from points in GA to points in MI. (Hearing site: Escanaba, MI, or Birmingham, AL.)

MC 148377 (Sub-2F), filed April 22, 1980. Applicant: R & W SERVICES, INC., 35301 Farnham Drive, Newark, CA 94560. Representative: Eldon M. Johnson, 650 California Street, Suite 2808, San Francisco, CA 94108. Transporting *urea formaldehyde resins, in bulk, in tank vehicles,* from the facilities of Borden Chemical, Division of Borden, Inc. at Fremont, CA to points in AZ. (Hearing site: San Francisco or Oakland, CA.)

MC 148377 (Sub-3F), filed April 25, 1980. Applicant: R & W SERVICES, INC., 35301 Farnham Drive, Newark, CA 94560. Representative: Eldon M. Johnson, 650 California Street, Suite 2808, San Francisco, CA 94108. Transporting *sulphuric acid,* in bulk, in rubber-lined tank trailers between Fremont, CA, on the one hand, and, on the other, Phoenix, AZ, Golden, CO and Trentwood, WA. (Hearing site: San Francisco or Oakland, CA.)

MC 148676 (Sub-2F), filed April 17, 1980. Applicant: R. F. PETERSON, INC., 3525 Walnut Street, Denver, CO 80205. Representative: Wm. Fred Cantonwine, 6785 E. 50th Avenue, Suite 201, Commerce City, CO 80022. Transporting: *Sugar, beet or cane,* in containers, and *materials* and *supplies* used in the production or distribution of sugar, between the facilities of Great Western Sugar Company at (1) Brighton, Denver, Eaton, Ft. Morgan, Greeley, Longmont, Loveland, Ovid and Sterling, CO; and (2) Bayard, Gering, Mitchell and Scottsbluff, NE to 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. (Hearing site: Denver, CO.)

MC 149127 (Sub-4F), filed April 22, 1980. Applicant: EDGAR SERVICE CO., INC., P.O. Box 562, Avon, MA 02322. Representative: Arthur T. Flynn (same as above). Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in CT, DE, WV, ME, MD, MA, NH, NJ, NY, OH, PA, RI, VT, VA and DC. (Hearing site: Boston, MA, or Washington, D.C.)

Note.—Dual operations may be involved.

MC 150247 (Sub-1F), filed April 22, 1980. Applicant: VANEERDEN TRUCKING CO., a corporation, 1150 Freeman Avenue, S.W., Grand Rapids, MI 49503. Representative: J. Michael Smith, 465 Old Kent Building, Grand Rapids, MI 49503. Transporting *bakery goods,* between the facilities of Holland American Wafer Company at or near Grand Rapids, MI and points in GA, CO, UT, TX, and CA. (Hearing site: Grand Rapids or Lansing, MI)

MC 150637F, filed April 22, 1980. Applicant: LAKE COUNTY BUS CO., INC., 3383 Burr Street, Gary, IN 46406. Representative: Warren C. Moberly, 320 North Meridian Street, No. 777, Indianapolis, IN 46204. Transporting *passengers and their baggage in charter* operations, beginning and ending at points in Lake County, IN and extending to Chicago, IL and points in Ottawa, Kent, Berrien, Allegan, Van Buren, Muskegon, Oceana and Mason Counties, MI. (Hearing site: Indianapolis, IN, or Chicago, IL)

MC 150687F, filed April 28, 1980. Applicant: MITCHELL & SONS MOVING & STORAGE, INC., 755 North Baney Road, Ashland, OH 44805. Representative: James Duvall, P.O. Box 97, 220 West Bridge Street, Dublin, OH 43017. Transporting *household goods, as defined by the Commission, and electronic equipment,* between points in Ashland, Crawford, Delaware, Erie, Holmes, Huron, Knox, Marion, Medina, Morrow, Richland and Wayne Counties, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Columbus, OH.)

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Decided: June 11, 1980.

By the Commission, Review Board Number 3, Members Parker, Fortier and Hill

MC 11207 (Sub-544F), filed April 18, 1980. Applicant: DEATON, INC., 317 Avenue W, P.O. Box 938, Birmingham, AL 35201. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, DC 20014. Transporting *iron and steel articles* from Spartanburg, SC, to points in KY, TN, MO, GA, and FL. (Hearing site: Greenville or Spartanburg, SC.)

MC 11207 (Sub-548F), filed April 18, 1980. Applicant: DEATON, INC., 317 Avenue W, P.O. Box 938, Birmingham, AL 35201. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, DC 20014. Transporting *lumber, lumber products, and wood products,* from Brierfield, AL, to points in the U.S. in and east of WI, IA, MO, OK, and TX. (Hearing site: Birmingham, AL, or Washington, DC.)

MC 11207 (Sub-549F), filed April 18, 1980. Applicant: DEATON, INC., 317 Avenue W, P.O. Box 938, Birmingham, AL 35201. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, DC 20014. Transporting *iron and steel articles,* from the facilities of Carolina Rebar, Inc., at or near Catawba, SC, to points in GA, SC, KY, TN, FL, and VA. (Hearing site: Charlotte, NC, or Washington, DC.)

MC 11207 (Sub-550F), filed April 18, 1980. Applicant: DEATON, INC., 317 Avenue W, P.O. Box 938, Birmingham, AL 35201. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, DC 20014. Transporting *iron and steel articles* from the facilities of Davis Steel & Iron Co., Inc., at Matthews, NC, to points in GA, FL, SC, NC, TN, and KY. (Hearing site: Charlotte, NC, or Washington, DC.)

MC 11207 (Sub-551F), Filed April 18, 1980. Applicant: DEATON, INC., 317 Avenue W, P.O. Box 938, Birmingham, AL 35201. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Ave Washington, DC 20014. Transporting *(1) wood and (2) industrial wirebound boxes* from the facilities of General Box Company at Meridian, MS, to points in the U.S. in and east of MN, WI, IL, KY, TN, MS, and LA. (Hearing site: Birmingham, AL, or Washington, DC)

MC 11207 (Sub-552F), Filed April 30, 1980. Applicant: DEATON, INC., 317 Avenue W, P.O. Box 938, Birmingham, AL 35201. Representative: Transporting (1) *building board, insulation board, fiberboard, pulpboard, and wallboard,* and (2) *parts, materials, and accessories* for the commodities in (1) *parts, materials, and accessories* for the commodities in (1) above, from the facilities of the United Gypsum Company, at points in Pittsylvania County, VA, to points in AR, KS, MO,

OK, and TX. (Hearing site: Chicago, IL, or Washington, DC)

MC 13777 (Sub-5F), Filed April 30, 1980. Applicant: AAA TRANSPORTATION INC., 2957 South East Street, Indianapolis, IN 46206. Representative: David A. Turano, 100 East Broad Street, Columbus, OH 43215. Transporting *roofing and building materials and* (2) *materials, equipment and supplies* used in the manufacture, distribution and installation of the commodities in (1) above (except commodities in bulk), (a) between the facilities of Georgia-Pacific Corporation at or near Franklin, OH, on the one hand, and, on the other, points in GA, IL, IN, IA KY, MI, MO and TN, and (b) between the facilities of Georgia-Pacific Corporation at Hampton, Henry County, GA, on the one hand, and, on the other, points in KY, MO, OH and TN. (Hearing site: Washington, DC).

MC 21866 (Sub-161F), Filed April 29, 1980. Applicant: WEST MOTOR FREIGHT, INC., 740 S. Reading Avenue, Boyertown, PA 19512. Representative: Alan Kahn, 1430 Land Title Bldg. Philadelphia, PA 19110. Transporting *spark plugs, windshield wiper arms and blades, windshield washer fluid and dispensers, coating application equipment, hand tools,* and *materials, equipment and supplies* used in the manufacture and distribution of the foregoing commodities, (except commodities in bulk), between points in the United States east of the western boundaries of ND, SD, NE, KS, OK, and TX, restricted to traffic originating at or destined to the facilities owned or used by Champion Spark Plug Company or The Anderson Company. (Hearing Site: Philadelphia, PA or Washington, D.C.)

MC 29537 (Sub-10F), filed April 29, 1980. Applicant: R. H. CRAWFORD, INC., 425 Poplar Street, Hanover, PA 17331. Representative: J. Bruce Walter, P.O. Box 1146, Harrisburg, PA 17108. Transporting *such merchandise as is dealt in by wholesale, retail, chain grocery and food business houses* (except in bulk) between New Freedom and Hanover, PA, on the one hand, and, on the other, points in KY, ME, MD, MA, NH, VT, NJ, WV, TN, GA, PA, NY, OH, NC and SC, restricted to traffic originating at and destined to the above origins and destinations. (Hearing site: Harrisburg, PA, or Washington, DC)

MC 30446 (Sub-15F), filed April 29, 1980. Applicant: BRUCE JOHNSON TRUCKING CO., INC., 3408 N. Graham Street, Charlotte, NC 28225. Representative: Leon Thompson (same address as applicant). Transporting *plastic materials* in bulk, (1) from Earl, NC, to Wilmington, NC, Charleston, SC and Savannah, GA, and (2) from Celriver, SC, to Wilmington, NC. (Hearing site: Charlotte, NC)

MC 45736 (Sub-62F), filed April 29, 1980. Applicant: GUIGNARD FREIGHT LINES, P.O. Box 26067, Charlotte, NC 28213. Representative: Edward G. Villalon, 1032 Pennsylvania Building, Pennsylvania Avenue and 13th Street NW., Washington, DC 20004. *Transporting such commodities as are dealt in by wholesale and retail chain and grocery houses, and equipment, materials, and supplies used in the conduct of such business,* between the facilities of Savannah Foods and Industries, Inc., and TranSales Corporation in Chatham County, GA, on the one hand, and, on the other, points in OH (except those in Gallia, Jackson, Lawrence, Pike and Scioto Counties), WV (except those in Cabell and Wayne Counties) and PA (except points east of Interstate Hwy. 83 beginning at the MD-PA State Line, then along Interstate Hwy. 83 to Harrisburg, then along PA State Hwy. 147 to its junction with U.S. Hwy. 220 at or near Pennsdale, PA, then along U.S. Hwy. 220 to the PA-NY State Line). (Hearing site: Savannah, GA, or Washington, DC)

MC 61977 (Sub-30F), filed April 16, 1980. Applicant: ZERKLE TRUCKING CO., an Ohio corporation, 2400 Eighth Avenue, Huntington, WV 25703. Representative: John M. Friedman, 2930 Putnam Avenue, Hurricane, WV 25526. Transporting *iron and steel articles,* (1) from Canton, OH, to points in KY, TN, WV, VA, and Charlotte, NC, Seneca, SC and Bristol, TN, (2) from Seneca, SC, to points in GA, AL, KY, TN and NC, (3) from Bristol, TN, to points in WV, KY, VA and NC, and (4) from Charlotte, NC, to points in WV, KY, OH, and VA. (Hearing site: Charleston, WV)

Note.—Dual operations may be involved.

MC 69116 (Sub-270F), filed April 29, 1980. Applicant: SPECTOR INDUSTRIES, INC. d.b.a. SPECTOR FREIGHT SYSTEM, 1050 Kingery Highway, Bensenville, IL 60106. Representative: Edward G. Bazelon, 39 S. LaSalle Street, Chicago, IL 60603. Transporting *cartons,* from Fort Atkinson, WI, to Fulton, South Volney and Auburn, NY. (Hearing site: Chicago, IL)

MC 69116 (Sub-272F), filed April 29, 1980. Applicant: SPECTOR INDUSTRIES, INC., d.b.a. SPECTOR FREIGHT SYSTEM, 1050 Kingery, Bensenville, IL 60106. Representative: Edward G. Bazelon, 39 South LaSalle St., Chicago, IL 60603. 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 Calvert City, KY, as an off-route point in connection with carrier's otherwise authorized operations. (Hearing site: Chicago, IL.)

MC 100666 (Sub-531f), filed April 30, 1980. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, LA 71107. Representative: Wilburn L. Williamson, Suite 615-East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. Transporting *circuit breakers and circuit breakers parts,* from Richland, MS, to points in the U.S. (except AK and HI). (Hearing site: New Orleans, LA.)

MC 105007 (Sub-71f), filed April 29, 1980. Applicant: MATSON TRUCK LINES, INC., 1407 St. John Ave., Albert Lea, MN 56007. Representative: Robert S. Lee, 1000 First National Bank Bldg., Minneapolis, MN 55402. Transporting *meats, meat products, meat byproducts and articles distributed by meat packinghouses (except hides and commodities in bulk)* from facilities of Wilson Foods Corporation, at (1) Albert Lea, MN, to points in AR, IA, KS, MO, NE, ND, and SD, and (2) from Cedar Rapids, IA, and Omaha, NE, to points in MN, restricted to traffic originating at the above named origins and destined to the named desinations. (Hearing site: Dallas, TX, or Kansas City, MO.)

MC 105566 (Sub-219F), filed April 29, 1980. Applicant: SAM TANKERSLEY TRUCKING, INC., P.O. Box 1120, Cape Girardeau, MO 63701. Representative: Thomas F. Kilroy, Suite 406 Executive Bldg., 6901 Old Keene Mill Rd., Springfield, VA 22150. Transporting *printed matter,* from the facilities of Arcata Bood Group, at West Hanover and Plymouth, MA, and Fairfield, PA, to points in AZ, CA, CO, ID, NM, MT, NV, OR, TX, UT, WA, and WY. (Hearing site: Washington, DC.)

MC 105566 (Sub-220F), filed April 29, 1980. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1120, Cape Girardeau, MO 63701. Representative: Thomas F. Kilroy, Suite 406, Executive Bldg., 6901 Old Keene Mill Rd., Springfield, VA 22150. Transporting *printed matter,* from points in Luzerne County, PA, to points in AZ, CA, CO, ID, MO, MT, NM, NV, OR, TX, UT, WA, and WY. (Hearing site: Washington, DC.)

MC 118696 (Sub-36F), filed April 28, 1980. Applicant: FERREE FURNITURE EXPRESS, INC., 252 Wildwood Road, Hammond, IN 46234. Representative: John F. Wickes, Jr., 1301 Merchants Plaza, Indianapolis, IN 46204. Transporting (1) *materials, equipment, and supplies* used in the manufacture

and distribution of television sets, from points in the U.S. in and east of ND, SD, NE, KS, OK, and TX to the facilities of Toshiba America, Inc., at Lebanon and Nashville, TN, and (2) *television sets* from the facilities of Toshiba America, Inc., at Lebanon, TN, to Dallas, TX, New York City, NY, Miami, FL, St. Louis, MO, Philadelphia, PA, Chicago, IL, New Orleans, LA, and Atlanta, GA. (Hearing site: Indianapolis, IN, or Chicago, IL.)

MC 119656 (Sub-75F), filed April 28, 1980. Applicant: NORTH EXPRESS, INC., 219 E. Main Street, Winamac, IN 46996. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Transporting: (1) *plumbing fixtures and plumbing supplies* and (2) *materials, equipment and supplies* used in the manufacture, sale and distribution of the commodities in (1) above, between Evansville, IN, on the one hand, and on the other, points in AR, WI, IL, KY, MO, OH and TN. (3) *radio receiving sets and related component parts,* between Santa Claus, IN, on the one hand, and on the other, points in AR, WI, IL, KY, MO, TN, and OH, and (4) *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission), between Evansville, IN (and 85 miles thereof in IL, IN and KY) on the one hand, and, on the other, ramp facilities in Evansville, IN, Owensboro and Princeton, KY. (Hearing site: Indianapolis, IN.)

MC 120646 (Sub-29F), filed April 30, 1980. Applicant: BRADLEY FREIGHT LINES, INC., 35 Garfield St., Asheville, NC 28803. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th St. NW, Washington, DC 20004. Transporting *textile, textile products, and materials, supplies and equipment used in the manufacture, sale and distribution of textiles and textile products,* between points in White and Wilkes Counties, GA, York and Anderson Counties, SC, and Cherokee, Buncombe, Transylvania, and McDowell Counties, NC, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Asheville, NC.)

MC 128246 (Sub-60F), filed April 18, 1980. Applicant: SOUTHWEST TRUCK SERVICE, a corporation, P.O. Box A.D., Watsonville, CA 95076. Representative: William F. King, Suite 400, Overlook Bldg., 6121 Lincolnia Rd., Alexandria, VA 22312. Transporting *glassware,* from Sapulpa, OK, to points in IL, MN, and WI. (Hearing site: Washington DC, or Oklahoma City, OK.)

Note.—Dual operations may be involved.

MC 129326 (Sub-35F), filed April 29, 1980. Applicant: CHEMICAL TANK LINES, INC., P.O. Box 432, Mulberry, FL 33860. Representative: Mark D. Russell, Suite 348, Pennsylvania Bldg., 425 13th St., NW., Washington, DC 20004. Transporting (1) *fertilizer and fertilizer materials,* in bulk, between St. Rose, LA, on the one hand, and, on the other, points in MS, AL, GA, FL, TX, and AR; (2) *blackstrap molasses mixtures,* in bulk, in tank vehicles, from Westwego, LA, to points in Caldwell, Catahoula, Concordia, East Carrol, Franklin, La Salle, Madison, Moorehouse, Quachita, Richland, Tensas, Union and West Carrol Parishes, LA, and points in AL, AR, and MS; and (3) *commodities,* in bulk, between Taft, LA, on the one hand, and, on the other, points in MS, AL, and TX. (Hearing site: Tampa, FL, or New Orleans, LA.)

MC 129526 (Sub-14F), filed April 23, 1980. Applicant: FACTOR TRUCK SERVICE, INC., 2607 Old Rodgers Rd., Bristol, PA 19007. Representative: Robert B. Einhorn, 3220 P.S.F.S. Bldg., 12 South 12th St., Philadelphia, PA 19107. *Contract carrier,* transporting *printed matter and catalogs,* from Salem, Effingham, and Mt. Vernon, IL, to points in PA, DE, MD, NY, NJ, CT, and DC, under continuing contract(s) with World Color Press, Inc., of Effingham, IL.

MC 134477 (Sub-416F), filed April 18, 1980. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Rd., West St. Paul, MN 55118. Representative: Thomas D. Fischback, P.O. Box 43496, St. Paul, MN 55164. 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), from the facilities of Boise Cascade, Inc. at or near Chicago and Itasca, IL, to points in IA, MN, NE, ND, SD, and WI. (Hearing site: St. Paul, MN.)

MC 134477 (Sub-417F), filed April 18, 1980. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Rd., West St. Paul, MN 55118. Representative: Thomas D. Fischbach, P.O. Box 43496, St. Paul, MN 55164. Transporting *meats, meat products, meat by-products* and *articles distributed by meat packinghouses,* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Friona, TX, to St. Paul, MN. (Hearing site: St. Paul, MN.)

MC 135326 (Sub-27F), filed April 22, 1980. Applicant: SOUTHERN GULF TRANSPORT, INC., 4277 North Market St., Shreveport, LA 71107. Representative: M. D. Wood, 2500 McCain Blvd., Suite 103, North Little Rock, AR 72116. Transporting *roof granules, ground limestone,* and *materials, equipment and supplies* used in the manufacture of roofing products, in bulk, (1) between the facilities of Owens-Corning Fiberglas Corporation, at points in AL, AR, CO, FL, GA, KS, LA, MS, MO, NM, OK, TN, and TX, on the one hand, and, on the other, points in AL, AR, CO, FL, GA, KS, LA, MS, MO, NM, OK, TN, and TX and (2) between the facilities of Reed Company, Inc., in Memphis TN, on the one hand, and, on the other, Little Rock, AR. (Hearing site: Little Rock, AR, or New Orleans, LA.)

MC 139667 (Sub-5F), filed April 17, 1980. Applicant: CHARLES SCHMIDT, JR. 906 Meadow Lane, Salem, IL 62881. Representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, IL 62701. Transporting *iron and steel articles,* (1) between points in IL, KY, IN, and MO and (2) from the facilities of Jones & Laughlin Steel Corporation near East Chicago and Hammond, IN, to Davenport and Bettendorf, IA. (Hearing site: Chicago, IL, St. Louis, MO.)

MC 139906 (Sub-105F), filed April 28, 1980. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 30303, Salt Lake City, UT 84127. Representative: Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. Transporting *cloth, rubber foam and nylon foam back fabric* (except commodities in bulk), from the facilities of Shaumut Mills, a division of R. H. Wyner Associates, at or near Stoughton, MA, to points in the U.S. (except AK and HI). (Hearing site: Salt Lake City, UT, or Lincoln, NE.)

Note.—Dual operations may be involved.

MC 139906 (Sub-106F), filed April 28, 1980. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 30303, Salt Lake City, UT 84127. Representative: Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. Transporting *baking products,* from the facilities of Nabisco, Inc., at or near Richmond, VA, to points in the U.S. (except AK and HI). (Hearing site: Salt Lake City, UT, or Lincoln, NE.)

Note.—Dual operations may be involved.

MC 139906 (Sub-107F), filed April 28, 1980. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 30303, Salt Lake City, UT 84127. Representative: Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. Transporting *aluminum sulfate* (except in bulk), from Bastrop, LA, to points in AL, AR, FL, GA, IN, IL, KS, KY, MS, NJ, NC, SC, OK, TX, TN, and NM. (Hearing site: Salt Lake City, UT, or Lincoln, NE.)

Note.—Dual operations may be involved.

MC 139906 (Sub-108F), filed April 28, 1980. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 30303, Salt Lake City, UT 84127. Representative: Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the facilities of J. M. Huber Corp., at or near (a) Baytown (Eldon), Borger, Houston and Marble Falls, TX, (b) Havre De Grace, MD, (c) Compton, CA, (d) Edison, NJ, (e) Etowah, TN, (f) Ft. Dodge, IA, (g) Graniteville and Langley, SC, (h) Huber and Wrens, GA, (i) Louisville, KY, (j) McCook and Quincy, IL, (k) Shreveport, LA, (l) Carthage and St. Louis, MO, and (m) Westwood, MA, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Salt Lake City, UT, or Lincoln, NE.)

Note.—Dual operations may be involved.

MC 139906 (Sub-109F), filed April 28, 1980. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 30303, Salt Lake City, UT 84127. Representative: Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. Transporting *compressed gas cylinders,* from the facilities of the Compressed Gas Cylinder and Military Division of Norris Industries, Inc., at or near Los Angeles, CA, to points in AZ, MT, and NV. (Hearing site: Salt Lake City, UT, or Lincoln, NE.)

Note.—Dual operations may be involved.

MC 139906 (Sub-110F), filed April 28, 1980. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 30303, Salt Lake City, UT 84127. Representative: Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. Transporting (1) *strollers, folding chairs, baby carseats, bassinettes, playpens, and swings,* and (2) *equipment and supplies* used in the manufacture of the commodities in (1) above, (except commodities in bulk, and those which because of size or weight require special handling or equipment), from the facilities of Strolee of California, at or near Compton, CA, to points in UT, CO, NM, NE, KS, OK, MN, IA, AR, LA, MS, AL, FL, KY, WI, WV, MD, and DE. (Hearing site: Lincoln, NE, or Salt Lake City, UT.)

Note.—Dual operations may be involved.

MC 139906 (Sub-111F), filed April 28, 1980. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 30303, Salt Lake City, UT 84127. Representative: Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. Transporting *toilet preparations and hair care products, and personal appliances,* between the facilities of Clairol, Inc., a division of Bristol Myers, Inc., at or near Camarillo, CA, and the facilities of Bristol Myers, Inc., at or near La Mirada, CA, on the one hand, and, on the other, the facilities of Bristol Myers, Inc., at or near Dallas, TX. (Hearing site: Salt Lake City, UT, or Lincoln, NE.)

Note.—Dual operations may be involved.

MC 140176 (Sub-22F), filed April 21, 1980. Applicant: POWELL TRUCKING COMPANY, INC., Route 3, Box 13, Sumrall, MS 39482. Representative: John A. Crawford, 17th Floor, Deposit Guaranty Plaza, P.O. Box 22567, Jackson, MS 39205. *Contract carrier,* transporting *treated poles, posts, pilings, timbers and lumber,* from the facilities of Mississippi Wood Preserving Company at or near Brookhaven, MS to points in TN, LA, AL, MO, IL, OH, IN, GA, KS, NE, IA, MI, MN, WI, KY, AR, NJ, and PA, under continuing contract(s) with Mississippi Wood Preserving Company, of Brookhaven, MS. (Hearing site: Jackson, MS.)

Note.—Dual operations may be involved.

MC 140247 (Sub-7F), filed April 29, 1980. Applicant: ALLSTATE CHARTER LINES, INC., P.O. Box 9022, Fresno, CA 93790. Representative: John Paul Fischer, 256 Montgomery Street, 5th Floor, San Francisco, CA 94104. Transporting *passengers and their baggage in the same vehicle with passengers,* in charter and special operations, beginning and ending at points in Fresno and Merced Counties, CA, (except Burrell, Coalinga, Huron, Kingsburg, Lanare, Orange Cove, Parlier, Reedley, Riverdale, San Joaquin and Selma), and extending to points in the U.S. (including AK and excluding HI). (Hearing site: San Francisco, CA.)

MC 141076 (Sub-30F), filed April 15, 1980. Applicant: ROGERS MOTOR LINES, INC., R.D. #2, P.O. Box 388 D–2, Hackettstown, NJ 07840. Representative: Eugene M. Malkin, Suite 1832, 2 World Trade Center, New York, NY 10048. Transporting (1) *vegetable oil, vegetable shortening,* and *margarine* (except in bulk), from the facilities of Capital City Products Company at or near Columbus, OH to points in NY on and north of Interstate Hwy 84, points in NJ on and south of NJ Hwy 33, and points in CT, DE, ME, MD, MA, NH, PA, RI, VT, VA and WV; and (2) *such commodities* as are dealt in by grocery stores and food distribution facilities, and equipment, materials, and supplies used in the manufacture and distribution thereof, (except commodities in bulk and those which because of size require the use of special equipment) between points in the U.S. in and east of WI, IL, KY, TN and MS, restricted in (2) above to traffic originating at or destined to facilities used by The Pillsbury Company and its subsidiaries, and further restricted to traffic originated at and destined to the points named above. (Hearing site: New York, NY.)

MC 141187 (Sub-12F), filed April 29, 1980. Applicant: BLUFF CITY TRANSPORTATION, INC., P.O. Box 18391, Memphis, TN 38116. Representative: Wallace A. Knerr, (same address as applicant). *Contract carrier,* transporting *brick veneer,* and *materials and supplies* used in the installation of brick veneer, from Clackamus, OR, to points in the U.S. (except AK and HI), under continuing contract(s) with Interpace Corporation of Seattle, WA. (Hearing site: Seattle, WA, or San Francisco, CA.)

Note.—Dual operations may be involved.

MC 142277 (Sub–6F), filed April 18, 1980. Applicant: CONSOLIDATED PARCEL SERVICE, INC., 2058 Concourse, St. Louis, MO 63141. Representative: Douglas E. Tonkinson (same address as applicant). *contract carrier,* transporting *laundry care products, home care products, beauty care toiletry products, stainless steel cookwar cutlery, and food supplements, (except commodities in bulk)* between St. Louis and points in St. Louis County, MO, on the one hand, and on the other, points in Adair, Audrain, Bollinger, Boone, Butler, Callaway, Cape Girardeau, Carter, Chariton, Clark, Cole, Crawford, Dent, Dunklin, Franklin, Gasconade, Howard, Iron, Jefferson, Knox, Lewis, Lincoln, Linn, Macon, Madison, Maries, Marion, Mississippi, Monroe, Montgomery, New Madrid, Oregon, Osage, Pemiscot, Perry, Phelps, Pike, Pulaski, Putnam, Ralls, Randolph, Reynolds, Ripley, St. Charles, St. Francis, Ste. Genevieve, St. Louis, Schuyler, Scotland, Scott, Shannon, Shelby, Stoddard, Sullivan, Warren, Washington, and Wayne Counties MO, under continuing contrac(s) with Amway Corporation, of Ada, MI. (Hearing site: St. Louis, MO, or Chicago, IL.)

MC 142686 (Sub–44F), filed April 29, 1980. Applicant: MID-WESTERN TRANSPORT, INC., 10506 S. Shoemaker Ave., Santa Fe Springs, CA 90670. Representative: Joseph Fazio (same address as applicant). *Contract carrier,* transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the

facilities of W. R. Grace Co., at points in the U.S. (except AK and HI), under continuing contract(s) with W. R. GRACE Co., of Reading, PA. (Hearing site: Los Angeles or San Diego, CA.)

MC 143267 (Sub-114F), filed April 29, 1980. Applicant: CARLTON ENTERPRISES, INC., P.O. Box 520, Mantua, OH 44255. Representative: Neal A. Jackson, 1156 15th Street, N.W., Washington, D.C. 20005. Transporting *iron and steel articles*, between Bellevue, OH, Wagoner, OK, St. Louis, MO, Memphis, TN and Houston, TX, on the one hand, and, on the other, points in the U.S. in and east of MN, IA, MO, OK, and TX. (Hearing site: Cleveland, OH or Washington, DC.)

MC 143956 (Sub-11F), filed April 11, 1980. Applicant: GARDNER TRUCKING CO., INC., P.O. Drawer 493, Walterboro, SC 29488. Representative: Steven W. Gardner, Suite 770, Century Center, 1800 Century Boulevard, N.E., Atlanta, GA 30345. Transporting *welding equipment and supplies* from the facilities of Hobart Brothers Company, Troy, OH, to points in the U.S. (except AK and HI). (Hearing site: Troy, OH.)

MC 145637 (Sub-3F), filed April 17, 1980. Applicant: B & B EXPRESS, INC., P.O. Box 5552, Station B, Greenville, SC 29606. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th St., N.W., Washington, DC 20004. Transporting *syntehtic fiber yarn and materials, supplies and equipment used in the manufacture and distribution of synthetic fiber yarn*, between the facilities of Macfield Texturing Co. at or near Madison, Burlington, Eden and Reidsville, NC, on the one hand, and, on the other, Miami, FL. (Hearing site: Greensboro, NC.)

MC 146646 (Sub-89F), filed April 18, 1980. Applicant: BRISTOW TRUCKING COMPANY, a corporation, P.O. Box 6355 A, Birmingham, AL 35217. Representative: James W. Segrest (same address as applicant). Transporting *furniture, vanities, medicine cabinets, china sinks, china toilets, and plumbing fixtures*, from points in CA, to those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX. (Hearing sites: Los Angeles, CA, or Birmingham, AL.)

MC 146646 (Sub-92F), filed April 28, 1980. Applicant: BRISTOW TRUCKING COMPANY, a corporation, P.O. Box 6355 A, Birmingham, AL 35217. Representative: James W. Segrest (same address as applicant). Transporting *paper and paper products* from West Point, VA, to points in DE, MD, PA, NY, NJ, CT, MA, RI, NH, VT, ME, MI, OH, IN, IL, IA, KY, TN, MO, KS, AR, OK, TX, WI, and MN, restricted to traffic originating at and destined to the involved points. (Hearing sites: West Point, VA, or Birmingham, AL.)

MC 147217 (Sub-2F), filed April 18, 1980. Applicant: WESTERN TRANSPORTATION, INC., 708 North Main St., Lamar, Co 81052. Representative: Edward C. Hastings, 666 Sherman St., Denver, CO 80203. Transporting *petroleum products*, in bulk, in tank vehicles, from the facilities of Chase Terminal Co., at or near Scott City, KS to points in Prowers County, CO. (Hearing site: Denver CO.)

MC 148826 (Sub-3F), filed April 18, 1980. Applicant: CARIBBEAN TRANSPORTATION, INC., 9421 S. W. 31st. Terrace, Miami, FL 33165. Representative: Richard B. Austin, Esq., 8390 N. W. 53 Street, Suite 320, Miami, FL 33166. Transporting *trailers and containers, with or without wheels, loaded or empty*, between points in Dade and Broward Counties, FL, restricted to the transportation of trafic having an immediately prior or subsequent movement by water in interstate or foreign commerce. (Hearing site: Miami, FL.)

MC 150617F, filed April 17, 1980. Applicant: TRANSCONTINENTAL FREIGHT SYSTEMS, INC., 2559 South Archer Ave., Chicago, IL 60608. Representative: Edward G. Bazelon, 39 South LaSalle St., Chicago, IL 60603. Transporting *automotive parts, materials, accessories and supplies* used in the manufacture of automotive parts and automotive vehicles, (except commodities in bulk), between the facilities used by Chrysler Corporation, at points in DE, IL, IN, MI, MO, NY, and OH, on the one hand, and, on the other, Laredo, Eagle Pass, and El Paso, TX. (Hearing site: Chicago, IL.)

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Decided: June 13, 1980.

By the Commission, Review Board Number 3, Members Parker, Fortier and Hill

MC 1117 (Sub-32F), filed May 12, 1980. Applicant: M.G.M. TRANSPORT CORP., 70 Maltese Dr., Totowa, NJ 07512. Representative: Morton E. Kiel, Suite 1832, 2 World Trade Center, New York, NY 10048. Transporting *general commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), from points in NY and NJ to points in NC and VA. (Hearing site: High Point, NC or New York, NY.)

MC 4267 (Sub-7F), filed May 12, 1980. Applicant: C. L. JILLICH TRUCK LINE, INC., 16200 Dixie Hwy, Markham, IL 60426. Representative: Anthony T. Thomas, 6017 Cermak Road, Cicero, IL 60650. Transporting *iron and steel articles*, (1) from Chicago, IL and Gary, IN to points in OH, and (2) from the facilities of Republic Steel Corp., at Canton, Cleveland, Massillon, Niles, Youngstown, and Warren, OH to points in IL and points in IN in the Chicago, IL Commercial Zone. (Hearing site: Cleveland, OH.)

MC 5227 (Sub-69F), filed May 27, 1980. Applicant: ECKLEY TRUCKING, INC., P.O. Box 201, Mead, NE 68041. Representative: A. J. Swanson, P.O. Box 1103, 226 N. Phillips Ave., Sioux Falls, SD 57101. Transporting (1) *metal buildings, metal building components, grain tanks, bar mesh, fencing materials*, and *agricultural machinery and implements*, from the facilities of Behlen Manufacturing, Division of Wickes Corporation, at or near Woodland, CA to points in AZ, CO, ID, MT, OR, UT and WA; (2) *livestock feeding, handling, and confinement equipment*, and (3) *Materials and supplies* used in the manufacture of the commodities in (2) between the facilities of Farmaster, Division of Wickes Corporation, at or near Shenandoah, IA; Woodland, CA; Dublin, GA; Corsicana, TX; and Pittsburgh and Dodge City, KS, on the one hand, and, on the other points in the U.S. (except AK and HI). (Hearing site: Wichita, KS or Sioux City, IA.)

MC 11207 (Sub-555F), filed May 7, 1980. Applicant: DEATON, INC., P.O. Box 938, Birmingham, AL 35201. Representative: Robert E. Tate, P.O. Box 571, Evergreen, AL 36401. Transporting (1)(a) *iron and steel articles and pipe* from Bay County, FL to points in the U.S. (except AK and HI); and (b) *materials, supplies and equipment* used in the manufacture and distribution of commodities named in (1)(a) (except commodities in bulk, in tank vehicles), from points in the U.S. (except AK and HI) to Bay County, FL; and (2) *iron and steel articles and pipe and materials, supplies and equipment* used in the manufacture and distribution of iron and steel articles and pipe (except commodities in bulk, in tank vehicles), between points in the U.S. (except AK and HI), restricted in (2) to traffic originating at or destined to the facilities utilized by the Berg Steel Pipe Corp. (Hearing site: Panama City, or Pensacola, FL.)

MC 13777 (Sub-4F), filed May 9, 1980. Applicant: AAA TRANSPORTATION, INC., 2957 S. East St., Indianapolis, IN 46206. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215.

Transporting (1) *iron and steel articles* and (2) *materials, equipment and supplies* used in the manufacture and distribution of the commodities in (1) (except commodities in bulk) between points in Butler County, OH, on the one hand, and, on the other, points in AL, AR, FL, GA, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, OK, SC, TN, TX, VA, WV, and WI, restricted to traffic originating at or destined to the facilities of Southwestern Ohio Steel, Inc. (Hearing site: Columbus, OH.)

MC 19157 (Sub-57F), filed May 6, 1980. Applicant: McCORMACK'S HIGHWAY TRANSPORTATION, INC., R.D. 3, Box 4, Campbell Rd., Schenectady, NY 12306. Representative: Paul Montarello (same address as applicant). Transporting *general commodities* (except commodities in bulk, household goods as defined by the Commission, articles of unusual value and classes A and B explosives), between Little Creek, LA, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Chicago, IL or Washington, DC.)

MC 26396 (Sub-359F), filed May 13, 1980. Applicant: THE WAGGONERS TRUCKING, a Corporation, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Transporting (1) *metal buildings, grain handling equipment and irrigation systems, and parts and accessories* for the named commodities from Hastings, NE to points in the U.S. (except AK and HI), and (2) *materials, equipment and supplies* used in the manufacture and distribution of the commodities in (1), in the reverse direction. (Hearing site: Lincoln, NE or Billings, MT.)

MC 26396 (Sub-360F), filed May 13, 1980. Applicant: THE WAGGONERS TRUCKING, a Corporation, P.O. Box 31357, Billings, MT 59107. Representative: Barbara S. George (same address as applicant). Transporting *iron and steel articles,* from the facilities of Nucor Corp., at or near Norfolk, NE to points in the U.S. (except AK and HI). (Hearing site: Lincoln, NE, or Billings, MT.)

MC 42487 (Sub-991F), filed May 27, 1980. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208. Transporting *General commodities,* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment). Serving Greeneville, TN as an off-route point in connection with carrier's presently authorized regular route operations. (Hearing site: Knoxville, TN.)

Note.—Applicant intends to tack its existing authority and any authority it may acquire.

MC 42537 (Sub-64F), filed May 27, 1980. Applicant: CASSENS TRANSPORT COMPANY, a Corporation, P.O. Box 468, Edwardsville, IL. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Transporting (1) *motor vehicles,* in initial movements, in truckaway service, from St. Louis, MO. Belvidere, IL and Detroit, MI to points in KS, and (2) *motor vehicles,* in secondary movements, in truckaway service, between points in KS, on the one hand, and, on the other, points in IL, MO, and MI. (Hearing site: Detroit, MI.)

MC 51146 (Sub-839F), filed May 6, 1980. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Matthew J. Reid, Jr. (same address as applicant). Transporting *such commodities* as are dealt in, or used by, manufacturers and distributors of tires, between points in the U.S. (except AK and HI). (Hearing site: Milwaukee, WI, or Chicago, IL.)

MC 60066 (Sub-18F), filed May 16, 1980. Applicant: BEE LINE MOTOR FREIGHT, INC., 1804 Paul St., Omaha, NE 68102. Representative: Donald L. Stern, Suite 610, 7171 Mercy Rd., Omaha, NE 68106. Transporting (1) *general commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), from the facilities of K-Mart Corporation, at Savannah, GA to the facilities of K-Mart Corporation, at Omaha, NE, and (2) *shock absorbers,* from Cozad, NE to Chicago, IL, Baltimore and Savage, MD, and Cincinnati, OH. (Hearing site: Omaha, NE.)

Note.—Tacking with applicant's other authority is requested.

MC 61977 (Sub-32F), filed May 12, 1980. Applicant: ZERKLE TRUCKING COMPANY, a Corporation, 2400 Eighth Ave., Huntington, WV 25703. Representative: John M. Friedman, 2930 Putnam Ave., Hurrican, WV 25526. Transporting *glass containers and closures* for glass containers, from Joliet, IL, Vienna, WV and Coventry, RI, to points in the U.S. in and east of ND, SD, NE, KS, OK, and TX. NOTE: Dual operations may be involved. (Hearing site: Charleston, WV.)

MC 70557 (Sub-29F), filed May 8, 1980. Applicant: NIELSEN BROS. CARTAGE CO., INC., 4619 West Homer St., Chicago, IL 60639. Representative: Carl L. Steiner, 39 So. LaSalle St., Chicago, IL 60603. Transporting *clay,* crushed or ground, in bags, from the facilities of Waverly Mineral Products Company, at Quality Miegs, Thomas County, GA, to points in the U.S. (except AK and HI). (Hearing site: Atlanta, GA.)

MC 93147 (Sub-18F), filed May 14, 1980. Applicant: DELTA TRANSPORT CORPORATION, 844 Union St., P.O. Box 546, West Springfield, MA 01089. Representative: James M. Burns, 1383 Main St.—Suite 413, Springfield, MA 01103. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in NY, MA, and RI, on the one hand and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at points on one base and destined to points on the other base. (Hearing site: Springfield, MA.)

MC 99696 (Sub-2F), filed May 17, 1980. Applicant: PATERSON STORAGE WAREHOUSE COMPANY, INC., 472 Robeson St., P.O. Drawer 50, Fayetteville, NC 28302. Representative: Vaughan S. Winborne, 1108 Capital Club Bldg., Raleigh, NC 27601. Transporting *used household goods,* between points in NC. NOTE: Applicant has Certificate of Registration No. MC–99696 covering NC and wishes to convert it to a certificate of public convenience and necessity due to common control. (Hearing site: Raleigh, NC, or Washington, DC.)

MC 105566 (Sub-221F), filed May 8, 1980. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1120, Cape Girardeau, MO 63701. Representative: Thomas F. Kilroy, Suite 406, Executive Bldg., 6901 Old Keene Mill Rd., Springfield, VA 22150. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the facilities of Arco Polymers, at Monaca, PA, Port Arthur, and La Porte, TX, and Chicago, IL, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: applicant does not specify.)

MC 108676 (Sub-160F), filed May 5, 1980. Applicant: A. J. METLER HAULING & RIGGING, INC., 117 Chicamauga Ave., NE., Knoxville, TN 37917. Representative: Fred F. Bradley, P.O. Box 773, Frankfort, KY 40602. Transporting *heating, ventilating and air*

conditioning equipment, from Gamewell Manufacturing at or near Salisbury, NC, to points in the U.S. (except AK and HI). (Hearing site: Charlotte, NC.)

MC 109397 (Sub-509F), filed May 6, 1980. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, MO 64801. Representative: A.N. Jacobs (same address as applicant). Transporting, (1) *air pollution control equipment and materials*, and (2) *parts* of air pollution control equipment, between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Western Precipitation, Div. of Joy Manufacturing Company. (Hearing site: Los Angeles, CA.)

MC 109397 (Sub-510F), filed May 9, 1980. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, MO 64801. Representative: Max G. Morgan, P.O. Box 1540, Edmond, OK 73034. Transporting *rebonded polyurethane carpet padding* from Walk-On Products, Inc., Statesville, NC to points in the U.S. in and east of MN, IA, MO, AR, and LA. (Hearing site: Kansas City, MO or Washington, DC.)

MC 110287 (Sub-6F), filed May 23, 1980. Applicant: SARLO TRUCKING SERVICE, INC., 820 Jersey Ave., Gloucester City, NJ 08030. Representative: Alan Kahn, 1430 Land Title Bldg., Philadelphia, PA 19110. Transporting *building materials and materials* used in the manufacture of building materials (except in bulk), between Gloucester City, NJ, on the one hand, and, on the other, points in DE, MD, PA, VA, and DC. (Hearing site: Washington, DC, or Philadelphia, PA.)

MC 112696 (Sub-67F), filed May 7, 1980. Applicant: HARTMANS, INCORPORATED, P.O. Box 898, Harrisonburg, VA 22801. Representative: Lawrence E. Lindeman, 1032 Pennsylvania Bldg., Pennsylvania Ave. and 13th St. NW., Washington, DC 20004. Transporting (1) *printed matter and books*, and (2) *materials and supplies* used in the manufacture or distribution of printed matter or books (except commodities in bulk), between the facilities of R.R. Donnelley & Sons, at Harrisonburg, VA, on the one hand, and, on the other, points in the U.S. in and east of TX, OK, KS, NE, SD, and ND. (Hearing site: Harrisonburg, VA.)

MC 115826 (Sub-589F), filed May 27, 1980. Applicant: W. J. DIGBY, INC., 6015 East 58th Ave., Commerce City, CO 80022. Representative: Howard Gore (same address as applicant). Transporting *diatomaceous earth* in bags, from Maricopa, CA, to points in the U.S. in and west of MT, WY, CO, NM, and TX (except AK and HI), restricted to the transportation of traffic originating at the facilities of Lowe's, Inc., at or near Maricopa, CA, and destined to the named destinations. (Hearing site: Denver, CO.)

MC 118696 (Sub-34F), filed May 12, 1980. Applicant: FERREE FURNITURE EXPRESS, INC., 252 Wildwood Rd., Hammond, IN 46234. Representative: John F. Wickes, Jr., 1301 Merchants Plaza, Indianapolis, IN 46204. Transporting (1) *urethane foam and foam products*, from the facilities of United Foam Corporation, at or near Bremen, IN, Allentown, PA, Louisville, KY, and Franklin, NJ, to points in the U.S. in and east of ND, SD, NE, KS, OK, and TX, and (2) *materials, equipment and supplies* used in the manufacture and distribution of urethane foam and foam products, from Chicago, IL and Allentown, PA to the facilities of United Foam Corporation, at or near Bremen, IN. (Hearing site: Indianapolis, IN, or Chicago, IL.)

MC 119656 (Sub-76F), filed May 15, 1980. Applicant: NORTH EXPRESS, INC., 219 Main St., P.O. Box 247, Winamac, IN 46996. Representative: Donald W. Smith, Suite 945, P.O. Box 40248, 9000 Keystone Crossing, Indianapolis, IN 46240. Transporting (1) *lumber and lumber products*, between points in AR, IL, IN, IA, KY, MI, MN, MO, NE, NY, OH, PA, TN, TX, WV, and WI, (2) *building materials*, from Chicago, IL to North Judson, IN, and (3) *insulation, roofing and building materials*, from Charleston, Chicago and Wilmington, IL, Elizabethtown and Florence, KY to points in IN and MI. (Hearing site: Indianapolis, IN.)

MC 123407 (Sub-642F), filed May 23, 1980. Applicant: SAWYER TRANSPORT, INC., Sawyer Center, Rt. 1, Chesterton, IN 46304. Representative: H. E. Miller, Jr. (same address as applicant). Transporting (1) *iron and steel articles*, and (2) *materials, equipment and supplies* used in the manufacture of the commodities in (1) between Monroe, MI, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Minneapolis, IN, or Chicago, IL.)

MC 124306 (Sub-83F), filed May 1, 1980. Applicant: KENAN TRANSPORT COMPANY, INCORPORATED, P.O. Box 2729, Chapel Hill, NC 27514. Representative: Richard A. Mehley, 1000 16th St., NW., Suite 502, Washington, DC 20036. Transporting *polyester resin*, dry, in bulk, from the facilities of American Hoechst Corporation, at Greer, SC to points in the U.S. (except AK and HI). (Hearing site: Greenville, SC, or Washington, DC.)

MC 124887 (Sub-118F), filed May 1, 1980. Applicant: SHELTON TRUCKING SERVICE, INC., Rt. 1, Box 230, Altha, FL 32421. Representative: Sol H. Proctor, 1101 Blackstone Bldg., Jacksonville, FL 32202. Transporting *waste or scrap paper*, from points in AL, AR, DE, FL, IL, IN, KY, LA, MD, MS, MO, NC, OH, OK, PA, SC, TN, TX, VA, WV, and DC, to the facilities of Georgia Kraft Corp., at Macon, GA. (Hearing site: Jacksonville or Tallahassee, FL.)

MC 124887 (Sub-119F), filed May 6, 1980. Applicant: SHELTON TRUCKING SERVICE, INC., Route 1, Box 230, Altha, FL 32421. Representative: Robert E. Tate, P.O. Box 517, Evergreen, AL 36401. Transporting *(1)(a) iron and steel articles and pipe* from Bay County, FL to points in the United States (except AK and HI), and *(b) materials, supplies and equipment* used in the manufacture and distribution of commodities in (1)(a) (except commodities in bulk, in tank vehicles), from points in the U.S. (except AK and HI) to points in Bay County, FL, and *(2) iron and steel articles and pipe and materials, supplies and equipment* used in the manufacture and distribution of iron and steel articles and pipe (except commodities in bulk, in tank vehicles), between points in the U.S. (except AK and HI), Restricted in (2) to traffic originating at or destined to the facilities utilized by the Berg Steel Pipe Corp. (hearing site: Panama City or Pensacola, FL.)

MC 125777 (Sub-272F), filed May 9, 1980. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Ave., Gary, IN 46403. Representative: Joel H. Steiner, 39 South LaSalle St., Chicago, IL 60603. Transporting *ores and alloys*, in dump vehicles, from Baltimore, MD to points in the U.S. in and east of MN, IA, MO, AR and LA. (Hearing site: Chicago, IL.)

MC 128746 (Sub-63F), filed May 6, 1980. Applicant: D'AGATA NATIONAL TRUCKING CO., 3240 South 61st St., Philadelphia, PA 19153. Representative: Edward J. Kiley, 1730 M St., NW, Washington, DC 20036. (1) *malt beverages, in containers and (2)* materials and supplies used in the manufacture and distribution of malt beverages, (a) between Newark, NJ, on the one hand, and, on the other, points in CT, DE, GA, MA, MD, NC, NH, NY, OH, PA, RI, SC, VA, and VT, and (b) between points in Houston County, GA, on the one hand, and, on the other, points in NC, SC, VA, MD, OH, and PA. (Hearing site: Philadelphia, PA, or Washington, DC.)

MC 128837 (Sub-21F), filed May 2, 1980. Applicant: TRUCKING SERVICE, INC., P.O. Box 229, Carlinville, IL 62626.

Representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, IL 62701. Transporting *fabricated steel parts*, from Covington, KY to points in AL, IL, and IA, restricted to traffic originating at the facilities of The Borne Co., Inc., at Covington, KY. (Hearing site: St. Louis, MO, or Chicago, IL.)

MC 134467 (Sub-62F), filed May 12, 1980. Applicant: POLAR EXPRESS, INC., P.O. Box 845, Springdale, AR 72764. Representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. Transporting (1) *such commodities* as are dealt in by retail, discount, department or variety stores (except commodities in bulk), and (2) *materials, equipment and supplies* used in the conduct of businesses named in (1) (except commodities in bulk), from points in the U.S. (except AK and HI), to the facilities of Richway, a Division of Federated Department Stores, Inc., in GA, NC, TN, AL, SC, and FL. (Hearing site: Atlanta, GA, or Little Rock, AR.)

MC 134467 (Sub-63F), filed May 12, 1980. Applicant: POLAR EXPRESS, INC., P.O. Box 845, Springdale, AR 72764. Representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. Transporting (1) *such commodities* as are dealt in by converters, distributors, manufacturers and brokers of paper and paper products, (except in bulk), and (2) *materials, equipment and supplies* used in the conduct of businesses described in (1) (except in bulk), between points in the U.S. in and east of TX, OK, KS, MO, IA, and MN. (Hearing site: Atlanta, GA, or Little Rock, AR.)

MC 134467 (Sub-64F), filed May 12, 1980. Applicant: POLAR EXPRESS, INC., P.O. Box 845, Springdale, AR 72764. Representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. Transporting (1) *charcoal and charcoal briquettes*, and (2) *materials, equipment and supplies* used in the manufacture or distribution of such commodities (except commodities in bulk), between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to facilities utilized by Husky Industries, Inc. (Hearing site: Atlanta, GA, or Little Rock, AR.)

MC 135797 (Sub-329F), filed May 2, 1980. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul R. Bergant (same address as applicant). Transporting (1) *such commodities* as are dealt in or used by manufacturers of textiles and textile products, and (2) *materials, equipment and supplies* used in the manufacture and distribution of the commodities in (1), between points in KY, LA, OK, and MS, on the one hand, and, on the other, points in AR, CA, CO, OK, OR, UT, and WA, restricted to traffic originating at or destined to the facilities of Union Underwear. (Hearing site: Bowling Green, KY, or Washington, DC.)

MC 135797 (Sub-330F), filed May 12, 1980. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul R. Bergant (same address as applicant). Transporting *paper and paper products, cellulose and plastic film, plastic bags, paper backed with foil*, and *materials and supplies* used in the manufacture and distribution of the above named commodities, between the facilities of Crown Zellerback, at Florence, KY, Greensburg, IN, St. Louis (Hazelwood), MO, and Orange, TX, on the one hand, and, on the other, points in CA, IL, IN, KY, MO, OH, OR, and TX. (Hearing site: Albany, NY, or Washington, DC.)

MC 136877 (Sub-7F), filed May 5, 1980. Applicant: P & G MOTOR EXPRESS, INC., 601 Collinsville Ave., East St. Louis, IL 62201. Representative: Ernest A. Brooks II, 1301 Ambassador Bldg., St. Louis, MO 63101. Transporting *iron and steel articles*, between St. Louis, MO, on the one hand, and, on the other, points in IN, IA, WI, OH, MI, MO, and IL. (Hearing site: St. Louis, MO.)

MC 139906 (Sub-112F), filed May 6, 1980. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 30303, Salt Lake City, UT 84127. Representative: Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. Transporting (1) *such commodities* as are used or dealt in by grocery and food business houses (except in bulk), and (2) *materials, equipment and supplies* used in the manufacture and distribution of the commodities in (1), between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Lever Brothers Company. (Hearing site: Lincoln, NE, or Salt Lake City, UT.)

MC 141216 (Sub-8F), filed May 6, 1980. Applicant: DARREL K. OAKLEY, d.b.a. OAKLEY ENTERPRISES, P.O. Box 387, Rapid City, SD 57701. Representative: J. Maurice Andren, 1734 Sheridan Lake Rd., Rapid City, SD 57701. Transporting *plastic and paper containers*, set up, from Norfolk, NE and Powell, WY, to Rapid City, SD. (Hearing site: Rapid City, SD.)

MC 142757 (Sub-7F), filed May 12, 1980. Applicant: ROBERTSON TRUCKING, INC., P.O. Box 100, Elkhart, KS 67950. Representative: CLYDE N. CHRISTEY, Kansas Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612. Transporting *liquid fertilizer solutions*, from the facilities of Chevron Chemical Co., at or near Friend, KS, to points in CO, NE, OK, TX, and NM. (Hearing site: Kansas City, MO.)

MC 143127 (Sub-72F), filed May 17, 1980. Applicant: K. J. TRANSPORTATION, INC., 6070 Collett Rd., Victor, NY 14564. Representative: Linda A. Calvo (same address as applicant). Transporting (1) *such commodities* as are dealt in by grocery and food business houses, and *empty containers* (except commodities in bulk), and (2) *materials, supplies, and equipment* used in the manufacture, and distribution of commodities in (1) above (except commodities in bulk), between points in the U.S. in and east of ND, SD, NE, CO, OK and TX. (Hearing site: Buffalo, NY, or Louisville, KY.)

Note.—Dual operations may be involved.

MC 146646 (Sub-93F), filed May 5, 1980. Applicant: BROSTOW TRUCKING CO., INC., P.O. Box 6355 A, Birmingham, AL 35217. Representative: James W. Segrest (same address as applicant). Transporting *carpet and floor covering*, from Calhoun, Chatsworth, Dalton and Ringgold, GA, Norwood, MA, Trenton, NJ, and Philadelphia, PA, to the facilities of Presto Trims, Inc., at Detroit, MI. (Hearing site: Detroit, MI, or Birmingham, AL.)

MC 146646 (Sub-97F), filed May 16, 1980. Applicant: BRISTOW TRUCKING CO., INC., P.O. Box 6355 A, Birmingham, AL 35217. Representative: James W. Segrest (same address as applicant). Transporting *industrial cleaners, weed killers, insecticides and* products manufactured and distributed by Oxford Chemicals, Inc., at or near Chamblee, GA, between Chamblee, GA and Brisbane, CA, Camp Hill, PA, Charlotte, NC, Denver, CO, Hialeah, FL, Houston, TX, Indianapolis, IN, Keene, NH, Memphis, TN, Metairie, LA, and Reno, NV. (Hearing site: Atlanta, GA, or Birmingham, AL.)

MC 147467 (Sub-1F), filed May 4, 1980. Applicant: SUPERIOR CARTAGE OF OREGON, INC., 1830 S.E. Center St., Portland, OR 97202. Representative: David M. Westurn, P.O. Box 60100, Terminal Annex, Los Angeles, CA 90060. Transporting *general commodities* (except those of unusual value, classes A and B explosives, and those requiring special equipment) moving on bills of lading of freight forwarders subject to 49 USC § 10561, between points in ID, OR, and Clark and Cowlitz Counties, WA. (Hearing site: Los Angeles, CA, or Portland, OR.)

MC 149177 (Sub-2F), filed May 9, 1980. Applicant: FRANCIS POWELL

ENTERPRISES, INC., 106 Fifth Ave., Grove Hill, AL 36451. Representative: John R. Frawley, Jr., 5506 Crestwood Blvd., Birmingham, AL 35212. Transporting *lumber, plywood, particleboard, pressure-treated posts and pressure-treated lumber,* (1) between points in AL, on the one hand, and, on the other, points in FL, GA, LA, and MS, (2) from points in AL, to points in AR, IL, IN, IA, MI, MN, MO, NC, OH, SC, TN, TX, VA, WV, and WI, (3) from points in MS, to points in FL, GA, LA, and TN, and (4) from points in TX to points in AL, AR, FL, GA, MS, and TN. (Hearing site: Mobile or Birmingham, AL.)

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Decided: June 12, 1980.

By the Commissioner, Review Board Number 2, Members Chandler, Liberman and Eaton.

MC 16513 (Sub-17F), filed April 18, 1980. Applicant: REISCH TRUCKING & TRANSPORTATION CO., INC., 1301 Union Ave., Pennsauken, NJ 08110. Representative: Jeffrey A. Vogelman, Suite 400, Overlook Bldg., 6121 Lincolnia Rd., Alexandria, VA 22312. Transporting *corrugated fiberboard boxes and pulpboard boxes,* from Meriden, CT to points in NY. (Hearing site: New York, NY or Washington, DC.)

MC 32882 (Sub-148F), filed April 18, 1980. Applicant: MITCHELL BROS. TRUCK LINES, a corporation, 38941 North Columbia Boulevard, Portland, OR. Representative: David J. Lister, P.O. Box 17039, Portland, OR 97217. Transporting (1) *insulation and insulated panels and boards, and* (2) materials, equipment and supplies used in the installation except in bulk and manufacture of the commodities in above, between the facilities of Apache Building Products in (a) Davis County, UT and (b) Boone County, IL, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX. (Hearing site: Salt Lake City, UT.)

MC 37473 (Sub-28F), filed April 28, 1980. Applicant: DETROIT–PITTSBURGH MOTOR FREIGHT, INC., 1725 Miller Road, Dearborn, MI 48120. Representative: William B. Elmer, 21635 East Nine Mile Road, St. Clair Shores, MI 48080. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission and commodities in bulk), serving the facilities of Ford Motor Company at or near (a) Chicago, IL, (b) Detroit, Monroe, and Woodhaven, MI, (c) Cleveland and Maumee, OH, and Buffalo, NY, as off-route points in connection with applicant's otherwise authorized regular-route operations. (Hearing site: Detroit, MI.)

MC 71593 (Sub-69F), filed April 25, 1980. Applicant: FORWARDERS TRANSPORT, INC., 1608 E. Second St., Scotch Plains, NJ 07076. Representative: David W. Swenson (same address as applicant). Transporting *paper and paper products and materials and supplies used in the production* of paper and paper products, between Salinas, CA on the one hand, and, on the other, points in the U.S. (except AK and HI) restricted to traffic originating at or destined to the facilities of Salinas Valley Wax Company. (Hearing site: Newark, NJ or New York, NY.)

MC 87103 (Sub-55F), filed April 18, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., a corporation, P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Edward P. Bocko (same address as applicant). Transporting (1) *furnaces and furnace parts,* and (2) *equipment, materials, and supplies* used in the manufacture, production and distribution of the commodities in (1) above (except commodities in bulk), between the facilities of Surface Division of Midland Ross Corporation, at Toledo, OH, and Gladd Industries, Inc., at Detroit, MI, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the named facilities. (Hearing site: Columbus OH, or Washington, DC.)

MC 96992 (Sub-29F), filed April 21, 1980. Applicant: HIGHWAY PIPELINE TRUCKING, P.O. Box 1517, Edinburg, TX 78539. Representative: Kenneth R. Hoffman, P.O. Box 2165, Austin, TX 78768. Transporting *such commodities* as are dealt in or used by manufacturers of photographic products (1) from the facilities of Eastman Kodak Company at Rochester, NY, to the facilities of Eastman Kodak Company at (a) Chamblee, GA, and (b) Dallas, TX, and between (2) the facilities of Eastman Kodak Company at Rochester, NY, and Laredo, TX. (Hearing site: Dallas, TX.)

MC 103993 (Sub-1043F), filed April 18, 1980. Applicant: MORGAN DRIVE-AWAY, INC., 28651 U.S. 20 West, Elkhart, IN 46515. Representative: James B. Buda (same address as applicant). Transporting *pre-cut log homes,* from Rowan and Stanly Counties, NC, to those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX. (Hearing site: Charlotte, NC.)

MC 105813 (Sub-273F), filed April 18, 1980. Applicant: BELFORD TRUCKING CO., INC., 1759 S.W. 12th St., P.O. Box 2009, Ocala, FL 32670. Representative: Arnold L. Burke, 180 North LaSalle Street, Chicago, IL 60601. Transporting *alcoholic liquors* and (2) *materials, equipment, and supplies* used in the manufacture and distribution (except in bulk in tank vehicles) from Bardstown, KY, New Orleans, LA, and Ft. Smith, AR, to points in GA and FL. (Hearing site: Chicago, IL.)

MC 107012 (Sub-523F), filed April 28, 1980. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: Bruce W. Boyarko (same address as applicant). Transporting *air coolers, air conditioners, and parts and accessories* for air coolers and air conditioners, from the facilities of General Electric Co., at or near Columbia, TN, to points in AL, AZ, AR, CA, CO, FL, GA, ID, IA, KS, KY, LA, MN, MS, NV, NM, NC, OK, SC, SD, TX, UT, VA, and WY. (Hearing site: Nashville, TN or Atlanta, GA.)

MC 107012 (Sub-524F), filed April 28, 1980. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same address as applicant). Transporting *insulating materials and commodities* used in the installation of insulating materials, from Fontana, CA, to points in AZ and NV, and from Pueblo, CO, to points in ID, NM, MT, UT, and WY. (Hearing site: Denver, CO or Washington, DC.)

MC 107012 (Sub-525F), filed April 29, 1980. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same address as applicant). Transporting *carpet,* from the facilities or Mohasco Corporation, at or near (a) East Dublin, GA, and (b) Dillon, SC, to points in CT, DE, IA, KY, MD, MA, MN, NJ, NY, PA, and RI. (Hearing site: New York, NY or Washington, DC.)

MC 107403 (Sub-1332F), filed April 28, 1980. Applicant: MATLACK, INC., Ten West Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same address as applicant). Transporting *petroleum and petroleum products,* in bulk, in tank vehicles, from Shreveport, LA, to points in the U.S. (except AK and HI). (Hearing site: Washington, DC.)

MC 107403 (Sub-1336F), filed April 25, 1980. Applicant: MATLACK, INC., Ten West Baltimore Ave., Lansdowne, PA, 19050. Representative: Martin C. Hynes, Jr. (same address as applicant). Transporting *liquid chemicals* in bulk, in tank vehicles, from Taft, LA, to points in the U.S. (except AK and HI). (Hearing site: Washington, DC.)

MC 116063 (Sub-166F), filed April 25, 1980. Applicant: WESTERN-COMMERCIAL TRANSPORT, INC., P.O. Box 270, Fort Worth, TX 76101. Representative: W. H. Cole (same address as applicant). Transporting *fruit juice concentrates*, in bulk, in tank vehicles, between San Antonio, TX, on the one hand, and, on the other, points in CA, CO, FL, IL, KS, MI, MO, and NJ. (Hearing site: Fort Worth or San Antonio, TX.)

MC 118803 (Sub-18F), filed April 4, 1980. Applicant: ATLANTIC TRUCK LINES, INC., 168 Town Line Road, Kings Park, NY 11754. Representative: Morton E. Kiel, Suite 1832, 2 World Trade Center, New York, NY 10048. *Contract carrier*, transporting *such commodities* as are dealt in or used by manufacturers and distributors of photographic products (except in bulk), between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities used by Chemco Photoproducts Company division of Powers Chemco, Inc., under continuing contract(s) with Chemco Photoproducts Company division of Powers Chemco, Inc., at Glen Cove, NY. (Hearing site: New York, NY.)

MC 125433 (Sub-410F), filed April 18, 1980. Applicant: F-B TRUCK LINE COMPANY, a corporation, 1945 South Redwood Rd., Salt Lake City, UT 84104. Representative: John B. Anderson (same address as applicant). Transporting (1) *outdoor recreational equipment and materials* used in the manufacture, distribution and assemblage of outdoor recreational equipment, between the facilities of The Coleman Company, at or near New Braunfels, TX, on the one hand, and, on the other, points in the U.S. (except AK and HI); and (2) *sailboats*, and *materials* used in the manufacture, distribution, and assemblage of sailboats, between the facilities of The Coast Catamaran Corporation, at or near Oceanside, CA, on the one hand, and, on the other, points in the U.S. (except AK and HI). (Hearing site: Chicago, IL.)

MC 125433 (Sub-411F), filed April 21, 1980. Applicant: F–B TRUCK LINE COMPANY, a corporation, 1945 South Redwood Rd., Salt Lake City, UT 84104. Representative: John B. Anderson (same address as applicant). Transporting *stoves*, from Reno, NV, to points in the U.S. (except AK and HI), restricted to traffic originating at the facilities of Silver Bears, Inc. (Hearing site: Phoenix, AZ.)

MC 135803 (Sub-14F), filed April 25, 1980. Applicant: WALLACE TRANSPORT, 9290 E. Hwy 140 (P.O. Box 67), Planada, CA 95365. Representative: Donald M. Fennel (same address as above). Transporting *plastic and rubber articles and materials* used in the manufacture of plastic and rubber articles, between the facilities of Packer West at or near Reno, NV, and points in CA. (Hearing site: San Francisco, CA.)

MC 138322 (Sub-23F), filed April 29, 1980. Applicant: BHY TRUCKING, INC., 9231 Whitmore Street, El Monte, CA 91733. Representative: Bobbie F. Albaness, 13215 E. Penn St., Suite 310, Whittier, CA 90602. Transporting *cooling towers and condensers* between the facilities of Baltimore Aircoil of California at Madera, CA, on the one hand, and, on the other, those points in the U.S. west of a line beginning at the mouth of Mississippi River and extending north along the Mississippi River to the southern boundary of Itasca County, MN, then east to the eastern boundaries of Itasca and Koochiching Counties, MN to the international boundary line between the U.S. and Canada (except AK and HI). (Hearing site: Los Angeles or San Francisco, CA.)

MC 138322 (Sub-24F), filed April 30, 1980. Applicant: BHY TRUCKING, INC., 9231 Whitmore Street, El Monte, CA 91733. Representative: Bobbie F. Albaness, 13215 E. Penn St., Suite 310, Whittier, CA 90602. Transporting (1) *knocked down metal buildings*, (2) *materials* used in the manufacture and assembly of metal buildings and (3) *damaged metal buildings* between the facilities of Varco Pruden Division of AMCA International in Stanislaus County, CA, on the one hand, and, on the other, points in AZ, CO, ID, MT, NM, NV, OR, TX, UT, WA and WY. (Hearing site: Los Angeles or San Francisco, CA.)

MC 138762 (Sub-54F), filed April 18, 1980. Applicant: MUNICIPAL TANK LINES LIMITED, P.O. Box 3500, Calgary, Alberta Lake Avenue, Canada T2P 2Pg. Representative: Ray F. Koby, 314 Montana Building, Great Falls, MT 59401. In foreign commerce only transporting *chlorinated trisodium phosphate*, in bulk, in tank vehicle, from ports of entry on the line between the U.S. and Canada international boundary to St. Louis, MO; Quincy, IL, and Baltimore, MD. (Hearing site: Buffalo, NY or Washington, DC.)

MC 141033 (Sub-66F), filed April 29, 1980. Applicant: CONTINENTAL CONTRACT CARRIER CORP., P.O. Box 1257, 15045 East Salt Lake Avenue, City of Industry, CA 91749. Representative: James I. Mendenhall (same address as above). Transporting *such commodities* as are dealt in by pharmaceutical house (except commodities in bulk) from Norwich and North Norwich, NY, and Greenville, SC, to points in the U.S. (except AK and HI) and (2) *materials, supplies and equipment* used in the manufacture, sale, and distribution of the commodities in (1) above (except commodities in bulk) in the reverse direction. (Hearing site: New York, NY or Washington, DC.)

MC 141293 (Sub-4F), filed April 18, 1980. Applicant: J.R.R.W. TRANSPORT, INC., P.O. Box 5186, Coralville, IA 52241. Representative: Kenneth F. Dudley, P.O. Box 279, Ottumwa, IA 52501. *Contract carrier*, transporting (1) *such commodities* as are dealt in or used by food brokers and distributors, and (2) *commodities* which are otherwise exempt from economic regulation, when moving in the same vehicle and at the same time with the commodities in (1) above, in containers, between points in the U.S. (except AK and HI), under continuing contract(s) with J. M. Swank Co., Inc. of Iowa City, IA, and San Antonio Foreign Trading Company of San Antonio, TX. (Hearing site: Chicago, IL.)

MC 142452 (Sub-4F), filed April 20, 1980. Applicant: RIMAR TRANSPORT, INC., 850 Curie Road, North Brunswick, NJ 08902. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street NW, Washington, DC 20001. *Contract carrier*, transporting (1) *such commodities* as are dealt in by manufacturers of aluminum wire, brass wire, and copper wire, cable, rods and cord sets, pipe, and attachments therefor, strip steel, plastic granules or pellets (except commodities in bulk), and (2) *materials, equipment and supplies* used in the manufacture or distribution of the commodities in (1) above (except commodities in bulk), between the facilities of Triangle PWC, Inc., at (a) New Brunswick, NJ, (b) Jewett City and Montville, CT, and (c) Glen Dale, WV, on the one hand, and, on the other, points in the U.S. (except AK and HI), under continuing contract(s) with Triangle PWC, Inc. (Hearing site: Trenton, NJ.)

MC 142452 (Sub-5F), filed April 20, 1980. Applicant: RIMAR TRANSPORT, INC., 850 Curie Road, North Brunswick, NJ 08902. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, NW., Washington, DC 20001. *Contract carrier*, transporting *expanded plastic foam insulating materials*, from Linden, NJ, to points in WV, TN, KY, NC, SC, GA, FL, AL and MS, under continuing contract(s) with Apache Foam Products, Division of Millmaster Onyx Corp, of Linden, NJ. (Hearing site: Trenton, NJ.)

MC 142672 (Sub-132F), filed April 29, 1980. Applicant: DAVID BENEUX

PRODUCE & TRUCKING, INC., P.O. Drawer F, Mulberry, AR 72947. Representative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701. Transporting *household compressors,* from Tecumseh, MI, and Tupelo, MS, to Ft. Smith, AR. (Hearing site: Ft. Smith, AR.)

MC 143473 (Sub-2F), filed April 21, 1980. Applicant: TRI-COUNTY DELIVERY, INC., 3627 Buena Vista Drive, SE., Hubbard, OH 44425. Representative: Lewis S. Witherspoon, 88 East Broad Street, Columbus, OH 43215. Transporting *such commodities* (except commodities in bulk) as are dealt in by electrical, appliance, department, plumbing, musical instrument, and sporting goods stores between points in Mahoning and Trumbull Counties, OH, on the one hand, and, on the other, points in PA and WV. (Hearing site: Youngstown, OH.)

MC 143693 (Sub-9F), filed April 18, 1980. Applicant: DFC TRUCKING CO., a corporation, 17872 Cartwright Road, Irvine, CA 92705. Representatives: Floyd L. Farano, 2555 E. Chapman Avenue, Suite 415, Fullerton, CA 92631. Alan F. Wohlstetter, 1700 K Street, N.W., Washington, D.C. 20006. *Contract carrier,* transporting (1) *foodstuffs* from Moses Lake, Othello, Puyallup, and Tacoma, WN; Eugene, OR, Nampa and Pocatello, ID, Denver, CO, Houston, TX, West Liberty, IA, Independence, MO, and Winter Havan, FL, to points in CA, TX, IL, NJ, and FL; (2) *paper products* from Savannah, GA, and Little Rock, AR, to points in CA, TX, IL, NJ, and FL; (3) *meats* between points in TX, on the one hand, and on the other, points in WN, CA, ID, UT, and CO; (4) *equipment, materials, and supplies* used in the manufacture and sale of doughnuts, from points in WA, OR, CA, ID, UT, CO, ND, SD, NE, KS, TX, AR, MN, WI, IA, and IL to points in OR, CA, CO, TX, KS, MO, MN, IL, and OH, and (5) *frozen turkeys,* when moving with commodities the transportation of which is subject to economic regulation, from Turlock, CA, to points in CA, IL, FL, TX, and NJ, under continuing contract(s) with Proficient Food Co., Porion-Trol Foods, Inc., Delly Food Co., Chef Francisco, and Winchell's Donuts. (Hearing site: Los Angeles, CA, or Dallas, TX.)

MC 144622 (Sub-167F) filed April 18, 1980. Applicant: GLENN BROTHERS TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: Phillip G. Glenn (same address as applicant). Transporting (1) *power operated saws, internal combustion engines, generators, string trimmers, plastic articles, petroleum products and* (b) parts (2) *materials and supplies used in the manufacture and distribution* of commodities in (1) (except commodities in bulk), betwen Los Angeles, CA, and Lake Havasu City, AZ, on the one hand and, on the other hand, points in the U.S. (except AK and HI). (Hearing site: Little Rock, AR.)

Note.—Dual operations may be involved.

MC 145072 (Sub-39F) filed April 21, 1980. Applicant: M. S. CARRIERS, INC., 1797 Florida Street, Memphis, TN 38109. Representative: A. Doyle Cloud Jr., 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 48137. Transporting *television, microwave ovens, stereos, and electronic equipment* and (2) *materials, equipment and supplies* used in the manufacture of the commodities in (1) between Memphis, TN, on the one hand and, on the other points in the U.S. in and east of MN, IA, KS, OK, and TX, restricted to traffic originating at or destined to the facilities of Sharp Manufacturing Company of America (S.M.C.A.). (Hearing site: Memphis, TN.)

Note.—Dual operations may be involved.

MC 145133 (Sub-2F) filed April 21, 1980. Applicant: KALLAM TRANSFER CO., INC., P.O. Box 11241, Charlotte, NC 28220. Representative: Paul F. Sullivan, 711 Washington Building, Washington, DC 20005. Transporting *household goods as defined by the Commission* between points in Mecklenburg County, NC, on the one hand and, on the other points in NY, NJ, DE, PA, MD, VA, SC, AL, GA, TN, OH, IN, IL, FL and DC. (Hearing site: Charlotte, NC.)

MC 145603 (Sub-3F) filed April 28, 1980. Applicant: B & H TRUCKING CO., INC., 570 West 17th Street, Indianapolis, IN 46202. Representative: James L. Beattey, 300 East Fall Creek Pkwy., Suite 403, Indianapolis, IN 46205. Transporting *lead and lead products from Indianapolis, IN,* to points in MI, OH, KY, IL, WI, MN, IA, PA, NC, WV, VA, and TN and (2) *scrap batteries* in the reverse direction. (Hearing site: Indianapolis, IN.)

MC 14603 (Sub-9F) filed April 29, 1980. Applicant: COLO-TEX INDUSTRIES, INC., 1325 West Quincy Avenue, Wolcott, IN 47995, Englewood, CO 80110. Representative: Wm. Fred Cantonwine, 6785 E. 50th Avenue, Suite 201, Commerce City, 80022. Transporting *meats, meat by-products* and *articles distributed by meat packing houses* (except hides and commodities in bulk, in tank vehicles) from Denver, CO, to points in AL, CA, CT, DE FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MO, NE, NV, NH, NJ, NM, NY, NC, OH, OK, PA, RI, SC, TN, TX, UT, VT, VA, WV and WI. (Hearing site: Denver, CO.)

MC 146753 (Sub-10F) filed April 14, 1980. Applicant: SAM YOUNG, INC., P.O. Box 337, Wolcott, In 47995. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of sound recordings (except in bulk) between Los Angeles, CA, Detroit and Madison Heights, MI, Jacksonville, Chicago, Niles, and Bensonville, IL, Atlanta, GA, Phoenix, AZ, and Dallas, TX. (Hearing site: Los Angeles, CA.)

Note.—Dual operations may be involved.

MG 146753 (Sub-12F) filed April 22, 1980. Applicant: SAM YOUNG, INC., P.O. Box 337, Wolcott, In 47995. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of sound recordings (except in bulk) from Chicago except AK and HI, from Chicago, IL and Passaic, NJ points in the U.S. and (2) *materials equipment supplies* used in the manufacture and distribution of the commodities named in (1) above in the reverse direction. (Hearing site: Chicago, IL.)

Note.—Dual operations may be involved.

MC 147323 (Sub-14F) filed April 29, 1980. Applicant: HADDAD TRANSPORTATION, INC., 5000 Wyoming Ave., Dearborn, MI 48126. Representative: John P. Haddad (same as above). Transporting *iron and steel articles,* and (2) *equipment materials and supplies* used in the production or distribution of the commodities in (1) above (except commodities in bulk), between the facilities of Kasle Steel Corp., at Dearborn, MI, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to the traffic originating at or destined to the named facilities originating at or destined to the named facilities. (Hearing site: Detroit, MI, or Washington, DC.)

Note.—Dual operations may be involved.

MC 147323 (Sub-15F), filed April 29, 1980. Applicant: HADDAD TRANSPORTATION, INC., 5000 Wyoming Ave., Dearborn, MI 48126. Representative: John P. Haddad (same address as above). Transporting *such commodities,* as are dealt in as used by manufacturers and distributors of iron and steel articles (except commodities in bulk) between points in the U.S. (except AK and HI), to the traffic originating at or destined to facilities used by Geoffrey Metals, Inc. (Hearing site: Chicago, IL, or Detroit, MI.)

Note.—Dual operations may be included.

MC 148193 (Sub-2F), filed April 18, 1980. Applicant: S&B TRUCKING, INC., 204 E. Robert Toombs Avenue, Washington, GA 30673. Representative: Frank D. Hall, Suite 713, 3384 Peachtree Rd., N.E., Atlanta, GA 30326. *Contract carrier, transporting plastic film and plastic sheeting,* from the facilities of Edison Plastic Company, at or near Washington, GA, to points in Florida, South Carolina, Tennessee, North Carolina, Virginia, Kentucky, Ohio, Michigan, Indiana, and Illinois, under continuing contract(s) with Edison Plastic Company. (Hearing site: Atlanta, GA.)

MC 146643 (Sub-41F), filed April 18, 1980. Applicant: INTER-FREIGHT TRANSPORTATION, INC., 655 East 114th St., Chicago, IL 60628. Representative: Marc J. Blumenthal, 39 S. LaSalle St., Chicago, IL 60603. *Contract carrier, irregular routes;* transporting (1) *foodstuffs* (except in bulk), between points in MN, MO, KS, IA, IL, IN, WI, OH, and PA, under continuing contract(s) with D.S.M. Food Products, Inc., of Detroit, MI and (2) *flour,* in bags, from points in MN to points in the Lower Peninsula of MI, under continuing contract(s) with Hubbard Milling. (Hearing site: Chicago, IL.)

Note.—Dual operations may be involved.

MC 148833 (Sub-3F), filed April 28, 1980. Applicant: REBEL EXPRESS, INC., Box 98, Dawson, IA 50066. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. Transporting *frozen foodstuffs,* from the facilities of Kitchens of Sara Lee at (a) Deerfield and Chicago, IL, and (b) New Hampton, IA, to points in AZ, CA, and NV. (Hearing site: Chicago, IL.)

MC 148973 (Sub-5F), filed April 28, 1980. Applicant: ELSBERY TRANSPORT, INC., P.O. Box 3, Albert City, IA 50510. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. Transporting *feed ingredients,* in bulk, (1) from points in IA, KS, MN, MO, and NE, to the facilities of Kent Feeds at (a) Rockford and Beardstown, IL, (b) Logansport, IN, (c) Marshall, MO, and (d) Muscatine, Altoona, Estherville, Sioux City, and Waterloo, IA, and (2) from the facilities of Grain Processing Corporation, at Muscatine, IA, to points in IL, MN, MO, NE, and SD. (Hearing site: Minneapolis, MN, or Omaha, NE.)

MC 148973 (Sub-6F), filed April 28, 1980. Applicant: ELSBERY TRANSPORT, INC., P.O. Box 3, Albert City, IA 50510. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. Transporting (1) *dry meat, bone, meat scraps, and bloodmeal,* in bulk, (a) from Sioux City, Storm Lake, Cherokee, and LeMars, IA, to points in AR, KS, MN, MO, OK, NE, and SD, and (b) Dakota City, Omaha, La Platte, and Bellevue, NE, to points in AR, IA, KS, MN, MO, OK, and SD; and (2) *feed, feed ingredients, grain, soybean oil, and seed products and by-products* (except in bulk, in tank vehicles), from Minneapolis and Red Wing, MN, to points in IA, IL, KS, MO, NE, and SD. (Hearing site: Minneapolis, MN, or Omaha, NE.)

MC 150382 (Sub-1F), filed April 28, 1980. Applicant: S & L, INC., Enderlin, ND 58027. Representative: Kip B. H. Erickson, 502 First National Bank Bldg., Fargo, ND 58126. Transporting *fertilizer* and *fertilizer ingredients,* and *animal feed* and *animal feed ingredients,* (except in bulk, in tank vehicles), from points in MN, to points in ND. (Hearing site: Fargo, ND, or St. Paul, MN.)

MC 150623F, filed April 18, 1980. Applicant: C.M.C. TRANSPORT, INC., R.R. 3, Tipton, IN 46072. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Transporting *petroleum products,* from Huntington, IN, to St. Marys, Celina, Defiance, Bryan, and Van Wert, OH. (Hearing site: Indianapolis, IN.)

MC 150682, filed April 28, 1980. Applicant: KEDASHAW, INC., P.O. Box 246, Kensington, KS 66951. Representative: Erle W. Francis, Esq., Suite 719, 700 Kansas Avenue, Topeka, KS 66603. Transporting (1) *cheese, whey, whey protein and milk* (a) from Hebron, Oxford and Dodge, NE, to points in AZ, CO, IL, IA, KS, LA, MO, ND, UT, TX, and (2)(a) *packaging materials* from Des Moines, IA, and (b) *cheese ingredients* from points in KS to Dodge, Hebron, Oxford and Ravenna, NE. (Hearing site: Lincoln, NE, or Kansas City, MO.)

MC 150713 (Sub-1F), filed April 28, 1980. Applicant: I-FILL'ER-UP, INC., P.O. Box 9718, Greensboro, NC 27408. Representative: Terrell C. Clark, P.O. Box 25, Stanleytown, VA 24168. Transporting *petroleum and petroleum products* (except petrochemicals), in bulk, in tank vehicles, (1) from Points in Spartanburg County, SC, to points in NC, (2) from points in Mecklenburg and Johnston Counties, NC, to points in SC. (Hearing site: Greensboro, NC, or Washington, DC.)

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Decided: June 20, 1980.

By the Commission, Review Board Number 1, Members Carleton, Joyce, and Jones.

MC 47583 (Sub-126F), filed May 27, 1980. Applicant: TOLLIE FREIGHTWAYS, INC., 1020 Sunshine Road, Kansas City, KS 66115. Representative: D. S. Hults P.O. Box 225, Lawrence, KS 66044. Transporting *building materials* (except in bulk), between points in the U.S. (except AK and HI). Restricted to traffic originating at or destined to facilities of E. O. Wood Co. (Hearing site: Kansas City, MO.)

MC 61403 (Sub-290F), filed May 27, 1980. Applicant: THE MASON AND DIXON TANK LINES, INC., P.O. Box 969, Kingsport, TN 37662. Representative: W. C. Mitchell, Suite 1201, 370 Lexington Avenue, New York, NY 10017. Transporting *chemicals,* in bulk, in tank vehicles, from the plant site of PPG Industries, Inc., at or near Lake Charles, LA to points in the U.S. (except AK and HI). (Hearing site: Pittsburgh, PA.)

MC 72243 (Sub-65F), filed June 9, 1980. Applicant: THE AETNA FREIGHT LINES, INC., 2507 Youngstown Road, S.E., Box 350, Warren, OH 44482. Representative: Leroy Hallman, 4555 First National Bank Building, Dallas, TX 75202. Transporting *iron and steel articles* (a) from the facilities of Sunbelt Pipe Corporation at or near Houston, TX to points in AL, AR, IL, IN, KY, LA, MS, MO, OH, OK, PA and TN; and (b) from the facilities of Intercontinental Metals Corporation in Houston, TX to points in AL, AR, KS, LA, MS, and OK. (Hearing site: Houston, TX.)

MC 72243 (Sub-66F), filed June 9, 1980. Applicant: THE AETNA FREIGHT LINES, INC., 2507 Youngstown Road, S.E., Box 350, Warren, OH 44482. Representative: Leroy Hallman, 4555 First National Bank Building, Dallas, TX 75202. Transporting *iron and steel articles,* from the facilities of Intercontinental Metals Corporation at Merrero and New Orleans, LA, to points in TX. (Hearing site: Washington, DC, or Houston, TX.)

MC 72243 (Sub-67F), filed June 9, 1980. Applicant: THE AETNA FREIGHT LINES, INC., 2507 Youngstown Road, S.E., Box 350, Warrent, OH 44482. Representative: Leroy Hallman, 4555 First National Bank Building, Dallas, TX 75202. Transporting *equipment, materials, and supplies* used in or in connection with the production, construction, operation, repair, servicing, maintenance, dismantling, and transmission of air, water, liquids, gasses and sewerage systems or installations, fire brick and fire brick shapes; (a) Between the facilities of Clow Corporation at or near Buckhannon, WV; Birmingham, AL; Coshocton, and Parral, OH; Richwood, KY; Talladega County, AL; and Westmont, IL, and points in Talladega

County, AL; (b) Between the facilities of Clow Corporation, described in (a) above, on the one hand, and on the other, points in the U.S. (except AK and HI); (c) Between the facilities of Clow Corporation at Columbia, MO, on the one hand, and, on the other, points in the U.S. (except IL, IN, IA, KS, KY, MI, MO, NE, OK, TN, WI, AK, AR, and HI). (Hearing site: Washington, DC.)

MC 87103 (Sub-73F), filed June 6, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., a corporation, P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Edward P. Bocko (same address as applicant). Transporting (1) *Pressure vessels, tanks, piping systems and headers, support structures and hoppers, chemical and food processing equipment, machinery and machine bases, shielded shipping and storage containers, weldments, nuclear power generation components,* and *recuperators, fired heaters, heat exchangers* and *water softening and filtration equipment* and, (2) *equipment, materials and supplies* used in the manufacture, and distribution of the commodities named in (1) above (except commodities in bulk), between the facilities of Ionics, Incorporated, at Bridgeville, PA on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the named facilities. (Hearing site: Philadelphia, PA, or Washington, DC.)

Note.—Dual operations may be involved.

MC 87103 (Sub-74F), filed June 6, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., a corporation, P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Edward P. Bocko (same address as applicant). Transporting (1) *foundry molding machinery and parts* and (2) *equipment, materials and supplies* used in the manufacture and distribution of the commodities named in (1) above (except commodities in bulk) between the facilities of The Herman Corporation at Zelienople, PA, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the named facilities. (Hearing site: Philadelphia, PA, or Washington, DC.)

Note.—Dual operations may be involved.

MC 87103 (Sub-75F), filed June 6, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., a corporation, P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Edward P. Bocko (same address as applicant). Transporting (1)(a) *machinery,* and (b) *parts* for machinery, and (2) *equipment, materials, and supplies* used in the manufacture, production or distribution of the commodities in (1) above (except commodities in bulk), between the facilities of G. A. Gray Co., at Cincinnati, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the named facilities. (Hearing site: Cincinnati, OH, or Washington, DC.)

Note.—Dual operations may be involved.

MC 87103 (Sub-76F), filed June 9, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., a corporation, P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Edward P. Bocko (same address as applicant). Transporting (1)(a) *forging machinery,* and (b) *parts* for forging machinery, and (2) *equipment, materials and supplies* used in the manufacture and distribution of the commodities named in (1) above (except commodities in bulk) between the facilities of National Machinery Co. at Tiffin, OH, Clarksburg, WV, and Rockford, IL on the one hand, and, on the other, points in the U.S. (except AK and HI) restricted to traffic originating at or destined to the named facilities. (Hearing site: Cleveland, OH, or Washington, DC.)

Note.—Dual operations may be involved.

MC 87103 (Sub-77F), filed June 9, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., a corporation, P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Edward P. Bocko (same address as applicant). Transporting (1)(a) *metal working and metal forming machinery* and (b) *parts* for (a) 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 Cauffiel Machinery at Toledo, OH on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the named facilities. (Hearing site: Cleveland, OH, or Washington, DC.)

Note.—Dual operations may be involved.

MC 87103 (Sub-78F), filed June 9, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., a corporation, P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Edward P. Bocko (same address as applicant). Transporting (1) *machinery,* (2)(a) *overhead cranes,* and (b) *parts* for (a), and (3) *equipment, materials and supplies* used in the manufacture and distribution of the commodities named in (1) and (2) above (except commodities in bulk), between the facilities of Cleveland Crane & Engineering at Wickliffe, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI) restricted to the traffic originating at or destined to the named facilties. (Hearing site: Cleveland, OH, or Washington, DC.)

Note.—Dual operations may be involved.

MC 87103 (Sub-80F), filed June 9, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., a corporation, P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Edward P. Bocko (same address as applicant). Transporting (1)(a) *corrugated box making machinery,* and (b) *parts* for (a), and (2) *equipment, materials and supplies* used in the manufacture or distribution of the commodities named in (1) above (except commodities in bulk) between the facilities of Ward Machinery Co., Inc. at Cockeysville, MD on the one hand, and, on the other, points in the U.S. (except AK and HI) restricted to traffic originating at or destined to the named facilities. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

MC 87103 (Sub-81F), filed June 9, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., a corporation, P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Edward P. Bocko (same address as applicant). Transporting (1)(a) *plastic injection molding machines,* and (b) *parts* for (a), and (2) *equipment, materials and supplies* used in the manufacture, or distribution of the commodities named in (1) above (except commodities in bulk) between the facilities of Lester Engineering Co. at Cleveland, OH on the one hand, and, on the other, points in the U.S. (except AK and HI) restricted to traffic originating at or destined to the named facilities. (Hearing site: Cleveland, OH, or Washington, DC.)

Note.—Dual operations may be involoved.

MC 110683 (Sub-179F), filed May 22, 1980. Applicant: SMITH'S TRANSFER CORP., P.O. Box 1000, Staunton, VA 24401. Representative: Francis W. McInerny, Suite 502, 1000 16th St., N.W., Washington, D.C. 20036. Over regular routes, transporting *general commodities (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment):* (A) Between Evansville, IN, and Rockford, IL, serving Aurora, Elgin, Streator, Kewanee, IL, as off-route points, from Evansville over U.S. Hwy. 41 to its junction with Interstate Hwy 90, then over Interstate Hwy 90 to its junction with U.S. Hwy. 20, then over U.S. Hwy. 20 to Rockford, and return over the same route, (B) Between Evansville, IN, and Davenport, IA, serving Streator, Kewanee, East Dubuque, East Moline, Moline, and Rock Island, IL, as intermediate or off-route points: from

Evansville over U.S. Hwy. 41 to its junction with Interstate Hwy 74, then over Interstate Hwy 74 to Davenport, and return over the same route, (C) Between Evansville, IN, and Kansas City, KS, serving Kansas City, MO, as an intermediate point and serving St. Joseph, MO, and Topeka, KS, as off-route points, From Evansville over U.S. Hwy. 41 to its junction with Interstate Hwy 64, then over Interstate Hwy 64 to its junction with Interstate Hwy 70, then over Interstate Hwy 70 to Kansas City, and return over the same route, (D) Between Evansville, IN, and Council Bluffs, IA, serving St. Joseph, MO; Lincoln and South Sioux City, NE, as off-route points, from Evansville over U.S. Hwy. 41 to its junction with Interstate Hwy 64, then over Interstate Hwy 64 to its junction with Interstate Hwy 70, then over Interstate Hwy 70 to its junction with Interstate Hwy 29, then over Interstate Hwy 29 to Council Bluffs, and return over the same route, (E) Between Indianapolis, IN, and Council Bluffs, IA, serving all intermediate points in IA, and serving Kewanee, Streator, Rock Island, Moline, East Moline, Joliet, Aurora, and Elgin, IL; and Lincoln and South Sioux City, NE, as off-route points, From Indianapolis, IN, over Interstate Hwy 74 to its junction with Interstate Hwy 80, then over Interstate Hwy 80 to Council Bluffs, and return over the same route, (F) Between Indianapolis, IN, and Kansas City, KS, over Interstate Hwy 70, serving Kansas City, MO, as an intermediate point, and serving St. Joseph, MO, and Topeka, KS, as off-route points, (G) Between Lafayette, IN, and Davenport, IA, serving Streator, Kewanee, Rock Island, Moline, East Moline, Joliet, Aurora, and Elgin, IL; and Crawfordsville, IN, as off-route points, From Lafayette over U.S. Hwy. 52 to its junction with U.S. Hwy. 24, then over U.S. Hwy. 24 to its junction with Interstate Hwy 74, then over Interstate Hwy 74 to Davenport, and return over the same route, (H) Between Lafayette, IN, and Kansas City, KS, serving Kansas City, MO, as an intermediate point, and St. Joseph, MO; Topeka, KS; and Crawfordsville, IN, as off-route points, From Lafayette over IN Hwy 25 to its junction with IN Hwy 28, then over IN Hwy 28 to its junction with U.S. Hwy. 41, then over U.S. Hwy. 41 to its junction with Interstate Hwy 70, then over Interstate Hwy 70 to Kansas City, and return over the same route. (I) Between Ft. Wayne, IN, and Kansas City, KS, serving Kansas City, MO, as an intermediate point, From Ft. Wayne over Interstate Hwy 69 to its junction with Interstate Hwy 465, then over Interstate Hwy 465 to its junction with Interstate Hwy 70, then over Interstate Hwy 70 to Kansas City, KS, and return over the same route, and serving all points in Iowa as intermediate and off-route points in connection with carrier's authorized regular-routes. NOTE: The purpose of this application is to convert irregular-route authority to regular route. (Hearing site: Washington, DC.)

MC 110683 (Sub-18F), filed May 27, 1980. Applicant: SMITH'S TRANSFER CORP., P.O. Box 1000, Staunton, VA 24401. Representative: Francis W. McInerny, Suite 502, 1000 16th St. NW, Washington, DC 20036. Over regular routes, transporting *general commodities* (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment), serving points in Claiborne, Union, Grainger, Jefferson, and Knox Counties, TN, as intermediate or off-route points in connection with carrier's authorized regular route. (Hearing site: Knoxville, TN, or Washington, DC.)

Note.—Tacking is intended.

MC 110683 (Sub-181F), filed May 27, 1980. Applicant: SMITH'S TRANSFER CORP., P.O. Box 1000, Staunton, VA 24401. Representative: Francis W. McInerny, Suite 502, 1000 16th St. NW, Washington, DC 20036. Transporting *general commodities* (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment), serving as off-route points (1) those (a) in Penobscot County, ME, on and south of ME Hwy 6; those in Piscataquis County on and south of ME Hyw 16; (b) in Somerset County, ME, on and south of ME Hwy 16; (c) in Franklin County, ME, on and south of U.S. Hwy 2; and (d) in Oxford County, ME, on and south of ME Hwy 117; and (2) points in Waldo, Kennebec, Knox, Lincoln, Androscoggin, Sagadahoc, and Cumberland Counties, ME. (Hearing site: Washington, DC, or Agusta, ME.)

Note.—Tacking and interlining is intended.

MC 117693 (Sub-5F), filed June 2, 1980. Applicant: CLAY TRUCKING, INC., R.D. #1, Ephrata, PA 17522. Representative: Christian V. Graf, 407 N. Front St., Harrisburg, PA 17101. Transporting *brick* from (1) Wyomissing, PA, to points in MD, VA, WV, OH, and DC; (2) Manassas, VA, to points in PA, NJ, NY, CT, MA, and DE; (3) Morral, OH, and Caledonia, OH, to points in PA, NJ, NY, CT, and MA; (4) Bigler and Clearfield, PA, to points in NJ, NY, CT, MA, DE, and MD, restricted to traffic originating at the named origins and destined to the indicated destinations. (Hearing site: Harrisburg, PA, or Washington, DC.)

Note.—Dual operations may be involved.

MC 125352 (Sub-3F), filed June 3, 1980. Applicant: JAN TRANSPORT, INC., 16 Central Avenue, Tenafly, NJ 07670. Representative: Donald E. Cross, 918 16th Street, N.W., Washington, D.C. 20006. 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 points in MA, NJ, NY, and RI, as off-route points in connection with carrier's regular-route operations, restricted to traffic moving on bills of lading of freight forwarders as defined in 49 U.S.C. 10102(8) of the Interstate Commerce Act. (Hearing site: Washington, DC, or New York, NY.)

MC 135743 (Sub-5F), filed May 30, 1980. Applicant: HAROLD WILLIAMS d.b.a. WILLIAM MOVING CO., Hwy. 60, P.O. Box 518, Dexter, MO 63841. Representative: Ernest A. Brooks II, 1301 Ambassador Bldg., St. Louis, MO 63101. Transporting *household goods*, as defined by the Commission, between points in KY, AR, MS, LA, MO, TN, FL, IL, and GA. (Hearing site: St. Louis, MO.)

MC 136122 (Sub-2F), filed June 2, 1980. Applicant: FILM DELIVERY SERVICE, INC., 216 North Ave., Albertville Shopping Center, Albertville, AL 35950. Representative: Ronald L. Stichweh, 727 Frank Nelson Bldg., Birmingham, AL 35203. *Contract carrier*, transporting *motion picture films and prints*, between Albertville, Decatur, Fort Payne, Huntsville, Rainsville, and Scottsboro, AL, on the one hand, and, on the other, Atlanta, GA, under continuing contract(s) with United Amusement Co., Inc., of Albertville, AL, Damar, Inc., of Fort Payne, AL, Word Theatres, Inc., of Scottsboro, AL, and Lyric Amusement Co., Inc., of Huntsville, AL. (Hearing site: Birmingham or Huntsville, AL.)

MC 139083 (Sub-9F), filed May 29, 1980. Applicant: BUILDING SYSTEMS TRANSPORTATION, INC., P.O. Box 142, 10650 Rt. 22 East, Washington Court House, OH 43160. Representative: Paul F. Beery, 275 E. State St., Columbus, OH 43215. Transporting *pipe and pipe fittings, couplings, connectors, and accessories*, from the facilities of Armco, Inc., at Bowling Green, OH, to those points in the U.S. in and east of ND, SD, NE, OK, KS, and TX, restricted to traffic originating at the named origin and destined to the indicated destinations. (Hearing site: Columbus, OH.)

MC 140563 (Sub-53F), filed May 8, 1980. Applicant: W. T. MYLES TRANSPORTATION CO., a corporation, P.O. Box 321, Conley, GA 30027. Representative: Archie B. Culbreth, Suite 202, 2200 Century Parkway, Atlanta, GA 30345. Transporting (1) *cleaning and polishing compounds, textile softeners, lubricants, deodorants, disinfectants, hypochlorite solutions, paints, and plastic bags, and filters* (except in bulk), from the facilities of Economics Laboratory, Inc., at or near Joliet, IL, to points in AL, FL, GA, NC, SC, and TN; and (2) *materials, equipment and supplies* used in the manufacture or distribution of the commodities in (1) above (except in bulk), in the reverse direction. (Hearing site: Atlanta, GA.)

Note.—Dual operations may be involved.

MC 141852 (Sub-4F), filed May 30, 1980. Applicant: BILLY G. BARNETT & JOE D. BARNETT d.b.a. BARNETT BROTHERS, 422 Pemberton Drive, Pearl, MS 39208. Representative: Paul M. Daniell, P.O. Box 872, Atlanta, GA 30301. *Contract Carrier,* transporting, (1) *Covered copper wire and fluorescent lamp ballasts* and (2) *materials, equipment and supplies (except in bulk) used in the manufacture of the commodities in (1)* between Jackson, MS, on the one hand, and, on the other, Mendenhall, Gallman and Vicksburg, MS under a continuing contract(s) with Universal Manufacturing Corp. of Paterson, NJ. (Hearing site: Jackson, MS or New Orleans, LA.)

MC 143552 (Sub-11F), filed June 2, 1980. Applicant: CELEWEND ASSOCIATES, INC., 1 Whitfield Court, Caldwell, NJ 07006. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Contract carrier,* transporting, *washing, cleaning and scouring compounds, fabric or textile softeners, soap and soap powders* (except commodities in bulk in tank vehicles), from Brockport, NY; Wilmington, DE; Bristol, PA; and Columbus, OH, to points in CA, CO, FL, GA, IL, LA, MA, MN, MO, OH, PA, TX, VA, and WA under a continuing contract(s) with Purex Corporation, of Bristol, PA. (Hearing site: Philadelphia, PA or Washington, DC.)

MC 144622 (Sub-174F), filed June 4, 1980. Applicant: GLENN BROTHERS TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: J. B. Stuart, P.O. Box 179, Bedford, TX 76021. Transporting: *such commodities as are dealt in by wholesale, retail, discount stores (except commodities in bulk and articles requiring special equipment)* between Columbus, Marysville, and Vermilion, OH, on the one hand and on the other hand points in the U.S. (except AK and HI). (Hearing site: Little Rock, AR or Dallas, TX.)

Note.—Dual operations may be involved.

MC 144622 (Sub-175F), filed June 4, 1980. Applicant: GLENN BROTHERS TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: J. B. Stuart, P.O. Box 179, Bedford, TX 76021. Transporting: (1) *chemicals, oils, textile softeners, and wax,* in containers, between Mauldin, SC, Lock Haven, PA, Linden, NJ, and Santa Fe Springs, CA, on the one hand, and, on the other, points in the U.S. (except AK and HI); and (2) *materials and supplies* used in the production and distribution of the commodities in (1) above (except commodities in bulk) in the reverse direction. (Hearing site: Little Rock, AR or Dallas, TX.)

Note.—Dual operations may be involved.

MC 146743 (Sub-4F), filed June 2, 1980. Applicant: YAGER TRUCKING, INC., 1116 Gum Street, Woodland, CA 95695. Representative: Milton W. Flack, 8383 Wilshire Blvd., Suite 900, Beverly Hills, CA 90211. Transporting *canned foods,* from the facilities of Roger's Walla Walla, Inc., at Walla Walla, WA, and Milton-Freewater, OR, to Phoenix, AZ, and points in CA. (Hearing site: Los Angeles, CA.)

Note.—Dual operations may be involved.

MC 150163 (Sub-1F), filed May 22, 1980. Applicant: HORWITH TRUCKS, INC., R.D. #1, Coplay, PA 18037. Representative: Francis W. Doyle, 323 Maple Ave., Southampton, PA 18966. Transporting *coal* (except filter media coal), in dump vehicles, from Locust Summit, Minersville and Treverton, PA, to points in CT, ME; MS, RI, and VT. (Hearing site: Reading or Allentown, PA.)

Note.—Dual operations may be involved.

MC 150872F, filed May 20, 1980. Applicant: K. R. JONES MOVING & STORAGE, INC., 22805 Heslip, Novi, MI 48050. Representative: Robert E. McFarland, 999 West Big Beaver Road, Suite 1002, Troy, MI 48084. Transporting: *household goods, as defined by the Commission,* between points in NH, MA, VT, NY, CT, RI, PA, NJ, MD, DE, VA, WV, OH, MI, WI, IL, IN, KY, MO, KS, TN, AL, GA, NC, SC, FL, ME, and MS. (Hearing site: Detroit, MI.)

MC 150873F, filed May 21, 1980. Applicant: WATSON MOBILE HOMES, INC., P.O. Box 6446, Dothan, AL 36302. Representative: Terry P. Wilson, 428 South Lawrence St., Montgomery, AL 36104. Transporting (1) *trailers,* designed to be transported by passenger automobiles, and (2) *buildings,* complete or in sections, on wheeled undercarriages, between Dothan, AL, on the one hand, and, on the other, points in GA and those points in FL, on and west of U.S. Hwy 231. (Hearing site: Dothan or Montgomery, AL.)

MC 150922F, filed May 29, 1980. Applicant: K & P TRUCKING CO. a corporation, Rt. 2, Willard, OH 44890. Representative: David A. Turano, 100 E. Broad Street Columbus, OH 43215. Transporting (1) *bakery goods,* and (2) *ingredients and packaging materials used in the manufacture and distribution of bakery goods,* (except commodities in bulk) between Willard, OH, on the one hand, and, on the other, Downingtown and New Holland, PA. (Hearing site: Columbus, OH.)

MC 150923F, filed May 29, 1980. Applicant: P & B TRUCKING CO., R.R. 2, Brookville, IN 47012. Representative: Jerry B. Sellman, 50 W. Broad St., Columbus, OH 43215. Transporting *sand,* from Harrison, OH, to points in KY. (Hearing site: Columbus, OH or Washington, DC.)

MC 150963F, filed June 2, 1980. Applicant: MID-CONTINENT DELIVERY, INC., 10201 North Everton Ave., Kansas City, MO 64153. Representative: Tom B. Kretsinger, 20 East Franklin, Liberty, MO 64068. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) (1) between Chicago, IL, on the one hand, and, on the other, points in IA, NE, and KS except those in the Kansas City, MO–KS Commercial Zone, (2) between Moline, IL, on the one hand, and, on the other, points in IA, NE, and KS, and (3) between Kansas City, MO, on the one hand, and, on the other, points in KS, restricted to traffic having an immediately prior or subsequent movement by air. (Hearing site: Kansas City, MO.)

MC 150972F, filed June 4, 1980. Applicant: EDWARD BRINK AND GLENN BRINK d.b.a. BRINK FARMS, A–5717, 138th Ave., Holland, MI 49423. Representative: Paul D. Borghesani, 300 Communicana Building, 421 South Second Street, Elkhart, IN 46514. *Contract carrier,* transporting *feed and feed ingredients,* from points in IL, MN, and WI, to points in IN, and MI, under continuing contract(s) with the Michigan Veal Growers Association, Inc., and Van Timmeren Farms, both of Allendale, MI, and Hulst Brothers and Schaap Farms, both of Holland, MI. (Hearing site: Lansing, MI or Chicago, IL.)

MC 150973F, filed June 4, 1980. Applicant: HERBERT R. SHIPLEY, INC.,

3304 Sykesville Road, Westminster, MD 21157. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. *Contract carrier* transporting *Latex*, in bulk, in tank vehicles, from Baltimore, MD and Louisville, KY to Dover, DE, under continuing contract(s) with International Playtex, Inc., of Dover, DE. (Hearing site: Washington, DC.)

MC 151003F, filed June 6, 1980. Applicant: J. B. HAWKINS dba. LITTLE HAWK TRUCKING, P.O. Box 3335, Beaumont, TX 77704. Representative: Paul D. Angenend, P.O. Box 2207, Austin, TX 78768. *Contract carrier*, transporting, (1) *heat exchangers and tube bundles*, and (2) *equipment, materials, and supplies* used in the installation, manufacture, and distribution of the commodities in (1) above, between the facilities of Ohmstede Machine Works, Inc., at or near Beaumont, TX, on the one hand and, on the other hand, points in AL, AR, FL, KY, LS, MS, OH, OK, PA, and TN, under continuing contract(s) with Ohmstede Machine Works, Inc., of Beaumont, TX. (Hearing site: Houston, TX or Washington, DC.)

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Decided: June 27, 1980.

By the Commission, Review Board Number 1, Members Carleton, Joyce, and Jones.

MC 2202 (Sub-639F), filed June 9, 1980. Applicant: ROADWAY EXPRESS, INC., P.O. Box 471, 1077 Gorge Blvd., Akron, OH 44309. Representative: William O. Turney, Suite 1010, 7101 Wisconsin Ave., Washington, DC 20014. 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 Evans City and Callery, PA as off-route points in connection with carrier's otherwise authorized regular-route operations. (Hearing site: Pittsburgh, PA.)

MC 2473 (Sub-23F), filed May 5, 1980. Applicant: BILLINGS TRANSFER CORP., INC., Green Needles Road, Lexington, NC 27292. Representative: Homer M. Curry (same address as applicant). Transporting *textiles and textile products* from Roanoke Rapids, NC to New York, NY. (Hearing site: New York, NY.)

MC 4963 (Sub-74F) (correction), filed October 17, 1979, published in the **Federal Register**, issue of April 8, 1980, and republished, as corrected, this issue. Applicant: JONES MOTOR CO., INC., Bridge Street & Schuylkill Road, Spring City, PA 19475. Representative: Roland Rice, Suite 501, Perpetual Building, 1111 E St., NW., Washington, DC 20004. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between Chicago, IL, on the one hand, and, on the other, Waukegan and Rockford, IL, Davenport, IA, and Kenosha, Janesville, Madison, Milwaukee, and Racine, WI. (Hearing site: Washington, DC.) The purpose of this republication is to state applicant's intention to tack.

Note.—Applicant indicates intention to tack with existing regular-route authority at Chicago, IL, to provide service to MA, CT, RI, NY, NH, NJ, PA, DE, MD, VA, NC, and OH.

MC 13123 (Sub-102F), filed June 2, 1980. Applicant: WILSON FREIGHT COMPANY, 11353 Reed Hartman Highway, Cincinnati, OH 45241. Representative: Milton H. Bortz (same as applicant). Transporting *aluminum sheets and plates, aluminum electrical cable on reels, coiled aluminum rod*, and *aluminum ingots* between the facilities of Alcan Aluminum Corporation, at or near Oswego, NY, Fairmont, WV, and Williamsport, PA, on the one hand, and, on the other, points in AL, AR, CT, DE, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MS, MO, NH, NJ, NY, NC, OH, OK, PA, RI, SC, TN, TX, VT, VA, WV, WI, and DC. (Hearing site: Cincinnati, OH, or Washington, DC.)

MC 37703 (Sub-2F), filed June 3, 1980. Applicant: A.E.F.—SELOVER TRANSPORTATION, INC., 650 Eddystone Avenue, Eddystone, PA 19013. Representative: Alan Kahn, Esquire, 1430 Land Title Building Philadelphia, PA 19110. Transporting *general commodities*, (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Scott Paper Company. (Hearing site: Washington, DC.)

MC 41432 (Sub-168F), filed June 6, 1980. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., P.O. Box 10125, Dallas, TX 75207. Representative: Wayland Little (same as applicant). *Regular routes*, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the junction of U.S. Hwy 31 and Interstate Hwy 65 and the junction of Interstate Hwy 75 and U.S. Hwy 78; from the junction of U.S. Hwy 31 and Interstate Hwy 65 over Interstate Hwy 65 to junction Interstate Hwy 24, then over Interstate Hwy 24 to junction Interstate Hwy 75, then over Interstate Hwy 75 to junction of U.S. Hwy 78, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points. (Hearing site: Dallas, TX.)

MC 69833 (Sub-158F), filed June 2, 1980. Applicant: ASSOCIATED TRUCK LINES, INC., 200 Monroe Avenue, NW., 6th Floor, Grand Rapids, MI. 49503 Representative: Harry Pohlad (same address as above). 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 Eldorado, IL., Durant, IA. Butler, PA, and Madison, IN, as off-route points in connection with carrier's otherwise authorized regular-route operations. (Hearing site: Chicago, IL. or Indianapolis, IN.)

MC 72442 (Sub-48F), filed March 20, 1980, and published in the **Federal Register** issue of May 29, 1980, and republished as corrected this issue. Applicant: AKERS MOTOR LINES, INC., P.O. Box 10303, Charlotte, NC 28237. Representative: Leonard A. Jaskiewicz, 1730 M Street, N.W., Suite 501, Washington, DC 20036. Transporting *general commodities*, (except those of unusual value Classes A and B explosives, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission), between (1) points in GA, SC, and NC, (2) points in GA, SC, and NC on the one hand, and, on the other, Washington, DC., points in MD, VA, PA, NJ, CT, MA, DE, NY, and RI, and (3) New York, NY points in Bergen and Essex counties, NJ, on the one hand, and, on the other, points in Albany Schenectady, Montgomery, Rensselaer, Columbia, Dutchess, Putnam, Westchester and Rockland Counties, NY. (Hearing site: (1) Charlottee, NC, (2) Washington, D.C.)

Note.—The purpose of this republication is to include DE and NY as destination states.

MC 73533 (Sub-10F), filed June 5, 1980. Applicant: KEY WAY TRANSPORT, INC., 820 S. Oldham St., Baltimore, MD 21224. Representative: Gerald K. Gimmel, Suite 145, 4 Professional Dr., Gaithersburg, MD 20760. Transporting *alcoholic beverages (except in bulk)*, between points in MA, RI, CT, NJ, DE, MD, VA, DC, and those points in NY on and south of Interstate Hwy 84, and those points in PA, on and south of

Interstate Hwy 84, and on and east of Interstate Hwy 81, on the one hand, and, on the other, Baltimore, MD and Washington, DC. (Hearing site: Baltimore, MD or Washington, DC.)

MC 87103 (Sub-69F), filed May 30, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Edward P. Bocko (same address as applicant). Transporting (1) *electrical circuit breakers*, (2) *switches, switchgears* and parts for switches and switchgears, and (3) *equipment, materials* and *supplies* used in the manufacture or distribution of the commodities named in (1) and (2) above (except commodities in bulk) between the facilities of International Power Systems, a Morrisson-Knudsen Company, Inc., at Rocky Mount, NC, on the one hand, and, on the other, points in the United States (except AK and HI), restricted to traffic originating at or destined to the named facilities. (Hearing site: Charlotte, NC or Washington, DC.)

MC 87103 (Sub-70F), filed: May 30, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Edward P. Bocko (same address as applicant). Transporting (1) *Machinery* and *machinery parts* and (2) *equipment, materials* and *supplies* used in the manufacture or distribution of the commodities named in (1) above (except in bulk) between the facilities of The Ajax Manufacturing Company at Cleveland, OH, on the one hand, and, on the other, points in the U.S. and east of MN, IA, MO, OK and TX, restricted to traffic originating at or destined to the named facilities. (Hearing site: Cleveland, OH, or Washington, DC.)

MC 87103 (Sub-71F), filed May 30, 1980. Applicant: MILLER TRANSFER AND RIGGING CO., P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Edward P. Bocko (same as applicant). Transporting (1) *Machines, machinery and machine parts*, (2) *iron and steel articles* and (3) *equipment, materials* and *supplies* used in the manufacture or distribution of the commodities named in (1) and (2) above (except in bulk) between the facilities of McDowell-Wellman Company at Cleveland, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI) restricted to traffic originating at or destined to the named facilities. (Hearing site: Cleveland, OH or Washington, DC.)

MC 107162 (Sub-71F), filed June 9, 1980. Applicant: NOBLE GRAHAM TRANSPORT, INC., Rural Route 1, Brimley, MI 49715. Representative: Michael S. Varda, 121 South Pinckney St., Madison, WI 53703. Transporting *steel tube*, from the facilities of Maverick Tube Corp. at Union, MO to points in IL, IN, MI and WI, restricted to traffic originating at the named origin. (Hearing site: St. Louis, MO or Chicago, IL.)

Note.—Dual operations may be involved.

MC 110563 (Sub-317F), filed June 3, 1980. Applicant: COLDWAY FOOD EXPRESS, INC., P.O. Box 747, State Route 29 N., Sidney, OH 45365. Representative: Joseph M. Scanlan, 111 W. Washington St., Chicago, IL 60602. Transporting *foodstuffs* (except in bulk), from points in CT, DE, ME, MD, MA, NH, NJ, NY, PA, RI, VT, VA, WV, and DC, to points in the US (except AK and HI). (Hearing site: Philadelphia, PA, or New York, NY.)

MC 111302 (Sub-171F), filed June 9, 1980. Applicant: HIGHWAY TRANSPORT, INC., P.O. Box 10108, Knoxville, TN 37919. Representative: David A. Petersen (same as applicant). Transporting *liquid chemicals*, in bulk, in tank vehicles, between the facilities of Westvaco Corp. at or near (1) Houston, TX, (2) DeRidder, LA, (3) Winder, GA, and (4) Charleston, SC, on the one hand, and, on the other, points in the US (except AK and HI). (Hearing site: Washington, DC.)

MC 114273 (Sub-747F), filed June 4, 1980. Applicant: CRST, INC., P.O. Box 68, Cedar Rapids, IA 52406. Representative: Kenneth L. Core (same as applicant). Transporting *aluminum and aluminum articles*, from the facilities of Consolidated Aluminum Corporation, at or near Hannibal, OH, to points in MI. (Hearing site: Chicago, IL or Washington, DC.)

MC 114273 (Sub-748F), filed June 4, 1980. Applicant: CRST, INC., P.O. Box 68, Cedar Rapids, IA 52406. Representative: Kenneth L. Core (same address as applicant). 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), from points in MO to points in IL, IN, IA, KY, MD, MI, MN, NE, NJ, NY, OH, PA, VA, and WV. (Hearing site: Chicago, IL or Washington, DC.)

MC 114632 (Sub-288F), filed June 9, 1980. Applicant: APPLE LINES, INC., P.O. Box 287, Madison, SD 57042. Representative: David E. Peterson (same address as applicant). Transporting *petroleum and petroleum products, automotive chemicals, and cleaning compounds, and such equipment, materials, and supplies* as are used by automotive service centers (except in bulk), between the facilities of Valvoline Oil Company, a division of Ashland Oil, Inc. at Willow Springs, IL, on the one hand and, on the other hand, points in AR, CO, IL, IN, IA, KY, KS, LA, MI, MN, MO, MT, NE, NM, ND, OH, OK, PA, SD, TN, TX, WI and WY. Restricted to traffic originating at or destined to the named facilities. (Hearing site: Chicago, IL or Minneapolis, MN.)

MC 121372 (Sub-8F), filed June 9, 1980. Applicant: EXPRESS TRANSPORT CO., 1217 Dalton Street, Cincinnati, OH 45203. Representative: Norbert B. Flick, 715 Executive Building, Cincinnati, OH 45202. Transporting (1) *iron and steel articles*, and (2) *equipment, materials and supplies* used in the manufacture of the commodities in (1) above (except commodities in bulk) between Clarksville, OH, on the one hand and, on the other hand, points in the U.S. in and east of MT, WY, CO and NM. (Hearing site: Cincinnati, OH.)

MC 124802 (Sub-19F), filed June 9, 1980. Applicant: ACE MOTOR FREIGHT, INC., R. D. 2, Summerville, PA 15864. Representative: Kent S. Pope, 10 Grant Street, Clarion, PA 16214. Transporting (1) *clay, refractory and concrete products*, and (2) *materials, supplies and equipment* used in manufacturing, distribution and installation of the commodities in (1) above, between points in the United States (except AK and HI). (Hearing site: Pittsburgh, PA or Washington, DC.)

MC 127812 (Sub-29F), filed June 9, 1980. Applicant: TYSON TRUCK LINES, INC., 185 5th Avenue S.W., New Brighton, MN 55112. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Transporting *general commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) between Minneapolis, MN, on the one hand, and, on the other hand, Fargo, ND; Arlington, Brandon, Brookings, Cavour, Colman, DeSmet, Ellis, Huron, Iroquois, Lake Preston, Madison, Mitchell, Sioux Falls, Tea, SD; Albertville, Allen, Alma Center, Almena, Alpha, Altoona, Amery, Anson, Arland, Atlas, Augusta, Baldwin, Balsam Lake, Bangor, Barron, Barronett, Bateman, Beldenville, Birchwood, Black River Falls, Blair, Bloomer, Boardman, Boyceville, Boyd, Brackett, Bruce, Burkhardt, Cadott, Cameron, Campia, Canton, Centuria, Chetek, Chippewa Falls, Cristie, Clam Falls, Clayton, Clear Lake, Cleghorn, Cobban, Colfax, Comstock, Connersville, Conrath, Cornell, Crescent, Cumberland, Curtiss, Cushing, Cylon, Dallas, Deer Park,

Deronda, Downing, Downsville, Dresser, Eagle Point, Eagleton, E. Farmington, Eau Claire, Edson, Eidsvoild, Eleva, Elk Creek, Elk Mound, Ellsworth, Emerald, Erin, Fairchild, Fall City, Fall Creek, Falun, Forest, Foster, Frederic, Gilman, Glen Flora, Glenwood City, Grantsburg, Greenwood, Hammond, Hannibal, Hatfield, Haugen, Haulton, Hawkins, Hersey, Hillsdale, Hixton, Holcombe, Horse Creek, Hudson, Humbird, Ingram, Island Lake, Jackson County Iron Mine, Jim Falls, Joel, Jump River, Knapp, Ladysmith, Lafayette Lake Hallie, Lewis, Little Falls, Longwood, Loraine, Loyal, Luck, Lundington, Martell, Menomonie, Menomonie Jct., Merrillan, Milltown, Milston, Mondovi, Neilsville, New Auburn, New Centerville, New Richmond, N. Hudson, N. Menomonie, Nye, Osceola, Osseo, Owen, Poskins, Prairie Farm, Prescott, Presto, Price, Range, Reeve, Rice Lake, Richardson, Ridgeland, River Falls, Roberts, Rush, Russell Corners, St. Croix Falls, Sand Creek, Sarona, Sheldon, Shell Lake, Siren, Somerset, Sparta, Sponer, Stanley, Star Prairie, Sturm, Thorp, Tilden, Tomah, Tony, Trade Lake, Trade River, Trimbelle, Turtle Lake, Ubet, Wanderoos, Warrens, Weyerhauser, Willard, Wilson, Withee, Woodville, and Wyeville, WI. (Hearing site: St. Paul, MN.)

Note.—Applicant indicates intention to tack with existing authority.

MC 128333 (Sub-7F), filed May 30, 1980. Applicant: LES CALKINS TRUCKING, INC., 19501 North Highway 99, Acampo, CA 95220. Representative: Alan F. Wohlstetter, 1700 K Street, N.W., Washington, DC 20006. Transporting *rock, sand, gravel and aggregates,* in bulk, between points in CA and NV. (Hearing site: Sacramento, CA.)

MC 129742 (Sub-12F), filed April 29, 1980. Applicant: PUROLATOR COURIER, LTD., 304 The East Mall, Islington, Ontario, Canada M9B 6C7. Representative: Elizabeth Henoch, 3333 New Hyde Park Road, New Hyde Park, NY 11042. Transporting *general commodities,* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between ports of entry on the international boundary line between the US and Canada, located at Noyes, MN, and Pembina, ND, on the one hand, and, on the other, points in MN and ND, restricted (1) against the transportation of packages weighing more than 50 pounds, and (2) against the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor at one location to one consignee at one location on any one day. (Hearing site: Washington, DC.)

MC 134282 (Sub-24F), filed June 5, 1980. Applicant: ENNIS TRANSPORTATION CO., INC., P.O. Drawer 776, Ennis, TX 75119. Representative: William D. White, Jr., 4200 Republic National Bank Tower, Dallas, TX 75201. Transporting *gypsum board paper* from the facilities of Packaging Corp. of America at Hutchinson, KS, to the facilities of Three Rivers Gypsum, Inc. in Fisher County, TX. (Hearing site: Dallas, TX.)

MC 134323 (Sub-108F), filed June 4, 1980. Applicant: JAY LINES, INC., P.O. Box 30180, Amarillo, TX 79120. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. *Contract carrier,* transporting (1) *meats, meat products, and meat byproducts, and articles distributed by meat-packing houses,* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of MBPXL Corporation, at or near Tolleson, AZ, to points in the US (except AK, AZ, and HI); and (2) *such commodities* as are used by meat packers when destined to and for use by meat packers, in the reverse direction under continuing contract(s) with MBPXL Corporation of Wichita, KS. (Hearing site: Wichita, KS, or Dallas, TX.)

Note.—Dual operations may be involved.

MC 134453 (Sub-20F), filed June 3, 1980. Applicant: STERNLITE TRANSPORTATION COMPANY, a corporation, Winsted, MN 55395. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *Contract carrier,* transporting (1) *outdoor lighting posts and poles, arms, and brackets,* and (2) *materials, supplies and equipment* used in the manufacture of the commodities in (1) above (except commodities in bulk), between the facilities of Western Lighting Standards, Inc., at Fountain Valley, CA, on the one hand, and, on the other, points in the US (except AK and HI), under continuing contract(s) with Western Lighting Standards, Inc., of Fountain Valley, CA. (Hearing site: St. Paul, MN.)

MC 135033 (Sub-12F), filed June 6, 1980. Applicant: SILVEY REFRIGERATED CARRIERS, INC., 7000 West Center Road—Suite 325, Omaha, NE 68106. Representative: Robert M. Cimino (same address as applicant). *Contract carrier,* transporting (1) *such commodities* as are dealt in by wholesale, retail and chain grocery and food stores, and (2) *equipment, materials and supplies* used in the manufacturing and distribution of the commodities in (1) above, between points in the U.S. (except AK and HI), on the one hand, and, on the other, the facilities of Hinky Dinky at or near Omaha, NE, under a continuing contract(s) with Hinky Dinky of Omaha, NE. (Hearing site: Omaha, NE.)

MC 135762 (Sub-14F), filed June 9, 1980. Applicant: JOHN H. NEAL, INC., P.O. Box 3877, 6004 Highway 271 South, Fort Smith, AR 72913. Representative: Don A. Smith, P.O. Box 43, 510 North Greenwood, Fort Smith, AR 72902. *Contract carrier,* transporting *Wire* and *steel products,* and *materials, equipment* and *supplies* used in the manufacture and distribution of wire and steel products (except commodities in bulk), between the facilities of Southern Steel and Wire Company at Fort Smith, AR, on the one hand, and on the other, points in CO, KS, OK, TX, AR, TN, NC, KY, OH, IN, MI, IL, IA, MO, AL, SC, LA, GA and MS, under a continuing contract(s) with Southern Steel and Wire Company of Fort Smith, AR. (Hearing site: Little Rock, AR or Washington, D.C.)

MC 136432 (Sub-4F), filed June 9, 1980. Applicant: DAVID C. RICHARD, d.b.a., D & M EXPRESS, Route 19, Evans City, PA 16033. Representative: Arthur J. Diskin, 806 Frick Bldg., Pittsburgh, PA 15219. *Contract carrier* transporting *glass processing and cleaning equipment and machinery* (1) from the plant site of Billco Manufacturing, Inc., at Zelienople, PA, to points in the U.S. (except AK and HI), and (2) *materials* used in the manufacture of the commodities in (1) above, in the reverse direction, under continuing contract(s) with Billco Manufacturing, Inc., of Zelienople, PA. (Hearing site: Washington, DC, or Pittsburgh, PA.)

MC 138882 (Sub-365F), filed June 9, 1980. Applicant: WILEY SANDERS TRUCK LINES, INC., P.O. Drawer 707, Troy, AL 36081. Representative: John J. Dykema (same address as applicant). Transporting (1) *glass containers and closures,* and (2) *materials, equipment and supplies* used in the manufacture or distribution of commodities named in (1) above (except in bulk, in tank vehicles), between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Chattanooga Glass Company. (Hearing site: Houston, TX, or Atlanta, GA.)

MC 138882 (Sub-366F), filed June 9, 1980. Applicant: WILEY SANDERS TRUCK LINES, INC., P.O. Drawer 707, Troy, AL 36081. Representative: John J. Dykema (same address as applicant).

Transporting (1) *such commodities* as are dealt in by wholesale, retail and chain grocery and food business houses, and (2) *equipment, materials and supplies* used in the manufacture or distribution of commodities named in (1) above, between the facilities of the Clorox Company at or near (a) Atlanta, GA, (b) Charlotte, NC, (c) Houston, TX, and (d) Tampa, FL, on the one hand, and, on the other, points in AL, AR, KY, LA, MS, NC, NM, SC, TN, TX, VA, and WV. (Hearing site: Atlanta, GA or Birmingham, AL.)

MC 140612 (Sub-85F), filed June 6, 1980. Applicant: ROBERT F. KAZIMOUR, P.O. Box 2207, Cedar Rapids, IA 52406. Representative: J. L. Kazimour (same as applicant). Transporting *general commodities (except those of unusual value, classes A and B explosives, housegoods as defined by the Commission, commodities in bulk, in tank vehicles, and those requiring special equipment),* between the facilities used by Lever Brother Company, Inc., and Naum Brothers, Inc. located at points in the U.S. (except AK and HI). (Hearing site: Rochester, NY.)

MC 141382 (Sub-6F), filed June 6, 1980. Applicant: DON'S MOVING & DELIVERY SYSTEM, INC., 527 South Fremont, Janesville, WI 53545. Representative: James A. Spiegel, Esq., Olde Towne Office Park, 6425 Odana Road, Madison, WI 53719. Transporting (1) *Insulation* and *insulation products,* and (2) *materials, equipment* and *supplies* used in the manufacture and distribution of the commodities in (1) above, between Janesville, WI, on the one hand, and, on the other hand, points in IL, IA, IN, MI, MN, and MO, restricted to traffic originating at, or destined to the facilities of Design Insulation Systems, Inc. (Hearing site: Madison, WI.)

MC 143772 (Sub-3F), filed May 16, 1980. Applicant: H & W TRUCKING COMPANY, INC., Box 38, Ona, WV 25545. Representative: John M. Friedman, 2930 Putnam Ave., Hurricane, WV 25526. Transporting (1) *building materials* (except in bulk), from points in the U.S. to points in Cabell County, WV, (except AK and HI), (2) *electrical mining equipment* from Huntington and Pt. Pleasant, WV, to points to KY, PA, and those in VA on and west of U.S. Hwy 21, (3) *mine roof bolts and plates,* from Bellaire, OH, to points in KY, PA, VA, and WV, and (4) *sewage treatment plant and fabricated steel items* from Huntington, WV to points in OH, KY and VA. (Hearing site: Charleston, WV.)

Note.—Dual operations may be involved.

MC 144082 (Sub-18F), filed June 9, 1980. Applicant: DIST/TRANS MULTI-SERVICES, INC., d.b.a. TAHWHEEL ALEN EXPRESS, INC., 1333 Nevada Blvd., P.O. Box 7191, Charlotte, NC 28217. Representative: Wyatt E. Smith (same address as applicant). *Contract carrier* transporting *such commodities* as are dealt in or used by auto service stores, from Hartford, WI to Atlanta, GA, under a continuing contract(s) with Midas International Corporation, of Chicago, IL. (Hearing site: Charlotte, NC.)

MC 144452 (Sub-20F), filed June 6, 1980. Applicant: ARLEN LINDQUIST, d.b.a. ARLEN E. LINDQUIST TRUCKING, 7192 Davenport Street, N.E., Minneapolis, MN 55434. Representative: William J. Gambucci, Suite M–20, 400 Marquette Avenue, Minneapolis, MN 55402. Transporting *automotive parts and accessories,* from Minneapolis, MN to points in MT, ND and SD. (Hearing site: Minneapolis, MN.)

MC 144463 (Sub-4F) (correction), filed July 2, 1979, published in the **Federal Register,** issue of March 5, 1980, and republished, as corrected, this issue. Applicant: PIERSON TRUCKING CO., a corporation, 7355 S.E. Johnson Creek Blvd., P.O. Box 22141, Milwaukee, OR 97222. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave., Portland, OR 97210. *Contract carrier,* transporting (1) *fencing,* (a) from Tualatin, OR, to points in WA and ID, (b) from Lodi, CA, to points in OR, WA and ID, and (c) from Carson, CA, to points in OR, WA and ID; and (2)(a) *feed and feed ingredients,* and (b) *farm supplies* from Tacoma, WA to points in OR, under continuing contract(s) with Life-Time Gate Co., of Tualatin, OR, and Western Farmers Association, of Seattle, WA. (Hearing site: Portland, OR.)

Note.—The purpose of this republication is to correct part (1), of the commodity description. The remainder of the authority remains as previously published.

MC 144682 (Sub-43F), filed June 9, 1980. Applicant: R. R. STANLEY, 1738 Empire Central, Dallas, TX 75235. Representative: D. Paul Stafford, P.O. Box 45538, Dallas, TX 75245. Transporting *foodstuffs (except in bulk)* (1) from points in Fresno County, CA, to points in ID, OR, UT, and WA, and (2) from Sherman, TX to points in AZ. (Hearing site: Dallas, TX.)

MC 144682 (Sub-44F), filed June 9, 1980. Applicant: R. R. STANLEY, 1738 Empire Central, Dallas, TX 75235. Representative: D. Paul Stafford, P.O. Box 45538, Dallas, TX 75245. Transporting *meat, meat products, meat by-products, and articles distributed by meat-packing houses as described in Sections A & C to Appendix I to the Report in Descriptions in Motor Carrier Certificate 61 M.C.C. 209 & 766 (except commodities in bulk)* (1) from Los Angeles, CA to Seattle, WA, Denver, CO, and Dallas and Houston, TX; (2) from Mansfield, TX, to Bridgeport, NJ, Chicago, IL, and points in LA; (3) from New Orleans, LA to Mansfield, TX. (Hearing site: Dallas, TX.)

MC 144682 (Sub-45F), filed June 9, 1980. Applicant: R. R. STANLEY, 1738 Empire Central, Dallas, TX 75235. Representative: D. Paul Stafford, P.O. Box 45538, Dallas, TX 75245. Transporting *malt beverages, and empty malt beverage containers,* between Ft. Worth, TX, on the one hand, and, on the other, Tucson, Phoenix, and Flagstaff, AZ, Logan and Salt Lake City, UT, and points in CO. (Hearing site: Dallas, TX.)

MC 145102 (Sub-60F), filed June 9, 1980. Applicant: FREYMILLER TRUCKING, INC., P.O. Box 188, Shullsburg, WI 53586. Representative: Wayne W. Wilson, 150 East Gilman St., Madison, WI 53703. Transporting (1) *such commodities* as are dealt in or distributed by grocery, hardware, and drugstores, (2) *cleaning and building maintenance materials and supplies,* (3) *swimming pool, spa, and hot tub products,* (4) *chemicals,* and (5) *materials, equipment and supplies* used in the manufacture, sale, or distribution of the commodities named in (1) through (4), (except commodities in bulk), (a) from Southgate, CA, to points in ID, OR, UT, and WA, (b) from St. Louis, MO to points in IL, IA, MN, NE, and WI, (c) from Marion, London, and Toledo, OH, to points in IL, IA, MN and WI, and (d) from Chicago, IL to points in IA, MN and WI, restricted to traffic originating at or destined to facilities used by Purex Corporation. (Hearing site: Madison, WI, or Los Angeles, CA.)

MC 145102 (Sub-61F), filed June 9, 1980. Applicant: FREYMILLER TRUCKING, INC., P.O. Box 188, Shullsburg, WI 53586. Representative: Wayne W. Wilson, 150 East Gilman St., Madison, WI 53703. Transporting *foodstuffs* from New Hope, MN to points in AL, AZ, AR, CA, CO, FL, GA, ID, LA, MS, MT, NV, NM, OR, TN, TX, UT, VA, WA, WV, and WY. (Hearing sites: Madison, WI or Minneapolis, MN.)

MC 145102 (Sub-62F), filed June 9, 1980. Applicant: FREYMILLER TRUCKING, INC., P.O. Box 188, Shullsburg, WI 53586. Representative: Wayne W. Wilson, 150 East Gilman Street, Madison, WI 53703. Transporting (1) *welders and welding equipment, and (2) materials and supplies* used in the manufacture, distribution, and

installation of the commodities in (1) above from the facilities of Miller Electric Mfg. Co. at or near Appleton, WI to points in AZ, CA, CO, ID, MT, NV, NM, OR, TX, UT, WA, and WY. (Hearing sites: Madison, WI; or Appleton, WI.)

MC 145102 (Sub-63F), filed June 9, 1980. Applicant: FREYMILLER TRUCKING, INC., P.O. Box 188, Shullsburg, WI 53586. Representative: Wayne W. Wilson, 150 East Gilman St., Madison, WI 53703. Transporting *meat, meat products, and meat by-products* and *articles* distributed by meat-packing houses, as described in Sections A and C of Appendix I to the Report in *Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766* (except commodities in bulk) from the facilities used by Landmark Beef Processors, Inc. at Los Angeles, CA to points in the US (except AK and HI), restricted to traffic originating at the named origins and destined to the indicated destinations. (Hearing Sites: Madison, WI; or Los Angeles, CA.)

MC 145152 (Sub-116F) (partial correction), filed September 27, 1979, published in the **Federal Register** issue of March 18, 1980, and republished, as corrected, this issue. Applicant: BIG THREE TRANSPORTATION, INC., P.O. Box 706, Springdale, AR 72764. Representative: Don Garrison, P.O. Box 159, Rogers, AR 72756. (2) *canned goods, and macaroni and flour,* in bags, between Paris, TX, and the facilities of Campbell Soup Company, at or near Chicago, IL. The purpose of this republication is to correct the territorial description in (2), and the remainder of this authority remains as previously published. (Hearing: Chicago, IL or Fayetteville, AR.)

MC 146343 (Sub-10F), filed May 20, 1980. Applicant: SOUTHERN EXPRESS CORPORATION, 308 S. Ocean Boulevard, Pompano, FL 33062. Representative: Daniel Sumner, 131 Airport Rd., Warwick, RI 02889. *Contract carrier,* transporting (1) *candy* (except in bulk), and (2) *such commodities* as are used in the manufacture and distribution of the commodities in (1), between Pawtucket, RI, on the hand, and, on the other, points in the U.S. (except AK and HI), under continuing contract(s) with The E. Rosen Co., of Pawtucket, RI. (Hearing site: Washington, DC.)

MC 146343 (Sub-11F), filed May 21, 1980. Applicant: SOUTHERN EXPRESS CORPORATION, 308 S. Ocean Blvd., Pompano, FL 33062. Representative: Daniel Sumner, 131 Airport Rd., Warwick, RI 02889. *Contract carrier* transporting (1) *plastic, plastic pellets, plastic sheeting, garden hose, rubber tire treads, shoe soling, plastic tubing, rubber blocks, rubber mats, plasticizers, and paints,* (except in bulk), from the City of Industry, CA, to points in the U.S. (except AK and HI), and (2) *materials and supplies* used in the manufacture of the commodities in (1) above (except in bulk), in the reverse direction, under a continuing contract(s) with Maclin Subsidiary of Teknor Apex Co., of City of Industry, CA. (Hearing site: Washington, DC.)

MC 146362 (Sub-2F), field June 9, 1980. Applicant: HERDER BROS., INC., 905 Center Road, Frankfort, IL 60423. Representative: Abraham A. Diamond, 29 South La Salle St., Chicago, IL 60603. *Contract carrier,* transporting *plastic article* (except in bulk), from the facilities of Mobil Chemical Co, Plastic Division, at Frankfort, IL, to points in MI, IN, MO, IA, KY, WI, OH, IL and MN, under a continuing contract(s) with Mobil Chemical Company of Macedon, NY. (Hearing site: Chicago, IL.)

MC 146643 (Sub-44F), filed May 8, 1980. Applicant: INTER-FREIGHT TRANSORTATION, INC., 655 East 114th St., Chicago, IL 60628. Representative: Donald B. Levine, 39 S. LaSalle St., Chicago, IL 60603. *Contract carrier* transporting *such commodities* as are dealt in by wholesale and retail chain grocery and food business houses, from Chicago, IL, to points in MI, OH, PA, MO, and KS, under continuing contract(s) with Topco Associates, Inc., of Skokie, IL. (Hearing site: Chicago, IL.)

MC 146643 (Sub-45F), filed May 5, 1980. Applicant: INTER-FREIGHT TRANSPORTATION, INC., 655 East 114th St., Chicago, IL 60628. Representative: Donald B. Levine, 39 S. LaSalle St., Chicago, IL 60603. *Contract carrier* transporting (1) *printed matter,* and (2) *material, equipment and supplies* used in the manufacture, sale and distribution of commodities in (1) above (except commodities in bulk), between the facilities used by Rand McNally and Company at or near Chicago, Downers Grove, Naperville and Skokie, IL, Hammond and Indianapolis, IN, Muscatine, IA, Versailles and Lexington, KY, Taunton, MA, Ossining, NY, and Nashville, TN, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX, under continuing contract(s) with Rand McNally & Company of Skokie, IL. (Hearing site: Chicago, IL.)

MC 146643 (Sub-46F), filed May 12, 1980. Applicant: INTER-FREIGHT TRANSPORTATION, INC., 655 East 114th St., Chicago, IL 60628. Representative: Donald B. Levine, 39 S. LaSalle St., Chicago, IL 60603. *Contract carrier* transporting *household and industrial cleaning products* (except in bulk), (1) from Chicago, IL, to points in IA, (2) from St. Louis, MO, to Chicago, IL, points in IN, KS, MN, OH, WI, IA, and those in the Lower Peninsula of MI, and (3) from Toledo, OH, to Chicago, IL, under a continuing contract(s) with Purex Corporation of St. Louis, MO. (Hearing site: Chicago, IL.)

MC 146643 (Sub-47F), filed June 5, 1980. Applicant: INTER-FREIGHT TRANSPORTATION, INC., 655 East 114th St., Chicago, IL 60628. Representative: Donald B. Levine, 39 S. LaSalle St., Chicago, IL 60603. *Contract* carrier transporting *such commodities as are dealt in or used by retail department stores (except in bulk),* between points in the U.S. (except AK and HI) under a continuing contract(s) with Ardan, Inc., of Des Moines, IA. (Hearing site: Chicago, IL.)

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-20843 Filed 7-14-80; 8:45 am]

BILLING CODE 7035-01-M

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

Joint Committee for Agricultural Development of the Board for International Food and Agricultural Development; Meeting

Pursuant to Executive Order 11769 and the provisions of Section 10(a), (2), P.L. 92-463, Federal Advisory Committee Act, notice is hereby given of the meeting of the Joint Committee on Agricultural Development (JCAD) of the Board for International Food and Agricultural Development (BIFAD) on August 11 and 12, 1980.

The purpose of the meeting is to: Review the status of the Annual Reports of the Strengthening Grants; discuss the Mission responses to the Technical Services to Missions (TMS) cable; review the status of the Registry of Resources; review and discuss the Revisions for the JCAD/Guidelines; and receive and discuss the final reports of the CDSS reviews from the Regional Work Groups.

The meeting on August 11, 1980 will convene from 9:00 a.m. to 12:00 p.m. in the form of Regional Work Groups: Africa RWG in Room 2941, New State Department Building, Washington, D.C. 20523 (Mr. William Johnson, A.I.D. Federal Designee for this meeting, can be contacted at (202/632-3650); Latin America RWG in Room 2242 New State

Department Building (Mr. Blair Allen, A.I.D. Federal Designee for this meeting can be contacted at (202/632–8126); Near East RWG in Room 6484 New State Department Building (Mr. Keith Sherper, A.I.D. Federal Designee for this meeting, can be contacted at (202/632–9256); and the Asia RWG in Room 609 Rosslyn Plaza "C" Building, 1601 North Kent Street, Rosslyn, Virginia (Dr. Donald Plucknett, A.I.D. Federal Designee for this meeting can be contacted at (703/235–8870). The Full JCAD Committee will convene on August 11 from 1:00 p.m. to 5:00 p.m. at the Holiday Inn, Dynasty Room, 1850 N. Fort Meyer Drive, Arlington, Virginia 22209. The Full JCAD Committee will meet also on August 12 from 9:00 a.m. to 1:00 p.m. at the Holiday Inn, Dynasty Room, 1850 N. Fort Meyer Drive, Arlington, Virginia 22209. The meetings are open to the public. Any interested person may attend, may file written statements with the Committee before or after the meetings, or may present oral statements in accordance with procedures established by the Committee, and to the extent the time available for the meetings permit.

Dr. Frank H. Madden, BIFAD Support Staff, is designated A.I.D. Advisory Committee Representative at the August 11 and 12 meetings. It is suggested that those desiring further information write to him in care of the Agency for International Development, State Department, Washington, D.C. 20523, or telephone him at (202) 632–3009.

Dated: July 8, 1980.

Frank H. Madden,

A.I.D. Advisory Committee Representative, Joint Committee on Agricultural Development Board for International Food and Agricultural Development.

[FR Doc. 80–21056 Filed 7–14–80; 8:45 am]

BILLING CODE 4710–02–M

Joint Research Committee of the Board for International Food and Agricultural Development; Meeting

Pursuant to Executive Order 11769 and the provisions of Sections 10(a), (2), P.L. 92–463, Federal Advisory Committee Act, notice is hereby given of the meeting of the Joint Research Committee (JRC) of the Board for International Food and Agricultural Development (BIFAD) on August 12 and 13, 1980.

The purpose of the meeting is to: consider possible areas of research needs with low-energy technology for agricultural production; consider options for use of agriculturally produced plants and products as alternate energy sources for farming; review status of aquaculture (pond dynamics) planning activities for a Collaborative Research Support Program (CRSP); review status of planning activities for a CRSP in fisheries stock assessment; discuss report of JRC animal health work group on research needs in this area; consider plans for exploratory studies to reassess research priorities; discuss report on proceedings of JRC Workshop on CRSP planning and implementation experience; and discuss plans for study of possible U.S. university back-up research to support research at international agricultural research centers.

The meeting will convene at 9:00 a.m. and adjourn at 5:00 p.m. on August 12 and 13, 1980. The meeting will be held at the Holiday Inn, Dynasty Room, 1850 N. Fort Meyer Drive, Rosslyn, Virginia 22209. The meeting is open to the public. Any interested person may attend, may file written statements with the Committee before or after the meeting, or may present oral statements in accordance with procedures established by the Committee, and to the extent the time available for the meeting permits.

Mr. William F. Johnson, BIFAD Support Staff is the designated A.I.D. Advisory Committee Representative at the meeting. It is suggested that those desiring further information write to him in care of the Agency for International Development, BIFAD Support Staff, State Department, Washington, D.C. 20523, or telephone him at (202) 632–7935.

Date: July 8, 1980.

William F. Johnson,

A.I.D. Advisory Committee Representative, Joint Research Committee, Board for International Food and Agricultural Development.

[FR Doc. 80–21057 Filed 7–14–80; 8:45 am]

BILLING CODE 4710–02–M

DEPARTMENT OF JUSTICE

Office of Justice Assistance, Research, and Statistics (OJARS)

National Minority Advisory Council on Criminal Justice; Meeting

This is to provide notice of a Quarterly Meeting of the National Minority Advisory Council on Criminal Justice (NMACCJ), OJARS.

The National Minority Advisory Council on Criminal Justice will hold a quarterly meeting on August 1 and 2, 1980 in the Arlington-Alexandria Room of the Sheraton Washington Hotel, located at Connecticut Avenue and Woodley Road, NW, in Washington, D.C. The meeting is scheduled to run from 9:00 a.m. to 5:00 p.m. on both days. The meeting is open to the public.

Discussion at the meeting will focus primarily on the final draft of the NMACCJ report, *The Inequality of Justice.*

Anyone wishing additional information should contact either Ms. Peggy Triplett, LEAA–NMACCJ Coordinator at 633 Indiana Avenue, NW., Washington, D.C. 20531, (202) 724–5933; or Mr. Alan G. Boyd, NMACCJ Staff Director, 1990 M Street, NW, Suite 200, Washington, D.C. 20036, (202) 862–9348.

Peggy E. Triplett,

Project Monitor, National Minority Advisory Council on Criminal Justice.

[FR Doc. 80–21042 Filed 7–14–80; 8:45 am]

BILLING CODE 4410–18–M

DEPARTMENT OF LABOR

Employment and Training Administration

Federal-State Unemployment Compensation Program; Extended Benefits; New Extended Benefit Period in the State of Tennessee

This notice announces the beginning of a new Extended Benefit Period in the State of Tennessee, effective on July 6, 1980.

Background

The Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) established the Extended Benefit Program as a part of the Federal-State Unemployment Compensation Program. The Extended Benefit Program takes effect during periods of high unemployment in a State or the Nation, to furnish up to 13 weeks of extended unemployment benefits to eligible individuals who have exhausted their rights to regular benefits under permanent State and Federal unemployment compensation laws. The Act is implemented by State unemployment compensation laws and by Part 615 of Title 20 of the Code of Federal Regulations (20 CFR Part 615).

In accordance with section 203(e) of the Act, the Tennessee unemployment compensation law provides that there is a State "on" indicator in the State for a week if the head of the State employment security agency determines, in accordance with 20 CFR 615.12(e), that, for the period consisting of that week and the immediately preceding 12 weeks, the rate of insured unemployment under the State unemployment compensation law equalled or exceeded the State trigger rate. 20 CFR 615.12 (b) or (c). The

Extended Benefit Period actually begins with the third week following the week for which there is an "on" indicator. A benefit period will be in effect for a minimum of 13 consecutive weeks, and will end the third week after there is an "off" indicator.

Determination of "on" Indicator

The head of the employment security agency of the State of Tennessee has determined, in accordance with the State law and 20 CFR 615.12(e), that the rate of insured unemployment in the State for the period consisting of the week ending on June 21, 1980, and the immediately preceding 12 weeks, rose to a point that equals or exceeds the State trigger rate, so that for that week there was an "on" indicator in that State.

Therefore, an Extended Benefit Period commenced in that State with the week beginning on July 6, 1980.

Information for Claimants

The duration of Extended Benefits payable in the new Extended Benefit Period, and the terms and conditions on which they are payable, are governed by the Act and the State unemployment compensation law. The state employment security agency will furnish a written notice of potential entitlement to Extended Benefits to each individual who has established a benefit year in the State that will expire after the new Extended Benefit Period begins, and who has exhausted all rights under the State unemployment compensation law to regular benefits before the beginning of the new Extended Benefit Period. 20 CFR 615.13(d)(1). The State employment security agency also will provide such notice promptly to each individual who exhausts all rights under the State unemployment compensation law to regular benefits during the Extended Benefit Period, including exhaustion by reason of the expiration of the individual's benefit year. 20 CFR 615.13(d)(2).

Persons who believe they may be entitled to Extended Benefits in the State of Tennessee, or who wish to inquire about their rights under the Extended Benefit Program, should contact the nearest local employment security office of the Tennessee Department of Employment Security in their locality.

Signed at Washington, D.C., on July 10, 1980.

Ernest G. Green,

Assistant Secretary for Employment and Training.

[FR Doc. 80-21083 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-30-M

Mine Safety and Health Administration

[Docket No. M-80-65-M]

Cargill Inc.; Petition for Modification of Application of Mandatory Safety Standard

Cargill Incorporated, Box 339, Patterson, Louisiana 70392 has filed a petition to modify the application of 30 CFR 57.21-51 (gassy mines-ventilation) to its Belle Isle Mine located in St. Mary Parish, Louisiana, in accordance with section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petitioner is mining domal salt. The mine was classified gassy in June 1979, and is now subject to 30 CFR 57.21-51. Although the mine ventilation plan does not include any abandoned "deadend" entries, unforeseen conditions or events may require deadending an entry.

2. As an alternative to the application of 30 CFR 57.21-51, the petitioner proposes to monitor each deadend for the presence of methane. If methane is detected, the deadend will be ventilated. Any abandoned deadend will be posted with a warning sign and will be barricaded by a large berm of broken rock salt to guard against entry by unauthorized personnel or entry of equipment which might provide a potential ignition source.

3. The petitioner states that the alternative method will achieve the same result as 30 CFR 57.21-51, and will at all times guarantee miners no less than the same measure of protection afforded by the standard.

Request for Comments

Persons interested in this petition may furnish written comments on or before August 14, 1980. Comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: July 8, 1980.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 80-21084 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-80-85-C]

Consolidation Coal Co.; Petition for Modification of Application of Mandatory Safety Standard

Consolidation Coal Company, 1800 Washington Road, Pittsburgh, Pennsylvania 15241 has filed a petition to modify the application of 30 CFR 75.326 (aircourses and belt haulage entries) to its Ireland Mine located in Marshall County, West Virginia. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. Petitioner requests modification of a standard restricting the use of belt haulage entries for ventilation of active working places.

2. This modification is requested because a method previously used to ventilate the belt conveyor entry, and another method currently in use, create disadvantages and hazards.

3. The abandoned method entailed isolating the belt, and preventing air ventilating the belt from reaching active working places by directing the air to the return through suspended vent tubing. This method was abandoned because (a) it was difficult to maintain sufficient ventilation along the belt; (b) vent tubing restricted overhead clearance and interfered with miners handling supplies along the track entry; and (c) in case of fire, the restricted air flow in the belt entry would cause extremely difficult firefighting conditions.

4. The current method isolates the belt and prevents air ventilating the belt from reaching active working places by coursing the air through a regulator and into the return.

5. Engineering drawbacks to this method are: (a) any air leak in the stoppings isolating the belt entry could create dead air space, resulting in methane accumulation, and (b) should a fire occur, air flow would demand the fire be fought from an inby location; such a technique is extremely dangerous.

6. Petitioner proposes to use the belt entry air to ventilate the active working places. Petitioner will (a) follow fire protection requirements found in 30 CFR Part 75 Subpart L; (b) install a CO detection and warning system in the conveyor belt entry; and (c) train all miners normally working inby the CO detection system in the system's operation and safety procedures.

7. Petitioner states that adherence to the standard will diminish miner safety, whereas the alternate method assures at least the same protection as the standard is meant to provide.

Request for Comments

Persons interested in this petition may furnish written comments on or before August 14, 1980. Comments must be filed with the Office of Standards,

Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: July 8, 1980.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 80-21085 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-43-M

Occupational Safety and Health Administration

Approval of Wyoming State Standards; Correction

AGENCY: Occupational Safety and Health Administration, Department of Labor.

ACTION: Notice of approval; correction.

FR Doc. No. 79-35448 appearing in the **Federal Register** of November 16, 1979 (44 FR 66102) contained an erroneous statement in the paragraph entitled "2. *Decision.*" This paragraph is corrected to read as follows:

"2. *Decision.*" Having reviewed the State submission in comparison with the Federal Standards, it has been determined that the State standards are at least as effective as the comparable Federal standards."

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Denver, Colorado, this 9th day of July 1980.

Curtis A. Foster,

Regional Administrator.

[FR Doc. 80-21100 Filed 7-11-80; 8:45 am]

BILLING CODE 4510-26-M

Alaska State Standards; Notice of Approval

1. *Background:* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On August 10, 1973 notice was published in the **Federal Register** (38 FR 21628) of the approval of the Alaska plan and the adoption of Subpart R to Part 1952 containing the decision.

The Alaska plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under section 6 of the Act. Section 1952.243 of Subpart R sets forth the State's schedule for the adoption of at least as effective State standards. By letter dated October 16, 1979, from Edmund N. Orbeck, Commissioner, to James W. Lake, Regional Administrator, and incorporated as part of the plan, the State submitted State standards comparable to 29 CFR 1910.1045, Acrylonitrile, as published in the **Federal Register** (43 FR 45762) October 3, 1978, as a permanent standard.

These State standards, which are contained in Subchapter 4 Alaska Occupational Safety and Health Code, were promulgated by the State on June 8, 1978 after public notice under authority vested in Edmund Orbeck, Commissioner, by AS-18.60.020. The Alaska State Acrylonitrile Standard became effective on October 31, 1979.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are at least as effective as the comparable federal standards and accordingly should be approved. The one main difference is that in the State standard, a definition of "Decontamination" is corrected and the meaning of the airborne concentration level of Acrylonitrile is clarified by stating that employees shall not be exposed to concentrations of acrylonitrile above 1 ppm averaged over any 8-hour period. The detailed standards comparision is available at the locations specified below.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Occupational Safety and Health Administration, Room 6003 Federal Office Building, 909 First Avenue, Seattle, Washington 98174; State of Alaska, Department of Labor, Office of the Commissioner, Juneau, Alaska, 99801; and the Technical Data Center, Room N2349R, New Department of Labor Building, 3rd and Constitution Avenue, N.W., Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c) the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Alaska plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reason.

The standards were adopted in accordance with the procedural requirements of State law which included public comment and further public participation would be repetitious.

This decision is effective July 15, 1980.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Seattle, Washington, this 4th day of February , 1980.

James W. Lake,

Regional Administrator—OSHA.

[FR Doc. 80-21086 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-26-M

California State Standards; Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called Regional Administrator-OSHA), under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On May 1, 1973, notice was published in the **Federal Register** (38 FR 10717) of the approval of the California plan and the adoption of Subpart K to Part 1952 containing the decision.

The California plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under section 6 of the Act. State standards have been revised in accordance with Part 1953 to meet the requirement of adopting Federal Standard revisions and State initiated changes. Accordingly, California has revised these standards and promulgated them in accordance with applicable State procedures. By letter dated January 18, 1980, from Dorothy H. Fowler, Assistant Program Manager, California Occupational Safety and Health Administration, to Gabriel J. Gillotti, Regional Administrator, OSHA, and incorporated as part of the plan, the State submitted proof documents concerning standards

equivalent to Federal amendments to Walking, Working Surfaces 29 CFR 1910.23(e)(1) and 1910.23(e)(3); Means of Egress 29 CFR 1910.36(b)(4);

Personal Protective Equipment 29 CFR 1910.132(a) and 1910.132(b); General Environmental Controls 29 CFR 1910.141(d)(2)(ii); Materials Handling and Storage 29 CFR 1910.179(n)(3)(vi), 1910.180(h)(3)(vi) and 1910.181(i)(3)(vi); Machinery and Machine Guarding 29 CFR 1910.212(a)(3), 1910.213(r)(4), 1910.213(g)(1), 1910.213(h)(1), 1910.219(a) and 1910.219(d)(1); Ship Repairing 29 CFR 1915.41(a)(9) and 1915.41(a)(10); Shipbuilding 29 CFR 1916.41(a)(9) and 1916.41(a)(10); Gear Certification 29 CFR 1919.71(c) and 1919.77(a); Construction Standards—Rollover Protective Structures 29 CFR 1926.1000(e); Agriculture Standards-Rollover Protective Structures 29 CFR 1928.51(c). The State-initiated standard changes with no comparable Federal standard concerned revisions pertaining to definitions, working areas, petroleum drilling, jewelry, licensing of bus drivers, variable speed drives, cranes and derricks, holding the load, combustible dusts, combustible metals, sulfur, and collection and disposal of magnesium waste dust. These standards, which are contained in Title 8, Chapter 4 of the California Administrative Code were promulgated (date filed with the Secretary of State) between March 20, 1979 and August 9, 1979.

2. *Decision.* Having reviewed the State submission in comparison with Federal standards, it has been determined that the State standards are at least as effective as the comparable Federal standards. The detailed standards comparison is available at the locations specified below.

3. *Location of Supplement for Inspection and Copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Occupational Safety and Health Administration, 450 Golden Gate Avenue, Room 11349, San Francisco, California 94102; California Occupational Safety and Health Administration, Room 3052, 455 Golden Gate Avenue, San Francisco, California 94102; and Directorate of Federal Compliance and State Programs, Room N3619, 200 Constitution Avenue N.W.,Washington, D.C. 20210.

4. *Public Participation.* Under § 1953.2(c) of this chapter, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the California plan as a proposed change and making the OSHA Regional Administrator's approval effective upon publication for the following reason.

The standards were adopted in accordance with the procedural requirements of State law which included public comment and further public participation would be repetitious.

This decision is effective July 15, 1980.

(Sec. 18, Pub. L. 91–596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at San Francisco, California this 6th day of February, 1980.

Gabriel J. Gillotti,

Regional Administrator.

[FR Doc. 80-21087 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-26-M

Kentucky Standards; Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a state plan which has been approved in accordance with Section 18(c) of the Act and 29 CFR Part 1902. On July 31, 1973, notice was published in the **Federal Register** (38 FR 20322) of the approval of the Kentucky plan and the adoption of Subpart Q to Part 1952 containing the decision.

The Kentucky plan provides for the adoption of Federal standards as State standards after public hearing. Section 1953.20 of 29 CFR provides that "where any alteration in the Federal program could have an adverse impact on the 'at least as effective as' status of the State program, a program change supplement to a State plan shall be required."

The State has submitted by letter dated July 12, 1979 from James R. Yocum, Commissioner, Kentucky Department of Labor, to R. A. Wendell, Regional Administrator, and incorporated as a part of the plan amended State standards comparable to amendments to Federal standards. The updated standards covered by this notice are comparable to amended Federal Standards: Part 1910 Standards Revocation dated October 24, 1978, and Corrections dated November 7, 1978; § 1910.19 Special Air Contaminants dated November 14, 1978; § 1910.1000 Toxic and Hazardous Substances dated November 14, 1978; § 1910.1025 Lead dated November 14, 1978; § 1910.1000 Toxic and Hazardous Materials—Amended, dated December 8, 1978; § 1910.1500 References, corrected, dated December 8, 1978.

The Kentucky plan also provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under Section 6 of the Act. The State has promulgated standards related to subject matter which is not covered by Federal Standards. These State Standards are: Refuse Collection and Compaction Equipment: Substitution of ANSI B56.1–1975 for B56.1–1969 as a reference § 1926.602.

These standards were promulgated by Standards Board Meetings August 14, 1978, and January 14, 1979, and filed with the Legislative Research Commission on September 1, 1978, and February 1, 1979, for publication in the Kentucky Administrative Register on October 1, 1978, and March 1, 1979, pursuant to the Kentucky Occupational Safety and Health Act and Chapter 13, Kentucky Revised Statutes.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that (1) those standards repromulgated by the State are identical to those standards previously approved on November 17, 1975 (41 FR 1980, January 13, 1976); October 21, 1976 (41 FR 51625, November 23, 1976); February 24, 1977 (42 FR 33814, July 1, 1977); April 20, 1977 (42 FR 33815, July 1, 1977); September 12, 1977 (42 FR 57182, November 1, 1977); May 24, 1978 (43 FR 57672, December 8, 1978); February 26, 1979 (44 FR 20813, April 6, 1979); and (2) updated standards are identical to the Federal standards. The State standards are hereby approved.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Commissioner of Labor, Kentucky Department of labor, Capital Plaza Towers, 12th Floor, Frankfort, Kentucky 40601; Office of the Regional Administrator, Suite 587, 1375 Peachtree Street NE., Atlanta, Georgia 30309 and Office of the Director of Federal Compliance and State Programs, Room N3603, 200 Constitution Avenue NW., Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c) the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds good cause exists for not publishing the supplement to the Kentucky State Plan as a proposed change and in making the Regional Administrator's approval effective upon publication for the following reasons:

1. The standards are essentially identical to the Federal standards and are deemed to be at least as effective.

2. The standards were adopted in accordance with procedural requirements of State law and further participation would be unnecessary.

The decision is effective July 15, 1980.

(Sec. 18, Pub. L. 91-596; 84 Stat. 1608 (29 U.S.C. 667))

Signed at Atlanta, Georgia this 1st day of August, 1979.

R. A. Wendell,

Regional Administrator.

[FR Doc. 80-21088 Filed 7-14-80; 8:45 am]

BILLING CODE 4810-26-M

Kentucky Standards

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary((29 CFR 1953.4) will review and approve standards promulgated pursuant to a state plan which has been approved in accordance with Section 18(c) of the Act and 29 CFR Part 1902. On July 31, 1973, notice was published in the **Federal Register** (38 FR 20322) of the approval of the Kentucky plan and the adoption of Subpart Q to Part 1952 containing the decision.

The Kentucky plan provides for the adoption of Federal standards as State standards after public hearing. Section 1953.20 of 29 CFR provides that "where any alteration in the Federal program could have an adverse impact on the 'at least as effective as' status of the State program, a program change supplement to a State plan shall be required."

The State has submitted by letter dated 31 December 1979 from James R. Yocom, Commissioner, Kentucky Department of Labor, to R. A. Wendell, Regional Administrator, and incorporated as a part of the plan amended State standards comparable to amendments to Federal standards. The updated standards covered by this notice are comparable to amended Federal Standards: 29 CFR 1910.1025 Corrections Lead, dated January 26, 1979; 29 CFR 1910.1025 Corrections Lead, dated October 23, 1979; 29 CFR Part 1915 Ship Repairing, dated June 19, 1974; 29 CFR Part 1916 Shipbuilding, dated June 19, 1974; 29 CFR Part 1917 Shipbreaking, dated June 19, 1974; 29 CFR Part 1918 Longshoring, dated June 19, 1974; 29 CFR Part 1919 Gear Certification, dated June 19, 1974.

The Kentucky plan also provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under Section 6 of the Act.

These standards were promulgated by Standards Board Meetings March 30, 1979, July 9, 1979, and November 1, 1979, and filed with the Legislative Research Commission on May 1, 1979, August 1, 1979, and December 1, 1979, for publication in the Kentucky Administrative Register on June 1, 1979, September 1, 1979, and January 1, 1980, pursuant to the Kentucky Occupational Safety and Health Act and Chapter 13, Kentucky Revised Statutes.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that (1) those standards repromulgated by the State are identical to those standards previously approved on November 17, 1975 (41 FR 1980); January 13, 1976, February 24, 1977 (42 FR 33814); April 20, 1977 (42 FR 33815); November 1, 1977 (42 FR 57182); December 8, 1978 (43 FR 57672); April 6, 1979 (44 FR 20813); and (2) updated standards are identical to the Federal standards.

The State standards are hereby approved.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Commissioner of Labor, Kentucky Department of Labor, U.S. 127 South Building, Frankfort, Kentucky 40601, Office of the Regional Administrator, Suite 587, 1375 Peachtree Street, N.E., Atlanta, Georgia 30309, and Office of the Director of Federal Compliance and State Programs, Room N3613, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c) the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds good cause exists for not publishing the supplement to the Kentucky State Plan as a proposed change and in making the Regional Administrator's approval effective upon publication for the following reasons:

1. The standards are essentially identical to the Federal standards and are deemed to be at least as effective.

2. The standards were adopted in accordance with procedural requirements of State law and further participation would be unnecessary.

The decision is effective July 15, 1980.

(Sec. 18, Pub. L. 91-596; 84 Stat. 1608 (29 U.S.C. 667))

Signed at Atlanta, Georgia this 10th day of April, 1980.

R. A. Wendell,

Regional Administrator.

[FR Doc. 80-21089 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-26-M

New Mexico State Standards; Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary), (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On December 10, 1975, notice was published in the **Federal Register** (40 FR 57455) of the approval of the New Mexico plan and the adoption of Subpart DD to Part 1952 containing the decision.

The New Mexico plan provides for the adoption of Federal standards as State standards by reference after:

1. Technical Advisory Committee submittal of recommendations to the Environmental Improvement Division.

2. Notice of public hearing(s) published in a newspaper of general circulation in the State at least thirty (30) days prior to the date of such hearing(s).

3. Open public hearing(s) conducted by the Environmental Improvement Board.

4. Filing of adopted regulations, amendments or revocations under the State Rules Act.

Section 1953.20 of 29 CFR provides that "where any alteration in the Federal program could have an adverse impact on the 'at least as effective as' status of the State program, a program change supplement to a State plan shall be required."

In response to the Federal program changes, the State of New Mexico has submitted by letter dated January 2, 1980, from Thomas E. Baca, Director, Environmental Improvement Division, to Gilbert J. Saulter, Regional Administrator and incorporated as part of the plan, amended State standards comparable to Federal standards Part 1926 Occupational Safety and Health Regulations for Construction—Identification of General Industry Safety and Health Standards (29 CFR Part 1910) Applicable to Construction Work dated February 9, 1979, with corrections to this part dated April 6, 1979.

The State included in their submission amendments, correction, or deletions comparable to §§ 1910.1000 and 1910.1500 Air Contaminants Tables dated December 8, 1978, and 1928.21 Applicability of General Industry Standards to Agriculture dated July 29, 1977.

These standards, which are contained in New Mexico Occupational Health and Safety Regulations, Section 200—General Standards, Section 300—Construction Standards, and Section 400—Agricultural Standards, were promulgated after public hearings held on September 14, 1979, pursuant to the New Mexico Occupational Health and Safety Act, Section 50–9–1 through 50–9–25, N.M.S.A. 1978.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards it has been determined that the State standards are identical to the Federal standards and accordingly they are approved.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, U.S. Department of Labor—OSHA, Room 602, 555 Griffin Square Building, Griffin and Young Streets, Dallas, Texas 75202; Director, Environmental Improvement Division, Crown Building, 725 St. Michael's Drive, Santa Fe, New Mexico 87503; and the Technical Data Center, Room N2439R, Third and Constitution Avenue, N.W., Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the New Mexico State plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reasons:

1. The standards are identical to the Federal standards which were promulgated in accordance with Federal law including meeting requirements for public participation.

2. The standards were adopted in accordance with the procedural requirements of State law and further participation would be unnecessary.

This decision is effective July 15, 1980.

(Sec. 18, Pub. L. 91–596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Dallas, Texas this 17th day of March 1980.

Gilbert J. Saulter,

Regional Administrator.

[FR Doc. 80–21093 Filed 7–14–80; 8:45 am]

BILLING CODE 4510–26–M

Oregon State Standards; Notice of Approval

1. *Background.* Part 1953 of title 29, Code of Federal Regulations prescribes procedures under section 18 of the OSH Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On January 26, 1973, notice was published in the **Federal Register** (38 FR 2421) of the approval of the Oregon plan and the adoption of Subpart F to Part 1952 containing the decision.

The Oregon plan provided for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under section 6 of the Act. Sections 1952.120–124 of Subpart F sets forth the State's schedule for the adoption of at least as effective State standards. By letter dated November 20, 1979 from Darrel D. Douglas, Administrator of the Accident Prevention Division, Workers' Compensation Department, to James W. Lake, Regional Administrator, Occupational Safety and Health Administration, and incorporated as part of the plan, the State submitted State standards comparable to 29 CFR 1910.184, Slings, as published in **Federal Registers** (40 FR 27369) dated June 27, 1975 and (40 FR 31598) dated July 28, 1975. These standards, which are contained in Chapter 437–11–9 OAR became effective August 1, 1976.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are at least as effective as the comparable Federal standards and accordingly should be approved. The significant area of differences are that the State exceeds Federal coverage by (1) restricting the use of eyes formed by knots or wire rope clips; (2) preventing the fabrication of slings from used wire rope (3) requiring a rated capacity for non-welded end attachments to equal the capacity of the sling; and (4) requiring removal of slings from service when these are protruding ends of wires. Other differences are editorial in nature and do not change the effectiveness of the standard. The detailed standards comparison is available at the locations specified below.

3. *Location of supplement and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Occupational Safety and Health Administration, Room 6003, 909 First Avenue, Federal Office Building, Seattle, Washington 98174; Workers' Compensation Department, Room 204, Labor and Industries Building, Salem, Oregon 97310; and the Technical Data Center, Room N2349R, 3rd Street and Constitution Avenue N.W., Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c) the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Oregon plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reason: The standards were adopted in accordance with the procedural requirements of State law which included public comment and further public participation would be repetitious.

This decision is effective July 15, 1980.

(Sec. 18, Pub. L. 91–596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Seattle, Washington, this 21st day of January, 1980.

Ronald T. Tsunehara,

Acting Regional Administrator—OSHA.

[FR Doc. 80-21090 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-26-M

Oregon State Standards; Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with Section 18(c) of the Act and 29 CFR Part 1902. On December 28, 1972, notice was published in the **Federal Register** (37 FR 28628) of the approval of the Oregon plan and the adoption of Subpart D to Part 1952 containing the decision.

The Oregon plan provides for the adoption of Federal standards as State standards after comments and/or public hearing. Section 1952.109 of Subpart D sets forth the State's schedule for the adoption of Federal standards. By letter dated August 29, 1979 from Darrel D. Douglas to James W. Lake and incorporated as part of the plan, the State submitted State standards comparable to 29 CFR 1910.1018, Inorganic Arsenic, as published in the **Federal Register** (43 FR 19624) dated May 5, 1978. These standards which are contained in Oregon Administrative Rule Chapter 437 Division 100, were promulgated by the State after a notice to amend was published in the Secretary of State's Administrative Rules Bulletin on May 15, 1979. Written comments or a request for public hearing were not received.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are identical to the Federal standards with the following minor exceptions: rule numbers and required internal references; definition and mention of responsible individuals by title; and the dates on which various rules became effective; and accordingly should be approved.

3. *Location of supplement for inspection and copying.* A copy of the standard supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Occupational Safety and Health Administration, Room 6003, Federal Office Building, 909 First Avenue, Seattle, Washington 98174; Workers' Compensation Department, Labor and Industries Building, Salem, Oregon 97310, and the Technical Data Center, Room N2349R, New Department of Labor Building, 3rd and Constitution Avenues, Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Oregon State plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reasons:

1. The standards are identical to the Federal standards which were promulgated in accordance with Federal law including meeting requirements for public participation.

2. The standards were adopted in accordance with the procedural requirements of State law and further participation would be unnecessary.

This decision is effective July 15, 1980.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Seattle, Washington this 4th day of February, 1980.

James W. Lake,

Regional Administrator, Occupational Safety and Health Administration.

[FR Doc. 80-21091 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-26-M

Oregon State Standards; Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with Section 18(c) of the Act and 29 CFR Part 1902. On December 28, 1972, notice was published in the **Federal Register** (37 FR 28628) of the approval of the Oregon plan and the adoption of Subpart D to Part 1952 containing the decision. The Notice of Approval of Revised Developmental Schedule was further published on April 1, 1974 in the **Federal Register.**

The Oregon plan provides for the adoption of Federal standards as State standards after comments and/or public hearing. Section 1952.108 of Subpart D sets forth the State's schedule for the adoption of Federal standards. By letter dated November 20, 1979, from Darrel D. Douglas, Administrator, Workmen's Compensation Department, to James W. Lake, Regional Administrator, and incorporated as part of the plan, the State submitted State standards comparable to 29 CFR 1910.1045, Acrylonitrile, as published in the **Federal Register** (43 FR 45762) dated October 3, 1978. These standards which are contained in OAR Chapter 437, Oregon Occupational Safety and Health Code, were promulgated by the State after a notice to amend was published in the Secretary of State's Administrative Rules Bulletin on August 1, 1979 pursuant to ORS Chapter 183.335. No written comments or requests for a public hearing were received.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards it has been determined that the State standards are identical to the Federal standards with the following minor exceptions: (a) minor editorial changes, (b) different effective dates, (c) omits OSHA Area Office reference, and (d) omits reference to Director of NIOSH, and accordingly should be approved.

3. *Location of supplement for inspection and copying.* A copy of the standard supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Occupational Safety and Health Administration, Room 6003, Federal Office Building, 909 First Avenue, Seattle, Washington 98174; Workers' Compensation Department, Labor and Industries Building, Salem, Oregon 97310; and the Technical Data Center, Room N2349R, New Department of Labor Building, 3rd and Constitution Avenues, Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the

Oregon plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reasons:

1. The standards are identical to the Federal standards which were promulgated in accordance with Federal law including meeting requirements for public participation.

2. The standards were adopted in accordance with the procedural requirements of State law and further participation would be unnecessary.

This decision is effective July 15, 1980.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Seattle, Washington this 4th day of February, 1980.

James W. Lake,

Regional Administrator—OSHA.

[FR Doc. 80-21092 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-26-M

South Carolina Standards; Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with Section 18(e) of the Act and 29 CFR Part 1902. On December 6, 1972, notice was published in the **Federal Register** (37 FR 25932) of the approval of the South Carolina plan and the adoption of Subpart C to Part 1952 containing the decision.

The South Carolina plan provides for the adoption of Federal standards as State standards after public hearing. Section 1953.41 of 29 CFR provides that "Where any alteration in the Federal program could have an adverse impact on the 'at least as effective as' status of the State program, a program change supplement to the State plan shall be required." By letter dated June 1, 1979 from Edgar L. McGowan, Commissioner, South Carolina Department of Labor to Robert A. Wendell, Regional Administrator, and incorporated as a part of the plan, the State submitted the following amended State standards comparable to Federal standards: § 1910.1046 Cotton Dust amended, dated December 5, 1978; § 1910.1043 Cotton Dust amended, dated December 5, 1978; § 1910.20 Preservation of Records dated July 21, 1978; § 1910.1000 Toxic and Hazardous Substances amended, dated December 8, 1978; § 1910.1025 Lead and corrections, dated November 11, 1978 and January 26, 1979; § 1910.19 Special Air Contaminants, dated November 11, 1978.

These standards were promulgated after public hearings held on April 24, 1979 and May 24, 1979, and filed with the South Carolina Secretary of State April 24, 1979 and May 24, 1979, pursuant to Act 379, South Carolina Acts and Joint Resolutions, 1971 (Sections 40-261 through 40-274 South Carolina Code of Laws, 1962).

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are identical to or as effective as the Federal standards.

The State standards are hereby approved.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement along with the approved plan may be inspected and copied during normal business hours at the following locations: Office of the Commissioner of Labor, South Carolina Department of Labor, 3600 Forest Drive, Columbia, South Carolina 29211; Office of the Regional Administrator, Suite 587, 1375 Peachtree Street NE., Atlanta, Georgia 30309; and Director of Federal Compliance and State Programs, Room N-3112, 200 Constitution Avenue NW., Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds good cause exists for not publishing the supplement to the South Carolina State Plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reasons:

1. The standards are essentially identical to the comparable Federal standards and are deemed to be at least as effective.

2. The standards were adopted in accordance with procedural requirements of State law and further participation would be unnecessary.

This decision is effective July 15, 1980.

(Sec. 18, Pub. L. 91-596, 54 Stat. 1608 (29 U.S.C. 667))

Signed at Atlanta, Georgia, this 2nd day of August 1979.

R. A. Wendell,

Regional Administrator.

[FR Doc. 80-21094 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-26-M

Utah State Standards; Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator) under the delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary), (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State Plan which has been approved in accordance with Section 18(c) of the Act and 29 CFR Part 1902. On January 10, 1973, notice was published in the **Federal Register** (38 FR 1178) of the approval of the Utah Plan and the adoption of Subpart E to Part 1952 containing the decision.

The Utah Plan provides for the adoption of Federal Standards as State Standards by:

1. Advisory Committee recommendation.

2. Publication in newspapers of general/major circulation with a 30-day waiting period for public comment and hearing(s).

3. Commission order adopting the standards and designating an effective date.

4. Providing certified copies of Rules and Regulations or Standards to the Office of the State Archivist.

Section 1951.113 of Subpart E sets forth the State's schedule for adoption of Federal Standards. By letters dated July 13, 1979 and August 24, 1979, from Ronald L. Joseph, Administrator, Utah Occupational Safety and Health Division, to Curtis A. Foster, Regional Administrator, and incorporated as part of the Plan, the State submitted rules and regulations concerning 29 CFR 1910.1025 Occupational Exposure to Lead (Final Standard), 43 FR 52952, Tuesday, November 14, 1978; 44 FR 5446, Friday, January 26, 1979 (Corrections); 44 FR 14554, Tuesday, March 13, 1979 (Notice of Partial Judicial Stay); 44 FR 20680, Friday, April 6, 1979 (Corrections); 44 FR 50338, Tuesday, August 28, 1979 (Corrections). These standards, which are contained in the Utah Occupational Safety and Health

Rules and Regulations for General Industry, were promulgated per the requirements of the Utah Code annotated 1953, Title 63–46–1, and in addition, published in newspapers of general/major circulation throughout the State. Public comments were received, but no hearing was scheduled, since the requisite request(s) for a hearing as provided by Utah's Administrative Rule Making Act Section 63–46–5(B) were not received. This Act provides that a hearing be held when 25 persons, a governmental subdivision, or an association having not less than 25 members request a hearing within 15 days after publication and mailing of the proposed standard in the Utah Archives Bulletin. The standard was published and mailed in the Archives Bulletin of June 1, 1979, under Archives File Number 3326 and July 1, 1979 Archives File Number 3427. This procedure is in accordance with Utah's Administrative Rule Making Act Section 63–46–13, dated July 1, 1973.

The Standard for 29 CFR 1910.1025, Occupational Exposure to Lead, was adopted by the Industrial Commission of Utah, Archives File Number 3427 on June 23, 1979, pursuant to Title 35–9–6 Utah Code annotated 1953 and became effective July 10, 1979.

2. *Decision.* The State submission having been reviewed in comparison with the Federal Standards, it has been determined that the State Standards are identical to the Federal Standards and accordingly should be approved.

3. *Location of Supplement for Inspection and Copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Room 1554, Federal Office Building, 1961 Stout Street, Denver, Colorado 80294; Utah State Industrial Commission, UOSHA Offices at 448 South 400 East, Salt Lake City, Utah 84111; and the Technical Data Center, Room N2439R, 200 Constitution Avenue NW., Washington, D.C. 20210.

4. *Public Participation.* Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Utah State Plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reasons:

The Standards were adopted in accordance with the procedural requirements of State law which permitted public comments, and further public participation would be repetitious.

This decision is effective July 15, 1980.

(Sec. 18, Pub. L. 91–596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Denver, Colorado this 20th day of September 1979.

Curtis A. Foster,

Regional Administrator.

[FR Doc. 80–21096 Filed 7–14–80; 8:45 am]

BILLING CODE 4510–26–M

Utah State Standard; Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator) under the delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary), (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State Plan which has been approved in accordance with Section 18(c) of the Act and 29 CFR part 1902. On January 10, 1973, notice was published in the **Federal Register** (38 FR 1178) of the approval of the Utah Plan and the adoption of Subpart E to Part 1952 containing the decision.

The Utah plan provides for the adoption of State standards which are at least as effective as those which are presently or will, in the future, be promulgated under section 6 of the Occupational Safety and Health Act of 1970. The public hearings were held on September 5, 12, 19, 20 and 21, 1979 and the Rules and Regulations for Oil, Gas, Geothermal and Related Services Standards were promulgated per the requirements of Utah Code annotated 1953, Title 63–46–1, and in addition, published in newspapers of general/major circulation throughout the State.

The Rules and Regulations for Oil, Gas, Geothermal and Related Services Standards, were adopted by the Industrial Commission of Utah, Archives File Number 3800 on December 12, 1979, pursuant to Title 35–9–6 Utah Code annotated 1953.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that there is no comparable Federal standard but that the standard is acceptable in that it provides an effective approach to the protection of workers in the covered industries.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Room 1554, Federal Office Building, 1961 Stout Street, Denver, Colorado 80294; Utah State Industrial Commission, UOSHA Offices at 448 South 400 East, Salt Lake City, Utah 84111; and the Technical Data Center, Room N2439R, 200 Constitution Avenue NW., Washington, D.C., 20210.

4. *Public participation.* Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Utah State Plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reasons:

The Standards were adopted in accordance with the procedural requirements of State law which permitted public comments, and further public participation would be repetitious.

This decision is effective July 15, 1980.

(Sec. 18, Pub. L. 91–596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Denver, Colorado, this 8th day of February 1980.

Curtis A. Foster,

Regional Administrator.

[FR Doc. 80–21097 Filed 7–14–80; 8:45 am]

BILLING CODE 4510–26–M

Virginia State Standards; Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator), under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4), will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On September 28, 1976, notice was published in the **Federal Register** (41 FR 42655) of the approval of the Virginia State Plan and the adoption of Subpart EE to Part 1952 containing the decision.

The Virginia State plan provides for the adoption of Federal standards as State standards after public hearing. Section 1952.373 of Subpart EE sets forth the State's schedule for the adoption of Federal standards. By letters dated July 10, 1979, and April 9, 1980, from Commissioner Robert F. Beard, Jr., Virginia Department of Labor and Industry, to David H. Rhone, Regional Administrator, and incorporated as part of the plan, the State submitted State standards comparable to (1) 29 CFR 1910.1025 pertaining to occupational exposure to lead as published in the **Federal Register**, 43 FR 53007, dated November 14, 1978, as amended in 44 FR 5446, dated January 26, 1979; (2) 29 CFR 1910.1045 pertaining to occupational exposure to acrylonitrile as published in the **Federal Register**, 43 FR 45809, dated November 7, 1978; and (3) the revocation and amendment of 928 general and special (cooperage and laundry machinery, and bakery equipment) industry safety and health standards of 29 CFR Part 1910, as published in the **Federal Register**, 43 FR 49726–49767, dated October 24, 1978, and corrected in 43 FR 51759–51760, dated November 7, 1978.

These standards, which are contained in the Virginia Occupational Safety and Health Standards for General Industry, were promulgated after public hearing on May 24, 1979, pursuant to § 40.1–22 of Title 40.1 of the Code of Virginia.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are identical to the Federal standards and accordingly should be approved.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, 3535 Market Street, Room 2100, Philadelphia, PA 19104; Office of the Commissioner of Labor and Industry, 205 North Fourth Street, Richmond, VA 23241; and the Technical Data Center, Room N2439R, Third Street and Constitution Avenue, N.W., Washington, DC 20210.

4. *Public participation.* Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Virginia State plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reasons:

1. The standards are identical to the Federal standards which were promulgated in accordance with Federal law including meeting requirements for public participation.

2. The standards were adopted in accordance with the procedural requirements of State law and further participation would be unnecessary.

This decision is effective July 15, 1980.

(Sec. 18, Pub. L. 91–596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Philadelphia, Pennsylvania this 6th day of May, 1980.

David H. Rhone,

Regional Administrator.

[FR Doc. 80–21095 Filed 7–14–80; 8:45 am]

BILLING CODE 4510–26–M

Washington State Standards; Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On January 26, 1973, notice was published in the **Federal Register** (38 FR 2421) of the approval of the Washington plan and the adoption of Subpart F to Part 1952 containing the decision.

The Washington plan provides for the adoption of Federal standards as State standards after public hearing. Section 1952.123 of Subpart F sets forth the State's schedule for the adoption of Federal standards. By letter dated October 3, 1979 from James P. Sullivan, Assistant Director, Department of Labor and Industries, to James W. Lake Regional Administrator, and incorporated as part of the plan, the State submitted emergency rules comparable to (1) 29 CFR 1910.1025, Occupational Exposure to Lead, as published in the **Federal Register** (43 FR 52952) dated November 14, 1978 and (44 FR 14554) dated March 13, 1979; and (2) 29 CFR 1910.20, Preservation of Employee Exposure and Medical Records, as published in the **Federal Register** (43 FR 31329) dated July 21, 1978. These emergency rules which are contained in WAC 296–62–07349, Lead, and WAC 296–24–023, Preservation of Employee Exposure and Medical Records, were promulgated after public hearings held on July 12, 1979 and July 27, 1979 pursuant to RCW 34.04.030, 34.04.040, and 49.17.050.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards it has been determined that the State standards are identical to the Federal standards and accordingly should be approved.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Occupational Safety and Health Administration, Room 6003, Federal Office Building, 909 First Avenue, Seattle, Washington 98274; Department of Labor and Industries, General Administration Building, Olympia, Washington 98504; and the Technical Data Center, Occupational Safety and Health Administration, New Department of Labor Building, Room N2349R, 3rd and Constitution Avenue, Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Washington State plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reasons:

1. The standards are identical to the Federal standards which were promulgated in accordance with Federal law including meeting requirements for public participation.

2. The standards were adopted in accordance with the procedural requirements of State law and further participation would be unnecessary.

This decision is effective July 15, 1980.

(Sec. 18, Pub. L. 91–596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Seattle, Washington this 19th day of November, 1979.

James W. Lake,

Regional Administrator—Occupational Safety and Health Administration.

[FR Doc. 80–21096 Filed 7–14–80; 8:45 am]

BILLING CODE 4510–26–M

Wyoming State Standards; Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under Section 18 of the

Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State Plan which has been approved in accordance with Section 18(c) of the Act and 29 CFR Part 1902. On May 3, 1974, notice was published in the **Federal Register** (39 FR 15394) of the approval of the Wyoming Plan and the adoption of Subpart BB to Part 1952 containing the decision.

The Wyoming plan provides for the adoption of Federal standards as State standards after public hearings. Section 1953.23(a)(2) of 29 CFR provides that whenever a Federal standard is promulgated, the State must adopt or promulgate a standard or standard change which will make the State standard as effective as the Federal standard or change within six months of the Federal promulgation or change. In response to Federal standards changes, the State has submitted by letter dated March 14, 1980 and May 19, 1980 from Donald D. Owsley, Health and Safety Administrator, to Curtis A. Foster, Regional Administrator, stating that the State of Wyoming will incorporate as part of the plan, State Standards comparable to 29 CFR 1910.177 Servicing Multi-Piece Rim Wheels; Procedures, which was published in **Federal Register** (45 FR 6713), Tuesday, January 29, 1980. These standards, which are contained in the Wyoming Occupational Health and Safety Rules and Regulations for General Industry, were promulgated after hearings held on May 2, 1980 and by resolution adoption by the Wyoming Occupational Health and Safety Commission on May 2, 1980, pursuant to Section 27–278 Wyoming Statute 1957 as amended 1973.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are at least as effective as the comparable Federal standards.

3. *Location of supplements for inspection and copying.* A copy of the letter, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Occupational Safety and Health Administration, Room 1554, Federal Building, 1961 Stout Street, Denver, Colorado 80294; the Occupational Health and Safety Department, 200 East Eighth Avenue, Cheyenne, Wyoming 82002; and the Technical Data Center, Room N2439R, 200 Constitution Ave., N.W., Washington, D.C. 20210.

4. *Public participation.* Under § 1953.2(c) of 29 CFR Part 1953, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Wyoming State Plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reason: The standards were adopted in accordance with the procedural requirements of State law, which included public comments, and further public participation would be unnecessary.

This decision is effective July 15, 1980.

(Sec. 18, Pub. L. 91–596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Denver, Colorado, this 28th day of May, 1980.

Curtis A. Foster,

Regional Administrator.

[FR Doc. 80–21099 Filed 7–14–80; 8:45 am]

BILLING CODE 4510–26–M

Office of Pension and Welfare Benefit Programs

[Prohibited Transaction Exemption 80–42]

Exemption From the Prohibitions for a Certain Transaction Involving the Graham-Rogers, Inc., Profit Sharing Plan Located in Bartlesville, Okla. (Exemption Application No. D–1263)

AGENCY: Department of Labor.

ACTION: Grant of individual exemption.

SUMMARY: This exemption exempts the cash sale of a parcel of real property by the Graham-Rogers, Inc. Profit Sharing Plan (the Plan) to Graham-Rogers, Inc. (the Employer).[1]

FOR FURTHER INFORMATION CONTACT: Gary H. Lefkowitz of the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C–4526, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20216, (202) 523–8881. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On April 25, 1980, notice was published in the **Federal Register** (45 FR 28021) of the pendency before the Department of Labor (the Department) of a proposal to grant an exemption from the restrictions of section 406(a), 406(b)(1) and 406(b)(2) of the Employee Retirement Income Security Act of 1974 (the Act) and from the taxes imposed by section 4975 (a) and (b) of the Internal Revenue Code of 1954 (the Code) by reason of section 4975(c)(1) (A) through (E) of the Code, for a transaction described in an application filed by the Plan trustee, who is also the majority shareholder of the Employer. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, D.C. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written request that a public hearing be held relating to this exemption. The applicant has represented that he has complied with the notice to interested persons requirement as set forth in the notice of pendency. No public comments and no requests for a hearing were received by the Department.

This application was filed with both the Department and the Internal Revenue Service. However, the notice of pendency was issued and the exemption is being granted solely by the Department because , effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person with respect to a plan to which the exemption is applicable from certain other provisions of the Act and the Code. These provisions include any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act,

[1] The application for exemption also described related transactions including the purchase of the real property by the Plan in 1975, the leasing of the property by the Plan to the Employer, and an extension of credit by the Employer to the Plan. To the extent that these transactions are prohibited, the Department has declined to provide exemptive relief.

which among other things require a fiduciary to discharge his or her duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does the fact the transaction is the subject of an exemption affect the requirement of section 401(a) of the Code that a plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries.

(2) This exemption does not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code.

(3) This exemption is supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption or transitional rule is not dispositive of whether the transaction is, in fact, a prohibited transaction.

Exemption

In accordance with section 408(a) of the Act and section 4975(c)(2) of the Code and the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975), and based upon the entire record, the Department makes the following determinations:

(a) The exemption is administratively feasible;

(b) It is in the interests of the Plan and of its participants and beneficiaries; and

(c) It is protective of the rights of the participants and beneficiaries of the Plan.

Accordingly, the restrictions of section 406(a), 406(b)(1) and 406(b)(2) of the Act and the taxes imposed by section 4975 (a) and (b) of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code shall not apply to the sale of the parcel of real property described in the application by the Plan to the Employer for $16,000 in cash, provided such amount is not less than the fair market value of the property at the time of sale.

The availability of this exemption is subject to the express condition that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transaction to be consummated pursuant to this exemption.

Signed at Washington, D.C., this 7th day of July, 1980.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 80-21023 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-29-M

[Prohibited Transaction Exemption 80-41]

Exemption From the Prohibitions for Certain Transactions Involving the Jeff Hunt Machinery Co. Profit Sharing Plan Located in Columbia, S.C. (Exemption Application No. D-1751)

AGENCY: Department of Labor.

ACTION: Grant of individual exemption.

SUMMARY: This exemption permits the cash sale of real property by the Jeff Hunt Machinery Company Profit Sharing Plan (the Plan) to Hunt Development Company, a party in interest.

FOR FURTHER INFORMATION CONTACT: Alan H. Levitas of the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20216, (202) 523-8884. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On May 16, 1980, notice was published in the **Federal Register** (45 FR 32445) of the pendency before the Department of Labor (the Department) of a proposal to grant an exemption from the restrictions of section 406(a) and 406 (b)(1) and (b)(2) of the Employee Retirement Income Security Act of 1974 (the Act) and from the taxes imposed by section 4975 (a) and (b) of the Internal Revenue Code of 1954 (the Code) by reason of section 4975(c)(1) (A) through (E) of the Code, for a transaction described in an application filed by Jeff Hunt Machinery Company, the Plan trustee and the Hunt Development Company. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, D.C. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written request that a public hearing be held relating to this exemption. The applicant has represented that he has complied with the requirements of the notification to interested persons as set forth in the notice of pendency. No public comments and no requests for a hearing were received by the Department.

The notice of pendency was issued and the exemption is being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person with respect to a plan to which the exemption is applicable from certain other provisions of the Act and the Code. These provisions include any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his or her duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does the fact the transaction is the subject of an exemption affect the requirement of section 401(a) of the Code that a plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries.

(2) This exemption does not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code.

(3) This exemption is supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption or transitional rule is not dispositive of whether the transaction is, in fact, a prohibited transaction.

Exemption

In accordance with section 408(a) of the Act and section 4975(c)(2) of the Code and the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975), and based upon the entire record, the Department makes the following determinations:

(a) The exemption is administratively feasible;

(b) It is in the interests of the Plan and of its participants and beneficiaries; and

(c) It is protective of the rights of the participants and beneficiaries of the Plan.

Accordingly, the restrictions of section 406(a) and 406 (b)(1) and (b)(2) of the Act and the taxes imposed by section 4975 (a) and (b) of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the cash sale of a 4.41-acre tract of unimproved real estate, located in Berkeley County, South Carolina, by the Plan to the Hunt Development Company for $81,000, provided that this amount is not less than the fair market value at the time of sale.

The availability of this exemption is subject to the express condition that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transaction to be consummated pursuant to this exemption.

Signed at Washington, D.C., this 7th day of July 1980.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 80-21024 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-29-M

[Prohibited Transaction Exemption 80-43]

Exemption From the Prohibitions for Certain Transactions Involving the National Security Bank Profit Sharing Plan Located in Chicago, Ill. (Exemption Application No. D-1843)

AGENCY: Department of Labor

ACTION: Grant of individual exemption.

SUMMARY: This exemption permits the loan of $500,000 to the National Security Bank Profit Sharing Plan (the Plan) by the National Security Bank of Chicago (the Employer), the sponsor of the Plan.

FOR FURTHER INFORMATION CONTACT: Richard Small of the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, D.C. 20216, (202) 523-8881. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On May 2, 1980, notice was published in the **Federal Register** (45 FR 29430) of the pendency before the Department of Labor (the Department) of a proposal to grant an exemption from the restrictions of section 406(a), 406(b)(1), and 406(b)(2) of the Employee Retirement Income Security Act of 1974 (the Act) and from the taxes imposed by section 4975 (a) and (b) of the Internal Revenue Code of 1954 (the Code) by reason of section 4975(c)(1) (A) through (E) of the Code, for the loan of $500,000 to the Plan by the Employer. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, D.C. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written request that a public hearing be held relating to this exemption. The applicant has represented that it has satisfied the notification requirements as set forth in the notice of pendency. No public comments and no requests for a hearing were received by the Department.

The notice of pendency was issued and the exemption is being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

Tax Consequences of Transaction

The Department of the Treasury has characterized the payment of excess interest in transactions of this type to be an employer contribution for purposes of Code sections 401, 404, and 415. Alternatively, the Department of the Treasury intends to treat such excess interest as unrelated debt-financed income under section 514 of the Code.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person with respect to a plan to which the exemption is applicable from certain other provisions of the Act and the Code. These provisions include any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, with among other things, require a fiduciary to discharge his or her duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with Section 404(a)(1)(B) of the Act; nor does the fact the transaction is the subject of an exemption affect the requirement of section 401(a) of the Code that a plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries.

(2) This exemption does not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code.

(3) This exemption is supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption or transitional rule is not dispositive of whether the transaction is, in fact, a prohibited transaction.

Exemption

In accordance with section 408(a) of the Act and Section 4975(c)(2) of the Code and the procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975), and based upon the entire record, the Department makes the following determinations:

(a) The exemption is administratively feasible;

(b) It is in the interests of the Plan and of its participants and beneficiaries; and

(c) It is protective of the rights of the participants and beneficiaries of the Plan.

Accordingly, the restrictions of section 406(a), 406(b)(1), and 406(b)(2) of the Act and the taxes imposed by section 4975 (a) and (b) of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code shall not apply to a loan of $500,000 for a period of up to two years by the Employer to the Plan which will be secured by obligations of the U.S. Treasury.

The availability of this exemption is subject to the express conditions that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transaction to be consummated pursuant to this exemption.

Signed at Washington, D.C., this 7th day of July 1980.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, U.S. Department of Labor.

[FR Doc. 80-21022 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-29-M

Proposed Exemption for Certain Transactions Involving the Agway Insurance Co. and the Agway Life Insurance Co. Located in DeWitt, N.Y. (Application No. L-506)

AGENCY: Department of Labor.

ACTION: Notice of Proposed Exemption.

SUMMARY: This document contains a notice of pendency before the Department of Labor (the Department) of a proposed exemption from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act). The proposed exemption would exempt, under certain conditions, the reinsurance by the Agway Insurance Company (Agway Insurance) and the Agway Life Insurance Company (Agway Life) of life insurance, health insurance or annuity contracts sold to employee benefit plans with respect to which Agway Insurance and Agway Life are parties in interest. The proposed exemption, if granted, would affect participants and beneficiaries of such employee benefit plans, employers maintaining those plans, Agway Insurance and Agway Life, and other persons participating in the transactions.

DATES: Written comments and requests for a public hearing must be received by the Department of Labor on or before August 29, 1980.

EFFECTIVE DATES: January 1, 1975, as to transactions exempted; January 1, 1982 as to the conditions (a) barring commissions on sales of contracts and (b) limiting the percentage of all covered premium receipts derived from the subject "captive" plans and their employers.

ADDRESS: All written comments and requests for a hearing (at least three copies) should be sent to the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20216, Attention: Application No. L-506. The application for exemption and the comments received will be available for public inspection in the Public Documents Room of Pension and Welfare Benefit Programs, U.S. Department of Labor, Room N-4677, 200 Constitution Avenue, N.W., Washington, D.C. 20216.

FOR FURTHER INFORMATION CONTACT: Gary H. Lefkowitz, of the Department of Labor, telephone (202) 523-8881. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Notice is hereby given of the pendency before the Department of an application for exemption from the restrictions of section 406(a), 406(b)(1) and 406(b)(2) of the Act. The proposed exemption was requested in an application filed on behalf of Agway Insurance, Agway Life, and their parent corporation, Agway, Inc. (Agway), pursuant to section 408(a) of the Act in accordance with procedures set forth in ERISA Procedure 75-1 (40 FR 18471), April 28, 1975).

Preamble

On August 7, 1979, the Department published a class exemption (Prohibited Transaction Exemption 79-41 (PTE 79-41), 44 FR 46365) which permits insurance companies that have substantial stock or partnership affiliations with employers establishing or maintaining employee benefit plans to make direct sales of life insurance, health insurance or annuity contracts which fund such plans, if certain conditions are satisfied.

In PTE 79-41, the Department stated its view that if a plan purchases in insurance contract from a company that is unrelated to the employer pursuant to an arrangement or understanding, written or oral, under which it is expected that the unrelated company will subsequently reinsure all or part of the risk related to such insurance with an insurance company which is a party in interest with respect to the plan, the purchase of the insurance contract would be a prohibited transaction.

The Department further stated that as of the date of publication PTE 79-41, it had received several applications for exemption under which a plan or its employer would contract with an unrelated company for insurance, and that unrelated company would, pursuant to an arrangement or understanding, reinsure part or all of the risk with (and cede part or all of the premiums to) an insurance company affiliated with the employer maintaining the plan. The Department felt that it would not be appropriate to cover the various types of reinsurance transactions for which it had received applications within the scope of the class exemption, but would instead consider such applications on the merits of each individual case.

Summary of Facts and Representations

The application contains representations with regard to the proposed exemption which are summarized below. Interested persons are referred to the application on file with the Department for the complete representations of the applicants.

1. Agway is a cooperative organization incorporated in Delaware which is engaged in the business of selling farm supplies and marketing farm products in twelve northeastern states. It is owned by over 117,000 farmer members and approximately 50 farmer cooperative members, and it employs over 10,000 people in the conduct of its business.

2. The Agway Group Life and Health Insurance Plan (Agway Plan) is an employee welfare benefit plan established by Agway. As of May 27, 1976, there were approximately 8500 active participants covered under the basic group life insurance and accidental death, dismemberment and loss of sight policies, and an additional 1260 retired employees were covered by the life insurance provisions. Approximately 8950 participants were covered by the weekly disability benefits contracts issued under the Agway Plan. In addition, approximately 2000 Agway members maintain insured welfare benefit plans (Members Plans) for their employees under a group trust established by Agway in 1966.

3. The Curtice-Burns Group Insurance Plan (C-B Plan), an employee welfare benefit plan, had approximately 1110 participants as of May 27, 1976. The C-B Plan was established by Curtice-Burns, Inc., a company of which 95 percent of the voting stock is owned by Agway.

4. The Texas City Refining and the Rebel Oil Company Life and Health Insurance Plans (TCR Plan and Rebel Oil Plan) are employee welfare benefit plans. As of May 27, 1976, the TCR Plan had 333 participants and the Rebel Oil Plan had 46 participants. The TCR Plan was established by Texas City Refining, Inc., a company of which Agway owns 67 percent. The Rebel Oil Plan was established by the Rebel Oil Company, Inc., a wholly owned subsidiary of TCR.

5. Agway Life, a wholly owned subsidiary of Agway, is a stock life insurance company which was organized in 1973 under the laws of the State of New York. Agway Life actively solicits life insurance business from Agway members, employees and customers, as well as the general public in New York, Pennsylvania, New Hampshire, Rhode Island, Maine and Delaware. Agway Life also accepts reinsurance from selected insurers. As

of December 31, 1978, Agway Life had assets of $11,673,479.

6. Agway Insurance is a stock casualty company which was organized in 1954 under the laws of the State of New York. All of the stock of Agway Insurance is owned by Agway Life. Agway Insurance underwrites the property damage risks of Agway affiliates, and also insures other auto, homeowners and farmowners lines with Agway members, employees, customers and the general public. Most of this business is done in New England, New York, Pennsylvania and New Jersey. Agway Insurance also accepts reinsurance from selected insurers. As of December 31, 1978, Agway Insurance had assets exceeding $19 million. Agway Insurance has always received an A+ Excellent rating from the A.M. Best Company, whose insurance ratings and reports are highly respected and widely utilized in financial and regulatory circles.

7. The benefits under the above described employee welfare benefit plans have been funded since 1956 through the purchase of group insurance policies from the Travelers Insurance Company (Travelers). Travelers is a wholly owned subsidiary of the Travelers Corporation, a publicly owned company not related to Agway. Travelers, which is licensed in 50 states, is among the largest stock life insurance companies in the United States. Travelers, in turn, has entered into reinsurance contracts with Agway Life and Agway Insurance with respect to risks it insures under the plans. Under the reinsurance contracts, Travelers pays one or the other of these two companies 50 percent of the premiums received from the plans, in exchange for which the companies reinsure Travelers for 50 percent of the risk. These reinsurance contracts in no way affect Travelers' liability for all of the benefits promised under its insurance contracts with the plans, and none of the plans is a party to the reinsurance contracts. The reinsurance arrangement has been in effect with Agway Insurance since 1959 and with Agway Life since 1974. The applicants have represented that benefits under the C–B Plan and the Members Plans ceased being reinsured in this manner in 1979.

8. The applicants represent that the reinsurance transactions involved have met and will continue to meet all of the conditions of PTE 79–41 covering direct insurance transactions:

(a) Agway Life and Agway Insurance are parties in interest by reason of stock affilation with the employers maintaining the plans that is described in Act section 3(14)(G).

(b) Agway Insurance is licensed to sell insurance in sixteen states. Agway Life is licensed to sell insurance in twelve states.

(c) Agway Insurance obtained a certificate of compliance from the Insurance Commissioner of the State of New York on June 11, 1954. Agway Life obtained a certificate of compliance from the Insurance Commissioner of the State of New York on November 28, 1973. Such certificates are automatically renewed each year by the New York Insurance Department and continue to be effective unless rescinded. Neither Company's certificate has ever been rescinded.

(d) Agway Insurance and Agway Life each underwent a financial examination by the Insurance Commissioner of the State of New York as of December 31, 1976. During the course of such examinations, the reinsurance contracts with Travelers are examined thoroughly, as are the results of the companies' participation therein.

(e) Both Agway Insurance and Agway Life have undergone in the past (and will continue to undergo in the future) an annual examination by an independent certified public accountant.

(f) The plans pay no more than adequate consideration for the insurance contracts. Because Travelers, as one of the largest group insurance underwriters in the country, enjoys substantial economies of scale in overall policy administration, the premium charge to the plans is highly competitive. The reinsurance transactions are not a factor in the premium computations and thus do not in any way affect plan costs.

(g) Travelers, the direct insurer of the plans, has followed the normal commercial practice by paying a broker, Fred S. James Co. (unrelated to Agway) a commission for placing the Agway policies with it. The amount of the commission is $15,650 each year in respect to gross premiums of $4,847,000. The applicants represent that such commission will be eliminated in 1981, and no commission will be paid with respect to the sale of the insurance contracts after December 31, 1981.

(h) The gross premiums and annuity considerations received in 1978 through reinsurance by Agway Insurance for life and health and annuity contracts for all employee plans (and their employers) with respect to which Agway Insurance is a party in interest did not exceed 50 percent of the gross premiums and annuity considerations received for all lines of insurance in 1978 by Agway Insurance. Such premiums only amounted to approximately ten percent of Agway Insurance's gross premiums received. The gross premiums and annuity considerations received in 1978 by Agway Life for life, health and annuity contracts for all employee benefit plans (and their employers) with respect to which Agway Life is a party in interest did not exceed 50 percent of the gross premiums and annuity considerations received for all lines of insurance in 1978 by Agway Life. Such premiums amounted to approximately 42 percent of Agway Life's gross premiums received. The Applicant's represent that for the future neither Agway Insurance nor Agway Life will derive more than a total of 50 percent of its gross premiums (including reinsurance receipts) from transactions involving insurance contracts of plans, and their employers, with respect to which it is a party in interest.

9. In summary, the applicants represent that the subject transactions meet the criteria of section 408(a) of the Act because: (1) The insurance could not be purchased by the plans directly from Agway Insurance and Agway Life more economically than the plans purchase it from Travelers; (2) Plan participants and beneficiaries are afforded insurance protection by Travelers, one of the largest and most experienced group insurers in the United States, at competitive rates arrived at through arm's-length negotiations; (3) Agway Life and Agway Insurance are each sound, viable insurance companies which have been in business for many years, and which do a substantial amount of business outside their affiliated group of companies; and (4) Each of the protections provided to the Plans and their participants by PTE 79–41 has been, or will be, met under the continuing reinsurance arrangements noticed here.

Notice to Interested Persons

Notice of this proposed exemption will be provided to all participants and beneficiaries of the affected plans within 14 days of the publication of the notice in the **Federal Register**. With regard to the Agway Plan, plan participants who are currently employed will be notified by means of an announcement on the front page of the company newspaper. Retired employees will be notified by mail. With respect to the Members Plans, notice will be provided by mail to all members who utilize the trust for employee benefit plans, and those membes will be requested to post a notice of the pendency of the exemption in a place that is customarily used for providing notice with regard to labor-management relations at worksites of plan participants. In the case of retired employees covered under the Members

Plans, the members will be requested to provide notice by mail. With respect to the C–B Plan, the TCR Plan and the Rebel Oil Plan, participants who are currently employed will be notified by means of an announcement prominently displayed on bulletin boards at worksites normally used for employer-employee announcements. Retired employees will be notified by mail.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act does not relieve a fiduciary or other party in interest from certain other provisions of the Act, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act;

(2) The proposed exemption, if granted, will not extend to transactions prohibited under section 406(b)(3) of the Act;

(3) Before an exemption may be granted under section 408(a) of the Act, the Department must find that the exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries and protectiveof the rights of participants and beneficiaries of the plan; and

(4) The proposed exemption, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act including statutory or administrative exemptions and trsnsitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

Written Comments and Hearing Requests

All interested persons are invited to submit written comments or requests for a hearing on the pending exemption to the address above, within the time period set forth above. All comments will be made a part of the record. Comments and requests for a hearing should state the reasons for the writer's interest in the pending exemption. Comments received will be available for public inspection with the application for exemption at the address set forth above.

Proposed Exemption

Based on the facts and representations set forth in the application, the Department is considering granting the requested exemption under the authority of section 408(a) of the Act and in accordance with the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975). If the exemption is granted, effective January 1, 1975, the restrictions of section 406(a), 406(b)(1) and 406(b)(2) of the Act shall not apply to the reinsurance of risks and the receipt of premiums therefrom by Agway Life and Agway Insurance of life insurance, health insurance, or annuity contracts sold by Travelers to the Agway Plan, the Members Plans, the C–B Plan, the TCR Plan and the Rebel Oil Plan, (together, the Plans) provided the following conditions are met:

(a) Agway Life and Agway Insurance—

(1) Are parties in interest with respect to the Plans by reason of a stock or partnership affiliation with the employer establishing or maintaining the Plans that is described in section 3(14)(E) or (G) of the Act,

(2) Are licensed to sell insurance in at least one of the United States or in the District of Columbia,

(3) Have obtained a Certificate of Compliance from the Insurance Commissioner of their domiciliary state, New York, within the 18 months prior to the date when the transaction is entered into or when such certificates were last made available by New York State if earlier; and

(4)(A) Have undergone an examination by an independent certified public accountant for their last completed taxable year immediately prior to the taxable year of the reinsurance transaction; or

(4)(B) Effective January 1, 1982, have undergone a financial examination (within the meaning of the law of their domiciliary state, New York) by the Insurance Commissioner of New York State within 5 years prior to the end of the year preceding the year in which the reinsurance transaction occurred.

(b) The Plans pay no more than adequate consideration for the insurance contracts or annuties;

(c) No commissions are paid with respect to the direct sale of such contracts, or the reinsurance thereof, after December 31, 1981; and

(d) For taxable years of Agway Insurance and Agway Life beginning after December 31, 1981, the gross premiums and annuity considerations received in that taxable year by each insurance company for life and health insurance or annuity contracts for all employee benefit plans (and their employers) with respect to which Agway Insurance and Agway Life are parties in interest by reason of a relationship to such employer described in section 3(14)(E) or (G) of the Act do not exceed 50 percent of the gross premiums and annuity considerations received for all lines of insurance in that taxable year each for Agway Insurance and for Agway Life. For purposes of this condition (d):

(1) The term "gross premiums and annuity considerations received" means the total of premiums and annuity considerations received, both for the subject reinsurance transactions as well as for any direct sale of life insurance, health insurance, or annuity contracts to such plans (and their employers) each by Agway Insurance and by Agway Life. This total is to be reduced (in both the numerator and denominator of the fraction) by experience refunds paid or credited in that taxable year each by Agway Insurance and by Agway Life.

(2) All premiums and annuity considerations written by the insurance company that makes the sale for plans which it alone maintains are to be excluded from both the numerator and denominator of the fraction.

The proposed exemption, if granted, will be subject to the express conditions that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transactions which are the subject of this proposed exemption.

Signed at Washington, D.C., this 7th day of July 1980.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 80–21025 Filed 7–14–80; 8:45 am]

BILLING CODE 4510–29–M

Proposed Exemption for Certain Transactions Involving Martin Gibbs, M.D., P.A., Pension Plan Located in Wilmington, Del. (Application No. D–1556)

AGENCY: Department of Labor.

ACTION: Notice of proposed exemption.

SUMMARY: This document contains a notice of pendency before the Department of Labor (the Department) of a proposed exemption from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and from certain taxes imposed by the Internal

Revenue Code of 1954 (the Code). The proposed exemption would exempt the sale for cash of unimproved waterfront real property from Martin Gibbs, M.D., P.A. Pension Plan (the Plan) to Dr. Martin Gibbs, a party in interest with respect to the Plan. The proposed exemption, if granted, would affect the participants and beneficiaries of the Plan and Dr. Gibbs.

DATES: Written comments and requests for a public hearing must be received by the Department of Labor on or before August 29, 1980.

ADDRESS: All written comments and requests for a hearing (at least three copies) should be sent to the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C–4526, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, D.C. 20216, Attention: Application No. D–1556. The application for exemption and the comments received will be available for public inspection in the Public Documents Room of Pension and Welfare Benefit Programs, U.S. Department of Labor, Room N–4677, 200 Constitution Avenue NW., Washington, D.C. 20216.

FOR FURTHER INFORMATION CONTACT: Horace C. Green of the Department of labor, telephone (202) 523–8196. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Notice is hereby given of the pendency before the Department of an application for exemption from the restrictions of section 406(a) and 406(b)(1) and (b)(2) of the Act and from the taxes imposed by section 4975 (a) and (b) of the Code, by reason of section 4975(c)(1) (A) through E of the Code. The proposed exemption was requested in an application filed by Martin Gibbs, M.D., P.A. (the Employer), pursuant to section 408(a) of the Act and section 4975(c)(2) of the Code, and in accordance with procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 477132, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Therefore, this notice of pendency is issued solely by the Department.

Summary of Facts and Representations

The application contains representations with regard to the proposed exemption which are summarized below. Interested persons are referred to the application on file with the Department for the complete representations of the applicant.

1. The Plan is a pension plan with two participations and total assets of approximately $300,500 as of June 30, 1979. Dr. Martin Gibbs is the trustee (the Trustee) of the Plan and has the sole responsibility for the investment decisions of the Plan.

2. On December 1, 1977, the Plan purchased a parcel of unimproved waterfront real property (the Property), consisting of 2.18 acres, located in Kent County, Maryland, a recreation area in the Chesapeake Bay area, from an unrelated party for $45,000.

3. The Property has been, and continues to be, a nonincome producing asset of the Plan. From the time the Plan purchased the Property, total expenses have been $804.63. The Property represents 16% of the Plan's assets as of June 30, 1979.

4. In addition to the fact that the Property is non-income producing, the Trustee believes that current economic conditions (particularly the high prices of gasoline) may adversely affect the value of the Property and that the Property may not provide the appreciation offered by other investments. Therefore, the Trustee proposes to sell the Property to Dr. Gibbs for cash. The Property has been appraised by L. C. Parker, a real estate broker and qualified appraiser in the State of Maryland, on July 18, 1979 at $48,500.

5. If the exemption is granted, Dr. Gibbs will purchase the Property for the higher of (1) the previously appraised value of $48,500 or (2) its appraised value at the time of sale. No commissions will be paid in connection with the sale. Monies received as a result of the sale could be reinvested in more diversified income-producing investments, thus enhancing the Plan's liquidity.

6. In summary, the applicant represents that the proposed sale of the Property meets the statutory criteria for an exemption under section 408(a) of the Act because (1) it is a one time transaction for cash; (2) the sales price for the Property was determined by an independent appraiser; (3) the Plan will be able to dispose of non-income producing property which has limited potential for appreciation at a slight profit, without paying a commission; (4) the Plan's liquidity would be enhanced; and (5) the Trustee has determined that the transaction is appropriate for the Plan and is in the best interests of the Plan participants and beneficiaries.

Notice to Interested Persons

Notice to all present participants shall be made by posting at the usual places of such notices to employees and by first class mail to all other interested parties. Notice shall be given within 15 days of the day the notice of pendency of such exemption is published in the **Federal Register.** Such notice shall inform these persons of their right to comment on or request a hearing regarding the requested exemption.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of the Act and the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) The proposed exemption, if granted, will not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code;

(3) Before an exemption may be granted under section 408(a) of the Act and section 4975(c)(2) of the Code, the Department must find that the exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries and protective of the rights of participants and beneficiaries of the plan; and

(4) The proposed exemption, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

Written Comments and Hearing Requests

All interested persons are invited to submit written comments or requests for a hearing on the pending exemption to the address above, within the time period set forth above. All comments will be made a part of the record.

Comments and requests for a hearing should state the reasons for the writer's interest in the pending exemption. Comments received will be available for public inspection with the application for exemption at the address set forth above.

Proposed Exemption

Based on the facts and representations set forth in the application, the Department is considering granting the requested exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975). If the exemption is granted, the restrictions of section 406(a) and 406(b)(1) and (b)(2) of the Act and the taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code shall not apply to the proposed cash sale by the Plan of the Property for the greater of (1) the fair market value at the date of sale or (2) $48,500.

The proposed exemption, if granted, will be subject to the express conditions that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transaction to be consummated pursuant to the exemption.

Signed at Washington, D.C., this 7th day of July 1980.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 80-21026 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-29-M

Withdrawal of Proposed Exemption Involving the Jim Wilson Co. Employee Stock Ownership Plan (Application No. D–1603)

In 45 FR 23091 of the Federal Register dated May 4, 1980, the Department of Labor (the Department) published a notice of pendency of a proposed exemption from the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 and from certain taxes imposed by the Internal Revenue Code of 1954. The notice of pendency concerned an application filed by the Jim Wilson Co. on behalf of the Jim Wilson Co. Employee Stock Ownership Plan.

By letter dated June 12, 1980, the applicant notified the Department that it no longer seeks an exemption for the transaction described in the above cited notice. Accordingly, the applicant requested that the application for exemption be withdrawn from consideration by the Department.

Signed at Washington, D.C., this 7th day of July 1980.

Ian Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, U.S. Department of Labor.

[FR Doc. 80-21027 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-29-M

[Prohibited Transaction Exemption 80–46]

Exemption From the Prohibitions for Certain Transactions Involving Stokely-Van Camp, Inc., Revised Profit Sharing Plan for Salaried Employees Located in Indianapolis, Ind. (Exemption Application No. D–1398)

AGENCY: Department of Labor.

ACTION: Grant of individual exemption.

SUMMARY: This exemption exempts from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and from certain taxes imposed by the Internal Revenue Code of 1954 (the Code) the disposition of certain real property owned by the Stokely-Van Camp, Inc. Revised Profit Sharing Plan for Salaried Employees (the Plan) in accordance with an Agreement executed by The First National Bank of Chicago as Trustee (the Trustee) of the Plan and Stokely-Van Camp, Inc. (the Company).

FOR FURTHER INFORMATION CONTACT: Ivan Strasfeld of the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C–4526, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20216, (202) 523–8971. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On April 11, 1980, notice was published in the Federal Register (45 FR 24942) of the pendency before the Department of Labor (the Department) of a proposal to grant an exemption from the restrictions of sections 406(a) and 406(b)(1) and (2) of the Act and from the taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, for transactions described in an application filed by the Trustee and the Company. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, D.C. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written request that a public hearing be held relating to this exemption. The applicants have represented that they have complied with the requirement for notification to all interested persons contained in the notice of pendency of the proposed exemption. Six comments were received by the Department regarding the proposed exemption. One commentator supported the exemption. Three comments requested clarification of the transactions described in the notice of proposed exemption. Further clarification was communicated to these commentators. No further objections were received following these communications. The fifth commentator requested clarification as to whether, under the Agreement negotiated by the Trustee and the Company, the sales proceeds would only be allocated to current participants in the Plan or whether participants who have previously retired would have any amounts allocated to their accounts. The applicants have represented that adjustments to the values of participant accounts will be made from and after January 1, 1975, the effecitve date of the Act. The sixth commentator objected to the proposal on general grounds. No requests for a hearing were received by the Department. The Department has reviewed the comments received and has determined to grant the proposed exemption.

The notice of pendency was issued and the exemption is being granted solely by the Department because, effective December 31, 1978, seciton 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person with respect to a plan to which the exemption is applicable from certain other provisions of the Act and the Code. These provisions include any prohibited transaction provisions to which the

exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things, require a fiduciary to discharge his or her duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does the fact the transaction is the subject of an exemption affect the requirement of section 401(a) of the Code that a plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries.

(2) This exemption does not extend to transaction prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code.

(3) This exemption is supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption or transitional rule is not dispositive or whether the transaction is, in fact, a prohibited transaction.

Exemption

In accordance with section 408(a) of the Act and section 4975(c)(2) of the Code and the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975), and based upon the entire record, the Department makes the following determinations:

(a) The exemption is administratively feasible;

(b) It is in the interests of the Plan and of its participants and beneficiaries; and

(c) It is protective of the rights of the participants and beneficiaries of the Plan.

Accordingly, the restrictions of section 406(a) and 406(b)(1) and (2) of the Act and the taxes imposed by section 4975(a) and (b) of the Code by reason of section 4975(c)(1)(A) throught (E) of the Code shall not apply to the disposition of the Rochelle farms and the division of the sales proceeds in accordance with the Agreement executed on April 1, 1979 by the Trustee and the Company.

The availability of this exemption is subject to the express conditions that the material facts and representations contained in the application are true and complete, and that the application accurately described all material terms of the transaction to be consummated pursuant to this exemption.

Signed as Washington, D.C., this 9th day of July, 1980.

Ian Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 80–21019 Filed 7–14–80; 8:45 am]

BILLING CODE 4510–29–M

[Prohibited Transaction Exemption 80–45]

Exemption From the Prohibitions for Certain Transactions Involving H. B. Owsley & Sons, Inc., Employee Stock Ownership Plan Located in Charlotte, N.C. (Exemption Application No. D–1657)

AGENCY: Department of Labor.

ACTION: Grant of individual exemption.

SUMMARY: This exemption permits the sale of certain real property by the H. B. Owsley and Sons, Inc. Employee Stock Ownership Plan (the Plan) to R. P. Owsley, a party in interest with respect to the Plan.

FOR FURTHER INFORMATION CONTACT: Louis Campagna of the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C–4526, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20216, (202) 523–7352. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On May 6, 1980, notice was published in the **Federal Register** (45 FR 29936) of the pendency before the Department of Labor (the Department) of a proposal to grant an exemption from the restrictions of section 406(a), 406(b)(1) and 406(b)(2) of the Employee Retirement Income Security Act of 1974 (the Act) and from the taxes imposed by section 4975 (a) and (b) of the Internal Revenue Code of 1954 (the Code) by reason of section 4975(c)(1) (A) through (E) of the Code, for a transaction described in an application filed by Owsley and Sons, Inc., R. P. Owsley and the trustee of the Plan. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, D.C. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written request that a public hearing be held relating to this exemption. The applicants have represented that they have complied with the requirements of notification to interested persons as set forth in the notice of pendency. No public comments and no requests for a hearing were received by the Department.

The notice of pendency was issued and the exemption is being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person with respect to a plan to which the exemption is applicable from certain other provisions of the Act and the Code. These provisions include any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things, require a fiduciary to discharge his or her duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does the fact the transaction is the subject of an exemption affect the requirement of section 401(a) of the Code that a plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries.

(2) This exemption does not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code.

(3) This exemption is supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption or transitional rule is not dispositive of whether the transaction is, in fact, a prohibited transaction.

Exemption

In accordance with section 408(a) of the Act and section 4975(c)(2) of the Code and the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975), and based upon the entire record, the Department makes the following determinations:

(a) The exemption is administratively feasible;

(b) It is in the interests of the Plan and of its participants and beneficiaries; and

(c) It is protective of the rights of the participants and beneficiaries of the Plan.

Accordingly, the restrictions of section 406(a), 406(b)(1) and 406(b)(2) of the Act and the taxes imposed by section 4975 (a) and (b) of the Code by reason of section 4975(c)(1) (A) through (E) of the Code shall not apply to the sale of certain real property located in Friendship Township, Guilford County, North Carolina, by the Plan to Mr. R. P. Owsley for a cash price of $140,000 provided that this amount is not less than the fair market value of the property at the time of the sale.

The availability of this exemption is subject to the express conditions that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transactions to be consummated pursuant to this exemption.

Signed at Washington, D.C., this 7th day of July 1980.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 80-21020 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-29-M

[Prohibited Transaction Exemption 80-44]

Exemption From the Prohibitions for Certain Transactions involving Southwest Chemical Services Incorporated Profit Sharing Plan Located in Houston, Tex. (Exemption Application No. D-1539)

AGENCY: Department of Labor.

ACTION: Grant of individual exemption.

SUMMARY: This exemption permits the sale for cash of an account receivable by the Southwest Chemical Services Incorporated Profit Sharing Plan (the Plan) to Southwest Chemical Services Incorporated (the Employer), a party in interest.

EFFECTIVE DATE: September 6, 1979.

FOR FURTHER INFORMATION CONTACT: Alan H. Levitas of the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Consitution Avenue, NW., Washington, D.C. 20216, (202) 523-8884. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On May 23, 1980, notice was published in the **Federal Register** (45 FR 35038) of the pendency before the Department of Labor (the Department) of a proposal to grant an exemption from the restrictions of section 406(a) and 406(b)(1) and (b)(2) of the Employee Retirement Income Security Act of 1979 (the Act) and from the taxes imposed by section 4975(a) and (b) of the Internal Revenue Code of 1954 (the Code) by reason of section 4975(c)(1)(A) through (E) of the Code, for a transaction described in an application filed by the Employer. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, D.C. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written request that a publish hearing be held relating to this exemption. The applicant has represented that he has complied with the requirements of the notification to interested persons as set forth in the notice of pendency. No public comments and no requests for a hearing were received by the Department.

The notice of pendency was issued and the exemption is being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person with respect to a plan to which the exemption is applicable from certain other provisions of the Act and the code. These provisions include any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things, require a fiduciary to discharged his or her duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does the fact the transaction is the subject of an exemption affect the requirement of section 401(a) of the code that a plan must operate for the exclusive benefit of the employees of the employer maintain the plan and their beneficiaries.

(2) This exemption does not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code.

(3) This exemption is supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption or transitional rule is not dispositive of whether the transaction is, in fact, a prohibited transaction.

Exemption

In accordance with section 408(a) of the Act and section 4975(c)(2) of the Code and the procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975) and based upon the entire record, the Department makes the following determinations.

(a) The exemption is administratively feasible;

(b) It is in the interests of the Plan and of its participants and beneficiaries; and

(c) It is protective of the rights of the participants and beneficiaries of the Plan.

Accordingly, the restrictions of section 406(a) and 406(b)(1) and (b)(2) of the Act and the taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1)(A) through (E) of the code, shall not apply to the cash sale of an account receivable by the Plan to the Employer on September 6, 1979, provided that the sales price was not less than the fair market value of the account receivable at the time of consummation of the sale.

The availability of this exemption is subject to the express conditions that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transaction which is the subject of the exemption.

Signed at Washington, D.C., this 7th day of July, 1980.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 80-21021 Filed 7-14-80; 8:45 am]

BILLING CODE 4510-29-M

Office of the Secretary

Steel Tripartite Advisory Committee; Working Group on Modernization and Capital Formation Notice of Meeting

The Steel Tripartite Advisory Committee was established under the Federal Advisory Committee Act, 5 U.S.C. Appr. (1976), to advise the Secretary of Labor and the Secretary of Commerce on international and domestic issues affecting the U.S. Steel industry, labor and the public.

Notice is hereby given that the Steel Tripartite Advisory Committee's Working Group on Modernization and Capital Formation will meet at 10:00 A.M. on July 21, 1980, in room 4426, U.S. Department of Treasury, 15th and Pennsylvania Avenue, N.W., Washington, DC.

Discussion will center around a summarization of previously reached conclusions and findings, and the development of recommendations or options for addressing these findings. However, as a result of timing and scheduling problems, this meeting may need to be cancelled. Interested parties should contact the Steel Tripartite Advisory Committee Executive Secretary. Due to the tight time schedule of the working group's activity in relation to the meeting of the full Steel Tripartite Advisory Committee on the Afternoon of July 21, insufficient time was also not available to give 15 days advance notice of the working group meeting. The public is invited to attend. A limited number of seats will be available to the public on a first-come basis.

FOR ADDITIONAL INFORMATION CONTACT: Mr. Joseph S. Papovich, Executive Secretary, Steel Tripartite Advisory Committee, Bureau of International Labor Affairs, U.S. Department of Labor, Washington, D.C., 20210, telephone (202) 523–6227.

Official records of the meeting will be available for public inspection in Room S5315, U.S. Department of Labor, Washington, D.C. 20210.

Signed at Washington, D.C. this 10th day of July 1980.

Herbert N. Blackman,

Acting Deputy Under Secretary for International Affairs.

[FR Doc. 80–21061 Filed 7–14–80; 8:45 am]

BILLING CODE 4510–28–M

NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE

Notice of Partially Closed Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1976), as amended, notice is hereby given that the National Advisory Committee on Oceans and Atmosphere (NACOA) will hold a meeting on Monday and Tuesday, July 28–29, 1980, in Room 416, Page Building 1, 2001 Wisconsin Avenue, NW., Washington, D.C.

The Committee, consisting of 18 non-Federal members appointed by the President from academia, business and industry, public interest organizations and State and local government, was established by Congress 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 administered by the National Oceanic and Atmospheric Administration; and (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 Congress.

The Agenda contains the following topics:

July 28, 1980

Plenary Session

9:00 a.m.—10:00 a.m.—Announcements
—Reports on Independent Area Task Force Subgroups of the Goals and Objectives Panel

10:00 a.m.–11:00 a.m.—Acid Rain Issues

Speaker: Stephen Gage, Assistant Administrator for Research and Development, Environmental Protection Agency.

11:00 a.m.–Noon—OTEC Regulation

Speakers: Richard D. Norling, Staff Director, Subcommittee on Oceanography, House Committee on Merchant Marine and Fisheries;

Martin H. Belsky, Assistant Administrator for Policy and Planning, National Oceanic and Atmospheric Administration.

Noon–1:15 p.m.—Lunch

Panel Meeting

1:15 p.m.–4:00 p.m.—Waste Management Panel—John Knauss
—Review of Draft NACOA Report Formulation of Recommendations

4:00 p.m.–5:00 p.m.—Steering Committee Meeting

July 29, 1980

8:30 a.m.–9:00 a.m.—Closed Session

Panel Meetings

9:00 a.m.–Noon—Weather and Climate Panel—Louis Battan, Support for Atmospheric Research Facilities

9:00 a.m.–10:30 a.m.—Waste Management Panel—John Knauss (continued from July 28)

10:30 a.m.–Noon—Satellite Policy Panel—Jack Van Lopik and Warren Washington, Formulation of NACOA Plans

Noon–1:00 p.m.—Lunch

Plenary Session

1:00 p.m.–2:00 p.m.—International Aspects of Remote Sensing from Satellites

Speakers: Robert T. Grey, Director, Office of Advanced Technology, U.S. Department of State;

Kenneth S. Pederson, Director, Office of International Affairs, National Aeronautics and Space Administration.

2:00 p.m.–3:00 p.m.—Panel Reports

3:00 p.m.—Adjourn

The public is welcome at the sessions and will be admitted to the extent that seating is available. Persons wishing to make formal statements should notify the Chairman in advance of the meeting. The Chairman retains the prerogative to place limits on the duration of oral statements and discussions. Written statements may be submitted before or after each session.

With respect to the closed session from 8:30 a.m. to 9:00 a.m. on Tuesday, July 29, the Assistant Secretary for Administration, with the concurrence of the General Counsel, formally determined on July 8, 1980, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended, by Section 5(c) of the Government in the Sunshine Act, Public Law 94–409, that the matters to be disclosed during this closed session should be exempt from the provisions of the Act relating to open meetings and public participation therein, because it will be considered within the purview of 5 U.S.C. 552b(c)(6), i.e., information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy. All other portions of the meeting will be open to the public.

A copy of the determination to close a portion of this meeting is available for pulic inspection and copying in the Central Reference and Records Inspection Facility, Room 5317, Department of Commerce, Washington, DC 20230, telephone (202) 377–4217.

Additional information concerning this meeting may be obtained through the Committee's Executive Director, Steven N. Anastasion, whose mailing address is: National Advisory Committee on Oceans and Atmosphere, 3300 Whitehaven Street, NW., Washington, DC 20235. The telephone number is 202/653–7818.

Dated: July 11, 1980.

Maurice A. Ward,

Executive Officer.

[FR Doc. 80-21243 Filed 7-14-80; 9:28 am]

BILLING CODE 3510-12-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Media Arts Panel (General Services to the Field); Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), as amended, notice is hereby given that a meeting of the Media Arts Panel (General Services to the Field) to the National Council on the Arts will be held August 25, 1980 from 9:00 a.m.-5:30 p.m.; August 26, 1980 from 9:00 a.m.-5:30 p.m.; and August 27, 1980 for 9:00 a.m.-5:30 p.m., in Room 1340, Columbia Plaza Office Complex, 2401 E St. NW., Washington, D.C.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the Federal Register of February 13, 1980, these sessions will be closed to the public pursuant to subsections (c)(4), (6) and 9(b) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6070.

Dated: June 30, 1980.

John H. Clark,

Director, Office of Council and Panel Operations, National Endowment for the Arts.

[FR Doc. 80-21039 Filed 7-14-80; 8:45 am]

BILLING CODE 7537-01-M

VETERANS ADMINISTRATION

Central Office Education and Training Review Panel; Meeting

The Veterans Administration gives notice pursuant to Public Law 92-463 that a meeting of the Central Office Education and Training Review Panel authorized by 38 U.S.C. 1790(b), will be held in Room 444E, Veterans Administration Central Office, 810 Vermont Avenue, NW, Washington, DC on August 26, 1980 at 10 a.m. The meeting will be held for the purpose of reviewing the April 3, 1980 decision of the Director, Veterans Administration Regional Office, Nashville, Tennessee, that benefits to all eligible persons enrolled in Millington Beauty School, Millington, Tennessee 38053, be withdrawn.

The meeting will be open to the public up to the seating capacity of the conference room. Because of the limited seating capacity, it will be necessary for those wishing to attend to contact Mr. Leo Lloyd, Staff Specialist, Field Operations, Education and Rehabilitation Service, Veterans Administration Central Office (phone 202 389-2850) prior to August 15, 1980.

Dated: July 7, 1980.

By direction of Administrator.

Rufus H. Wilson,

Deputy Administrator.

[FR Doc. 80-21058 Filed 7-14-80; 8:45 am]

BILLING CODE 8320-01-M

Health-Related Effects of Herbicides Advisory Committee; Meeting

The Veterans Administration gives notice pursuant to Pub. L. 92-463 that a meeting of the Advisory Committee on Health-Related Effects of Herbicides will be held in Room 119 of the Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, August 6, 1980, at 8:30 a.m. The purpose of the meeting will be to assemble and analyze information concerning toxicological issues which the Veterans Administration needs to formulate appropriate medical policy and procedures in the interest of veterans who may have encountered herbicidal chemicals using during the Vietnam War.

The meeting will be open to the public up to the seating capacity of the room. Members of the public may only direct questions in writing to the Chairman, Barclay M. Shepard, M.D., and submit prepared statements for review by the Committee. Such members of the public may be asked to clarify submitted material prior to consideration by the Committee.

Summary minutes of the meeting and rosters of the committee members may be obtained from the Executive Secretary, Mrs. Rennie Williams, Office of the Staff Assistant to the Chief Medical Director (102), Department of Medicine and Surgery, Veterans Administration, Washington, DC 20420 (Phone 202-389-2450).

Dated: July 7, 1980.

By direction of the Administrator.

Rufus H. Wilson,

Deputy Administrator.

[FR Doc. 80-21059 Filed 7-14-80; 8:45 am]

BILLING CODE 8320-01-M

Rehabilitative Engineering Research and Development Merit Review Board; Meeting

In accordance with Pub. L. 92-463, the Veterans Administration gives notice of a meeting of the Rehabilitative Engineering Research and Development Merit Review Board. This meeting will convene in Room 119 of the Veterans Administration Central Office Building, 810 Vermont Avenue, NW, Washington, DC, July 31-August 1, 1980, beginning at 8:00 a.m. on both days. The purpose of the meeting is to review rehabilitative engineering research and development applications for scientific and technical merit and to make recommendations to the Director, Rehabilitative Engineering Research and Development Service (RER&DS) regarding their funding.

The meeting will be open to the public (to the seating capacity of the room) at the start of the July 31st session for approximately one hour to cover administrative matters and to discuss the general status of the program. During the closed session, the Board will be reviewing research and development applications relating to improving the quality of life of the physically handicapped veterans. This review involves oral review and discussion of site visits, staff and consultant critiques of research protocols, and similar documents that necessitate the consideration of personnel qualifications and the performance and competence of individual investigators. Disclosure of such information would constitute a clearly unwarranted invasion of personal privacy. Proprietary data from contractors and private firms will also be presented and this information should not be disclosed in a public session. Further, the Board's recommendations are strictly advisory in nature; other factors are considered in final funding decisions. Premature disclosure of board recommendations would be likely to significantly frustrate implementation of final proposed actions. Thus, the closing is in accordance with section 552b, subsections (c)(4), (c)(6), and (c)(9)(B), Title 5, United States Code and the determination of the Administrator of Veterans Affairs under section 10(d) of Pub. L. 92-463.

Due to the limited seating capacity of the room those who plan to attend the open session should contact Miss Linda

Hudock, Staff Assistant for Merit Review (153E), Rehabilitative Engineering Research and Development Service, Veterans Administration Central Office, 810 Vermont Avenue, NW, Washington, DC, 20420 (Phone: (202) 389–5365) at least 5 days before the meeting.

Dated: July 7, 1980.

By direction of the Administrator.

Rufus H. Wilson,

Deputy Administrator.

[FR Doc. 80–20905 Filed 7–14–80; 8:45 am]

BILLING CODE 8320–01–M

DEPARTMENT OF ENERGY

Western Area Power Administration

Colorado River Storage Project, Collbran Project, Provo River Project, and Rio Grande Project; Post-1989 Marketing Plans; Change in Dates for Public Information Forum and Cancellation of Public Comment Forum for Post-1989 Power Marketing Plans

AGENCY: Western Area Power Administration, U.S. Department of Energy.

ACTION: Notice of Changes in Dates.

SUMMARY: The Western Area Power Administration (Western) has canceled the public comment forum scheduled by the Salt Lake City Area Office for July 21, 1980. A public information forum has been scheduled for September 25, 1980. This forum will continue the discussion presented in the public information forum of May 22, 1980, regarding the development of post-1989 marketing plans for the Colorado River Storage Project, the Collbran Project, the Provo River Project, and the Rio Grande Project, as well as any future projects which may be constructed in the marketing area.

DATES: The public information forum will be held on September 25, 1980, beginning at 10 a.m., at the Hotel Utah, Bonneville Hall V, in Salt Lake City, Utah. The public comment forum announced in the April 22, 1980, **Federal Register** (45 FR 27004), scheduled for July 21, 1980, has been canceled. Written comments for the May 22, 1980, public information forum are due July 21, 1980. Written comments for the September 25, 1980, public information forum are due November 24, 1980.

ADDRESSES: For further information or comments concerning the public information forum(s), contact: Mr. A. M. Gabiola, Area Manager, Salt Lake City Area Office, Western Area Power Administration, U.S. Department of Energy, P.O. Box 11606, Salt Lake City, UT 84147 (801) 524–5493.

Four (4) copies of all written comments should be submitted to: Area Manager, Salt Lake City Area Office, Western Area Power Administration, U.S. Department of Energy, P.O. Box 11606, Salt Lake City, UT 84147.

Copies of all written comments received will be available from the following Western offices:

Western Area Power Administration, U.S. Department of Energy, Boulder City Area Office, P.O. Box 200, Boulder City, NV 89005;

Western Area Power Administration, U.S. Department of Energy, Denver Area Office, P.O. Box 2650, Fort Collins, CO 80522;

Western Area Power Administration, U.S. Department of Energy, Salt Lake City Area Office, P.O Box 11606, Salt Lake City, UT 84147;

Administrator, Western Area Power Administration, U.S. Department of Energy, P.O. Box 3402, Golden CO 80401.

SUPPLEMENTARY INFORMATION: A brief description of the subject projects was included in the **Federal Register** notice of April 22, 1980 (ibid.). The upcoming public information forum will provide an opportunity for questions and answers concerning development of a post-1989 power marketing plan, including available power sources, electric service arrangements, allocations, and such items as may be suggested by written comments received by Western pertaining to the public information forum of May 22, 1980.

Issued at Golden, Colorado July 10, 1980.

Robert L. McPhail

Administrator.

[FR Doc. 80–21282 Filed 7–14–80; 12:22 pm]

BILLING CODE 6450–01–M

DEPARTMENT OF THE TREASURY

Customs Service

Importation of Tuna and Tuna Products From Mexico Prohibited

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: General Notice.

SUMMARY: This notice is to advise that under the Fishery Conservation and Management Act of 1976 ("the Act"), the Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs has certified to the Secretary of the Treasury that a United States fishing vessel, while fishing in waters beyond any foreign nation's territorial sea, to the extent that such sea is recognized by the United States, was seized by Mexico as a consequence of claim of jurisdiction which is not recognized by the United States. Pursuant to section 205(b) of the Act, the Secretary of the Treasury has determined that the entry for consumption or withdrawal from warehouse for consumption of tuna and tuna products from Mexico is prohibited until the Department of State notifies the Secretary of the Treasury that the reasons for this prohibition no longer prevail.

EFFECTIVE DATE: This prohibition is effective as to tuna and tuna products from Mexico imported on or after July 14, 1980. Such importations shall not be entered for consumption or withdrawn from warehouse for consumption on or after that date.

FOR FURTHER INFORMATION CONTACT: Mr. William L. Morandini, Cargo Processing Division, Office of Inspection, Office of Border Operations (566–5354) or Duty Assessment Division, Import Compliance and Interagency Liaison Program, FTS (566–8651).

SUPPLEMENTARY INFORMATION:

Background

Section 205(a)(4)(C) of the Fishery Conservation and Management Act of 1976 (16 U.S.C. 1801 et seq.), provides that the Secretary of State shall certify to the Secretary of the Treasury any determination that a fishing vessel of the United States, while fishing in waters beyond any foreign nation's territorial sea, to the extent that such sea is recognized by the United States, has been seized by a foreign nation as a consequence of a claim of jurisdiction not recognized by the United States. The responsibility for this certification was delegated to the Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs by Department of State Delegation of Authority No. 138 of April 29, 1977.

Pursuant to section 205(b) of the Act, upon receiving the certification, the Secretary of the Treasury is required to take such action as may be necessary and appropriate to prohibit the importation of all fish and fish products from the fishery involved.

Section 205(c) of the Act provides that, if the Secretary of State finds that the reasons for the import prohibition under section 205 no longer prevail, the Secretary of State shall notify the Secretary of the Treasury, who shall promptly remove the import prohibition.

On July 8, 1980, the Marla Marie, a fishing vessel of the United States, was seized by authorities of the government of Mexico approximately 30 miles off the shore of Mexico for fishing for tuna without Mexican authorization 30 miles off the shore of Mexico. Mexico claims jurisdiction over tuna within 200 miles of its coast. The United States does not recognize this jurisdiction.

Determination

Under the authority of sections 205(b) and (c) of the Fishery Conservation and Management Act of 1976, on July 14, 1980, the Secretary of the Treasury determined that the entry for consumption or withdrawal from warehouse for consumption of tuna and tuna products from Mexico (the "country of origin") is prohibited until the Department of State notifies the Secretary of the Treasury that the reasons for this prohibition no longer prevail. Tuna and tuna products processed in Mexico to any extent, including packing in ice, will be considered tuna or tuna products from Mexico. At this time, this prohibition does not extend to in-bond shipments to and through the United States.

Drafting Information

The principal author of this document was Robert Schaffer, Director, Office of Inspection, U.S. Customs Service. However, personnel from other offices of the Customs Service and the Treasury Department participated in its development.

Dated: July 14, 1980.

John P. Simpson,

Acting Assistant Secretary of the Treasury.

[FR Doc. 80-21283 Filed 7-14-80; 8:45 am]

BILLING CODE 4810-22-M

Sunshine Act Meetings

Federal Register
Vol. 45, No. 137
Tuesday, July 15, 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-285, July 10, 1980]

CIVIL AERONAUTICS BOARD.

TIME AND DATE: 9:30 a.m., July 17, 1980.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT:

1. Ratification of items adopted by notation.

2. Docket 34015; Amendment of Part 241, Uniform System of Accounts and Reports for Certificated Air Carriers to eliminate and modify certain reporting requirements for all certificated carriers and modify statistical reporting requirements for small carriers and new entrants (memo 9369-A, OEA).

3. Docket 36596: Ad Hoc Committee of Travel Agents' Petition for Reconsideration of Order 80-2-33, which disapproved intercarrier agreements fixing standard levels of commissions for sales of domestic air transportation by travel agents. Docket 32161: Petitions of American Society of Travel Agents, Inc. and Travel Communications, Inc. requesting review of Air Traffic Conference of America rules governing exhibition space and entertainment arrangements at sales agents' conventions. Docket 35732: Petition of Cornell Economic Regulatory Clinic to institute open commissions for agents (BDA).

4. Docket 38018, application of Sea Airmotive, Inc. for an exemption pursuant to section 416(b) of the Federal Aviation Act of 1958, as amended (memo 9783, BDA, OGC).

5. Docket 37560, Michigan Peninsula Airways, Ltd.—application for exemption under section 416(b) of the Act (memo 9791, BDA, OGC).

6. Docket 37021, Objection of ATC to the findings and conclusions of Show Cause Order 79-11-20 wherein the Board tentatively concluded that the provisions of previously approved agreements permitting non-member participation in the Area Settlement Plan that require removal of individual ticket stock may be adverse to the public interest and should be disapproved (memo 7750-F, BDA, OGC, BCP).

7. Dockets 31133 and 36595; Petition of ASTA requesting the Board to reconsider its action in Order 79-11-196 in approving the ATC agreements requiring personal guarantees (Agreements CAB 27001-A5 and 27004-A2) (memo 8620-B, BDA).

8. Docket 30332, Agreements CAB 27769-R5 and R6 and Docket 30777, Agreements CAB 27770-R10 and R11—Agreements among members of IATA setting interline service charges (BDA, OGC, BIA).

9. Rulemaking to Delegate Authority to the Associate Director, Subsidy Policy and Programs, and the Chief, Essential Air Services Division, Bureau of Domestic Aviation, to establish procedural dates in essential air service proceedings (memo 9795, BDA, OCCR, OGC).

10. Docket 37720, Aspen Airways' notice of intent to terminate service at Montrose, Colorado (memo 9579-A, BDA, OCCP).

11. Dockets 33348 and 36306, Petitions of Swissair and Air Canada, *et al.* (Joint Foreign Carriers), for review of staff action disapproving proposed substitute language for notices respecting denied boarding on flights inbound of the U.S. (memo 9787, BDA, BCP).

12. Order asking interested persons to show cause why the Board should not: cancel Rule 100(D) of C.A.B. Tariff No. 352 which restricts the transfer of an airline ticket from one person to another person: and prohibit carriers from including in tariffs statements of their policies on ticket transferability in interstate and overseas air transportation (BDA, OGC, OEA, BCP).

13. Procedures in Carrier Selection Cases (OGC, OCCR, BDA).

14. Docket 34141, *Application of Trans-Panama,* Order (memo 9664-A, OGC).

15. Dockets 33361, 32643 and 32644, *Former Large Irregular Air Service Investigation,* Application of Peninsular Air Transport, Inc. (memo 9796, OGC).

16. Dockets 33363, 36432 and 36433, *Former Large Irregular Air Service Investigation,* Application of K-Air, Inc. (memo 9793, OGC).

17. Dockets 33363, 36152 and 36153—*Former Large Irregular Air Service Investigation,* Application of Professional Travel Inc., d/b/a Aerostar—Order Declining Review (memo 9797, OGC).

18. Docket 37020, *Alaskan Bush Points Show Cause Proceeding*—Draft final order (OGC).

19. Docket 33220, *Yucatan Service Case*—Request for Instructions (OGC).

20. Dockets 33361, 32460 and 36457; *Former Large Irregular Air Service Investigation,* Application of Universal Airlines, Inc.; Order on Discretionary Review (memo 9789, 9789-A, OGC).

21. Docket 35514—Elimination of the Part 253 commission schedule filing requirement and revocation of Section 399.85, the related policy statement, requiring adherence to the schedule (OGC).

22. *Employee Protection Program* OGC, BDA).

23. Docket 36595, Investigation into the Competitive Marketing of Air Transportation; application of IATA for interim approval and immunity for new passenger agency resolutions (OGC).

24. Docket 30789—*Transatlantic Cargo Service Case*—Draft Opinion and Order on Discretionary Review (memo 8309-E, OGC).

25. Removal of limitations on off-route and cargo charters, and termination of *Cargo Charter Transfer Rate Investigation* (memo 9792, OGC, BIA, BDA).

26. Docket 37825, Request of LTU, a German charter carrier, for an exemption to carry cargo in the unused belly space of passenger charter flights (memo 9769 BIA, OGC).

27. Docket 37231, Application of South West Air Ltd. for an initial foreign air carrier permit to operate charters between Canada and the United States using small aircraft (memo 9794, BIA, OGC, BALJ).

28. Dockets 35208 and 38114—Applications of Laker Airways Limited for amendment of its foreign air carrier permit to (a) authorize transportation of property and mail, in addition to its present authority to carry persons and baggage; and (b) add Miami-London authority (BIA, OGC, BALJ).

STATUS: Open.

PERSON TO CONTACT: Phyllis T. Kaylor, the Secretary (202-673-5068).

[S-1348-80 Filed 7-11-80; 3:46 pm]

BILLING CODE 6320-01-M

2

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of Agency Meeting.

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 3:30 p.m. on Wednesday, July 9, 1980, the Board of Directors of the Federal Deposit Insurance Corporation met by telephone conference call to consider the application of Carolina Mountain Bank, a proposed new bank, to be located at the southwest corner of Pine and Fourth Streets, Highlands, North Carolina, for Federal deposit insurance.

In calling the meeting, the Board of Directors determined, on motion of Chairman Irvine H. Sprague, seconded by Director John G. Heimann (Comptroller of the Currency), concurred in by Director William M. Isaac (Appointive), that Corporation business required its consideration of the matter

on less than seven days' notice to the public, that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matter in a meeting open to public observation; and that the matter could be considered in a closed meeting by authority of subsections (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(6), (c)(8), and (c)(9)(A)(ii)).

Dated: July 9, 1980.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1346-80 Filed 7-11-80; 10:53 am]

BILLING CODE 6714-01-M

3

FEDERAL MARITIME COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 45 FR 46959, July 11, 1980.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 9 a.m., July 16, 1980.

CHANGE IN THE MEETING: Addition of the following item to the open session:

7. Program Regarding Certification of Company Policies and Efforts to Combat Rebating in the Foreign Commerce of the United States (Pub. L. 96–25).

[S-1347-80 Filed 7-11-80; 2:38 pm]

BILLING CODE 6730-01-M

4

FEDERAL RESERVE SYSTEM.

(Board of Governors)

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 45 FR 46265, July 9, 1980.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10 a.m., Friday, July 11, 1980.

CHANGES IN THE MEETING: One of the items announced for inclusion at this meeting was consideration of any agenda items carried forward from a previous meeting; the following such closed item(s) was added:

Review of stock holdings under Federal Reserve conflict of interest regulations. (This item was originally announced for a meeting on Tuesday, July 8, 1980).

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452–3204.

Dated: July 11, 1980.

Griffith L. Garwood,

Deputy Secretary of the Board.

[S-1349-80 Filed 7-11-80; 3:58 pm]

BILLING CODE 6210-01-M

5

FEDERAL RESERVE SYSTEM.

(Board of Governors)

TIME AND DATE: 10 a.m., Monday, July 21, 1980.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Proposed acquisition of real property by Federal Reserve Banks.
2. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
3. Any agenda items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452–3204.

Dated: July 11, 1980.

Griffith L. Garwood,

Deputy Secretary of the Board.

[S-1350-80 Filed 7-11-80; 3:59 pm]

BILLING CODE 6210-01-M

6

[OPO401]

PAROLE COMMISSION.

TIME AND DATE: 9 a.m.–5:30 p.m., Wednesday, July 23, 1980.

PLACE: Room 818, 320 First Street NW., Washington, D.C.

STATUS: Closed pursuant to a vote to be taken at the beginning of the meeting.

MATTERS TO BE CONSIDERED: Appeals to the Commission of approximately 16 cases decided by the National Commissioners pursuant to a reference under 28 CFR 2.17 and appealed pursuant to 28 CFR 2.27. These are all cases originally heard by examiner panels wherein inmates of Federal Prisons have applied for parole or are contesting revocation of parole or mandatory release.

CONTACT PERSON FOR MORE INFORMATION: Linda Wines Marble, Analyst, (202) 724–3094, 320 First Street, NW., Washington, D.C. 20537.

[S-1345-80 Filed 7-11-80; 10:50 am]

BILLING CODE 4410-01-M

7

SECURITIES AND EXCHANGE COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: To be published.

STATUS: Open meeting.

PLACE: Room 825, 500 North Capitol Street, Washington, D.C.

DATE PREVIOUSLY ANNOUNCED: Monday, July 7, 1980.

CHANGES IN THE MEETING: Deletion: The following item will not be considered at an open meeting scheduled for Thursday, July 17, 1980, at 10 a.m.:

Consideration of whether to authorize transmittal of a voluntary survey questionnaire to approximately 1,100 corporate issuers to obtain information with regard to underwriting, research and market-making support provided by broker-dealers. For further information, please contact Joseph A. Meiburger at (202) 272–2850.

Chairman Williams and Commissioners Loomis, Evans, and Friedman determined that Commission business required the above change and that no earlier notice thereof was possible.

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: Paul Lowenstein at (202) 272–2092.

July 10, 1980.

[S-1344-80 Filed 7-11-80; 10:30 am]

BILLING CODE 8010-01-M

8

CHRYSLER CORPORATION LOAN GUARANTEE BOARD.

TIME AND DATE: July 15, 1980 at 3 p.m.

PLACE: Department of the Treasury, 15th and Pennsylvania Avenue, room 4121, Washington, D.C. 20551.

STATUS: Closed to the public.

MATTERS TO BE DISCUSSED: The Board expects to receive an application from the Chrysler Corporation for the issuance of guarantees under the Chrysler Corporation Loan Guarantee Act (Pub. L. 96–185) ("Act"). The Board will consider whether the Chrysler Corporation has satisfied the requirements necessary for such Federal assistance, as set forth in the Act.

CONTACT PERSON FOR MORE INFORMATION: Brian M. Freeman, Secretary of the Board (202) 566–5888.

This notice is given as a result of Court order. The position of the Board is that it is not subject to the Government in the Sunshine Act.

Dated: July 11, 1980.

Brian M. Freeman,

Secretary of the Board.

[S-1351-80 Filed 7-11-80; 4:16 pm]

BILLING CODE 4810-27-M

federal register

Tuesday
July 15, 1980

Part II

Department of Health and Human Services

Food and Drug Administration

Applicability of Requirements to Manufacturers of Industrial Dielectric Heaters, Including Radiofrequency (RF) Sealers, and Electromagnetic (EM) Induction Heating Equipment

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 1002

[Docket No. 79N-0260]

Records and Reports; Applicability of Requirements to Manufacturers of Industrial Dielectric Heaters, Including Radiofrequency (RF) Sealers, and Electromagnetic (EM) Induction Heating Equipment

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is adding industrial dielectric heaters, including radiofrequency (RF) sealers, and electromagnetic (EM) induction heating equipment to the listing of electronic products for which manufacturers are required to submit initial reports, annual reports, and model change reports. The amendment also requires manufacturers to maintain, preserve, and allow inspection of certain records on these sealer and heater products.

EFFECTIVE DATE: August 14, 1980.

FOR FURTHER INFORMATION CONTACT: Richard S. Sternchak, Bureau of Radiological Health (HFX-460), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3426.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of August 24, 1979 (44 FR 49699), FDA proposed to amend § 1002.61 (21 CFR 1002.61) by adding a new paragraph (c)(5) which would list all RF sealers and EM induction heating equipment operating in the 10-megahertz (MHz) to 300-MHz frequency range in the specific product group for which manufacturers are required to submit initial reports under § 1002.10 (21 CFR 1002.10), annual reports under § 1002.11 (21 CFR 1002.11), and model change reports under § 1002.12 (21 CFR 1002.12). In addition, the amendment proposed that manufacturers be required to maintain certain records under § 1002.30 (21 CFR 1002.30) and to comply with the preservation and inspection of records provisions of § 1002.31 (21 CFR 1002.31). Interested persons were given until October 23, 1979, to file written comments with the Hearing Clerk, FDA, regarding the proposal.

The agency received nine comments on the proposal—three from labor organizations, two from product users, two from trade associations, one from a Federal governmental agency, and one from a public interest group. Four comments were in full support of the effort of the agency of gather information. Two of these comments further encouraged the agency to proceed with the promulgation of a radiation safety performance standard for RF sealers and heaters. Three comments disagreed with the proposed rule for reporting and recordkeeping, primarily on the ground that the action would impose a high economic impact on the RF dielectric heater, sealer, and EM induction heating equipment industry without sufficient proof that these products present a significant health hazard to humans. Two comments expressed no direct opinion with regard to the proposed action of the agency. However, one requested information on the economic impact of the proposed rule on small businesses in the industry, and another recommended a clarification to particular manufacturers who may be uncertain as to their reporting responsibilities.

The following is a summary of the comments received and the agency's responses to them:

1. One comment expressed full endorsement based on "urgent need." Another favored the proposed action on the basis that workers may suffer from possible RF radiation exposure. A third expressed alarm at the recent reports of adverse health effects from exposure to low-level RF radiation. A fourth comment said the proposed action was "gratifying."

These comments support FDA's contention that currently marketed RF dielectric and EM induction heating equipment may present a health hazard to persons exposed to the stray RF energy. Information is now needed on the design and emission characteristics of these sealers and heaters to help FDA's Bureau of Radiological Health ("the Bureau") evaluate the need for promulgating a radiation safety performance standard for the products.

2. Three comments argued that the agency's proposed action was not appropriate because the biological basis was not substantial enough to consider these products to be potential health hazards. One comment questioned what evidence there was for FDA's "assumption" that RF sealing machnes may present a health hazard, and asked how many, if any, persons have experienced health problems as a result of RF exposure from these machines. Another comment asserted that documentation fails to show that any dangers exist from these type products. The third comment argued that the "paucity of data" concerning the effects on humans of nonionizing RF radiation is a positive indication that very little danger actually exists from ISM (industrial, scientific, and medical) equipment. The same comment indicated that no harmful results have occurred from exposure to fields in this frequency range; that exposure to EM radiation is incidential and unintentional; and that because of good design and adequate shielding, dielectric and induction heaters do not emit significant levels of unnecessary radiation.

The agency disagrees with these statements because of the documentation it has on record. Field measurements and other data obtained by various State and Federal agencies in independent field surveys (Refs. 1 and 2) clearly substantiate that RF dielectric heaters, sealers, and EM induction heaters being used in industry today commonly emit stray RF radiation far in excess of the generally accepted recommended RF radiation protection guidelines set by the American National Standards Institute, Inc., (ANSI-C95.1, 1974), for the frequency range between 10 MHz and 100 GHz (gigahertz) (Ref. 3). Stray RF radiation is considered unnecessary because it does not contribute to the intended function of the product, and it can be eliminated or reduced significantly by using properly installed and grounded shielding. While the agency agrees that stray radiation is incidential to the function of the product, and may be unintentional, the radiation is considered uncontrolled because adequate shielding is rarely employed or is removed in the field. An informational survey conducted by the agency determined that approximately 67 percent of those companies now manufacturing RF sealers and EM induction heating equipment claimed to offer some form of shielding as an option (Ref. 4). Manufacturers, however, generally do not recommend it, and few purchasers specify the option because shielding increases the base price of the unit and allegedly decreases production because of operator-machine interface problems when incorporated. Equipment manufactured in the United States for sale in certain European countries is shielded because these countries impose stricter controls on RF emission.

The survey also determined that approximately one-third of the companies queried acknowledged that they had received compliants about possible health hazards from operators of this type of machine. However, the companies claimed that, upon investigation, the allegations proved unfounded. The agency does not have

an exact accounting of the number of persons having experienced health problems from these products, but the number of injury claims has increased considerably over the last year. Reports on record with the National Institute for Occupational Safety and Health (NIOSH) and the Occupational Safety and Health Administration (OSHA) indicate that workers are being heated and are complaining of other bioeffects. A primary FDA concern is the ability of the RF radiation to cause deep body heating and localized rises in tissue temperature that may result in injury or death of certain body cells without the awareness of the person being exposed.

Some experiments conducted by various institutional groups in several countries have shown biological effects in laboratory animals exposed to RF radiation at certain frequencies and at relatively low-energy levels (Refs. 5, 6, 7, and 8). Recent reports have indicated that the biological effects observed in average size laboratory animals caused by energy absorptions associated with low-to-moderate exposures at certain RF frequencies can be correlated to a grounded human under different conditions of exposure and may occur in humans at exposure levels even lower than those reported for the animals (Refs. 6, 9, 10, 11, and 12). The validity of extrapolation of experimental animal data to humans, however, has been questioned. While it is recognized that the existing bioeffects data base is incomplete and that scientists are not in complete agreement on the interpretation of available data, the agency believes that there is sufficient evidence of these effects to cause concern about human exposure, and, therefore, to justify this rule.

3. The same three comments argued against the agency's action on economic grounds. One comment said that this action will increase the cost of the equipment, impair productivity, and further increase the cost of manufacture. Another comment asserted that the effect of the reporting and recordkeeping requirements will mean keeping a voluminous set of records, and will have a substantial cost impact on the industry. The third comment questioned the agency's assertion that no major economic consequences will result from the proposed rule.

In accordance with Executive Order 12044, the economic effects of the proposed rule have been carefully analyzed in a regulatory analysis assessment, and it has been determined that the rulemaking does not involve major economic consequences as defined by that order.

Records that manufacturers would be required to maintain and preserve include standard sales, work, and shipping order documentation and other information ordinarily generated and maintained by manufacturers as the result of proper quality control and testing procedures during manufacturing. If done properly, initial reporting is a one-time effort. Supplementary and model change reports include only those changes in the information originally submitted in the initial report and are necessarily shorter documents. Annual reports summarize the contents of the records required to be maintained and reflect only the production activities and those changes in information originally supplied during the previous year. The agency believes that the scope of these requirements will not result in either voluminous recordkeeping or unduly burdensome reporting, even for small businesses.

4. In a series of questions, one of the comments asked what economic impact the proposed rule would have on small businesses. The comment also asked if the proposed rule makes any distinctions based on size of the firms, and if the proposed rule would increase the cost of starting a new business in this field.

Surveys have indicated that all companies in the RF dielectric and EM induction heater industry are relatively small (Ref. 4). The agency believes that the cost in terms of money and time for a manufacturer to satisfy the requirements imposed by this rule is related more to a company's efficiency of operation and to the number of different product models it manufactures than to its size measured by the number of people it employs or the volume of business it conducts. The small economic impact of this rule will be the same for a company just starting business as it will be for a company already in the business. The agency believes that the need for the action, considering public safety, justifies the small cost it may impose. Also, manufacturers of these electronic products may request special exemptions from reporting and recordkeeping requirements if they can satisfy the provisions of § 1002.50 (21 CFR 1002.50).

5. One comment suggested that repetitious reporting could be avoided if all Federal agencies having a common interest in high-frequency heaters would cooperate in sharing one report submitted by each manufacturer.

The agency acknowledges that a "one-report" system would be ideal. However, it is impossible because FDA knows of no other agency that is requesting the same type of safety and health-related information.

6. Two comments expressed concern that this action would lead to overregulation of the high frequency heating industry. One comment stated that this action will be another in a long series of governmental regulations and will lead to similar controls and reports by all users of these RF heat-sealing machines. The second comment stated that overly restrictive regulations might do more damage to American industry.

The agency emphasizes that requiring recordkeeping by, and reports from, manufacturers of industrial RF dielectric and EM induction heating equipment does not necessarily mean that the agency now intends to issue a radiation safety performance standard for these products. The review of all product information and bioeffects data being solicited and received may instead result in FDA's encouraging the private sector to establish a voluntary safety guideline, or even taking no further action. All available hazard information that is documented in scientific literature will be used as a basis for any proposed rulemaking. While the agency has no intention of compromising the health and safety of the general public, it also has no intention of issuing regulations if it determines that there is no clear need for doing so. The agency also stresses that this rule is intended only for manufacturers of these heater products and is not addressed to users of these products.

7. One comment suggested that the words "dielectric heaters" be used better to describe the industrial product group with which this rule is concerned because the term is "more descriptive and really generic."

The agency has reviewed the terminology used in the industry to describe these products and has found that they are called by a variety of names, depending on the method by which they produce the radiation or the application for which they are used. One reference stated that devices classified broadly as RF sealers, heaters, and gluers are also known (especially in the trade) as heat sealers, fusers, molders, fasteners, or embossers; high frequency (HF) sealers or dryers; electronic or electromagnetic sealers or welders; and dielectric heaters or flow molders. Another class of EM radiation-emitting devices includes "induction heaters" (Ref. 13). A second document referred to these products as "RF dielectric heaters (commonly known as RF sealers and heaters)" (Ref. 10). A third report indicated that there may be two distinct segments of industry which use RF

heating equipment (Ref. 4). The "thermoplastic" industry uses RF sealers to seal or emboss, while the "thermoset" industry uses RF equipment or heaters.

FDA has no objection to the use of the more general term suggested by the comment. In addition, this rule is intended to include RF dielectric and EM induction heating equipment used only for industrial purposes. Accordingly, the listing of these products in this final rule has been amended to include the words "Industrial dielectric heaters."

8. The same comment questioned the agency's action to extend the range of frequencies to cover all dielectric and induction heater products.

The agency intended that the proposed rule include all industrial RF and EM heating equipment that is used for the purpose of controllably heating dielectric materials. While many of the heaters and sealers operate in the three ISM frequency bands centered at 13.56 MHz, 27.12 MHz, and 40.68 MHz, the agency has recently learned that a few woodgluing machines operate at frequencies as low as 2 to 6 MHz, and a few RF heaters used for plastics operate at frequencies as high as 500 MHz (Refs. 8 and 10). Therefore, the agency is extending the frequency range of concern from 10 to 300 MHz to 2 to 500 MHz.

9. Another comment asked whether there was any correlation between RF sealers and transformers that contain the class of chemicals termed PCB's (polychlorinated biphenyls).

This rule includes all products used in industry where RF fields are the mechanism of energy transfer in such processes as sealing, dielectric welding, fastening, fusing, molding, embossing, drying or gluing materials including but not limited to plastics, wood, paper, rubber, textiles, and fibers. Transformers that contain PCB's are not products which perform these functions. Therefore, the agency does not consider these transformers subject to the requirement of this rule.

10. One comment said that no reliable monitoring equipment is presently commercially available to measure electric and magnetic field strengths in the near field in the frequency range defined in the proposed rule.

The agency advises that a recent NIOSH/OSHA bulletin lists (without endorsement) manufacturers of instruments for the measurement of radiofrequency energy in the near field (Ref. 8). Also, during the "Open Workshop on RF Sealers, Heaters, and Gluers" cosponsored by the FDA and OSHA on September 12–13, 1979, several instrument manufacturers in attendance stated interest in developing this type of instrumentation (Ref. 14).

11. One comment sought clarification as to which manufacturers of industrial RF dielectric and EM induction heaters need file the reports required for listed products in this rule. The comment stated that §§ 1002.10 and 1002.12 of the regulations specify that manufacturers are to file reports on listed products prior to the introduction of such products into commerce. It questioned whether a company that builds RF dielectric heaters or sealers solely for its own use and does not sell them to others would be deemed to have introduced these products into commerce. It argued that such a company would not be required to file reports on the devices.

The question raised is difficult to answer directly because of the complex set of qualifying circumstances that should be considered before a decision could be made. Generally speaking, an electronic product that is designed by a particular company and assembled by that company's personnel for sole use by that company in its manufacturing process is not subject to regulations issued under the Radiation Control for Health and Safety Act of 1968. This position is based on the assumptions: (1) That the product is not made on a continuing basis; (2) that it is not shipped out of the plant where produced; (3) that it is not sold to another party; and (4) that the company employing the device receives no direct compensation for its use. The product must be designed, assembled, and used by the same party in order that the product not be subject to regulation. The agency points out that there are other State and Federal agencies whose statutory responsibilities specifically deal with potential health hazards in the workplace, independent of the source of the equipment being operated (Ref. 15).

12. On its own initiative, the agency is revising § 1002.61(c)(3) because the listing of microwave ovens is already covered by § 1002.61(c)(1). The listing of industrial RF dielectric and EM induction heaters will be placed in § 1002.61(c)(3) rather than § 1002.61(c)(5) as proposed.

References

The following references, including pertinent background data and information supporting the agency's action, are on file in the office of the FDA Hearing Clerk (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857, and are available for public review:

1. Items 2–8: "Documentation Index for RF Sealers/EM Induction Heater Proposed Record and Reporting Requirements," filed with the Hearing Clerk's Office, FDA, under Docket No. 79N–0260, for proposed rule published in the **Federal Register**, August 24, 1979.

2. Conover, D. L., W. H. Parr, E. L. Sensintaffer, and W. E. Murray, Jr., "Measurement of Electric and Magnetic Field Strengths From Industrial Radiofrequency (15–40.68 MHz) Power Sources," *in* "Biological Effects of Electromagnetic Waves: Selected Papers of the USNC/URSI Annual Meeting (Boulder, CO., October 20–23, 1975). C. C. Johnson and M. L. Shore, eds., Department of Health, Education, and Welfare, Public Health Service, Food and Drug Administration, Bureau of Radiological Health, DHEW Publication (FDA) No. 77–8011, 2:356–362 (1976).

3. American National Standards Institute, "Safety Level of Electromagnetic Radiation with Respect to Personnel," Report ANSI–C95.1 November 15, 1974.

4. Nesmith, B., "Informational Survey of Industrial RF Plastic Sealers and Induction Heating Equipment," DHEW, PHS, FDA, BRH, June 27, 1979.

5. "Biological Effects and Health Hazards of Microwave Radiation" Proceedings of an International Symposium, Warsaw, October 15–18, 1973, Polish Medical Publishers, Poland 1974.

6. "Interim Statement on RF Sealers," prepared by the Radiofrequency and Microwave Committee of the Interagency Regulatory Liaison Group, draft, March 16, 1979.

7. Glaser, Z. R. and C. H. Dodge, "Biomedical Aspects of Radiofrequency and Microwave Radiation: A Review of Selected Soviet, East European, and Western References," *in* Biological Effects of Electromagnetic Waves: Selected Papers of the USNC/URSI Annual Meeting (Boulder Co., October 20–23, 1975), C. C. Johnson and M. L. Shore, eds., Department of Health, Education, and Welfare, Public Health Service, Food and Drug Administration, Bureau of Radiological Health, DHEW Publication (FDA) No. 77–8010, 1:2–34, (1976).

8. West, D., Z. Glaser, A. Thomas, V. Alexander, D. Conover, W. Murray, R. Curtis, S. Mallinger, A. Robins, and E. Bingham, "Radiofrequency (RF) Sealers and Heaters: Potential Hazards and Their Prevention," NIOSH/OSHA Current Intelligence Bulletin #33, December 4, 1979, and published in *the American Industrial Hygiene Association Journal*, 41(3):A–22 through A–38.

9. "NIOSH RF/Microwave Criteria Document," Final Director's Draft, February 29, 1980.

10. IRLG Radiofrequency and Microwave Committee: "Statement on Health and Safety Aspects of Working with RF Dielectric Heaters," Mod. 4th Draft, January 26, 1980.

11. "Thoughts About the Adequacy of Thermally Related Radiofrequency Exposure Safety Standards," prepared by R. A. Tell, U.S. Environmental Protection Agency, and F. Harlan, U.K. National Radiological Protection Board, November 1978.

12. Durney, C. H., et al., "Radiofrequency Radiation Dosimetry Handbook" (Second

Edition), Technical Report SAM–TR–78–22, prepared for USAF School of Aerospace Medicine, Brooks Air Force Base, Texas 78235, 1978.

13. Glaser, Z. R., "Introduction, Brief Background, and Some Uses of Radiofrequency (RF) Sealers, Heaters, and Gluers," presented at the Workshop on RF Sealers, Heaters, and Gluers, jointly sponsored by BRH and OSHA (Washington, DC, September 12–13, 1979).

14. "Open Workshop on RF Sealers, Heaters, and Gluers," (FDA) Docket No. 79N–0314, cosponsored by FDA and OSHA (Washington, DC, September 12–13, 1979). Proceedings of meeting in preparation.

15. U.S. Department of Labor, Occupational Safety and Health Administration: "OSHA Safety and Health Standards, 29 CFR 1910.97," OSHA 2206, Revised, November 7, 1978, Washington, DC.

Therefore, under the Public Health Service Act, as amended by the Radiation Control for Health and Safety Act of 1968 (sec. 360A, 82 Stat. 1182–1184 (42 U.S.C. 263i)) and under authority delegate to the Commissioner of Food and Drugs (21 CFR 5.1), 21 CFR Part 1002 is amended in § 1002.61 by revising paragraph (c)(3), to read as follows:

§ 1002.61 List of specific product groups.

* * * * *

(c) * * *

(3) Industrial dielectric heaters, including radiofrequency (RF) sealers, and electromagnetic (EM) induction heating equipment that operate in the frequency range from 2 megahertz to 500 megahertz.

* * * * *

Effective date. This regulation shall be effective August 14, 1980.

(Sec. 360A, 82 Stat. 1182–1184 (42 U.S.C. 263i))

Dated: June 26, 1980.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 80–20844 Filed 7–14–80; 8:45 am]

BILLING CODE 4110–03–M

federal register

Tuesday
July 15, 1980

Part III

Department of the Interior

Bureau of Land Management

Entitlement Lands; Payments in Lieu of Taxes

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 1880

[Circular No. 2470]

Financial Assistance, Local Governments Entitlement Lands; Payments in Lieu of Taxes

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rulemaking.

SUMMARY: This final rulemaking makes the regulations for payments in lieu of taxes under the Act of October 20, 1976 (31 U.S.C. 1601–1606), commonly referred to as the Payments in Lieu of Taxes Act, applicable to new entitlement lands identified in the Act of October 17, 1978 (92 Stat. 1319). The rulemaking also incorporates provisions relating to (1) payments for lands acquired for addition to the Redwood National Park pursuant to section 106 of the Act of March 27, 1978 (92 Stat. 171), (2) Decision B–167553 of the Office of the Comptroller General of the United States (October 16, 1978) and (3) the findings of the General Accounting Office and recommendations of the Office of the Inspector General covering verification of data submitted by States for computation of payments.

DATE: Effective on August 14, 1980.

ADDRESS: Any suggestions or comments should be sent to:
Director (820), Bureau of Land Management, 1800 C Street, N.W., Washington, D.C. 20240

FOR FURTHER INFORMATION CONTACT:
Edward P. Greenberg (202) 343–3624; or George B. Hollis (202) 343–8735.

SUPPLEMENTAL INFORMATION: This rulemaking was published as a proposed rulemaking in the **Federal Register** (45 FR 6054–6056) on January 24, 1980, with a 60 day comment period that ended on March 24, 1980.

This final rulemaking for payments in lieu of taxes incorporates legislative amendments and procedural changes under the authority of the Act of October 20, 1976, as amended (30 U.S.C. 1601–1607), and requires the Federal land payment data, furnished by the various States used in the payment computations, be audited as a condition precedent to payment.

The latter requirement was incorporated as a result of both the audit report from the Office of the Inspector General issued in June 1979 (LW–LLM–1–78), and a GAO Audit Report (PAD–79–64) which found that most States were furnishing inaccurate information.

Comments were received from 17 State agencies and organizations. Some contained general discussion or specific suggestions to improve the proposed rulemaking. All comments have been reviewed and analyzed. Ten comments agreed with the proposal. Others raised various questions about payment procedures under the Payments-in-Lieu-of Taxes Act (PILT) or misunderstood the proposed rulemaking. The following summarizes the specific comments and suggestions received and the actions taken on them.

Definitions

One comment suggested changing the definition of "reserve areas" to conform with the definition in a final rulemaking (50 CFR 34.3(b)) on revenue sharing published in the **Federal Register** on June 8, 1979 (44 FR 33073). The definition of "reserve area" in the proposed rulemaking did not specify that lands in Hawaii, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands which are administered, either solely or primarily, by the Secretary of the Interior through the United States Fish and Wildlife Service are also considered "reserve areas". Therefore, this suggestion has been incorporated into the definition § 1881.0–5(c)(1)(vii).

Section 1881.1–2

Six comments indicated concern and confusion about the audit certification requirement. This was reflected in a comment that stated the audit requirement ignores the trends now taking place through the Joint Financial Management Improvement Program and is counter to the "single audit concept" advocated by the General Accounting Office, Office of Management and Budget and the National Intergovernmental Audit Forum.

The audit requirements under this rulemaking involve a distinctly different process than the requirements under the "single audit concept". The rulemaking does require that audit guides developed be the Office of the Inspector General for payments in lieu of taxes be used to verify statements submitted for the computation of payments authorized by section 1 of the Act. The audit guides establish a procedure to verify information used for the computation of payments and do not come under the purview of the "single audit concept" for the following reasons:

1. The single audit concept addresses audits of the recipients' records or activities. The audit requirement is directed to the State governments which are not recipients of PILT funds. In effect the PILT requirement is for audit of one entity to determine entitlement of another entity.

2. The audit requirement is for the purpose of determining the amount of funds "passed-through" from the State to the local government under certain Federal revenue-sharing laws. Since most of these laws do not provide for mandatory "pass-through" of Federal funds, payments by the State to the local governments under these acts would not be addressed under the "single audit concept".

3. Timely and reliable information is needed by the Bureau of Land Management in order to make proper allocation on the annual PILT appropriations. Significant errors in the data for a single county distort the distribution for all recipients. Recent audits made by the Office of the Inspector General and by the General Accounting Office disclosed significant errors in the PILT data provided by the States. Disclosure of such errors after the annual allocation is made requires a retroactive reallocation affecting all recipients. This is not practical.

Time is of the essence in these audits and it is not appropriate (or acceptable to the recipients of PILT) to delay payments pending completion of full scale audits of agencies involved under the single audit concept.

4. The audit requirements come directly from recommendations of the General Accounting Office and the Office of the Inspector General audit reports. The audit guide was reviewed by the American Institute of Certified Public Accountants and its recommendations were considered in the final publication.

The term "audit" as used in the proposed rulemaking was misinterpreted. Comments thought that the audit requirement was burdensome or too costly; that States must certify acreage figures for entitlement lands or that PILT payments based upon current figures would be disrupted. In response to these concerns, neither a detailed audit nor an acreage verification by States is required by this rulemaking. This rulemaking only requires a verification of the amounts reported by the States under section 4 of the Act to ensure accuracy. The acreage figures are supplied by the Federal agencies, and therefore, require no verificaton by States. If States provide "audited" data required under section 4 of the Act in a timely manner, the payments to local governments will not be disrupted. A delay in payments due to discrepancies in audited data is not anticipated. In most cases, discrepancies can be quickly rectified by the Office of the

Inspector General and the Bureau of Land Management.

Other comments suggested that the proposed rulemaking does not "* * * address large tracts of public lands that have been withdrawn from multiple use activities by the public." Such areas as formal wilderness, cooperative game management areas, archaeological and historical sites, turtle and bird sanctuaries and others were provided by the comments. To the extent that these lands are authorized for payment under the Act, payments are being made. Where some of these examples do not fall under the definition of "entitlement lands" under the Act of October 20, 1976 (31 U.S.C. 1606), payments cannot be authorized.

After careful consideration of the comments received, it was felt major changes were not needed, except in the definition of "reserve areas" as previously discussed. In summary, the rulemaking was well received and major concerns will be cleared up once the audit guides are received by the States.

The Department of the Interior has determined that this is not a significant rule and does not require a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

The principal author of this rulemaking is Eleanor R. Schwartz, Chief, Office of Legislation and Regulatory Management, Bureau of Land Management.

Under the authority of the Act of October 20, 1976 (31 U.S.C. 1601–1607), sections (a)(4) and (b) of the Act of October 17, 1978 (92 Stat. 1319, 1321–1322), and section 106 of the Act of March 27, 1978 (92 Stat. 171), Subpart 1881, Part 1880, Group 1800, Subchapter A, Chapter 2 of Title 43 of the Code of Federal Regulations is amended as set forth below:

Daniel P. Beard,

Acting Assistant Secretary of the Interior.

July 9, 1980.

PART 1880—FINANCIAL ASSISTANCE, LOCAL GOVERNMENTS

Subpart 1881—Payments in Lieu of Taxes

1. Section 1881.0–5 is amended, by amending paragraph (b)(1)(iii), by amending paragraphs (c)(1)(iv), and (v), adding new paragraphs (c)(1)(vi), and (vii), by amending paragraph (c)(2)(i), and by revising paragraph (d), all to read as follows:

§ 1881.0–5 Definitions.

* * * * *

(b) * * *

(1) * * *

(iii) Alaskan boroughs in existence on October 20, 1976, and, beginning October 1, 1978, for purposes of payment under section 3 of the Act, a unit of local government in Alaska located outside of boundaries of an organized borough which acts as the collecting and distributing agency for real property taxes.

* * * * *

(c)(1) * * *

(iv) Water resource projects administered by the Bureau of Reclamation or Corps of Engineers;

(v) Dredge disposal areas administered by the Corps of Engineers;

(vi) Beginning October 1, 1978, lands on which are located semiactive or inactive installations, not including industrial installations, retained by the Army for mobilization purposes and for support of reserve component training; or

(vii) Beginning October 1, 1978, lands designated as "reserve areas", which means any area of land withdrawn from the public domain and administered, either solely or primarily, by the Secretary through the Fish and Wildlife Service. For the purpose of these regulations, reserve areas also include lands in Hawaii, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands, which were initially administered by the United States through an Act of Congress, Executive Order, Public Land Order or Proclamation of the President and administered, either solely or primarily, by the Secretary through the Service.

(2) * * *

(i) Lands that were owned or administered by a State or unit of local government and which, at the time title was conveyed to the United States, were exempt from payment of real estate taxes. However, beginning October 1, 1978, this exclusion shall not apply to any entitlement land which is or was acquired by a State or unit of local government from private parties for the purpose of donation of such land to the Federal Government and which is or was donated within eight years of the date of acquisition thereof by the State or unit of local government.

(d) "Money transfers" means money or cash payments received by units of local government under the statutes in section 4 of the Act, 31 U.S.C. 1604. The term does not include payments made to a State and distributed by the State directly to a school district or other single or special purpose governmental entities, or payments distributed by the State to the unit of local government which the unit of local government is required by State law to pass on to a school district or other independent single or special purpose governmental entity.

2. Section 1881.1–2 is amended by revising paragraph (d)(2) and adding new paragraph (e) to read as follows:

§ 1881.1–2 Procedures, Section 1 Payments.

* * * * *

(d) * * *

(2) a written certification by a State Auditor, an independent Certified Public Accountant or an independent public accountant, licensed on or before December 31, 1970, that the statements furnished by the Governor or his delegate have been audited in accordance with auditing standards established by the Comptroller General of the United States in *Standards for Audit of Governmental Organizations, Programs, Activities and Functions*, available through Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, and in accordance with the audit guide for payments in lieu of taxes issued by the Department of the Interior. Such audit certifications will be required for statements submitted for the computation of payments authorized by section 1 of the Act for:

(i) payments to be made for fiscal years beginning on or after October 1, 1979; and

(ii) prior fiscal year payments as may be required by the Office of the Inspector General, Department of the Interior.

The Authorized Officer may waive the requirement for audit certifications where information contained in statements furnished by the Governor or his delegate is verified by the General Accounting Office, the Office of the Inspector General, or other qualified Federal Officials, or where such verification is determined to be unnecessary.

(e) The Office of the Inspector General, United States Department of the Interior, will provide appropriate assistance to the Director, Bureau of Land Management to facilitate the implementation and administration of the audit requirements specified in paragraph (d)(2) of this section pursuant to the provisions of sections 4 and 6 of the Inspector General Act of 1978 (92 Stat. 1102–1103, and 1104–1105). The Office of the Inspector General will develop appropriate audit guides to be used by State auditors, independent Certified Public Accountants or an independent public accountant, licensed on or before December 31, 1970, for auditing the statements of the Governors or their delegates and submitting audit

certifications specified in paragraph (d)(2) of this section. Copies of the audit guides will be furnished to the Governor or his delegate each year. Questions pertaining to the use or application of this guide should be referred to the Office of Inspector General, U.S. Department of the Interior, Washington, D.C. 20240.

3. Section 1881.1–3 is amended by revising paragraph (b) and adding a new paragraph (d) to read as follows:

§ 1881.1–3 Procedures, Section 3 Payments.

* * * * *

(b) Counties receiving payments in excess of $100 shall distribute those payments to affected units of local government and affected school districts, in accordance with section 3 of the Act, within 90 days of the receipt of such payment. Distribution shall be in proportion to the tax revenues assessed and levied by the affected units of local government and school districts in the Federal fiscal year prior to acquisition of the entitlement lands by the Federal Government. The Redwoods Community College District in California shall be considered an affected school district.

* * * * *

(d) In accordance with 106(c) of the Act of March 27, 1978 (92 Stat. 171), payment of the difference, if any, between the amounts actually paid during each of the five fiscal years immediately following the fiscal year in which lands or interests therein were acquired for addition to the Redwoods National Park pursuant to said Act of March 27, 1978, and 1% of the fair market value of such lands and interests therein at the time of their acquisition shall be deferred, unless the amount not paid, or any part of such amount, was not paid due to an insufficiency of appropriated funds, commencing with the sixth fiscal year following acquisition, the amount deferred shall be paid to eligible counties annually in amounts that reflect the limitations of section 3(c)(2) of the Act. Such payments shall be made until the total amount deferred during the first five years has been paid.

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federal register

Tuesday
July 15, 1980

Part IV

Department of Energy

Economic Regulatory Administration

Amendments to Tertiary Incentive Program and Tertiary Incremental Program

DEPARTMENT OF ENERGY

Economic Regulatory Administration

10 CFR Part 212

[Docket No. ERA-R-77-1D]

Amendments to Tertiary Incentive Program and Tertiary Incremental Program

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Final rule.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) is adopting several amendments to its Tertiary Incremental and Tertiary Incentive Programs set forth at 10 CFR 212.78. ERA is modifying the Tertiary Incremental Program ("incremental program") to include properties producing incremental oil in the phased deregulation program on the same basis as all other properties. ERA is revising the Tertiary Incentive Program ("incentive program") to permit the operator of an enhanced oil recovery ("EOR") project to file the monthly producer reports of certain producers that have an interest in that EOR project. ERA also is changing the date on which producers must submit the annual reports required by the incentive program. Finally, ERA is correcting the address to which producers should send certifications relating to the incremental and incentive programs.

EFFECTIVE DATE: July 7, 1980.

FOR FURTHER INFORMATION CONTACT:
Robert C. Gillette (Office of Public Hearings Management), Economic Regulatory Administration, Room 2222-A, 2000 M Street, NW., Washington, D.C. 20461 (202) 653-3757
William L. Webb (Office of Public Information), Economic Regulatory Administration, Room B-110, 2000 M Street, NW., Washington, D.C. 20461 (202) 653-4055
Douglas Harnish (Office of Regulations and Emergency Planning), Economic Regulatory Administration, Room 7302-G, 2000 M Street, NW., Washington, D.C. 20461 (202) 653-3202
Rendel Alldredge (Office of Petroleum Operations), Economic Regulatory Administration, Room 6128, 2000 M Street, NW., Washington, D.C. 20461 (202) 653-3379
Lisle Reed (Resource Applications), Department of Energy, Room 3334, 12th & Pennsylvania Avenue, NW., Washington, D.C. 20461 (202) 633-8395
Ben McRae or Samuel M. Bradley (Office of General Counsel), Department of Energy, Room 6A-127, 1000 Independence Avenue, SW., Washington, D.C. 20585 (202) 252-6739 or 252-6754

SUPPLEMENTARY INFORMATION:

I. BPCL Adjustment
II. Monthly Producer Report
III. Annual Report
IV. Address Changes
V. Procedural Requirements

I. BPCL Adjustment

On September 1, 1978, we established the incremental program to promote increased domestic production of crude oil. (43 FR 33679, August 1, 1978). Generally speaking, under this program a producer may charge market prices for any incremental production that results from the operation of an EOR project. In this rulemaking we also established methods by which a producer was required to adjust the base production control level (BPCL) for a property from which incremental crude oil is produced and sold. The regulations also provide that the BPCL for such properties may not be further adjusted except for changes in the non-incremental production of a property. A full discussion of why these BPCL adjustments were required and how they were to be made is set forth in the August 1978 Notice.

After the adoption of the incremental program, we commenced the phased deregulation of crude oil. One aspect of phased deregulation is a monthly three-percent downward adjustment of a property's BPCL. The prohibition in the incremental program against BPCL adjustments currently prevents a producer from taking advantage of this aspect of phased deregulation. We did not intend this result.

Since the incremental program grants ERA the authority to adjust the BPCL of an incremental property, we could extend this aspect of phased deregulation to properties in the incremental program on a property by property basis. We have decided, however, that it would be more appropriate to accomplish this result through a rule of general applicability. Accordingly, we are amending the incremental program regulations (§ 212.78(g)(1)) to provide that the BPCL determined pursuant to that program shall be subject to the monthly three-percent downward adjustment.

II. Monthly Producer Report

On August 21, 1979, we amended 10 CFR 212.78 to establish the incentive program under which producers presently can recover some of the expenses they incur as a result of their participation in EOR projects by selling at market prices crude oil that would otherwise be subject to lower tier or upper tier ceiling price limitations. (44 FR 51148, August 30, 1979). The incentive program requires each participating producer to submit a producer report to ERA each month. This report contains information concerning the amount and source of the expenses to be recovered by a producer and the manner in which the producer recovers those expenses.[1]

In many instances, the majority of the qualified producers (that is, the producers participating in the incentive program) with respect to a particular project hold a very small interest in that project and no interest in any other EOR project. These producers normally rely on the project operator to take care of a variety of administrative matters. We believe that the administrative burden of the incentive program would be lessened if the operator prepared and filed a single report containing the information that such qualified producers would otherwise be required to submit individually. Accordingly, we are amending the incentive program regulations (10 CFR 212.78(h)) to permit the operator of an EOR project to file a producer report on behalf of the qualified producers for that project that have no interest in any other EOR project and that recover their expenses only from sales of crude oil produced from a property on which the EOR project is located. In addition, we will consider an operator of an EOR project to be any qualified producer for that project that also purchases crude oil produced from that property, since such producers often provide many of the administrative services ordinarily provided by an operator.

We are not changing the reporting requirements with respect to producers which have an interest in more than one EOR project or which sell incentive crude oil from properties other than a property on which the EOR project is located. In these cases, an operator of the projects concerned would not have

[1] The required information includes (1) the recoupable allowed expenses attributed to the producer during the previous month; (2) the project from which each such expense is attributed; (3) the cumulative total of recoupable allowed expenses attributed to the producer at the close of the previous month; (4) the amount of tertiary incentive revenue received by the producer during the previous month; (5) the cumulative total of tertiary incentive revenue received by the producer at the close of the previous month; (6) the properties from which tertiary incentive crude oil was sold by or for the interest of the producer and the amounts sold from each such property during the previous month; (7) the maximum lawful selling price(s) of crude oil from each such property absent the provisions of the incentive program; (8) the price at which tertiary incentive crude oil was actually sold at each such property; and (9) the names of the purchasers of tertiary incentive crude oil.

sufficient information as to such producer's aggregate expenses from all of its EOR projects and each sale of incentive crude oil.

III. Annual Report

The incentive program requires participating producers to file annual reports concerning the technical aspects of their EOR projects. DOE intends to use the information in such reports to develop a system through which producers can obtain information on EOR techniques.

Currently, producers must file their first annual report by July 1, 1980. Much of the information requested by the annual report will be similar to the information requested by the initial report. Since most producers have filed their initial reports only recently, we do not believe that they should be required to duplicate their efforts. Accordingly, we are amending the incentive program to require a producer to file an annual report on a project on each anniversary of the date on which the first initial report on that project was filed. In addition, we are amending the General Guidelines on Tertiary Incremental and Incentive Programs ("Guidelines") to specify the addresses to which producers should submit these reports.

IV. Address Changes

The Guidelines indicate that certifications relating to the incremental and incentive programs should be sent to the Office of Petroleum Regulations in ERA. This information is incorrect since the office processing such certifications is the Office of Petroleum Operations in ERA. Accordingly, we are amending the Guidelines to specify the correct address.

V. Procedural Requirements

A. *Section 404 of the DOE Act*

Pursuant to the requirements of Section 404(a) of the Department of Energy Organization Act, we have referred this rule to the Federal Energy Regulatory Commission (FERC) for a determination whether the proposed rule would significantly affect any matter within the Commission's jurisdiction. Following an opportunity to review this rule, the FERC has declined to determine that it may significantly affect any of its functions.

B. *Section 7 of the FEA Act*

Under section 7(a) of the Federal Energy Administration Act of 1974 (15 U.S.C. 787 *et seq.*, Pub. L. 93–275 as amended), the requirements of which remain in effect under section 501(a) of the DOE Act, the delegate of the Secretary of Energy shall, before promulgating proposed rules, regulations, or policies affecting the quality of the environment, provide a period of not less than five working days during which the Administrator of the Environmental Protection Agency (EPA) may provide written comments concerning the impact of such rules, regulations, or policies on the quality of the environment.

A copy of the notice was sent to the EPA Administrator. The Administrator commented that he does not foresee these actions having an unfavorable impact on the quality of the environment as related to the duties and responsibilities of the EPA.

C. *Section 501 of the DOE Act*

Under section 501(c) of the DOE Act we are not bound by the prior notice and hearing requirements of subsections (b)–(d) with respect to a rule upon our determination that no substantial issue of fact or law exists and that the rule is unlikely to have a substantial impact on the Nation's economy or large numbers of individuals or businesses. Where no such substantial issue or impact is foreseen, the proposed rule may be promulgated in accordance with section 553 of Title 5, U.S.C.

For reasons discussed below, we believe that none of the amendments raise substantial issues of law or fact. Specifically, the amendment concerning adjustments to the BPCL of a property producing incremental oil only provides those properties with the same treatment under phased deregulation that all other properties currently receive. Since the exclusion of these properties was unintended, this amendment only corrects an inconsistency in our regulations and thus, does not involve any substantive issues of law or fact. The amendments concerning reporting requirements only involve the administration of the program and thus, do not involve any substantive issues of law or fact. Therefore, the rule shall be promulgated in accordance with section 553 of Title 5 U.S.C., pursuant to section 501(c) of the DOE Act.

D. *Section 553 of the Administrative Procedure Act*

Section 553(b) of the Administrative Procedure Act (APA) requires that general notice of a proposed rulemaking be published in the **Federal Register**, except in regard to interpretative or procedural rules, or when the agency for good cause finds that notice and public procedure thereon is impracticable, unnecessary, or contrary to the public interest.

The amendments concerning reporting requirements are rules of agency procedure since they amend existing DOE regulations which govern the filing of reports and certifications currently required by the incentive or incremental program. As noted previously, the amendment concerning adjustments to the BPCL of a property producing incremental oil only corrects the unintended omission of those properties from phased deregulation. We therefore find that the advance notice and public comment procedures of section 553(b) are unnecessary.

Subsections (d) (2) and (3) of section 553 provide that the required publication of a rule be made at least 30 days before the effective date of the rule, unless it either relieves a restriction or is an interpretative rule, or the agency otherwise finds good cause to make a rule effective immediately. As noted previously, to the extent these amendments substantively change either program, the changes only relieve restrictions contained in existing regulations.

E. *Executive Order 12044*

Executive Order 12044 (43 FR 12661, March 23, 1978) requires the agencies subject to it to publish all proposed "significant" regulations for public comment for a minimum of 60 days. DOE's implementing procedures are contained in DOE Order 2030 (44 FR 1032, January 3, 1979). DOE Order 2030 cites as examples of nonsignificant regulations amendments that are designed to correct errors in draftmanship and amendments that are determined to be exempt from the public notice requirements of the APA.

As discussed above, we have determine that the amendments adopted today are exempt from the public notice requirements of the APA. In addition, the amendment concerning BPCL adjustments is necessary to correct an omission in the drafting of the regulations providing for phased deregulation of crude oil. We find, therefore, that the proposed amendments are not "significant" under the criteria set forth in DOE's implementing procedures, and do not invoke the 60 day advance public comment requirement of Executive Order 12044.

(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, Pub. L. 95–70, Pub. L. 95–619, and Pub. L. 96–30; Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*, Pub. L. 95–91, Pub. L. 95–509, Pub. L. 95–619, Pub. L. 95–620, and Pub. L. 95–621; E.O. 11790, 39 FR 23185; E.O. 12009, 42 FR 46267)

In consideration of the foregoing, ERA amends 10 CFR 212.78, as set forth below, effective upon issuance.

Issued in Washington, D.C., July 7, 1980.

Hazel R. Rollins,

Administrator, Economic Regulatory Administration.

§ 212.78 [Amended]

1. 10 CFR 212.78(g)(1) is revised to read:

* * * * *

(g) * * *

(1) *Projects involving an entire property.* Where the project is determined to involve or affect the entire property, upon commencement of the production of incremental crude oil (as determined in the certification) the property's base production control level shall be deemed to be the same proportion to the total amount of non-incremental crude oil (as such non-incremental crude oil is determined in the certification for the period concerned) as the amount of old crude oil produced from such property in the twelve-month period immediately preceding the month in which incremental crude oil production commences bears to total crude oil produced from that property during the same twelve-month period. The property's base production control level may thereafter be adjusted as provided in § 212.76 or as provided in the preceding sentence, i.e., as the non-incremental crude oil production from that property (as determined in the certification) may vary from period to period.

* * * * *

2. 10 CFR 212.78(h) is revised by the addition of a new paragraph 212.78(h)(1)(iii) to read:

* * * * *

(h) * * *

(1) * * *

(iii) An operator of a tertiary project may file the reports required by paragraph (h)(1)(i) of this section on behalf of any producer that is a qualified producer with respect to the project: *Provided,* That, (A) the operator and the producer agree to the operator's filing; (B) the producer is not a qualified producer with respect to any other project; and (C) no crude oil is sold by or for the behalf of the producer pursuant to paragraph (a)(2) of this section except from properties on which the project is located. For purposes of this paragraph, the term "operator of a tertiary project" shall include with respect to a particular project any qualified producer for that project that purchases crude oil produced from a property on which that project is located.

* * * * *

3. 10 CFR 212.78(h)(4) is revised to read:

* * * * *

(h) * * *

(4) *Annual report.* Each year the qualified producers with respect to a project shall file an annual report on the status of that project with DOE by the anniversary of the filing of the first initial report on that project. The contents of this report will be set forth in the guidelines to this section.

4. The last line of section III B of the *General Guidelines on Tertiary Incremental and Incentive Programs* appearing after the Appendix to § 212.78 is amended to read:

Office of Petroleum Operations

5. The *General Guidelines on Tertiary Incremental and Incentive Programs* appearing after the Appendix to § 212.78 is amended by the addition of a new section V to read:

V. *Annual Report*

Annual reports should be submitted to each of the following addresses:

Assistant Secretary Fossil Energy, Department of Energy, Mail Station D107 GTN, Washington, D.C. 20545, Attn: Program Manager, Enhanced Oil Recovery; and

Bartlesville Energy Technology Center, Department of Energy, P.O. Box 1398, Bartlesville, OK 74003, Attn: Director

[FR Doc. 80–21002 Filed 7–14–80; 8:45 am]

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federal register

Tuesday
July 15, 1980

Part V

Department of the Treasury

Office of the Secretary

Environmental Effects Abroad of Major Actions; Final Procedures for Implementation of Executive Order 12114

DEPARTMENT OF THE TREASURY

Final Procedures for Implementation of Executive Order 12114; Environmental Effects Abroad of Major Federal Actions

AGENCY: Department of the Treasury.

ACTION: Notice of final Treasury procedures to implement Exective Order 12114, "Environmental Effects Abroad of Major Federal Actions," January 4, 1979.

SUMMARY: As required by Section 2–1 of the Executive Order these final procedures are being implemented after consultation with the Department of State and Council on Environmental Quality. The procedures, effective upon publication, are in the form of a Treasury directive. Since these procedures will be issued as an internal directive in the Department of the Treasury Directives Manual, the criteria and procedures established by Treasury to implement Executive Order 12044, "Improving Government Regulations," are not applicable.

AUTHORITY: Section 2–1, Executive Order 12114.

FOR FURTHER INFORMATION CONTACT: Mr. Anthony V. DiSilvestre, Office of Administrative Programs (AAE), Department of the Treasury, Washington, D.C. 20220 (202–376–0289).

The text of the Treasury Directive is as follows:

Subject: Environmental Effects Abroad of Major Department of Treasury Actions.

1. *Purpose.* This directive establishes policy, standards and procedures for implementing Executive Order 12114 (hereinafter referred to as "the Order"). The Order provides the exclusive and complete determination what is required of Federal agencies with respect to their actions significantly affecting the environment of places outside the United States.

2. *Scope.* This directive applies to the Office of the Secretary and all bureaus.

3. *Effective date.* The provisions of this directive are effective as of July 15, 1980.

4. *Authority.* Executive Order 12114, "Environmental Effects Abroad of Major Federal Actions," January 4, 1979.

5. *Policy.* The Department Recognizes the importance of examining, as appropriate, the implications of certain of its actions with respect to the environment outside the United States, its territories and possessions, and shall act in accordance with the requirements of the Order to further the purpose of the National Environmental Policy Act, the Marine Protection Research and Sanctuaries Act, and the Deepwater Port Act consistent with the foreign policy and national security policy of the United States.

6. *Responsibilities.* a. *The Assistant Secretary (Administration)* was designated in TD 75–01.A, "Department of the Treasury Environmental Quality Program" (45 FR 1828), to be the Departmental Environmental Quality Officer (EQO), and as such is responsible for:

(1) Maintaining liaison and conducting consultations with the Department of State (DOS) and the Council on Environmental Quality (CEQ) as required under this directive;

(2) Ensuring that the actions of Treasury offices and bureaus (hereinafter referred to as "bureaus") with respect to the Order are duly coordinated;

(3) Establishing, in consultation with the General Counsel and Assistant Secretary (International Affairs), categorical exclusions and exemptions or modifications pursuant to sections 2–5(b) and 2–5(c) of the Order, in addition to those provided in section 2–5(a), as may be necessary to meet emergency circumstances, situations involving exceptional foreign policy and national security sensitivities, and other such special circumstances;

(4) Assisting bureaus in reviewing and assessing environmental documents;

(5) Providing guidance in the preparation, processing and distribution of environmental documents; and

(6) Receiving for clearance action all draft and final environmental documents, originating in the Department.

b. *The Assistant Director (Environmental Programs), Office of Administrative Programs (AAE),* under the general supervision of the Director of Administrative Programs, shall provide staff support to the Assistant Secretary (Administration) in carrying out the above mentioned duties.

c. *Assistant Secretaries or Heads of Bureaus* are responsible for:

(1) The preparation, consideration, and appropriate circulation of an environmental document when an applicable action or policy area in question falls under their immediate jurisdiction;

(2) Ensuring that classified information is safeguarded from disclosure in accordance with paragraph 15 of this directive;

(3) Contacting the Departmental EQO as soon as possible about any matter which, due to emergency circumstances, foreign policy or national security interests, or other special circumstances, may call for a modification or an exemption; and

(4) Assuring that communications with CEQ, DOS, and other governmental agencies, individuals or foreign governments on matters concerning the Order are signed by, or coordinated with, the Departmental EQO.

d. *Bureau Environmental Quality Officers (BEQOs)* are responsible for:

(1) Identifying bureau actions requiring the preparation of environmental documentation and ensuring that the environmental documents are prepared timely and with the prescribed content by appropriate bureau staff; and

(2) Ensuring the bureau's compliance with the requirements of the Order and this directive, in particular, by coordinating the review within the bureau of the environmental documents, and by maintaining compliance with all applicable scheduling, consultation, and notice requirements.

e. *The General Counsel* is responsible for:

(1) Determining whether a proposed bureau action constitutes a major Federal action within the scope of section 2–3 of the Order; and

(2) Advising other responsible officials with respect to the description of modifications pursuant to paragraph 10g and categorical exclusions and exemptions pursuant to paragraphs 13 and 14 of this directive.

7. *Definitions.*

a. *Environment* means the natural and physical environments and excludes social, economic and other environments; an action significantly affects the environment if it does significant harm to the environment even though on balance the agency believes the action to be beneficial to the environment.

b. *Environmental Documents* are those documents described by the Order and consist of environmental impact statements, environmental reviews, and environmental studies.

c. *Environmental Study* is a bilateral or multilateral environmental study, relevant or related to the proposed action, by the United States and one or more foreign nations or by an international body or organization in which the United States is a member or participant.

d. *Environmental Review* is a concise review of the environmental issues involved, including an environmental assessment, summary environmental analysis, or other appropriate document.

e. *Global Commons* means areas outside the jurisdiction of any nation, such as the oceans or Antarctica.

f. *United States* means all States, territories and possessions of the United States and all waters and airspace subject to the jurisdiction of the United States.

8. *General.* a. Executive Order 12114 calls for pertinent environmental considerations be taken into account by responsible Federal officials when authorizing and approving major Federal actions, as specified in section 2–3 of the Order, that significantly affect the environment outside the United States, its territories and possessions.

b. Only environmental effects on geographical areas outside the United States are covered by the Order. The environmental documentation and other requirements with respect to major Departmental actions causing environmental effects within the United States are covered by the National Environmental Policy Act (NEPA) and the CEQ Regulations implementing NEPA. Guidance as to those requirements is set out in TD 75–01.A.

9. *Effects on the global commons.* a. *General.* An environmental impact statement shall be prepared when a major federal action significantly affects the environment of the global commons. In the event a proposed bureau action appears to be a major Federal action that will significantly affect the environment of the global commons, no substantive decisions on the proposed action shall be made until the following requirements have been met.

b. *Environmental Assessments.* (1) An environmental assessment shall be prepared by the responsible bureau, in consultation witha the Departmental EQO, to determine whether a proposed bureau action is a major Federal action which will significantly affect the environment of the global commons. The assessment shall be a brief, concise document and shall:

(a) Describe the proposed action;

(b) discuss the need for the proposed action and its environmental effects;

(c) Analyze the reasonable alternatives to the proposed action and their environmental effects;

(d) Contain sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact; and

(e) Be available to the public upon request, subject to the provisions of paragraph 10f. below.

(2) If it is found in the assessment that the proposed action will have no significant effect on the environment of the global commons, the findings shall be reviewed and approved by the Assistant Secretary (Administration), and the bureau may proceed with the proposed action.

(3) If it is determined that the proposed action will significantly affect the environment of the global commons, an environmental impact statement shall be prepared.

c. *Environmental Impact Statements (EISs).* (1) EISs shall be kept as concise as possible while still providing adequate, meaningful and factual information and analysis. EISs shall contain the following information:

(a) A brief summary of the statement;

(b) A description of the proposed action and the need for it;

(c) A description of the environmental effects of the proposed action and the environment of the global commons affected by the proposed action;

(d) The reasonable alternatives to the action and their environmental effects;

(e) Any mitigation measures available; and

(f) A list of the persons who were primarily responsible for repairing the statement together with their qualifications.

(2) EISs shall first be issued in draft, for comment by other Federal agencies with relevant expertise. Final statements shall address substantive issues raised in the comments received. Notice of the availability of draft and final EISs shall be published in the **Federal Register.**

(3) No decision on the proposed action may be made, other than a decision to terminate further consideration of the proposed action, until the following time periods, calculated from the publication date of the notice in the **Federal Register** have been observed:

(a) Not less than 45 days for comment on draft statements; and

(b) Not less than 90 days and 30 days, respectively, for public availability of draft and final statements, subject to the provisions of paragraph 10f. below. The 90- and 30-day periods may run concurrently.

(c) The Departmental EQO may, upon a proper showing of need, reduce the above time periods.

(4) The full resources of the Department shall be utilized in developing the information required in the preparation of an EIS. Expertise of other Federal agencies shall also be utilized, to the fullest extent possible, in preparing the EIS.

(5) If an EIS for a particular action already exists, no new statement need be prepared, as long as the existing document contains information that is current, relevant and adequate.

10. *Effects on foreign nations and protected global resources.* a. *General.* (1) The Order calls for an environmental document, as described in subparagraph b(3) below, to be prepared for major Federal actions significantly affecting:

(a) The environment of a foreign nation, and which provide to that nation:

1 A product, or physical project producing a principal product or an emission or effluent, which is prohibited or strictly regulated by Federal law in the United States because its toxic effects on the environment create a serious public risk (e.g., asbestos, vinyl chloride, acrylonitrile, isocyanates, polychlorinated biphenyls, pesticides, mercury, beryllium, arsenic, cadmium, and benzene); or

2 A physical project which in the United States is prohibited or strictly regulated by Federal law to protect the environment against radioactive substances (e.g., nuclear reactors and nuclear waste facilities).

(b) The environment of a foreign nation not participating with the United States and not otherwise involved in the action;

(c) Natural or ecological resources of global importance designated for protection by the President, or, in the case of such a resource protected by international agreement binding on the United States, by the Secretary of State.

(2) In the event a proposed bureau action appears to be a major Federal action that will significantly affect the environment or resources as described in (a), (b), or (c) above, no substantive decisions on the proposed action may be made other than a decision to terminate further consideration of the proposed action, until the following requirements have been met.

b. *Determination of Effect.* (1) A determination shall be made, as soon as possible, as to whether the proposed bureau action is a major Federal action that will significantly affect the environment or resources as described above. This determination shall be made by the responsible bureau official in consultation with the Departmental EQO and the General Counsel.

(2) If it is determined by the bureau that the proposed action is not a major Federal action that will significantly affect the environment of a foreign nation or protected resource listed in paragraph 10a(1), that finding shall be reviewed and approved by the Assistant Secretary (Administration) and made available to the public upon request, and the bureau may proceed with the proposed action.

(3) If it is determined that the proposed action is a major Federal action that will significantly affect the environment of a foreign nation or protected resource listed in paragraph

10a(1) above, that finding shall be documented by the bureau in consultation with the Assistant Secretary (Administration), and made available to the public upon request. The bureau may not proceed with the proposed action until either an environmental study or environmental review is prepared.

c. *Environmental Studies.* (1) The Department shall cooperate with other countries and international organizations, as appropriate, when preparing environmental studies.

(2) The contents of environmental studies shall remain flexible to allow for such considerations as outlined in subparagraph g below. However, whenever feasible, environmental studies should contain information similar to that found in environmental assessments and impact statements as described above in subparagraphs 9b(1) and 9c(1); e.g., a description of the proposed action, the anticipated environmental impacts of the proposed action, and any feasible mitigation measures.

d. *Environmental Reviews.* The contents of environmental reviews shall remain flexible to allow for such considerations as outlined in paragraph 10g below. Environmental reviews may be prepared in any format which facilitates bureau decisionmaking with respect to the proposed actions involved. However, whenever feasible, environmental reviews should contain information such as that suggested for environmental studies.

e. *Communications with Foreign Governments and International Organizations.* Communications with foreign governments and international organizations concerning matters within the scope of the Order and this directive shall be coordinated, through the Departmental EQO, with DOS.

f. *Availability of Environmental Documents.* Determinations with respect to the release outside the Department of environmental documents shall be made by the responsible bureau head in consultation with the Departmental EQO. The release shall be subject to the "Considerations" and "Classified Information" provisions in paragraphs 10g and 15 respectively, and where foreign nations may be involved shall be coordinated with DOS.

g. *Considerations.* (1) Section 2–5(b) of the Order allows for appropriate modifications in the preparation, content and availability of environmental studies and reviews, where necessary, to:

(a) Enable the bureau to decide and act promptly as, and when, required;

(b) Avoid adverse impacts on foreign relations or infringements in fact or appearance of other nations' sovereign responsibilities; or

(c) Ensure appropriate reflection of:

1 Diplomatic factors;

2 International commercial, competitive and export promotion factors;

3 Needs for governmental or commercial confidentiality;

4 National security considerations;

5 Difficulties of obtaining information and bureau ability to analyze meaningfully environmental effects of a proposed action; and

6 The degree to which the bureau is involved in, or able to, affect a decision to be made.

(2) In the event the preparation, content and distribution of an environmental study or review need to be modified, as to one or more of the considerations listed above, the bureau head shall contact the Departmental EQO, as soon as possible, to determine the procedures to be followed in that particular case.

11. *Use of the environmental documents in the review process.* The environmental document(s) shall accompany the proposal through the entire bureau review process. The bureau officials responsible for authorizing or approving the proposed action shall consider the information contained in the environmental document(s) and shall make an appropriate record of their decisions, indicating their utilization of the environmental document(s) and the reasons for their ultimate decision on the proposed action.

12. *Lead agency.* When other Federal agencies are involved with the Department in an action encompassed by the Order, a lead agency may be designated to supervise the preparation of the environmental documentation called for. In making the lead agency designation, the following factors shall be considered:

a. The magnitude of the agency's involvement;

b. Which agency or agencies have project approval and disapproval authority;

c. The agency's expertise concerning the action's environmental effects;

d. The duration of agency involvement;

e. The sequence of agency involvement; and

f. In the event an environmental document is to be prepared for a bureau action, pursuant to this directive, and a lead agency is to be designated, the bureau shall coordinate its involvement in the designation procedure with the Departmental EQO.

13. *Categorical exclusions.* The Assistant Secretary (Administration), in consultation with the General Counsel and the Assistant Secretary (International Affairs), is authorized to provide for categorical exclusions for those Departmental actions that normally do not, individually or cumulatively, significantly affect the environment of the global commons, a foreign nation, or a protected global resource. If an action is covered by a categorical exclusion, no environmental document need be prepared unless information developed during the planning for the action indicates that the action is likely to cause significant adverse environmental effects. Bureaus should submit recommendations for categorical exclusions and accompanying justification to AAE.

14. *Exemptions.* a. Subject to the limitations in Section 2–5(d) of the Order, the following actions are exempt from the application of the Order:

(1) Actions not having a significant effect on the environment outside the United States as determined by the bureau;

(2) Actions taken by the President;

(3) Actions taken by or pursuant to the direction of the President or Cabinet officer when the national security or interest is involved or when the action occurs in the course of an armed conflict;

(4) Intelligence activities and arms transfers;

(5) Export licenses or permits or export approvals, and actions relating to nuclear activities except actions providing to a foreign nation a nuclear production or utilization facility as defined in the Atomic Energy Act of 1954, as amended, or a nuclear waste management facility;

(6) Votes and other actions in international conferences and organizations;

(7) Disaster and emergency relief action; and

(8) Activities of joint economic commissions between the United States and foreign governments that are predominantly financed by the foreign governments, as provided for in section 2–5(c) of the Order.

b. The Assistant Secretary (Administration), in consultation with the General Counsel and the Assistant Secretary (International Affairs), is authorized to provide for exemptions in addition to those specified in section 2–5(a) of the Order. These additional exemptions shall be made as necessary to meet emergencies, situations involving exceptional foreign policy and

national security sensitivities, and other such special circumstances. The Departmental EQO is required to consult with DOS and CEQ, as soon as feasible, with respect to any additional exemptions authorized. This consultation need not take place prior to the authorization of the exemption.

15. *Classified information.* Classified information contained in the environmental documents will be safeguarded from disclosure in accordance with the Department's regulations, "Classification, Downgrading, and Safeguarding of National Security Information," implementing Executive Order 12065, "National Security Information." The requirements of that Executive Order take precedence over any requirement of disclosure in this directive.

16. *Right of action.* These procedures are issued solely for the purpose of establishing internal procedures for the Department of the Treasury to consider the significant effects of its actions on the environment outside the United States, its territories and possessions. Nothing in these procedures shall be construed to create a cause of action.

17. *Office of primary interest.* Assistant Director (Environmental Programs), Office of Administrative Programs, Office of the Assistant Secretary (Administration).

Robert Carswell,

Deputy Secretary of the Treasury.

[FR Doc. 80-21118 Filed 7-14-80; 8:45 am]

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federal register

Tuesday
July 15, 1980

Part VI

Office of Management and Budget

Rescissions and Deferrals

OFFICE OF MANAGEMENT AND BUDGET

Cumulative Report on Rescissions and Deferrals

July 1, 1980.

This report is submitted in fulfillment of the requirements of Section 1014(e) of the Impoundment Control Act of 1974 (Pub. L. 93-344). Section 1014(e) provides for a monthly report listing all budget authority for this fiscal year with respect to which, as of the first day of the month, a special message has been transmitted to the Congress.

This report gives the status as of July 1, 1980 of 59 rescission proposals and 72 deferrals contained in the first ten special messages of fiscal year 1980. These messages were transmitted to the Congress on October 1, November 15, December 26, 1979, January 28, February 20, March 4, April 16, May 13, May 20, and June 18, 1980.

Rescissions (Table A and Attachment A)

Rescission proposals totalling $1,485.2 million are currently pending before the Congress. This includes $1,472.7 million—transmitted in the seventh special message and released for obligation on June 5—that was awaiting congressional action on the 1980 Supplemental and Rescission Bill. Table A summarizes the status of rescissions proposed by the President as of July 1, 1980, while Attachment A shows the history and status of each rescission proposed during fiscal year 1980.

Deferrals (Table B and Attachment B)

As of July 1, 1980, $9,108.9 million in 1980 budget authority was being deferred from obligation and another $13.4 million in 1980 obligations was being deferred from expenditure. Table B summarizes the status of deferrals reported by the President as of July 1, 1980, while Attachment B shows the history and status of each deferral reported during fiscal year 1980.

Information from Special Messages

The special messages containing information on the rescissions and the deferrals covered by the cumulative report are printed in the **Federal Registers** of:

Friday, October 5, 1979 (Vol. 44, No. 195, Part IX)
Tuesday, November 20, 1979 (Vol. 44, No. 225, Part III)
Monday, December 31, 1979 (Vol. 44, No. 251, Part VII)
Thursday, January 31, 1980 (Vol. 45, No. 22, Part X)
Tuesday, February 26, 1980 (Vol. 45, No. 39, Part V)
Monday, March 10, 1980 (Vol. 45, No. 48, Part VI)
Wednesday, April 23, 1980 (Vol. 45, No. 80, Part III)
Friday, May 16, 1980 (Vol. 45, No. 97, Part IX)
Friday, May 23, 1980 (Vol. 45, No. 102, Part V)
Friday, June 20, 1980 (Vol. 45, No. 121, Part IX)

James T. McIntyre, Jr.,
Director.

BILLING CODE 3110-01-M

Table A

STATUS OF 1980 RESCISSION PROPOSALS

	Amount (In millions of dollars)
Rescissions proposed by the President	$1,618.1 a
Accepted by the Congress	-0-
Rejected by the Congress	-132.9
Pending before the Congress	1,485.2 b

* *

Table B

STATUS OF 1980 DEFERRALS

	Amount (In millions of dollars)
Deferrals proposed by the President	$10,507.1
Routine Executive releases (-$1,004.9 million) and adjustments (-$379.9 million) through July 1, 1980	-1,384.8
Overturned by the Congress	-0-
Currently before the Congress	9,122.3 c

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a. This amount is net of a $6.4 million reduction proposed in a Department of Health, Education, and Welfare rescission (R80-2A).

b. Of this amount, $1,472.7 million -- transmitted in the seventh special message on April 16 and made available for obligation on June 5 -- was awaiting congressional action on the 1980 Supplemental and Rescission Bill as of July 1.

c. This amount includes $13.4 million in outlays for a Department of the Treasury deferral (D80-23A) and three Department of Energy deferrals (D80-51A, D80-52A, and D80-53A).

Attachments

PAGE 1 ATTACHMENT A - STATUS OF RESCISSIONS - FISCAL YEAR 1980 AS OF 06/30/80 17:19

AS OF JULY 1, 1980 AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT	RESCISSION NUMBER	AMOUNT PREVIOUSLY CONSIDERED BY CONGRESS	AMOUNT CURRENTLY BEFORE THE CONGRESS 1	DATE OF MESSAGE MO DA YR	AMOUNT RESCINDED	AMOUNT MADE AVAILABLE	DATE MADE AVAILABLE MO DA YR
DEPARTMENT OF AGRICULTURE							
Science and Education Administration							
Cooperative research							
BA	R80- 5		2,500	4 16 80		2,500	6 5 80
Extension activities							
BA	R80- 6		1,500	4 16 80		1,500	6 5 80
Farmers Home Administration							
Rural water and waste disposal grants							
BA	R80- 7		75,000	4 16 80		75,000	6 5 80
Rural development planning grants							
BA	R80- 8		2,000	4 16 80		2,000	6 5 80
Soil Conservation Service							
Watershed and flood prevention operations							
BA	R80- 9		20,000	4 16 80		20,000	6 5 80
Resource conservation and development							
BA	R80-10		4,000	4 16 80		4,000	6 5 80
DEPARTMENT OF AGRICULTURE TOTAL BA			105,000			105,000	
DEPARTMENT OF COMMERCE							
National Oceanic and Atmospheric Administration							
Coastal energy impact fund							
BA	R80-11		*50,000	4 16 80		50,000	6 5 80
DEPARTMENT OF ENERGY							

ATTACHMENT A - STATUS OF RESCISSIONS - FISCAL YEAR 1980

AS OF 06/30/80 17:19

AS OF JULY 1, 1980 AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT	RESCISSION NUMBER	AMOUNT PREVIOUSLY CONSIDERED BY CONGRESS	AMOUNT CURRENTLY BEFORE THE CONGRESS 1	DATE OF MESSAGE MO DA YR	AMOUNT RESCINDED	AMOUNT MADE AVAILABLE	DATE MADE AVAILABLE MO DA YR
Atomic Energy Defense Activities							
Operating expenses							
BA	R80-12		3,400	4 16 80		3,400	6 5 80
Plant and capital equipment							
BA	R80- 4	17,000		3 4 80		17,000	4 30 80
Energy Programs							
Energy supply R&D- operating expenses							
BA	R80-13		5,350	4 16 80		5,350	6 5 80
Energy supply R&D- plant and capital equip.							
BA	R80-14		6,150	4 16 80		6,150	6 5 80
Uranium enrichment-operating expenses							
BA	R80-15		1,000	4 16 80		1,000	6 5 80
Fossil energy research and development							
BA	R80-16		22,000	4 16 80		22,000	6 5 80
Energy conservation							
BA	R80-17		4,000	4 16 80		4,000	6 5 80
Economic regulation							
BA	R80-18		1,000	4 16 80		1,000	6 5 80
Departmental Administration							
Departmental administration							
BA	R80-19		3,000	4 16 80		3,000	6 5 80
DEPARTMENT OF ENERGY							
TOTAL BA		17,000	45,900			62,900	
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE							
Health Services Administration							

PAGE 3 ATTACHMENT A - STATUS OF RESCISSIONS - FISCAL YEAR 1980 AS OF 06/30/80 17:19

AS OF JULY 1, 1980 AMOUNTS IN THOUSANDS OF DOLLARS AGENC /BUREAU/ACCOUNT	RESCISSION NUMBER	AMOUNT PREVIOUSLY CONSIDERED BY CONGRESS	AMOUNT CURRENTLY BEFORE THE CONGRESS 1	DATE OF MESSAGE MO DA YR	AMOUNT RESCINDED	AMOUNT MADE AVAILABLE	DATE MADE AVAILABLE MO DA YR
Health services							
BA	R80-20a		34,900	4 16 80		34,900	6 5 80
Indian health facilities							
BA	R80-21a		18,000	4 16 80		18,000	6 5 80
National Institutes of Health							
National Cancer Institute							
BA	R80-22a		17,000	4 16 80		17,000	6 5 80
National Heart, Lung, and Blood Institute							
BA	R80-23a		7,000	4 16 80		7,000	6 5 80
National Institute of Dental Research							
BA	R80-24a		300	4 16 80		300	6 5 80
Nat. Inst. of Arthr., Metabolism, & Diges. Disease							
BA	R80-25a		2,500	4 16 80		2,500	6 5 80
Nat. Inst. of Neurol. and Comm. Disord. and Stroke							
BA	R80-26a		2,000	4 16 80		2,000	6 5 80
Nat. Inst. of Allergy and Infectious Diseases							
BA	R80-27a		1,500	4 16 80		1,500	6 5 80
Nat. Inst. of General Medical Sciences							
BA	R80-28a		500	4 16 80		500	6 5 80
Nat. Inst. of Child Health and Human Develop.							
BA	R80-29a		1,000	4 16 80		1,000	6 5 80
National Eye Institute							
BA	R80-30a		3,200	4 16 80		3,200	6 5 80
Nat. Inst. of Environmental Health Sciences							
BA	R80-31a		500	4 16 80		500	6 5 80

AS OF JULY 1, 1980 AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT	RESCISSION NUMBER	AMOUNT PREVIOUSLY CONSIDERED BY CONGRESS	AMOUNT CURRENTLY BEFORE THE CONGRESS 1	DATE OF MESSAGE MO DA YR	AMOUNT RESCINDED	AMOUNT MADE AVAILABLE	DATE MADE AVAILABLE MO DA YR
National Institute of Aging							
BA	R80-32a		500	4 16 80		500	6 5 80
Research resources							
BA	R80-33a		5,000	4 16 80		5,000	6 5 80
National Library of Medicine							
BA	R80-34a		500	4 16 80		500	6 5 80
Alcohol, Drug Abuse, and Mental Health Administrat							
Alcohol, drug abuse, and mental health							
BA	R80-35a		4,000	4 16 80		4,000	6 5 80
Health Resources Administration							
Health resources							
BA	R80- 2a	104,218		1 28 80			
BA	R80- 2A	-6,450		2 20 80		97,768	3 18 80
BA	R80-36a		149,953b	4 16 80		52,185	6 5 80
Office of Assistant Secretary for Health							
Salaries and expenses							
BA	R80-37a		12,800	4 16 80		12,800	6 5 80
Office of Education							
Elementary and secondary education							
BA	R80-38a		135,750	4 16 80		135,750	6 5 80
Emergency school aid							
BA	R80-39a		25,123	4 16 80		25,123	6 5 80
Occupational, vocational, and adult education							
BA	R80-40a		87,500	4 16 80		87,500	6 5 80
Student assistance							
BA							

PAGE 5 ATTACHMENT A - STATUS OF RESCISSIONS - FISCAL YEAR 1980 AS OF 06/30/80 17:19

AS OF JULY 1, 1980 AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT	RESCISSION NUMBER	AMOUNT PREVIOUSLY CONSIDERED BY CONGRESS	AMOUNT CURRENTLY BEFORE THE CONGRESS 1	DATE OF MESSAGE MO DA YR	AMOUNT RESCINDED	AMOUNT MADE AVAILABLE	DATE MADE AVAILABLE MO DA YR
	R80-41a		108,000	4 16 80		108,000	6 5 80
Higher and continuing education BA	R80-42a		44,275	4 16 80		44,275	6 5 80
Library resources BA	R80-43a		18,000	4 16 80		18,000	6 5 80
Special projects and training BA	R80-44a		11,000	4 16 80		11,000	6 5 80
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE TOTAL BA		97,768	690,801			690,801	
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT							
Community Planning and Development							
Community development grants BA	R80-45		153,200	4 16 80		153,200	6 5 80
Rehabilitation loan fund BA	R80-46		38,000	4 16 80		38,000	6 5 80
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TOTAL BA			191,200			191,200	
DEPARTMENT OF THE INTERIOR							
Heritage Conservation and Recreation Service							
Urban park and recreation grants BA	R80-47		85,000	4 16 80		85,000	6 5 80
Land and water conservation fund BA							

AS OF JULY 1, 1980 AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT	RESCISSION NUMBER	AMOUNT PREVIOUSLY CONSIDERED BY CONGRESS	AMOUNT CURRENTLY BEFORE THE CONGRESS 1	DATE OF MESSAGE MO DA YR	AMOUNT RESCINDED	AMOUNT MADE AVAILABLE	DATE MADE AVAILABLE MO DA YR
	R80-48		251,000	4 16 80		251,000	6 5 80
Historic preservation fund BA							
	R80-49		16,500	4 16 80		16,500	6 5 80
Geological Survey							
Exploration of natl petroleum reserve-Alaska BA							
	R80- 3	18,000		1 28 80		18,000	3 18 80
DEPARTMENT OF THE INTERIOR TOTAL BA		18,000	352,500			370,500	
DEPARTMENT OF JUSTICE							
Office of Justice Assist., Research, and Statistic							
Law enforcement assistance BA							
	R80-59		12,439	5 20 80			
DEPARTMENT OF THE TREASURY							
Bureau of Government Financial Operations							
Salaries and expenses BA							
	R80-50		322	4 16 80		322	6 5 80
OTHER INDEPENDENT AGENCIES							
Arms Control and Disarmament Agency							
Arms control and disarmament activities BA							
	R80-51		720	4 16 80		720	6 5 80
Federal Mine Safety and Health Review Commission							
Salaries and expenses BA							
	R80-52		188	4 16 80		188	6 5 80
International Communication Agency							

AS OF JULY 1, 1980 AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT	RESCISSION NUMBER	AMOUNT PREVIOUSLY CONSIDERED BY CONGRESS	AMOUNT CURRENTLY BEFORE THE CONGRESS 1	DATE OF MESSAGE MO DA YR	AMOUNT RESCINDED	AMOUNT MADE AVAILABLE	DATE MADE AVAILABLE MO DA YR
Special international exhibitions							
BA	R80- 1	114		10 1 79		114	11 15 79
Merit Systems Protection Board							
Office of the special counsel							
BA	R80-53		1,000	4 16 80		1,000	6 5 80
National Alcohol Fuels Commission							
Salaries and expenses							
BA	R80-58		9	5 13 80			
National Science Foundation							
Science education activities							
BA	R80-54		5,000	4 16 80		5,000	6 5 80
Occupational, Safety, and Health Review Comm.							
Salaries and expenses							
BA	R80-55		100	4 16 80		100	6 5 80
Small Business Administration							
Business loan and investment fund							
BA	R80-56		19,000	4 16 80		19,000	6 5 80
Water Resources Council							
ter resources planning							
BA	R80-57		11,000	4 16 80		11,000	6 5 80
HER INDEPENDENT AGENCIES TOTAL BA		114	37,017			37,122	
TOTAL BA		132,882	1,485,179			1,507,845	

FOOTNOTES

1. Funds proposed for rescission in the seventh special message transmitted to the Congress on April 16, 1980 were made available for obligation on June 5 but are pending the completion of congressional action on the 1980 Supplemental and Rescission Bill (H.R. 7542).

a. This rescission proposal was made prior to the formation of the Department of Health and Human Services and the Department of Education on May 7, 1980. At the time this proposal was transmitted to the Congress, it was reported under the Department of Health, Education, and Welfare.

b. These funds include $97.768,000 previously proposed for rescission in R80-2a which were not withheld pending congressional action on R80-36.

END OF REPORT

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AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT	DEFERRAL NUMBER	AMOUNT TRANSMITTED ORIGINAL REQUEST	AMOUNT TRANSMITTED SUBSEQUENT CHANGE	DATE OF MESSAGE MO DA YR	CUMULATIVE OMB /AGENCY RELEASES	CONGRESSIONALLY REQUIRED RELEASES	CUMULATIVE ADJUSTMENTS	AMOUNT DEFERRED AS OF 07-01-80
FUNDS APPROPRIATED TO THE PRESIDENT								
Appalachian Regional Development Programs								
Appalachian regional development programs								
BA	D80-48	14,300		4 16 80				14,300
International Security Assistance								
Economic support fund								
BA	D80- 1	100,000		10 1 79				100,000
FUNDS APPROPRIATED TO THE PRESIDENT TOTAL BA		114,300						114,300
DEPARTMENT OF AGRICULTURE								
Farmers Home Administration								
Mutual self help housing								
BA	D80-46	15,000		2 20 80				15,000
Forest Service								
Timber salvage sales								
BA	D80- 2	9,298		10 1 79				9,298
Expenses, brush disposal								
BA	D80- 3	32,060		10 1 79				
BA	D80- 3A		20,643	6 18 80				52,703
Restoration of forest lands								
BA	D80- 4	38		10 1 79	4			34
DEPARTMENT OF AGRICULTURE TOTAL BA		56,396	20,643		-4			77,035
DEPARTMENT OF COMMERCE								
Economic Development Administration								
local public works program								

AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT		DEFERRAL NUMBER	AMOUNT TRANSMITTED ORIGINAL REQUEST	AMOUNT TRANSMITTED SUBSEQUENT CHANGE	DATE OF MESSAGE MO DA YR	CUMULATIVE OMB /AGENCY RELEASES	CONGRESSIONALLY REQUIRED RELEASES	CUMULATIVE ADJUSTMENTS	AMOUNT DEFERRED AS OF 07-01-80
	BA	D80-69	6,447		5 13 80				6,447
National Oceanic and Atmospheric Administration									
Construction									
	BA	D80- 5	7,000		10 1 79				
	BA	D80- 5A		39,459	1 28 80				46,459
Coastal zone management									
	BA	D80- 6	20,000		10 1 79				
	BA	D80- 6A		a	11 15 79				20,000
Promote and develop fishery products and research									
	BA	D80- 7	2,400		10 1 79	-2,400			
Fisheries loan fund									
	BA	D80- 8	5,300		10 1 79				
	BA	D80- 8A		b	1 28 80	-93			5,207
Coastal energy impact fund									
	BA	D80-49	54,922c		4 16 80				54,922
DEPARTMENT OF COMMERCE TOTAL	BA		96,069	39,459		-2,493			133,035
DEPARTMENT OF DEFENSE-MILITARY									
Procurement									
Shipbuilding and conversion, Navy									
	BA	D80-41	997,500		1 28 80				997,500
Military Construction									
Military construction, all services									
	BA	D80- 9	31,386		10 1 79				
	BA	D80- 9A		355,780d	1 28 80	-355,969		8,234	39,431
Family Housing, Defense									
Family housing, Defense									
	BA	D80-42	18,651		1 28 80				18,651
Various Activities									
ious accounts									

AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT		DEFERRAL NUMBER	AMOUNT TRANSMITTED ORIGINAL REQUEST	AMOUNT TRANSMITTED SUBSEQUENT CHANGE	DATE OF MESSAGE MO DA YR	CUMULATIVE OMB /AGENCY RELEASES	CONGRESSIONALLY REQUIRED RELEASES	CUMULATIVE ADJUSTMENTS	AMOUNT DEFERRED AS OF 07 01-80
	BA	D80-50	801,700e		4 16 80				
	BA	D80-50A		112,900	5 20 80	-63,300			851,300
DEPARTMENT OF DEFENSE-MILITARY TOTAL BA			1,849,237	468,680		-419,269		8,234	1,906,882
DEPARTMENT OF DEFENSE-CIVIL									
Cemeterial Expenses, Army									
Salaries and expenses									
	BA	D80-71	113		6 18 80				113
Wildlife Conservation, Military Reservations									
Wildlife conservation, all services									
	BA	D80-10	595		10 1 79				
	BA	D80-10A		114	12 26 79	-42			667
DEPARTMENT OF DEFENSE-CIVIL TOTAL BA			708	114		-42			780
DEPARTMENT OF ENERGY									
Atomic Energy Defense Activities									
Operating expenses									
	BA	D80-51			4 16 80				
	O	D80-51A		1,000f	5 20 80				1,000
Energy Programs									
Energy supply R&D-operating expenses									
	BA	D80-52			4 16 80				
	O	D80-52A		2,500f	5 20 80				2,500
Fossil energy construction									
	BA	D80-11	50,000		10 1 79	-50,000			
Departmental Administration									
Departmental administration									
	BA	D80-53			4 16 80				
	O	D80-53A		1,000f	5 20 80				1,000

ATTACHMENT B - STATUS OF DEFERRALS - FISCAL YEAR 1980

AS OF 07/01/80 14:21

AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT	DEFERRAL NUMBER	AMOUNT TRANSMITTED ORIGINAL REQUEST	AMOUNT TRANSMITTED SUBSEQUENT CHANGE	DATE OF MESSAGE MO DA YR		CUMULATIVE OMB /AGENCY RELEASES	CONGRESSIONALLY REQUIRED RELEASES	CUMULATIVE ADJUSTMENTS	AMOUNT DEFERRED AS OF 07 01 80
DEPARTMENT OF ENERGY									
TOTAL BA		50,000				-50,000			
TOTAL O			4,500						4,500
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE									
Alcohol, Drug Abuse & Mental Health Administration									
Construction & renovation, St. Elizabeths Hospital									
BA	D80-12g	23,314		10	1 79				23,314
Office of Assistant Secretary for Health									
Special foreign currency program									
BA	D80-43g	10,000		1	28 80				10,000
Office of Education									
Student assistance									
BA	D80-54g	140,000		4	16 80				140,000
Social Security Administration									
Limitation on administrative expenses									
BA	D80-47g	5,000		2	20 80				5,000
Human Development Services									
White House Conferences - Aging, Families, & Child									
BA	D80-13g	4,649		10	1 79				
BA	D80-13A		h	2	20 80	-3,054		1,604	3,199
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE									
TOTAL BA		182,963				-3,054		1,604	181,513
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT									
Housing Programs									
Troubled projects operating subsidy									
BA	D80-55	10,000		4	16 80				10,000

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AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT	DEFERRAL NUMBER	AMOUNT TRANSMITTED ORIGINAL REQUEST	AMOUNT TRANSMITTED SUBSEQUENT CHANGE	DATE OF MESSAGE MO DA YR	CUMULATIVE OMB /AGENCY RELEASES	CONGRESSIONALLY REQUIRED RELEASES	CUMULATIVE ADJUSTMENTS	AMOUNT DEFERRED AS OF 07-01 80
DEPARTMENT OF THE INTERIOR								
Bureau of Land Management								
Oregon and California grant lands								
BA	D80-44	1,134		1 28 80				1,134
Heritage Conservation and Recreation Service								
Land and water conservation fund								
BA	D80-14	30,000		10 1 79				30,000
National Park Serivice								
Construction								
BA	D80-56	15,500		4 16 80				15,500
Geological Survey								
Payments from proceeds, sale of water								
BA	D80-15	39		10 1 79				39
Bureau of Mines								
Drainage of anthracite mines								
BA	D80-16	1,137		10 1 79				
BA	D80-16A		328	1 28 80	-500			965
DEPARTMENT OF THE INTERIOR TOTAL BA		47,810	328		-500			47,638
DEPARTMENT OF JUSTICE								
Legal Activities								
Fees and expenses of witnesses								
BA	D80-45	1,181		1 28 80				1,181
Federal Prison System								
Buildings and facilities								
BA	D80-17	22,853		10 1 79				
BA	D80-17A		14,888	11 15 79				
BA	D80-17B		12,610	1 28 80				50,351
Office of Justice Assist., Research, and Statistic								

AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT		DEFERRAL NUMBER	AMOUNT TRANSMITTED ORIGINAL REQUEST	AMOUNT TRANSMITTED SUBSEQUENT CHANGE	DATE OF MESSAGE MO DA YR	CUMULATIVE OMB /AGENCY RELEASES	CONGRESSIONALLY REQUIRED RELEASES	CUMULATIVE ADJUSTMENTS	AMOUNT DEFERRED AS OF 07-01-80
Law enforcement assistance									
	BA	D80-70	13,396		5 13 80				
	BA	D80-70A		6,000	5 20 80				19,396
DEPARTMENT OF JUSTICE									
TOTAL	BA		37,430	33,498					70,928
DEPARTMENT OF LABOR									
Employment and Training Administration									
Employment and training assistance									
	BA	D80-57	190,760		4 16 80				190,760
Temporary employment assistance									
	BA	D80-58	203,000		4 16 80				203,000
DEPARTMENT OF STATE									
International Organizations and Conferences									
Contributions to intl peacekeeping activities									
	BA	D80-32	10,000		11 15 79				
	BA	D80-32A		2,000	1 28 80				12,000
Other									
Emergency refugee and migration assistance fund									
	BA	D80-18	5,650		10 1 79				
	BA	D80-18A		19,3501	1 28 80	-15,300		1,194	10,894
DEPARTMENT OF STATE									
TOTAL	BA		15,650	21,350		-15,300		1,194	22,894
DEPARTMENT OF TRANSPORTATION									
Coast Guard									
Acquisition, construction, and improvements									
	BA	D80-59	33,800		4 16 80				33,800
Federal Aviation Administration									

AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT		DEFERRAL NUMBER	AMOUNT TRANSMITTED ORIGINAL REQUEST	AMOUNT TRANSMITTED SUBSEQUENT CHANGE	DATE OF MESSAGE MO DA YR	CUMULATIVE OMB /AGENCY RELEASES	CONGRESSIONALLY REQUIRED RELEASES	CUMULATIVE ADJUSTMENTS	AMOUNT DEFERRED AS OF 07-01-80
Construction, Metropolitan Washington Airports									
	BA	D80-60	4,000		4 16 80				4,000
Civil supersonic aircraft development termination									
	BA	D80-19	5,004		10 1 79	-5,000			4
Facilities & equip. (Airport & airway trust fund)									
	BA	D80-20	138,211		10 1 79				
	BA	D80-20A		166,081	1 28 80				304,292
Federal Highway Administration									
Federal aid highways									
	BA	D80-33	495,789		11 15 79	-495,789			
	BA	D80-61	1,659,000		4 16 80				1,659,000
Federal Railroad Administration									
Railroad research and development									
	BA	D80-62	3,800		4 16 80				3,800
Northeast corridor improvement program									
	BA	D80-63	75,000		4 16 80				75,000
Urban Mass Transportation Administration									
Urban mass transportation fund									
	BA	D80-21	393,076		10 1 79			393,076)	
	BA	D80-64	7,875		4 16 80				7,875
	BA	D80-72	166,245		6 18 80				166,245
DEPARTMENT OF TRANSPORTATION									
TOTAL	BA		2,981,800	166,081		-500,789		-393,076	2,254,016
DEPARTMENT OF THE TREASURY									
Office of the Secretary									
Investment in national consumer cooperative bank									
	BA	D80-38	12,550		12 26 79				12,550
Office of Revenue Sharing									
State and local government fiscal assistance fund									
	BA	D80-22	79,548		10 1 79				
	BA	D80-22A		34,245	12 26 79	-1,665		14	112,142

AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT		DEFERRAL NUMBER	AMOUNT TRANSMITTED ORIGINAL REQUEST	AMOUNT TRANSMITTED SUBSEQUENT CHANGE	DATE OF MESSAGE MO DA YR	CUMULATIVE OMB /AGENCY RELEASES	CONGRESSIONALLY REQUIRED RELEASES	CUMULATIVE ADJUSTMENTS	AMOUNT DEFERRED AS OF 07-01-80
	O	D80-23	2,735		10 1 79				
	O	D80-23A		13,850k	2 20 80	-9,857		2,173	8,901
Bureau of the Mint									
Construction of mint facilities									
	BA	D80-24	3,230		10 1 79				
	BA	D80-24A		2,500	1 28 80				5,730
DEPARTMENT OF THE TREASURY									
	TOTAL BA		95,328	36,745		-1,665		14	130,422
	TOTAL O		2,735	13,850		-9,857		2,173	8,901
ENVIRONMENTAL PROTECTION AGENCY									
Construction grants									
	BA	D80-65	3,636,254		4 16 80				
	BA	D80-65A		11,694l	5 20 80				3,647,948
OTHER INDEPENDENT AGENCIES									
District of Columbia									
Loans for capital outlay									
	BA	D80-39	8,130		12 26 79				8,130
Federal Emergency Management Agency									
Emergency planning, preparedness, and mobilization									
	BA	D80-25	80		10 1 79				80
Foreign Claims Settlement Commission									
Payment of Vietnam prisoner of war claims									
	BA	D80-26	1,800		10 1 79	-940			860
General Services Administration									
Federal Buildings Fund									
	BA	D80-66	25,000		4 16 80				25,000
International Communication Agency									

AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT		DEFERRAL NUMBER	AMOUNT TRANSMITTED ORIGINAL REQUEST	AMOUNT TRANSMITTED SUBSEQUENT CHANGE	DATE OF MESSAGE MO DA YR	CUMULATIVE OMB /AGENCY RELEASES	CONGRESSIONALLY REQUIRED RELEASES	CUMULATIVE ADJUSTMENTS	AMOUNT DEFERRED AS OF 07 01 80
Salaries & expenses									
	BA	D80-34	2,000		11 15 79				2,000
Special foreign currency program									
	BA	D80-35	1,600		11 15 79				1,600
Acquisition & construction of radio facilities									
	BA	D80-27	10,973		10 1 79				10,973
National Consumer Cooperative Bank									
Self-help development fund									
	BA	D80-40	8,000		12 26 79				8,000
National Science Foundation									
Research and related activities									
	BA	D80-67	18,000		4 16 80				18,000
National Commission on Social Security									
Salaries and expenses									
	BA	D80-29	250		10 1 79				
	BA	D80-29A		145	12 26 79				395
Navajo & Hopi Indian Relocation Commission									
Salaries and expenses									
	BA	D80-30	5,300		10 1 79				5,300
Railroad Retirement Board									
Regional rail transportation protective account									
	BA	D80-36	1,000		11 15 79	-1,000			
Smithsonian Institution									
Construction									
	BA	D80-68	19,000		4 16 80				19,000
National Alcohol Fuels Commission									
Salaries and expenses									
	BA	D80-28	250		10 1 79				
	BA	D80-28A		500	1 28 80	-9			741
President s Commission on Pension Policy									

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AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT		DEFERRAL NUMBER	AMOUNT TRANSMITTED ORIGINAL REQUEST	AMOUNT TRANSMITTED SUBSEQUENT CHANGE	DATE OF MESSAGE MO DA YR	CUMULATIVE OMB /AGENCY RELEASES	CONGRESSIONALLY REQUIRED RELEASES	CUMULATIVE ADJUSTMENTS	AMOUNT DEFERRED AS OF 07-01 80
Salaries and expenses	BA	D80-37	700		11 15 79				700
Tennessee Valley Authority									
Tennessee Valley Authority fund	BA	D80-31	17,000		10 1 79				17,000
OTHER INDEPENDENT AGENCIES	TOTAL BA		119,083	645		-1,949			117,779
	TOTAL BA		9,686,788	799,237		-995,065		-382,030	9,108,930
	TOTAL O		2,735	18,350		-9,857		2,173	13,401

FOOTNOTES

a. This supplementary report was transmitted solely to expand the application of this deferral to include funds appropriated in FY 1980 as well as balances carried forward from previous years.

b. This supplementary report was transmitted solely to change the justification for deferring the funds.

c. This deferral action was taken in conjunction with a rescission proposal (R80-11).

d. This amount includes the effect of releases totalling $18,270 thousand made prior to the transmittal of the supplementary report.

e. These deferral items were transmitted to the Congress in a consolidated deferral report which listed the individual items as D80-50.1 through 50.34.

f. This supplementary report was transmitted solely to reflect a technical correction to the original report by reflecting a

delay of expenditures (outlays) rather than a delay of obligations (BA).

g. This deferral was made prior to the formation of the Department of Health and Human Services and the Department of Education on May 7, 1980. At the time this item was transmitted to the Congress, it was reported under the Department of Health, Education, and Welfare.

h. This supplementary report was transmitted to expand the application of this deferral.

i. This supplementary report includes the effect of releases totalling $8,000 thousand and adjustments of $5,582 thousand made prior to the transmittal of the report.

j. Congressional action on the 1980 Transportation and Related Agencies Appropriation Bill (P.L.96-131) rescinded these funds.

k. This amount includes the effect of releases totalling $2,691 thousand made prior to the transmittal of the supplementary report.

l. This amount includes the effect of a release totalling $12,456 thousand made prior to the transmittal of the supplementary report.

END OF REPORT

[FR Doc. 80-21223 Filed 7-14-80; 9:04 am]
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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 41 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
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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	HHS/FDA		DOT/SLSDC	HHS/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 "reminders" below identify documents that appeared in issues of the **Federal Register** 15 days or more ago. Inclusion or exclusion from this list has no legal significance.

Rules Going Into Effect Today

JUSTICE DEPARTMENT

Office of Justice Assistance, Research, and Statistics—

40114 6–13–80 / Criminal history records

TRANSPORTATION DEPARTMENT

Materials Transportation Bureau—

41197 7–16–79 / Transportation of liquids by pipeline; operations, maintenance, and emergency procedures

70164 12–6–79 / Transportation of liquids by pipeline; reconsideration of procedures for operations, maintenance and emergencies

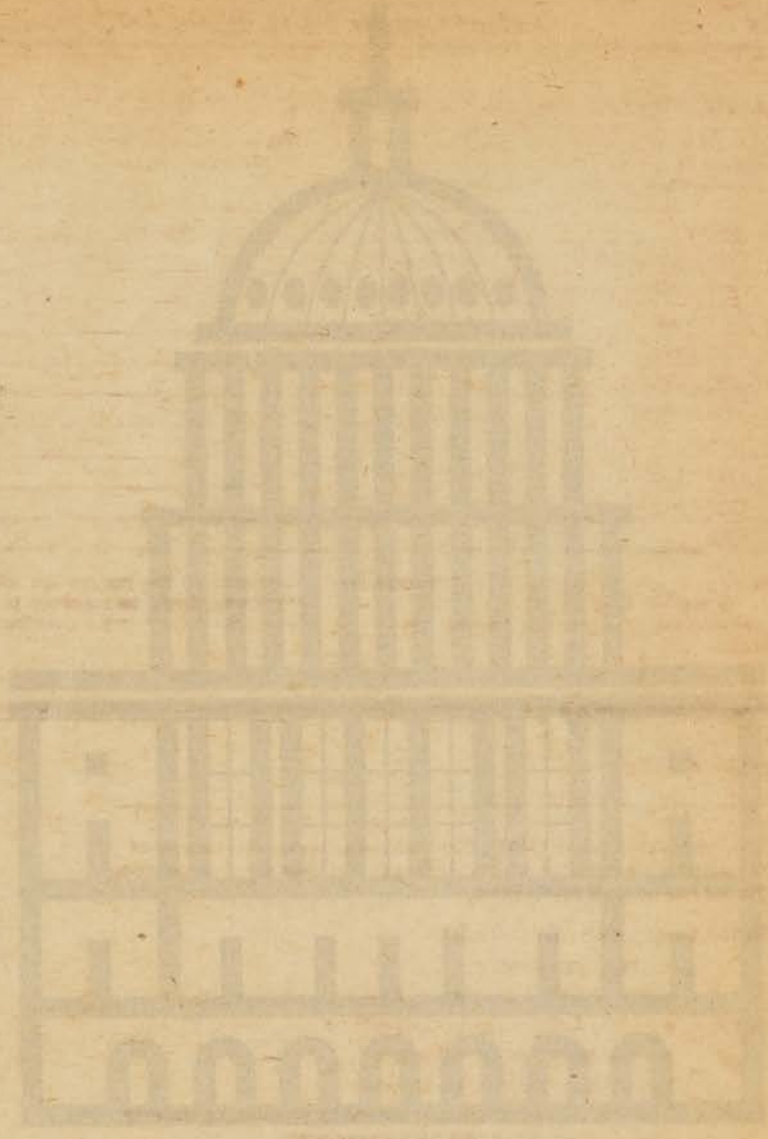
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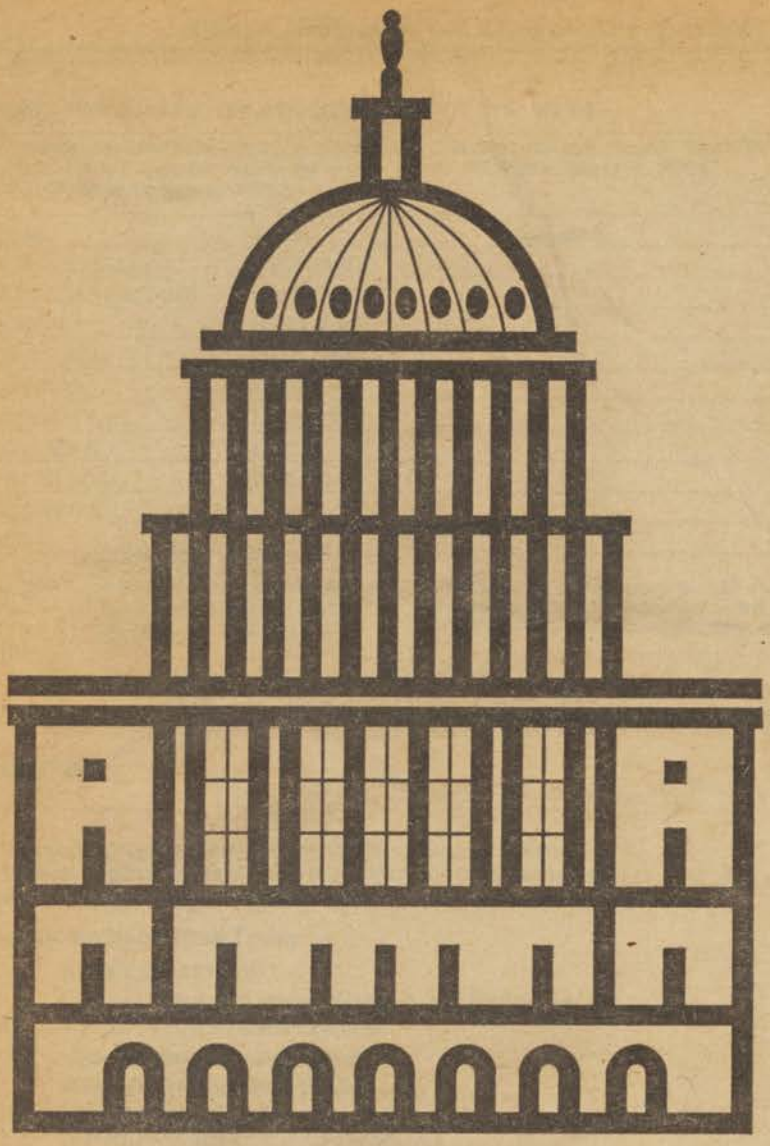
Last Listing July 11, 1980

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).

S.598 / Pub. L. 96–308 Soft Drink Interbrand Competition Act (July 9, 1980; 94 Stat. 939) Price $1.

S.2546 / Pub. L. 96–309 To authorize the Secretary of the Interior to design and construct a gunite lining on certain reaches of the Bessemer Ditch in the vicinity of Pueblo, Colorado, to prevent or reduce see page damage on adjacent properties, and for other purposes. (July 9, 1980; 94 Stat. 940) Price $1.





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