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Friday
April 10, 1981

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21365 **Occupational Noise Exposure** Labor/OSHA defers effective date on amendment that sets forth specific requirements for hearing conservation programs. These requirements include monitoring of employee exposure, audiometric testing and use of hearing protectors

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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.

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Presidential Documents

Title 3—

The President

Proclamation 4831 of April 8, 1981

Victims Rights Week, 1981

By the President of the United States of America

A Proclamation

For too long, the victims of crime have been the forgotten persons of our criminal justice system. Rarely do we give victims the help they need or the attention they deserve. Yet the protection of our citizens—to guard them from becoming victims—is the primary purpose of our penal laws. Thus, each new victim personally represents an instance in which our system has failed to prevent crime. Lack of concern for victims compounds that failure.

Statistics reported by the Federal Bureau of Investigation and other law enforcement agencies indicate that crime continues to be a very serious national problem. But statistics cannot express the human tragedy of crime felt by those who are its victims. Only victims truly know the trauma crime can produce. They have lived it and will not soon forget it. At times, whole families are entirely disrupted—physically, financially and emotionally. Lengthy and complex judicial processes add to the victim's burden. Such experiences foster disillusionment and, ultimately, the belief that our system cannot protect us. As a Nation, we can ill afford this loss of faith on the part of innocent citizens who have been victimized by crimes.

We need a renewed emphasis on, and an enhanced sensitivity to, the rights of victims. These rights should be a central concern of those who participate in the criminal justice system, and it is time all of us paid greater heed to the plight of victims.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim the week beginning April 19, 1981, as Victims Rights Week. I urge all Federal, state and local officials involved in the criminal justice system to devote special attention to the needs of victims of crime, and to redouble their efforts to make our system responsive to those needs. I urge all other elected and appointed officials to join in this effort to make our justice system more helpful to those whom it was designed to protect. And I urge all citizens, from all walks of life, to remember that the personal tragedy of the victim is their own tragedy as well.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of April, in the year of our Lord nineteen hundred and eighty-one, and of the Independence of the United States of America the two-hundred and fifth.

Ronald Reagan

[FR Doc. 81-11068
Filed 4-8-81; 3:01 pm]
Billing code 3195-01-M

Presidential Documents

Executive Order 12303 of April 8, 1981

Presidential Advisory Committee on Federalism

By the authority vested in me as President by the Constitution of the United States of America, and in order to establish, in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. I), an advisory committee on federalism policy of the United States, it is hereby ordered as follows:

Section 1. *Establishment.* (a) There is established the Presidential Advisory Committee on Federalism. The Committee shall be composed of members from among private citizens of the United States, public officials from State and local governments, and members of the Legislative and Executive branches of the Federal government who shall be appointed by the President. The members shall serve at the pleasure of the President.

(b) The President shall designate a Chairman from among the members of the Committee.

Sec. 2. *Functions.* The Committee shall advise the President with respect to the objectives and conduct of the overall federalism policy of the United States.

Sec. 3. *Administration.* (a) The heads of Executive agencies shall, to the extent permitted by law, provide the Committee such information with respect to federalism issues as it may require for the purpose of carrying out its functions.

(b) Members of the Committee shall serve without any compensation for their work on the Committee. However, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the government service (5 U.S.C. 5701–5707), to the extent funds are available therefor.

(c) Any administrative support expenses of the Committee shall be paid from funds available to the White House Office.

Sec. 4. *General.* (a) Notwithstanding any other Executive order, the responsibilities of the President under the Federal Advisory Committee Act, as amended, shall be performed by the President, except that, the Administrator of General Services shall, on a reimbursable basis, provide such administrative services as may be requested.

(b) The Committee shall terminate on December 31, 1982, unless sooner extended.

Ronald Reagan

THE WHITE HOUSE,
April 8, 1981.

[FR Doc. 11069
Filed 4-8-81; 4:29 p.m.]
Billing code 3195-01-M

Editorial Note: The President's statement on signing Executive Order 12303 and the announcement of the Committee membership, both dated April 8, 1981, will be printed in the Weekly Compilation of Presidential Documents (vol. 17, no. 15).

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.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

Prevailing Rate Systems

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is issuing these regulations to carry out its responsibility for the overall administration of the Prevailing Rate Systems.

EFFECTIVE DATE: May 11, 1981.

FOR FURTHER INFORMATION CONTACT: Richard W. Newbold, 202–632–5454.

SUPPLEMENTARY INFORMATION: On May 13, 1980, the Office of Personnel Management published proposed regulations (45 FR 31382) to carry out its responsibility for the overall administration of the Prevailing Rate Systems under sections 5343 and 5346 of title 5, United States Code, as amended by Pub. L. 92–392, August 19, 1972.

Analysis of Comments

The proposed regulations provided a 60 day period for public comment. The Office of Personnel Management received comments from nine agencies, three labor organization headquarters, six labor organization locals, and two individuals. A few of the comments suggested significant changes be made to the proposed regulations. These suggestions have not been adopted. As emphasized in the proposed regulations, the prevailing rate systems have been administered under guidelines and instructions published in the FPM Supplements 532–1 (Federal Wage System) and 532–2 (Federal Wage System—Nonappropriated Fund Employees). The supplements, recommended by the Federal Prevailing Rate Advisory Committee (FPRAC), were prepared and issued by the OPM. In accordance with agreement reached at the FPRAC, which includes management and labor organizations, these regulations reflect the policies established for the Federal Wage System (FWS) and require no system changes or departures from the guidelines and instructions published in the FPM Supplements. Except those changes mandated by law, policy changes are made only after consideration by the FPRAC.

A number of suggestions, made in the interest of clarification, were adopted, and the final regulations modified as indicated below. One agency suggested that the headings in this document are confusing. We do not agree and have made no changes.

Section 532.205—The use of Federal, State, and local minimum wage requirements in determining prevailing rates. It was suggested that special schedules be included. This change was made. Two agencies felt that subpart (c) of this section could be made clearer. We agree and have clarified this part accordingly.

Section 532.213—Preparation for full-scale wage surveys. One agency had the impression that the responsibility for providing lead agencies with a list of establishments to survey had been decentralized from the Bureau of Labor Statistics (BLS) to the lead agencies. This is not the case; no change has been made in this responsibility. The same agency wanted more specific instructions on the selection of data collectors. We believe that leave, work priorities, and similar matters and responsibilities are normal management functions and need not be addressed in this forum.

Section 532.401—Definitions. One agency suggested that more detailed information be given on "equivalent increase." We did not adopt this suggestion since this type of information is already contained in FPM Supplement 532–1. Two agencies suggested that the definition of "highest previous rate" be broadened to conform more closely with FPM Supplement 532–1. This change was made.

Section 532.411—Details. One agency suggested that it be made clear that this section does not apply to Nonappropriated Fund employees. We agree and have made this change. Another agency felt that this part should be changed to conform with FPM Bulletin 300–48 (Decentralization of Personnel Authorities, February 28, 1979). Inasmuch as detailed information on this subject has already been published in the FPM by OPM, we have deleted part (b) of this section.

Section 532.415—Application of new or revised wage schedules. One agency suggested that the lead agency mail wage schedules directly to all agency offices in wage areas. We feel that this method of distributing wage schedules would cause more problems than it would solve. Small organizations or isolated locations might well be unknown and completely escape the attention of the lead agency. No change was made in this section.

Section 532.417—Within-grade increases. One agency suggested that more details be given on what constitutes satisfactory performance. No change was made in this section since it was not within the scope of these regulations. Another agency recommended the deletion of the last sentence of § 532.417(c)(3). We did not make this change since all NAF employees, with the exception of VA, are excluded from Chapter 81 of title 5, Compensation for Work Injuries, by 5 U.S.C. 2105.

Section 532.501—Definitions. One agency suggested that the definition of "regularly scheduled" and "irregular or occasional" overtime work be clarified. We did not make any change because we feel the meaning is sufficiently clear.

Section 532.503—Overtime pay. One agency suggested that subpart (a) be clarified to indicate it applied only to title 5 entitlements and not Fair Labor Standards Act entitlements. We agree and have changed this part accordingly. Another agency suggested that subpart (c), "Callback overtime work" be modified along the lines indicated in 45 Comptroller General 53. We feel that these regulations are not the appropriate place for this kind of detail. We will consider this suggestion again when next modifying FPM Supplement 532–1. Another suggestion was to increase minimum callback time from two to four hours. This was not adopted since it would be contrary to Comptroller General Decision B–175452 dated May 1, 1972.

Section 532.507—Pay for holiday work. The same agency as above had the same suggestion for subpart (c) here as for callback overtime work above. This suggestion also will be considered

when next modifiying FPM Supplement 532–1.

Section 532.511—Environmental differential. One agency suggested that paragraph (b)(3) be clarified in terms of hours in a pay status. We agree and have made this change.

Subpart G—Job Grading Reviews and Appeals. Two agencies suggested that this part be changed to correspond to the General Schedule regulations. While this suggestion deserves further study, it is not within the scope of these regulations and therefore has not been adopted. One agency suggested a change in the wording on what an employee may appeal to include occupational series or title. This change has been made.

E.O. 12291, Federal Regulation

OPM has determined that this is not a major rule for the purposes of E.O. 12291 Federal Regulation, because it will not result in:

(1) An annual effect on the economy of $100 million or more;

(2) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(3) Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Regulatory Flexibility Act

The Director, Office of Personnel Management, certifies that this regulation will not have a significant economic impact on a substantial number of small entities, including small business, small organizational units and small governmental jurisdictions.

Office of Personnel Management.

Beverly McCain Jones,

Issuance System Manager.

Accordingly, the Office of Personnel Management is revising Part 532 of Title 5 of the Code of Federal Regulations to read as follows:

PART 532—PREVAILING RATE SYSTEMS

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Sec.

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532.103 Coverage.
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Authority: 5 U.S.C. 5343, 5346.

Subpart A—General Provisions

§532.101 Scope.

This part provides common policies, systems, and practices for uniform application by all agencies subject to section 5342 of title 5, United States Code, in fixing pay for prevailing rate employees as nearly as is consistent with the public interest in accordance with prevailing rates.

§532.103 Coverage.

The provisions of this part shall apply to prevailing rate employees and agencies covered by section 5342 of title 5, United States Code.

§532.105 Pay-fixing authority.

The head of each agency shall authorize application of the rates established by the lead agency or the Office of Personnel Management (OPM) to prevailing rate employees within the appropriate wage area, in accordance with the provisions of this part.

Subpart B—Prevailing Rate Determinations

§532.201 Definitions.

For the purposes of this part:

"Full-scale survey" means a survey conducted at least every 2 years in which data are collected from a current sampling of establishments in the private sector by personal visit of data collectors.

"Host activity" is the local Federal activity designated by the lead agency to obtain employment statistics from other Federal activities in the wage area and to provide support facilities and clerical assistance for the wage survey.

"Lead agency" means the agency designated by the Office of Personnel Management to plan and conduct wage surveys, analyze wage survey data, and determine and issue required wage schedules for a wage area.

"Survey area" means that part of the wage area where the private enterprise establishments included in the wage survey are located.

"Wage area" means that geographic area within which a single set of regular wage schedules is applied uniformly by Federal installations to covered occupations.

"Wage change survey" means a survey in which rate change data are collected from the same establishments and for the same establishment occupations represented in the full-scale survey. These data may be collected by telephone, mail, or personal visit.

§532.203 Structure of regular wage schedules.

(a) Each nonsupervisory and leader regular wage schedule shall have 15 grades, which shall be designated as follows:

(1) "WG" means an appropriated fund nonsupervisory grade;

(2) "WL" means an appropriated fund leader grade;

(3) "NA" means a nonappropriated fund nonsupervisory grade; and

(4) "NL" means a nonappropriated fund leader grade.

(b) Each supervisory regular wage schedule shall have 19 grades, which shall be designated as follows:

(1) "WS" means an appropriated fund supervisory grade; and

(2) "NS" means a nonappropriated fund supervisory grade.

(c) The step 2 or payline rate for each grade of a leader regular wage schedule shall be equal to 110 percent of the rate for step 2 of the corresponding grade of the nonsupervisory regular wage schedule for the area.

(d) The step 2 or payline rate for each grade of an appropriated fund supervisory regular wage schedule shall be:

(1) For grades WS–1 through WS–10, equal to the rate for step 2 of the corresponding grade of the nonsupervisory regular wage schedule for the area, plus 30 percent of the rate for step 2 of WG–10;

(2) For grades WS–11 through WS–19, based on a parabolic curve linking the WS–10 rate to the WS–19 rate, which latter rate is equal to the minimum rate in effect for General Schedule grade GS–14 at the time of the area wage schedule adjustment.

(e) The step 2 or payline rate for each grade of a nonappropriated fund supervisory regular wage schedule shall be:

(1) For grades NS–1 through NS–8, equal to the rate for step 2 of the corresponding grade of the nonsupervisory regular wage schedule for the area, plus 20 percent of the rate for step 2 of NA–8;

(2) For grades NS–9 through NS–15, equal to 120 percent of the rate for step 2 of the corresponding grade of the nonsupervisory regular wage schedule for the area;

(3) For grades NS–16 through NS–19, the rates will be 25, 30, 35 and 40 percent, respectively, above the step 2 rate of NA–15;

(f) The number of within-grade steps and the differentials between steps for each nonsupervisory grade on a regular wage schedule shall be established in accordance with 5 U.S.C. 5343(e)(1). Each grade on a leader and supervisory regular wage schedule shall have 5 within-grade steps with step 2 set according to paragraphs (c), (d), or (e) of this section, as appropriate, and—

(1) Step 1 set at 96 percent of the step 2 rate;

(2) Step 3 set at 104 percent of the step 2 rate;

(3) Step 4 set at 108 percent of the step 2 rate; and

(4) Step 5 set at 112 percent of the step 2 rate.

§ 532.205 The use of Federal, State, and local minimum wage requirements in determining prevailing rates.

(a) Wage schedules, including special schedules, shall not include any rates of pay less than the higher of:

(1) The minimum rate prescribed by section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended, or

(2) The highest State or local minimum wage rate in the local wage area which is applicable to the private industry counterparts of the single largest Federal industry/occupation in the wage area.

(b) Wage data below the minimum wage rates prescribed by section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended, shall not be used in determining prevailing rates.

(c) Adjustments to regular wage schedules to comply with the minimum wage rate determined to be applicable under subsection (a) of this section shall be computed as follows:

(1) The step 2 rate of grade 1 of the nonsupervisory wage schedule shall be set at a rate which, upon application of the 4 percent step-rate differential, provides a step 1 rate which is equal to the applicable minimum wage rate.

(2) An intergrade differential shall be determined as 5 percent of the rate established as the step 2 rate of grade 1, rounded to the nearest whole cent. This intergrade differential shall be added to the step 2 rate of each grade, beginning with grade 1, to determine the step 2 rate for the succeeding grade until the grade is reached at which the step 2 rate established through the wage survey process equals or exceeds the rate determined under this procedure. Rates of all grades above that point shall be computed in accordance with paragraph 532.221(b) of this subpart.

(3) Steps 1, 3, 4, and 5 of each grade adjusted under paragraph (c) of this section shall be set at 96, 104, 108, and 112 percent of the step 2 rate, respectively.

(4) The leader and supervisory wage schedule grades corresponding to each nonsupervisory grade adjusted under paragraph (c) of this section shall be constructed in accordance with the procedures of § 532.203 of this subpart, on the basis of the step 2 rates established under this paragraph for the nonsupervisory wage schedule grades.

(d) All wage schedule adjustments made under this section shall be effective on the effective date of the applicable minimum wage rate.

§ 532.207 Agency wage committee.

(a) Each lead agency shall establish an agency wage committee for the purpose of considering matters relating to the conduct of wage surveys, the establishment of wage schedules and making recommendations thereon to the lead agency.

(b) The Agency Wage Committee shall consist of five members, with the chairperson and two members designated by the head of the lead agency, and the remaining two members designated as follows:

(1) For the Department of Defense Wage Committee, one member shall be designated by each of the two labor organizations having the largest number of wage employees covered by exclusive recognition in the Department of Defense; and

(2) For other lead agencies, two members shall be designated by the labor organization having the largest number of wage employees by exclusive recognition in the agency.

(c) Recommendations of agency wage committees shall be developed by majority vote. Any member of an agency wage committee may submit a minority report to the lead agency along with the recommendations of the committee.

§ 532.209 Local wage survey committee.

(a)(1) A lead agency shall establish a local wage survey committee in each wage area for which it has lead agency responsibility and in which a labor organization represents, by exclusive recognition, wage employees subject to the wage schedules for which the survey is conducted.

(2) The local wage survey committee shall assist the lead agency in the conduct of wage surveys and make recommendations to the lead agency thereon.

(b)(1) Local wage survey committees shall consist of three members, with the chairperson and one member designated by the lead agency, and one member recommended by the labor organization having the largest number of wage employees under the regular wage schedule who are under exclusive recognition in the wage area.

(2) All members of local wage survey committees for appropriated fund surveys shall be Federal employees appointed by their employing agencies.

(3) Members for nonappropriated fund surveys shall be nonappropriated fund employees appointed by their employing agencies.

(4) The member recommended by the labor organization must be an employee of a Federal activity for appropriated fund surveys or nonappropriated fund

activity for nonappropriated fund surveys who is covered by one of the regular wage schedules in the wage area in which the activity is located.

(c) A local wage survey committee shall be established before each full-scale wage survey. Responsibility for providing members shall remain with the same agency and the same labor organization until the next full-scale survey.

(d) Recommendations of local wage survey committees shall be developed by majority vote. Any member of a local wage survey committee may submit a minority report to the lead agency along with the recommendations of the committee.

(e) The lead agency shall establish the type of local wage survey organization it considers appropriate in a wage area which does not qualify for a local wage survey committee under paragraph (a) of this section.

§ 532.211 Responsibilities of participating organizations.

(a) The Office of Personnel Management:

(1) Defines the boundaries of wage and survey areas;

(2) Prescribes the required industries to be surveyed;

(3) Prescribes the required job coverage for surveys;

(4) Designates a lead agency for each wage area;

(5) Establishes, jointly with lead agencies, a nationwide schedule of wage surveys;

(6) Arranges for technical services with other Government agencies;

(7) Considers recommendations of the national headquarters of any agency or labor organization relating to the Office of Personnel Management's responsibilities for the Federal Wage System; and

(8) Establishes wage schedules and rates for prevailing rate employees who are United States citizens outside of the United States, District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, the Territories and Possessions of the United States, and the Trust Territory of the Pacific Islands.

(b) Federal Prevailing Rate Advisory Committee. This committee functions in accordance with the requirements set forth under section 5347 of title 5, United States Code.

(c) Employing agencies.

(1) Heads of agencies. The head of an agency is responsible, within the policies and procedures of the Federal Wage System, for authorizing application of wage schedules developed by a lead agency and fixing and administering rates of pay for wage employees of his/her organization.

(2) Heads of local activities. The head of each activity in a wage area is responsible for providing employment information, wage survey committee members, data collectors, and any other assistance requested by the local wage survey committee.

(d) Lead agencies. In accordance with the practices and procedures prescribed by the Office of Personnel Management, each agency assigned lead agency responsibility for a designated wage area is responsible for:

(1) Planning and conducting the wage survey for that area;

(2) Developing survey specifications and providing or arranging for the identification of establishments to be surveyed;

(3) Officially ordering wage surveys;

(4) Establishing wage schedules, applying wage schedules authorized by the head of the agency; and

(5) Referring pertinent matters to the agency wage committee and the Office of Personnel Management.

(e) Agency wage committees. As appropriate, agency wage committees consider and make recommendations to the lead agency on wage schedules and any matters involving survey specifications for full-scale surveys if the lead agency chooses not to accept recommendations of the local wage survey committee or those in a minority report filed by a local wage survey committee member.

(f) Local wage survey committees. The local wage survey committee plans and conducts the wage survey in the designated wage area.

§ 532.213 Preparation for full-scale wage surveys.

(a) The local wage survey committee, prior to each full-scale survey:

(1) Shall hold a public hearing to receive recommendations from interested parties concerning the area, industries, establishments and jobs to be covered in the wage survey.

(2) Shall prepare a summary of the hearings and submit it to the lead agency together with the committees' recommendations concerning the survey specifications prescribed in paragraph (c) of this section.

(3) May make any other recommendations concerning the local wage survey which it considers appropriate.

(b) The lead agency shall refer to the local wage survey committee's report to the agency wage committee for its consideration and recommendation if:

(1) The lead agency proposes not to accept the recommendations of the local wage survey committee concerning the specifications of the local wage survey; or

(2) The local wage survey committee's report is accompanied by a minority report.

(c) The lead agency shall develop survey specifications after taking into consideration the reports and recommendations received from the local wage survey committee and, if applicable, the agency wage committee. The survey specifications shall include:

(1) The counties to be surveyed;

(2) The industries to be surveyed;

(3) The standard minimum size of establishments to be surveyed;

(4) Establishments to be surveyed with certainty; and

(5) The survey jobs.

(d) A list of establishments and alternative establishments to be surveyed shall be prepared through use of statistical sampling techniques in accordance with the specifications developed by the lead agency. A copy of this list shall be forwarded to the local wage survey committee.

(e) Selection and appointment of data collectors.

(1) Wage data for appropriated fund surveys shall be collected by teams consisting of one local Federal Wage System employee recommended by the committee member representing the qualifying labor organization and one Federal employee recommended by local government activities. The data collectors shall be selected and appointed by the head of their employing agency.

(2) Wage data for nonappropriated fund surveys shall be collected by teams, each consisting of one local nonappropriated fund employee recommended by the committee member representing the qualifying labor organization and one nonappropriated fund employee recommended by local nonappropriated fund activities. The data collectors shall be selected and appointed by the head of their employing activity.

(f)(1) Each member of a local wage survey committee, each data collector, and any other person having access to data collected must retain this information in confidence, and is subject to disciplinary action by the employing agency or activity if the employee violates the confidence of data secured from private employers.

(2) Any violation of the above provision by a Federal employee must be reported to the employing agency and, in the case of a participant designated by a labor organization, to the recognized labor organization and

its headquarters, and shall be cause for the lead agency immediately to remove the offending person from participation in the wage survey function.

§ 532.215 Conduct of full-scale wage survey.

(a) Wage survey data shall not be collected before the date the survey is ordered by the lead agency.

(b) Required data shall be obtained by personal visit.

(c) Alternate establishments shall be surveyed if data cannot be obtained from the primary establishments selected to be surveyed.

(d) The data collectors shall submit the data they collect to the local wage survey committee together with their recommendations about the use of the data.

§ 532.217 Review by the local wage survey committee.

(a) The local wage survey committee shall review all establishment information and survey job data collected in the wage survey for completeness and accuracy and forward all of the data collected to the lead agency together with a report of its recommendations concerning the use of the data. The local wage survey committee may make any other recommendations concerning the wage survey which it considers appropriate.

§ 532.219 Review by the lead agency.

(a) The lead agency shall review all material and wage survey data forwarded by the local wage survey committee to:

(1) Assure that the survey was conducted within the prescribed procedures and specifications;

(2) Consider matters included in the local wage survey committee report and recommendations;

(3) Exclude unusable data;

(4) Resolve questionable job matching and wage rate data; and

(5) Verify all computations reported on wage data collection forms.

(b) The lead agency shall determine whether the usable data collected in the wage survey are adequate for computing paylines, according to the following criteria:

(1) The wage survey data collected in an appropriated fund wage survey are adequate if the unweighted job matches include at least one survey job in the WG–01 through 04 range, one survey job in the WG–05 through 08 range, and two survey jobs in the WG–09 and above range, each providing at least 20 samples; and at least six other survey jobs, each providing at least 10 samples.

(2) The wage survey data collected in a nonappropriated fund wage survey are adequate if the unweighted job matches include at least two survey jobs in the NA–01 through 04 range providing 10 samples each, one survey job in the NA–01 through 04 range and three survey jobs in the NA–05 through 15 range providing five samples each; two other survey jobs, each providing at least five samples, and at least 100 unweighted samples for all survey jobs combined are used in the computation of the final payline.

(c)(1) If the wage survey data do not meet the adequacy criteria in paragraph (b) of this section, the lead agency shall analyze the data, construct lines and wage schedules, submit them to the agency wage committee for its review and recommendations and issue wage schedules, in accordance with the requirements of this subpart, as if the adequacy criteria were met.

(2) The lead agency may determine such a wage area to be adequate if the quantity of data obtained is large enough to construct paylines even though it was obtained for fewer than the prescribed number of jobs, or at different grade levels, or in different combinations than prescribed in paragraph (b) of this section.

(3) The lead agency may not determine a nonappropriated fund wage area to be adequate if fewer than 100 usable unweighted job matches were used in the final payline computation.

(d) If the lead agency determines a wage area to be inadequate under paragraph (c) of this section, it shall promptly refer the problem to the Office of Personnel Management for resolution.

§ 532.221 Statistical analysis of usable wage survey data.

(a)(1) The lead agency shall compute a weighted average rate, in accordance with the instructions issued by the Office of Personnel Management, for each appropriated fund survey job having at least 10 usable matches and for each nonappropriated fund survey job having at least five usable matches before establishment weights are applied.

(2) Incentive and piece-work rates shall be excluded when computing weighted average rates if, after establishment weights have been applied, 90 percent or more of the total usable wage survey data reflect rates paid on a straight-time basis only.

(b) The lead agency shall compute paylines from the weighted average rates computed under paragraph (a) of this section, as follows:

(1) Linear unit and frequency lines shall be computed according to the least squares statistical formula, based on all of the weighted average rates.

(2) Under the appropriated fund wage system a key point line shall be computed using the computed average rates for wage grades 3, 5, 10, and 13.

(3) Either or both of the lines computed according to paragraph (b)(1) of this subsection may be recomputed after eliminating data which cause distortion in the lines. If data for any of the grade points used under paragraph (b)(2) of this subsection are eliminated under this provision, the line computed under paragraph (b)(2) shall be recomputed with the same data eliminated.

(c) Usable data obtained from a particular establishment may not be modified or deleted in order to reduce the effect of an establishment's rates on survey findings, i.e., data will not be deleted or modified to avoid establishment domination.

§ 532.223 Consultation with the agency wage committee.

(a) The lead agency shall submit to the agency wage committee:

(1) The data collected in the wage survey;

(2) The report and recommendations of the local wage survey committee concerning the use of data;

(3) The lead agency's analysis of the data; and

(4) The lines computed from the data.

(b) After considering the information available to it, the agency wage committee shall report to the lead agency its recommendation for a proposed wage schedule derived from the data.

§ 532.225 Selection of payline and issuance of wage schedules.

(a) The lead agency shall select a payline and construct wage schedules therefrom for issuance as the regular wage schedules for the wage area, after considering all of the information, analysis, and recommendations made available to it pursuant to this subpart.

(b)(1) The lead agency shall prepare and maintain a record of all of the analysis and deliberations made under this subpart, documenting fully the basis for its determination under paragraph (a) of this section.

(2) The lead agency shall include in the record all of the wage survey data obtained and the recommendations and reports received from the local wage survey committee and the agency wage committee.

(c)(1) The lead agency shall issue the nonsupervisory, leader, and supervisory regular wage schedules for the local wage area, showing the rates of pay for all grades and steps.

(2) The wage schedules shall have a single effective date for all employees in the wage area, determined by the lead agency in accordance with 5 U.S.C. 5344.

(d) The head of each agency having employees in the local wage area to whom the regular wage schedules apply shall authorize the application of the wage schedules issued under paragraph (c) of this section to those employees, effective on the date specified by the lead agency.

§ 532.227 Wage change surveys.

(a) Wage change surveys shall be conducted in each wage area in years during which full-scale wage surveys are not conducted.

(b) Data shall be collected in wage change surveys only from establishments which participated in the preceding full-scale survey. Information concerning pay adjustments of general application in effect for jobs matched in each establishment which participated in the preceding full-scale survey shall be obtained.

(c) Data may be obtained in wage change surveys by telephone, mail, or personal visit. The chairperson of the local wage survey committee shall determine the manner in which establishments will be contacted for collection of data. Data may be collected by the local wage survey committee members or by data collectors appointed and assigned to two member teams in accordance with § 532.213(e) of this subpart.

(d) Wage change survey data may not be collected before the date ordered by the lead agency.

(e) The local wage survey committee shall review all wage change survey data collected and forward the data to the lead agency. Where appropriate, the committee shall also forward to the lead agency a report of unusual circumstances surrounding the survey.

(f) The lead agency shall review the wage change survey data and, if applicable, the report filed by the local wage survey committee.

(g)(1) The lead agency shall recompute the line selected under § 532.225(a) of this subpart in the preceding full-scale survey using the wage change survey data and shall construct wage schedules therefrom in accordance with § 532.203 and, if appropriate, § 532.205 of this subpart.

(2) The lead agency shall consult with the agency wage committee in accordance with § 532.223 of this subpart.

(3) Records of this process shall be maintained in accordance with § 532.225(b) of this subpart.

(h) The wage schedules shall be issued and authorized in accordance with § 532.225 (c) and (d) of this subpart.

§ 532.229 Minimum rates for hard-to-fill positions.

(a) The lead agency for a wage area may establish the rate of the second, third, fourth, or fifth step of one or more grades of an occupation as the mandatory minimum rate or rates payable by any agency for the occupation at one or more locations within a wage area based on findings that:

(1) The hiring rates prevailing for an occupation in private sector establishments in the wage area are higher than the rate of the first step of the grade or grades of the occupation; and

(2) Federal installations and activities in the wage area are unable to recruit qualified employees at the rate of the first step of the grade or grades of the occupation.

(b) Any authorizations made under paragraph (a) of this section shall be indicated on the regular wage schedule for the wage area.

(c) Any authorizations made under paragraph (a) of this section shall be terminated with the issuance of a new regular wage schedule unless the conditions that warrant the authorizations continue and the new regular wage schedule continues that authorization.

(d) The lead agency, prior to terminating any authorization made under paragraph (a) of this section, shall require the appropriate official or officials at all installations or activities to which the authorization applies to discuss the termination with the appropriate official or officials of exclusively recognized employee organizations representing employees in the affected occupation. The agency officials shall report the results of these discussions to the lead agency.

(e) No employee shall have his/her pay reduced because of cancellation of an authorization made under paragraph (a) of this section.

§ 532.231 Special rates and special schedules.

(a) A lead agency, with the approval of the Office of Personnel Management, may establish special rates or special schedules for use within an area for specific occupations which are critical to the mission of a Federal activity based on findings that:

(1) Serious recruitment and retention problems exist;

(2) Rates on the authorized regular schedule are inadequate for the recruitment and retention of qualified employees; and

(3) Authorization of increased minimum rates under § 532.229 of this subpart will not solve the problems.

(b) Special rates shall be based on industry wage data for the specific occupations. A single rate shall be used when this represents industry practice; five rates with intervals of four percent between successive rates shall be used when rate ranges are used by industry, with the rate of the second step representing the weighted average of the industry rates.

(c) Any special rates established under paragraph (b) of this section shall be shown on the regular schedule which shall indicate each occupation and grade for which the rates are authorized. These rates shall be paid by all agencies having these occupations within the wage area.

(d)(1) Special schedules will ordinarily have the same grade, job ranking, and step-rate structure as regular schedules; only the wage rates will differ.

(2) If the use of grades is not appropriate, rates only shall be specified for each individual job.

(3) In other situations which require departure from regular schedule practices, the Office of Personnel Management authorization for the special schedule shall include instructions for its construction, application, and administration.

(4) Unless otherwise specified, positions covered by special wage schedules shall be subject to the general provisions of this part and to other applicable rules and regulations of the Office of Personnel Management.

Subpart C—Determining Rates for Principal Types of Positions

§ 532.301 Definitions.

For purposes of this subpart:

"Nearest similar wage area" means the nearest wage area which is most similar to the local wage area in terms of private employment, population, relative numbers of private employers in major industry categories, and kinds and sizes of industry establishments and in which adequate private establishments exist in the survey area whose activities are similar to those in the dominant industry.

"Principal types of appropriated or nonappropriated fund positions" means those groups of occupations which require work of a specialized nature and which are peculiar to a specific Government industry which is the dominant industry among the total wage employment in the wage area.

"Specialized private industry" means private industry establishments in those industry groups, comparable to the specialized Government industries listed in § 532.303 of this section, which must be included in a wage survey in order to obtain data comparable to a dominant industry.

§ 532.303 Specialized industry.

(a)(1) Under the appropriated fund wage system, a "specialized industry" is a Federal activity engaged in the production or repair of aircraft, ammunition, artillery and combat vehicles, communication equipment, electronic equipment, guided missiles, heavy duty equipment, shipbuilding, sighting and fire control equipment, or small arms.

(2) Under the nonappropriated fund wage system a "specialized industry" includes only nonappropriated fund operated eating and drinking places. Additional industries may be considered as specialized industries upon approval of the Office of Personnel Management.

§ 532.305 Dominant industry.

(a)(1) A specialized industry is a "dominant industry" if the number of wage employees in the wage area who are subject to the wage schedule for which the survey is made and employed in occupations which comprise the principal types of appropriated or nonappropriated fund positions in the specialized industry comprise:

(i) For appropriated fund activities,

(A) At least 25 percent of the total wage employment or

(B) 1,000 or more employees in a wage area having more than 4,000 wage employees; and

(ii) For nonappropriated fund activities

(A) At least 25 percent of the total wage employment or

(B) 100 or more wage employees in a wage area having 400 or more wage employees.

(2) If two or more specialized industries in a wage area qualify as dominant industries, the two specialized industries having the largest number of wage employees shall be the dominant industries for purposes of applying the requirements of this subpart.

§ 532.307 Determinating whether a dominant industry exists in a wage area.

(a) The chairperson of the local wage survey committee shall, before a full-scale wage survey is scheduled to begin, notify all appropriated or nonappropriated fund activities having employees subject to the wage schedules for which the survey is conducted so that organizations and individuals may submit written recommendations and supporting evidence to the local wage survey committee concerning principal types of appropriated or nonappropriated fund positions in the area. Each appropriated or nonappropriated fund activity shall publicize the opportunity to make such recommendations in accordance with the instructions issued by the Office of Personnel Management.

(b)(1) Before conducting a full-scale wage survey an occupational inventory of employees subject to the wage schedules for which the survey is conducted shall be obtained from each appropriated or nonappropriated fund activity in the area having such employees.

(2) After reviewing the occupational inventory and considering the recommendations received pursuant to paragraph (a) of this section, the local wage survey committee shall formulate its recommendations and prepare a written report concerning the existence of specialized industries within the wage area.

(3) The report of the recommendations, the occupational inventory, and the recommendations and supporting evidence received pursuant to paragraph (a) of this section shall be forwarded to the lead agency.

(c) The lead agency shall refer the occupational inventory and the reports received pursuant to paragraph (b) of this section to the agency wage committee for its consideration and recommendation if:

(1) The lead agency proposes not to accept the recommendation of the local wage survey committee concerning the specifications of the local wage survey; or

(2) The local wage survey committee's report is accompanied by a minority report.

(d) The lead agency shall determine, in writing, after taking into consideration the reports and recommendations received under paragraphs (b) and (c) of this section, and prior to ordering a full-scale wage survey to begin, whether the principal types of appropriated or nonappropriated fund positions in a local wage area comprise a dominant industry. The determination shall remain in effect until the next full-scale wage survey in the area.

§ 532.309 Determining adequacy of specialized private industry.

(a) Specialized private industry comparable to an appropriated fund dominant industry is adequate when:

(1) The survey area is one of the 25 largest Standard Metropolitan Statistical Areas, or the total number of employees of private industry establishments in the specialized private industry located in the survey area is at least equal to the total number of appropriated fund wage employees in occupations which comprise the principal types of appropriated positions in the dominant industry who are subject to the wage schedules for which the survey is made; or

(2) For any dominant industry except "ammunition," the job matches obtained from the specialized private industry include one regular survey job in the WG–01 through 04 range, one regular survey job in the WG–05 through 08 range, one regular survey job in the WG–09 and above range, and one special survey job in the WG–09 and above range all providing at least 20 unweighted samples each; and three other regular or special survey jobs, each providing at least 10 unweighted samples.

(3) For the dominant industry "ammunition," the job matches obtained from the specialized survey industries include one regular survey job in the WG–01 through 04 range, one special survey job in the WG–05 through 08 range, and one regular survey job in the WG–09 through 15 range, all providing at least 20 unweighted samples each; and three other regular or special survey jobs, each providing at least 10 unweighted samples.

(b) Specialized private industry comparable to a nonappropriated fund dominant industry is adequate when:

(1) The total number of employees of private industry establishments similar to the dominant industry located in the survey are at least equal to the number of nonappropriated fund wage employees in positions which comprise the principal types of nonappropriated fund positions in the dominant industry who are subject to the wage schedules for which the survey is made; and

(2) The job matches obtained from all industries surveyed for regular survey jobs related to the dominant industry include one regular survey job in the NA–01 through 04 range providing at least 10 samples; and one regular survey job in the NA–05 through 15 range and one other regular survey job, each providing at least five samples.

§ 532.311 Survey of specialized private industry related to a dominant industry.

If it is determined that there are one or more dominant industries within a wage area, the lead agency shall insure that the survey includes the industries and survey jobs related to the dominant industries, in accordance with

instructions in the Federal Personnel Manual. When the related industry within the local wage survey area fails to meet the criteria in § 532.309 of this subpart, the lead agency shall obtain data related to the dominant industry from the survey area of the wage area which is determined to be the nearest similar area which will provide adequate data under the criteria in § 532.309 of this subpart.

§ 532.313 Use of data from the nearest similar area.

(a)(1) The lead agency shall, in establishing the regular schedule under the provisions of this subpart, analyze and use the acceptable data from the nearest similar wage area together with the data obtained from inside the local wage survey area.

(2) The total number of job matches obtained from the nearest similar wage area to be used in establishing the regular wage schedule shall not exceed the number of job matches used which were obtained from inside the local wage survey area.

(3) If there are two dominant industries for which data are obtained from nearest similar areas, the total number of outside area job matches used for both specialized industries may not exceed the total number of job matches obtained in the local wage survey area.

(b)(1) The wage rates established for a grade by using data from the nearest similar area may not exceed the wage rates for the same grade in the nearest similar area.

(2) If data are obtained from two nearest similar areas for two dominant industries, the wage rates established for a grade by using these data may not exceed the higher of the wage rates for the same grade in the two nearest similar areas.

(c) The wage data obtained from the nearest similar area or areas may not be used to reduce the wage rates for any grade in the local area below the rates that would be established for that grade without the use of the data from the nearest similar area or areas.

Subpart D—Pay Administration

§ 532.401 Definitions.

In this subpart:

"Change to a lower grade" means a change of an employee, while continuously employed, to a job or grade level with a lower representative rate.

"Equivalent increase" means an increase or increases in an employee's scheduled rate of pay, equal to or greater than the amount of a within-grade increase in the grade in which the employee is serving except in certain situations specified by the Office of Personnel Management.

"Existing scheduled rate of pay" means the scheduled rate of pay received immediately before the effective date of a transfer, reassignment, promotion, change to a lower grade, within-grade increase, or revision of a wage schedule.

"Highest previous rate" means the highest scheduled rate of pay previously paid to a person while employed in a job in any branch of the Federal Government, a mixed-ownership corporation, or the government of the District of Columbia. It is based on a regular tour of duty under an appointment not limited to 90 days or less, or for a continuous period of no less than 90 days under one or more appointments without a break in service.

"Promotion" means a change of an employee, while continuously employed, to a job or grade level with a higher representative rate than his/her current grade; or retained grade, if applicable.

"Rate of basic pay" means the scheduled rate of pay plus any night or environmental differential.

"Reassignment" means a change of an employee, while serving continuously in the same agency, from one job to another without promotion or change to a lower grade.

"Representative rate" means the going rate, i.e., the rate or step keyed to the prevailing rate determination. For example:

(1) The established rate on a single rate schedule;

(2) The second rate on a five-rate regular wage schedule;

(3) The fourth rate on the General Schedule; or

(4) The fourth rate of a class under the Foreign Service Officer and Foreign Service Staff schedule.

"Retained rate" means the rate of pay an employee is receiving which is higher than the maximum scheduled rate of pay of the Federal Wage System grade or pay level to which the employee is assigned.

"Scheduled rate of pay" means the rate of pay fixed by law or administrative action, including a retained rate of pay, for the job held by an employee before any deductions and exclusive of additional pay of any kind.

§ 532.403 New appointments.

(a) Except as provided in paragraphs (b) and (c) of this section, a new appointment to a position shall be made at the minimum rate of the appropriate grade.

(b) An agency may make a new appointment at a rate above the minimum rate of the appropriate grade in recognition of an appointees' special qualifications.

(c) An agency shall make a new appointment at a step-rate above the minimum rate of a grade if the lead agency for the wage area has designated, in accordance with § 532.229, a step-rate above the first step-rate of a grade as the minimum step-rate at which a position may be filled.

§ 532.405 Use of highest previous rate.

(a)(1) Subject to the provisions of § 532.407 of this subpart and Part 536 of this chapter, when an employee is reemployed, reassigned, transferred, promoted, or changed to a lower grade, the agency may fix the pay at any rate of the new grade which does not exceed the employee's highest previous rate.

(2) However, if the employee's highest previous rate falls between two step-rates of the new grade, the agency may fix the pay at the higher of the two.

(b)(1) When an employee's type of appointment is changed in the same job, an agency may continue to pay the existing scheduled rate or may pay any higher rate of the grade which does not exceed the employee's highest previous rate.

(2) However, if the highest previous rate falls between two step rates of the grade, the agency may pay the higher rate.

(c)(1) The highest previous rate, if earned in a wage job, is the current rate of the grade and step-rate of the former job on the same type of wage schedule in the wage area in which the employee is being employed, or the actual earned rate, whichever is higher.

(2) If earned on a General Schedule or another pay system other than the Federal Wage System, it is the current rate for the same grade and rate of that schedule.

§ 532.407 Promotion.

(a) An employee who is promoted is entitled to be paid at the lowest scheduled rate of the grade to which promoted which exceeds the employee's existing scheduled rate of pay by at least four percent of the representative rate of the grade from which promoted.

(b) If there is no rate in the grade to which an employee is promoted which meets the requirement of paragraph (a) of this section the employee shall be entitled to the higher of: (1) the existing scheduled rate of pay in accordance with Part 536 of this Chapter; or (2) the

maximum scheduled rate of the grade to which promoted.

(c) If the promotion is to a position in a different wage area, the agency shall determine the employee's pay entitlement as if there were two pay actions—a promotion and a reassignment—and shall process them in the order which gives the employee the maximum benefit.

§ 532.409 Grading or regarding of positions.

Except as provided in § 532.703(b)(10), a change in an employee's rate of basic pay as a result of the grading or regrading of the employee's position shall be effective on the date the grading or regrading action is finally approved by the agency or on a subsequent specifically stated date.

§ 532.411 Details.

An appropriated fund employee detailed to a position other than the position to which appointed shall be paid at the rate of the position to which appointed.

§ 532.413 Simultaneous action.

(a) If an employee becomes entitled to more than one pay change at the same time, the employing agency shall process the pay changes in the order which will provide the maximum benefit, except as required by paragraph (b) of this section.

(b) If an employee becomes entitled to an increase in pay and subject to a personnel or appointment change at the same time, the increased rate of pay is deemed to be the employee's existing scheduled rate of pay when the personnel or appointment change is processed.

§ 532.415 Application of new or revised wage schedules.

(a) The head of each installation or activity in a wage area shall place new or revised wage schedules into effect at the beginning of the first full shift on the date specified on the schedule by the lead agency.

(b) No agency may retroactively change any personnel or pay actions taken between the effective date of a new or revised wage schedule and the date it is actually put into effect if the personnel or pay actions taken during this period of time are more advantageous to an employee than the same personnel or pay action would have been had the new or revised wage schedule been placed into effect on the date specified by the lead agency.

(c) In applying a new or revised wage schedule, the scheduled rate of pay of an employee paid at one of the rates of the employee's grade on an old wage schedule shall be adjusted to the rate of pay established on a new or revised wage schedule for the same grade and step, regardless of whether the adjustment results in an increase or a decrease in the employee's scheduled rate of pay.

§ 532.417 Within-grade increases.

(a) An employee paid under a regular Federal Wage System schedule with a work performance rating of satisfactory or better shall advance automatically to the next higher step within the grade in accordance with section 5343(e)(2) of title 5, United States Code.

(b) Waiting periods for within-grade increases shall begin:

(1) On the first day of a new appointment as an employee subject to this part;

(2) On the first day of a period of service after a break in service or time in a nonpay status in excess of 52 weeks; or

(3) On receipt of an equivalent increase.

(c) Creditable service. The following periods of time shall be considered creditable service for purposes of waiting periods for within-grade increases:

(1) Time during which an employee is in receipt of pay, including periods of leave with pay;

(2) Time during which an employee with a prearranged regular scheduled tour of duty is in a nonpay status to the extent that the time in a nonpay status does not exceed, in the aggregate:

(i) One workweek in the waiting period for step 2;

(ii) Three workweeks in the waiting period for step 3; or

(iii) Four workweeks in the waiting period for steps 4 and 5;

(3) Time during which an employee or former employee is on leave of absence or is separated from Federal service and is entitled to continuation of pay or compensation under subchapter I of chapter 81 of title 5, United States Code. This does not apply to prevailing rate employees within a Department of Defense or Coast Guard nonappropriated fund instrumentality;

(4) Time during which a former employee is serving with the armed forces during a period of war or national emergency if the former employee left a civilian position to enter the armed forces and:

(i) Is reemployed no later than 52 weeks after separation from active military duty, or

(ii) Is restored to the civilian position after separation from active military duty or release from hospitalization following separation from active military duty;

(5) The time between an employee's separation from an earlier position and the date of the employee's return to a civilian position through the exercise of a reemployment right granted by law, Executive Order, or regulation;

(6) Essential non-government civilian employment in the public interest during a period of war or national emergency when it interrupts otherwise creditable service;

(7) The time during which an employee is detailed to a non-Federal position under subchapter VI of chapter 33 of title 5, United States Code; and

(8) Nonworkdays intervening between an employee's last regularly scheduled workday in one position and the first regularly scheduled workday in a new position.

(d) Effective date. A within-grade increase shall be effective at the beginning of the first applicable pay period following the day an employee becomes eligible for the increase.

§ 532.419 Grade and pay retention.

(a) In accordance with section 9(a)(1) of Pub. L. 92-392 (86 Stat. 564, 573), an employee's initial rate of pay on conversion to a wage schedule established under the provisions of subchapter IV of chapter 53, title 5, United States Code, shall be determined under conversion rules prescribed by the Office of Personnel Management.

(b) Except as provided in paragraph (a) of this section, an employee's eligibility for grade and/or pay retention shall be determined in accordance with the provisions of part 536 of this title.

Subpart E—Premium Pay and Differentials

§ 532.501 Definitions.

In this subpart:

"Administrative workweek" means a period of seven consecutive calendar days.

"Basic workweek" for full time employees means the days and hours within an administrative workweek which make up the employee's regularly scheduled 40-hour workweek.

"Environmental differential" means a differential paid for a duty involving unusually severe hazards or working conditions.

"Irregular or occasional overtime work" means overtime work which is not part of the regularly scheduled administrative workweek.

"Night shift differential" means the differential paid the employee when the majority of regularly scheduled

nonovertime hours worked fall between 3 p.m. and 8 a.m.

"Overtime work" means authorized and approved hours of work performed by an employee in excess of eight hours in a day or in excess of 40 hours in an administrative workweek, and includes irregular or occasional overtime work and regular overtime work.

"Premium pay" means additional compensation for overtime, or Sunday work, and standby duty.

"Sunday work" means work performed during a regularly scheduled tour of duty within a basic workweek when any part of that work which is not overtime work is performed on Sunday.

"Regular overtime work" means overtime work which is a part of the regularly scheduled administrative workweek.

"Regularly scheduled administrative workweek" means:

(1) For full-time employees, the period within an administrative workweek within which employees are scheduled to be on duty regularly.

(2) For part-time employees, it means the days and hours within an administrative workweek during which these employees are scheduled to be on duty regularly.

"Tour of duty" means the hours of a day, i.e., a daily tour of duty, and the days of an administrative workweek, i.e., a weekly tour of duty, that are scheduled in advance and during which an employee is required to perform on a regularly recurring basis.

§ 532.503 Overtime pay.

(a)(1) Employees shall be paid overtime pay in accordance with sections 5544 and 5550 of title 5, United States Code or, if eligible, under the provisions of the Fair Labor Standards Act of 1938, as amended, whichever provides the greater overtime benefit. The rules for hours of work determinations and overtime pay entitlements for nonexempt employees under the Fair Labor Standards Act are contained in Part 551 of this subchapter.

(2) Hours of work in excess of eight in a day are not included in computing hours of work in excess of 40 hours in an administrative workweek.

(b) Effect of leave on overtime pay.

(1) Hours during which an employee is absent from duty on paid leave during time when the employee otherwise would have been required to be on duty shall be considered hours of work in determining whether the employee is entitled to overtime pay for work performed in excess of eight hours a day or 40 hours a week.

(2) For the purposes of paragraph (b)(1) of this section paid leave includes but is not limited to:

(i) Annual or sick leave;

(ii) Authorized absence on a day off from duty granted by Executive or administrative order; or

(iii) Authorized absence on a legal holiday;

(3) Hours during which an employee is absent from duty on leave without pay during a time when he/she otherwise would have been required to be on duty shall not be considered hours of work in determining whether he/she is entitled to overtime pay for work performed in excess of eight hours in a day or 40 hours in a week.

(c) Callback overtime work. Irregular or occasional overtime work performed by an employee on a day when work was not regularly scheduled for the employee or for which the employee has been required to return to the place of employment shall be considered to be at least two hours in duration for the purpose of overtime pay, regardless of whether the employee performs work for two hours.

(d)(1) An employee regularly assigned to a night shift, who performs overtime work which extends into or falls entirely within a day shift, shall be entitled to overtime pay computed on the night rate.

(2) When the overtime is performed on a nonworkday the employee shall be entitled to overtime pay computed on the rate of the employee's last previous regularly scheduled shift.

(e)(1) An employee regularly assigned to a rotating schedule involving work on both day and night shifts who performs overtime work which extends or falls entirely within the succeeding shift shall be entitled to overtime pay computed on the rate of the employee's regularly scheduled shift in effect for that calendar day.

(2) When the overtime is performed on a nonworkday, the employee shall be entitled to overtime pay computed on the average rate of basic pay for all regularly scheduled shifts worked by the employee during the basic workweek.

§ 532.505 Night shift differentials.

(a) Employees shall be entitled to receive night shift differentials in accordance with section 5343 of title 5, United States Code.

(b) Absence on holidays. An employee regularly assigned to a shift for which a night shift differential is payable shall be paid the night shift differential for a period of excused absence on a legal holiday or other day off from duty granted by Executive or administrative order.

(c) Travel status. An employee regularly assigned to a shift for which a night shift differential is payable shall be paid the night shift differential for hours of the employee's tour of duty while in official travel status, regardless of whether the employee is performing work.

(d) Temporary tour of duty.

(1) An employee regularly assigned to a night shift who is temporarily assigned to a day shift or to a night shift having a lower night shift differential shall continue to receive the regular night shift differential, a temporary detail for training purposes is also included—see 5 CFR 410.602.

(2) An employee regularly assigned to a night shift, who is temporarily assigned to another night shift having a higher differential, shall be paid the higher differential if a majority of the employee's regularly scheduled nonovertime hours of work on the temporary shift fall within hours having the higher differential.

(3) An employee regularly assigned to a day shift who is temporarily assigned to a night shift shall be paid a night shift differential.

(e) Leave with pay.

(1) An employee regularly assigned to a night shift shall be paid a night shift differential during a period of leave with pay.

(2) An employee regularly assigned to a day shift who is temporarily assigned to a night shift shall be paid a night shift differential for any leave with pay taken when scheduled to work night shifts.

(3) An employee assigned to a regular rotating schedule involving work on both day and night shifts shall be paid a night shift differential only for any leave with pay taken when scheduled to work night shifts.

(4) An employee who is not regularly assigned to a day shift or a night shift but whose shift is changed at irregular intervals shall be paid a night shift differential during leave with pay if the employee received a night shift differential for the last shift worked preceding leave with pay.

§ 532.507 Pay for holiday work.

(a) An employee who is entitled to holiday premium pay and who performs work on a holiday which is not overtime work shall be paid the employee's rate of basic pay plus premium pay at a rate equal to the rate of basic pay.

(b) An employee shall be paid for overtime work performed on a holiday at the same rate as for overtime on other workdays.

(c) An employee who is entitled to holiday premium pay and who is

required to report for work on a holiday shall be paid at least two hours of holiday pay whether or not work is actually performed.

§ 532.509 Pay for Sunday work.

A wage employee whose regular work schedule includes an 8-hour period of service which is not overtime work, a part of which is on Sunday, is entitled to additional pay under the provisions of sections 5544 and 5550 of title 5, United States Code.

§ 532.511 Environmental differentials.

(a) Entitlements to environmental differential pay

(1) In accordance with section 5343(c)(4) of title 5, United States Code, an employee shall be paid an environmental differential when exposed to a working condition or hazard that falls within one of the categories approved by the Office of Personnel Management.

(2) Each installation or activity must evaluate its situations against the guidelines issued by the Office of Personnel Management to determine whether the local situation is covered by one or more of the defined categories.

(b) Amount of environmental differential payable

(1) An employee entitled to an environmental differential shall be paid an amount equal to the percentage rate authorized by the Office of Personnel Management for the category in which the working condition or hazard falls, multiplied by the rate for the second step of WG–10 for the appropriated fund employees and NA–10 for the nonappropriated fund employees on the current regular non-supervisory wage schedule for the wage area for which the differential is payable, counting one-half cent and over as a whole cent.

(2) An employee entitled to an environmental differential on an actual exposure basis shall be paid a minimum of one hour's differential pay for the exposure. For exposure beyond one hour, the employee shall be paid in increments of one quarter hour for each 15 minutes or portion thereof in excess of 15 minutes. Entitlement begins with the first instance of exposure and ends one hour later, except that when exposure continues beyond the hour, it shall be considered ended at the end of the quarter hour in which exposure actually terminated.

(3) An employee entitled to an environmental differential on the basis of hours in a pay status shall be paid for all hours in a pay status on the day on which he/she is exposed to the situation.

(4) An employee may not be paid more than one environmental differential for a particular period of work.

(5) The payment of environmental differential pay is computed on the basis of the highest environmental differential rate authorized during the period of entitlement.

(6) The number of hours an employee is paid environmental differential shall not exceed the number of hours of duty performed by the employee on the day of exposure except as required by paragraph (b)(3) of this section.

(c) Basic pay. Environmental differential pay shall be considered basic pay for all purposes except for lump-sum annual leave payments and severance pay.

Subpart F—Job Grading System

§ 532.601 General.

The Office of Personnel Management shall establish a job grading system in accordance with section 5346 of title 5, United States Code. Appropriate instructions to agencies on the application of the job grading system shall be published by the Office of Personnel Management. Agencies are required to grade all jobs subject to this part in accordance with such instructions.

Subpart G—Job Grading Reviews and Appeals

§ 532.701 General.

A prevailing rate employee may at any time appeal the occupational series, grade, or title to which the employee's job is assigned, but may not appeal under this subpart the standards established for the job, nor other matters such as the accuracy of the job description, the rate of pay, or the propriety of a wage schedule rate.

§ 532.703 Agency review.

(a) Each agency shall establish a system processing an employee's application for review of the correctness of the series, grade or title of the employee's job.

Note.—Application for review will be hereafter referred to as an "application".

(b) In establishing the system required by this subpart, an agency, as a minimum, shall provide that the following requisites be met.

(1) The provisions of the system shall be published and the agency's employees shall be informed where a published copy is available for review.

(2) An application shall be in writing and contain the reasons the employee believes the position is erroneously graded.

(3) An application may be filed at any time. However, when the application involves a downgrading or other job-grading action which resulted in a reduction in grade or loss of pay, in order to be entitled to retroactive corrective action:

(i) An employee not covered by Part 536 of this chapter who is covered by Subparts C and D of Part 752 of this chapter must appeal the change to lower grade under the provisions of § 752.405 of this chapter. An appeal under Subpart C and D of Part 752 of this chapter precludes the employee from filing an application under this section; or

(ii) An employee not covered by Subparts C and D of Part 752 of this chapter must request a review under the provisions of this subpart within 15 calendar days of the effective date of the change to lower grade in order to obtain any retroactive benefits. An employee receiving grade retention under Part 536 of this chapter has no appeal rights under Part 752 of this chapter, but is covered by the provisions of this subpart.

(4) An employee may select a representative, and the employee and the representative, when the representative is also employed by the same agency, shall be granted a reasonable time in presenting the application and shall be assured freedom from restraint, interference, coercion, or reprisal in presenting the application.

(5) An employee shall promptly furnish such facts as may be requested by the agency.

(6) An application shall be canceled and the employee so notified in the following circumstances:

(i) On receipt of a written request by the employee;

(ii) Failure of the employee to furnish required information or otherwise fail to proceed with the advancement of his application in a timely manner; however, instead of cancellation for failure by the employee to prosecute, the application may be adjudicated by the agency if the information is sufficient for that purpose; or

(iii) On notice that the employee has left the job, except when the employee would be entitled to the retroactive benefits including benefits allowable after the death of an employee appellant.

(7) The application shall be processed and decided promptly. No more than one level of review may be established within an agency before a final decision is issued, and that level of review, when

possible, must be above the level of classification authority which classified the position.

(8) When an employee not subject to Subparts C and D of Part 752 of this title applies for a review of a downgrading or other job-grading action that resulted in a reduction of pay, and the decision of an agency reverses in whole or in part the downgrading or other job-grading action, the effective date of that decision shall be retroactive to the effective date of the action being reviewed when the initial application to the agency was submitted in accordance with paragraph (b)(3)(ii) of this section. However, when the agency decision raises the grade or level of the job above its grade or level immediately preceding the downgrading, retroactivity shall apply only to the extent of restoration to the grade or level immediately preceding the downgrading.

(9) The right to a retroactive effective date is preserved when an agency finds that an employee was not notified of the applicable time limit for review and was not otherwise aware of the limit or that circumstances beyond the employee's control prevented filing the application within the prescribed time limit.

(10) The effective date of a change in the series, title or grade of a job shall be specified in the agency decision and, unless otherwise required by this subpart, may not be earlier than the date of the decision. However, in no case may it be later than the beginning of the first pay period which begins after the 60th calendar day from the date the application was filed. However, when the agency decision will result in a downgrading or other job-grading action that will reduce the pay of the incumbent of the job, the effective date may not be set earlier than the date on which the decision can be effected in accordance with procedures required by applicable law and regulation. The retroactive reclassification may be based only on duties and responsibilities existing at the time of downgrading or loss of pay and not on duties and responsibilities later assigned.

(11) When an application has been properly filed and the employee dies before the application has been processed, if a favorable decision would entitle the employee to retroactive corrective action, the application will be processed to completion after the employee's death and any appropriate corrective action made by amending the records of the agency.

(12) The decision on an application shall:

(i) Be based on the record,

(ii) Be in writing,

(iii) Inform the employee either in the decision or as an attachment to the decision of the reasons for the decision, including an analysis of the employee's job, i.e., comparing the job with the appropriate standard, and

(iv) Inform the employee of the right to appeal the decision to the Office of Personnel Management and of the time limits within which the application must be filed.

(c) The agency is responsible for compiling and maintaining a job-grading review file which will constitute the record and which will not contain any document or information which the employee has not been given an opportunity to review.

§ 532.705 Appeal to the Office of Personnel Management.

(a)(1) An employee may appeal the occupation series, grade or title of the job to the appropriate office of the Office of Personnel Management only (i) after the agency has issued a decision under the system established under § 532.703; and (ii) if the employee files the appeal with the Office of Personnel Management within 15 calendar days after receipt of the decision of the agency.

(2) The Office of Personnel Management may extend this time limit if it is shown that the employee was not notified of the applicable time limit and was not otherwise aware of the limit, or that circumstances beyond the employee's control prevented filing an appeal within the prescribed time limit.

(b) An employee shall make the appeal in writing and shall identify specifically the portions of the decision or job analysis of the agency with which the employee disagrees.

(c) The Office of Personnel Management shall base its decision on the record established in the agency, except that when the Office of Personnel Management investigates or audits the job it may take the results of the investigation or audit into consideration. In the event the Office of Personnel Management audits the job, the employee's representative may not be present.

(d) The Office of Personnel Management shall notify the employee and the agency in writing of its decision. The effective date of a change in the series, title and grade of a job directed by the Office of Personnel Management shall be specified in the decision of the Office of Personnel Management, computed from the date the employee filed the application with the agency, and determined under § 532.705(b)(10). However, when the agency decision will result in a downgrading or other job-grading action that will reduce the pay of the incumbent of the job, the effective date may not be set earlier than the date on which the decision can be effected in accordance with procedures required by applicable law and regulation.

(e) The appeal of an employee shall be canceled and the employee so notified in the following circumstances:

(1) On receipt of the employee's written request;

(2) On failure to prosecute, when the employee does not furnish requested information and duly proceed with the advancement of the appeal; however, instead of cancellation for failure to prosecute, an appeal may be adjudicated if the information is sufficient for that purpose. The Office of Personnel Management may reopen a canceled appeal on a showing that circumstances beyond the control of the employee prevented the employee from prosecuting the appeal; or

(3) On notice that the employee has left the job, except when entitled to retroactive benefits, including benefits allowable after the death of an appellant.

(f) The Office of Personnel Management may, at its discretion, reopen and reconsider any job-grading decision made by a regional office when requested by an employee or an agency. This authority may be used under circumstances such as the following:

(1) An employee or an agency presents material facts not previously considered by the regional office involved;

(2) There is room for reasonable doubt as to the appropriateness of a regional office decision; or

(3) The potential impact of a regional office decision on similar jobs under other regional offices is sufficiently significant to make central office review of the decision desirable.

(g) The Director of the Office of Personnel Management, may, in his discretion, reopen and reconsider any previous decision when the party requesting reopening submits written argument or evidence which tends to establish that:

(1) New and material evidence is available that was not readily available when the previous decision was issued;

(2) The previous decision involves an erroneous interpretation of law or regulation or a misapplication of established policy; or

(3) The previous decision is of a precedential nature involving a new or unreviewed policy consideration that may have effects beyond the actual case at hand, or is otherwise of such an exceptional nature as to merit the

personal attention of the Director of the Office of Personnel Management.

(h) A final decision by the Office of Personnel Management constitutes a certificate which is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the Government.

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5 CFR Parts 870, 871, 872, and 873

Basic Life Insurance, Standard Optional Life Insurance, Additional Optional Life Insurance, and Family Optional Life Insurance

AGENCY: Office of Personnel Management.

SECTION: Interim regulations, with comments invited for consideration in final rulemaking.

SUMMARY: The Office of Personnel Management is correcting the interim regulations governing implementation of the Federal Employee's Group Life Insurance Act of 1980 (FEGLI), approved October 10, 1980. These regulations correct misstatements in interim regulations published in the **Federal Register** on December 5, 1980 (45 FR 80472), December 24, 1980 (45 FR 84955) and December 30, 1980, when the material which appeared on December 24th was republished (45 FR 85685). The corrections involve the participation requirement for continuation of life insurance during receipt of workers' compensation.

DATES: Effective date: The interim regulations are effective on December 24, 1980, unless otherwise specified.

COMMENT DATE: Comments must be received on or before June 9, 1981.

ADDRESS: Send comments to Craig B. Pettibone, Director, Office of Pay and Benefits Policy, Compensation Group, Office of Personnel Management, P.O. Box 57, Washington, D.C. 20044.

FOR FURTHER INFORMATION CONTACT: John Landers (202) 632-4634.

SUPPLEMENTARY INFORMATION: Pursuant to section 553(d)(3) of title 5, United States Code, the Director finds that good cause exists for making this amendment effective in less than 30 days. The amendment is needed to make current interim regulations conform to the governing statute.

On December 5, 1980 and December 24th, 1980, OPM issued interim regulations governing implementation of the FEGLI Act of 1980, Pub. L. 96-427, which made major changes in the FEGLI program. One amendment changed the participation requirement for continuation of basic life insurance during receipt of compensation for work injury under the Federal Employees Compensation Act. Under previous law, in order for a retiree or compensationer to qualify for continuation of basic life insurance during receipt of annuity or compensation the minimum participation in the FEGLI program was the lesser of (1) the full period(s) of service during which the coverage was available to the employee or (2) the 5 years of service immediately preceding the *date on which that coverage would otherwise have stopped*, that is, the date of completion of 12 months of leave without pay or separation from service. For optional coverage under the FEGLI program, the minimum participation requirement under both current and previous law is the same as stated above, except that in the case of a compensationer, the 5-year requirement is based only on the length of participation before the *date of entitlement to compensation*, rather than the date that the insurance coverage would stop as an employee, that is, at the end of 12 months of leave without pay or separation from service, whichever is earlier.

With enactment of Pub. L. 96-427, Congress amended section 8706(b) of title 5, United States Code, to eliminate this difference in the participation requirement for basic as opposed to optional coverage of compensationers. An insured employee must now meet the following participation requirement for continuation of basic life insurance (and any optional coverage) during receipt of workers' compensation: He/she must be enrolled for basic insurance during the 5 years of service immediately before entitlement to compensation, or for the full period(s) during which he/she was eligible to be enrolled, whichever is less.

The interim regulations published on December 5th and 24th misstated this statutory requirement by stating the 5-year requirement for compensationers (5 CFR 870.701(a)(1)) as the 5 years of service immediately preceding the date on which basic insurance would otherwise stop (which could include up to 12 months of leave without pay following the date of entitlement to workers' compensation). The interim regulations must be corrected to eliminate a contradiction between the FEGLI law and its implementing regulations. Corresponding changes in Parts 871, 872, and 873 (governing optional FEGLI coverages) must also be made to reflect the change in Part 870 for basic insurance.

E.O. 12291, Federal Regulation

OPM has determined that this is not a major rule for the purposes of E.O. 12291, Federal Regulation, because it will not result in:

(1) An annual effect on the economy of $100 million or more;

(2) A major increase in costs or prices for consumers, individual industries, Federal, State, local government agencies, or geographic regions; or

(3) Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Regulatory Flexibility Act

The Director, Office of Personnel Management, certifies that this regulation will not have a significant economic impact on a substantial number of small entities, including small business, small organizational units and small governmental jurisdictions.

Office of Personnel Management.

Beverly McCain Jones,

Issuance System Manager.

Accordingly, the Office of Personnel Management is amending Parts 870, 871, 872, and 873 of Title 5, Code of Federal Regulations, to read as follows:

PART 870—BASIC LIFE INSURANCE

1. In Part 870, paragraph (a)(1) of § 870.701 is revised, effective December 9, 1980, to read as follows:

Subpart G—Employees Compensation

§ 870.701 Eligibility for life insurance.

(a) * * *

(1) Has been insured for the 5 years of service immediately preceding the date of entitlement to compensation, or for the full period(s) of service during which he/she was entitled to be insured, and

* * * * *

PART 871—OPTIONAL LIFE INSURANCE

2. In Part 871, § 871.501(b) is revised to read as follows:

Subpart E—Termination and Conversion

§ 871.501 Termination and conversion of insurance.

* * * * *

(b) If, because of a declination or waiver, an insured employee has not had the standard optional insurance during the lesser of (1) the full period(s) of service during which it was available to him/her, or (2) the 5 years of service

immediately preceding the date on which that coverage stops (for retirees) or the date of entitlement to compensation (for compensationers), the standard optional insurance stops, subject to a 31-day extension of standard optional life insurance coverage, on the date that his/her basic life insurance is continued or reinstated under the provisions of § 870.601 (during retirement) or § 870.701 (during receipt of compensation) of this chapter.

PART 872—ADDITIONAL OPTIONAL LIFE INSURANCE

3. In Part 872, § 872.501(b) is revised to read as follows:

Subpart E—Termination and Conversion

§ 872.501 Termination and conversion of insurance.

* * * * *

(b) If, because of a declination or waiver, an insured employee has not had the additional optional insurance during the lesser of (1) the full period(s) of service during which it was available to him/her, or (2) the 5 years of service immediately preceding the date on which that coverage stops (for retirees) or the date of entitlement to compensation (for compensationers), the additional optional insurance stops, subject to a 31-day extension of additional optional insurance coverage, on the date that his/her basic life insurance is continued or reinstated under the provisions of § 870.601 (during retirement) or § 870.701 (during receipt of compensation) of this chapter.

PART 873—FAMILY OPTIONAL LIFE INSURANCE

4. In Part 873, § 873.501(b) is revised to read as follows:

Subpart E—Termination and Conversion

§ 873.501 Termination and conversion of insurance.

* * * * *

(b) If, because of a declination or waiver, an insured employee has not had the family optional insurance during the lesser of (1) the full period(s) of service during which it was available to him/her, or (2) the 5 years of service immediately preceding the date on which that coverage stops (for retirees) or the date of entitlement to compensation (for compensationers), the family optional insurance stops, subject to a 31-day extension of family optional insurance coverage, on the date that his/her basic life insurance is continued or reinstated under the provisions of § 870.601 (during retirement) or § 870.701 (during entitlement to compensation) of this chapter.

(5 U.S.C. 8716)

[FR Doc. 81-10883 Filed 4-9-81; 8:45 am]
BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 910

[Lemon Regulation 300]

Lemons Grown in California and Arizona; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of fresh California-Arizona lemons that may be shipped to market during the period April 12–18, 1981. Such action is needed to provide for orderly marketing of fresh lemons for this period due to the marketing situation confronting the lemon industry.

EFFECTIVE DATE: April 12, 1981.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, 202–447–5975.

SUPPLEMENTARY INFORMATION:

Findings

This rule has been reviewed under USDA procedures and Executive Order 12291 and has been classified "not significant", and not a major rule. This regulation is issued under the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The action is based upon the recommendations and information submitted by the Lemon Administrative Committee and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the act.

This action is consistent with the marketing policy for 1980–81. The marketing policy was recommended by the committee following discussion at a public meeting on July 8, 1980. A regulatory impact analysis on the marketing policy is available from William J. Doyle, Acting Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone 202–447–5975.

The committee met again publicly on April 7, 1981, at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of lemons deemed advisable to be handled during the specified week. The committee reports the demand for lemons is active.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553), because of insufficient time between the date when information became available upon which this regulation is based and the effective date necessary to effectuate the declared policy of the act. Interested persons were given an opportunity to submit information and views on the regulation at an open meeting. It is necessary to effectuate the declared purposes of the act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

Section 910.600 is added as follows:

§ 910.600 Lemon Regulation 300.

The quantity of lemons grown in California and Arizona which may be handled during the period April 12, 1981, through April 18, 1981, is established at 255,000 cartons.

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

Dated: April 9, 1981.

D. S. Kuryloski,

Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 81-11170 Filed 4-9-81; 12:22 pm]
BILLING CODE 3410-02-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 9

Privacy Act Regulations; Notice of Exemptions: Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule; correction.

SUMMARY: In amending 10 CFR 9.95 to add a new paragraph, a document (45 FR 17129) published on March 18, 1980 contained an error. The new paragraph was inadvertently designated as (n) instead of (o). Therefore, on page 17129, the instruction is corrected to read:

§ 9.95 [Corrected]

1. Section 9.95 is amended by adding a new paragraph (o) to read as follows:

* * * * *

(o) Document Control System

* * * * *

FOR FURTHER INFORMATION CONTACT: John D. Philips, Chief, Rules and Procedures Branch, Division of Rules and Records, Office of Administration, Telephone 301–492–7086.

Dated at Bethesda, Maryland this 2d day of April 1981.

For the Nuclear Regulatory Commission.

William J. Dircks,

Executive Director for Operations.

[FR Doc. 81-10750 Filed 4-9-81; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

10 CFR Part 212

[Docket No. ERA–R–81–03]

Price and Allocation Regulation Revocation

Correction

In FR Doc. 81–10159 appearing on page 20508 in the issue for Friday, April 3, 1981, make the following corrections:

(1) On page 20516, third column,

§§ 212.1 through 212.31 [Removed]

should have read:

§§ 212.1 through 212.3 [Removed]

(2) On page 20519, first column,

§ 217.71 [Removed]

should have read:

§ 212.71 [Removed]

BILLING CODE 1505-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration (NOAA)

15 CFR Parts 937 and 938

Looe Key and Gray's Reef National Marine Sanctuaries; Effective Date of Final Rules

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of Effective Date of Final Rules.

SUMMARY: The regulations issued pursuant to the designation of the Looe Key and Gray's Reef National Marine Sanctuaries have become effective following expiration of the Congressional review period. (15 CFR Parts 937 and 938).

DATES: The regulations became effective on April 5, 1981.

FOR FURTHER INFORMATION CONTACT: Dr. Nancy Foster, Deputy Director, Sanctuary Programs Office, Office of Coastal Zone Management, 3300 Whitehaven Street, NW., Washington, D.C. 20235, telephone (202) 634–4236.

SUPPLEMENTARY INFORMATION: Regulations pursuant to the designation of the Looe Key and Gray's Reef National Marine Sanctuaries were published on January 26, 1981 (46 FR 7946 and 46 FR 7942, respectively).

In accordance with Section 302(h)(2) of the Marine Protection, Research and Sanctuaries Act of 1972, as amended, 16 U.S.C. 1432(h)(2), (the Act) each set of regulations provided that they would not become effective until the expiration of a period of 60 calendar days of continuous session of Congress from the date of their transmittal to Congress, concurrent with publication. Under 302(h) of the Act, this period is broken by an adjournment *sine die* and tolled by an adjournment of either House of more than three days to a day certain. The Congressional review period ended April 5, 1981.

Dated: April 7, 1981.

Robert W. Knecht,

Acting Assistant Administrator for Coastal Zone Management.

[FR Doc. 81-10946 Filed 4-9-81; 8:45 am]

BILLING CODE 3510-08-M

International Trade Administration

19 CFR Part 355

Leather Wearing Apparel From Mexico; Final Affirmative Countervailing Duty Determination and Countervailing Duty Order

AGENCY: International Trade Administration Department of Commerce.

ACTION: Final Countervailing Duty Determination and Countervailing Duty Order.

SUMMARY: The U.S. Department of Commerce has determined that the Government of Mexico (GOM) makes available incentive programs that constitute bounties or grants within the meaning of the countervailing duty law and that manufacturers, producers and exporters of leather wearing apparel receive the benefits of these programs. Future imports of this merchandise will be subject to the payment of contervailing duties.

EFFECTIVE DATE: April 10, 1981.

FOR FURTHER INFORMATION CONTACT: John R. Brinkmann, Jr., Office of Investigations, International Trade Administration, Department of Commerce, Washington, D.C. 20230 (202) 377–4198.

SUPPLEMENTAL INFORMATION: October 14, 1980, the U.S. Department of Commerce received a petition in satisfactory form from Ralph Edwards Sportswear, Inc., in Cape Girardeau, Missouri. The petitioner alleges that the Government of Mexico provides manufacturers, producers and exporters of leather wearing apparel certain benefits that are bounties or grants (subsidies) within the meaning of Section 303 of the Tariff Act of 1930, (19 U.S.C. 1303) (hereinafter referred to as "the Act"). Because Mexico is not a "country under the Agreement" within the meaning of Section 701(b) of the Act (19 U.S.C. 1671(b)) no determination of injury is required in this investigation.

The petitioner claims that "massive imports" of this apparel over a relatively short period of time have created "critical circumstances" within the meaning of Section 703(e) of the Act (19 U.S.C. 1671b(e)) and accordingly, the retroactive collection of countervailing duties is warranted. Since Mexico is not a "country under the Agreement," Section 703(e) of the Act does not apply in this case (see Section 103(b), Trade Agreements Act of 1979, 93 Stat. 190).

In response to this petition and in accordance with Section 303 of the Act (19 U.S.C 1303), we initiated a countervailing duty investigation and a notice of our investigation was published in the **Federal Register** on November 12, 1980 (45 FR 74734).

On January 14, 1981, the Department published a notice of "Preliminary Affirmative Countervailing Duty Determination" (46 FR 3256). That determination stated that the tax rebate certificate program (CEDI) constituted a subsidy within the meaning of the U.S. countervailing duty law and that the amount of the subsidy on exports of leather wearing apparel to the U.S. was 5.2% *ad valorem*.

Import Profile

The leather wearing apparel covered by this investigation is currently classified under the following item numbers of the Tariff Schedules of the United States Annotated (TSUSA): 791.7620, men's and boys' leather coats and jackets; 701.7640, women's and girls' leather coats and jackets, and 791.7660, other leather wearing apparel such as vests, pants, skirts, and parts and pieces of leather wearing apparel.

Program Found To Be a Subsidy

The program which is the subject of this investigation is the Certificado de Devolucion de Impuestos (CEDI). Prior to January 1, 1980, Mexico employed a system of turnover taxes usually referred to as a cascade tax. The CEDI program was originally designed to rebate these federal cascade taxes and various federal excise taxes. The Government issued to the exporter a certificate (CEDI) equal to a percentage of the value of the firm's exports. This certificate could then be used as a credit against Federal tax liabilities by the firm.

In a previous investigation of this program, the Treasury Department found that the CEDI credits were designed to offset the incidence of indirect taxes paid, and not otherwise rebated, on exports and, therefore, they did not constitute a subsidy under the countervailing duty law.

In January 1980, the Government of Mexico replaced the cascade tax system and several excise taxes with a value added tax, and also restructured the CEDI program. Furthermore, under the Trade Agreements Act of 1979, the Congress modified the rules governing the use of offsets in the calculation of net subsidies. Thus, for the purposes of this investigation, we had to reconsider the entire nature of the program, as modified, under the provisions of the Trade Agreements Act.

The CEDI program, in its current form, was established on January 8, 1980 by a "Decree which enables the granting of encouragement to export products manufactured in the country." The program is, by its terms, designed to encourage exports by the rebate of indirect taxes, other than the value added tax.

In order for a firm to qualify for CEDI benefits, the exported products: (1) should not be subject to an export tax; (2) should not be products imported for repair, conditioning or substantial transformation; and (3) should contain at least 30% national content. The Secretary of Commerce of Mexico publishes lists of articles that qualify for CEDI benefits and is responsible for setting the CEDI rate. The rate is not published; it is a percentage of the F.O.B. value or, if national insurance and transportation is used, the CIF value of the exported product. CEDI benefits are valid for five years from the date of their issue and are not transferable.

Finally, the Minister of Commerce of Mexico has authority to waive any of the qualifying conditions for the CEDI program where "there is a substantial contribution to the increase of exports, the opening of new markets, the inducement to the consumption of national raw materials, or the increase of employment levels."

The issue in this case is whether the tax credits granted under the CEDI program can properly be considered rebates of indirect taxes for purposes of our countervailing duty law.

The non-excessive rebate, on export, of indirect taxes borne by the exported product is *not* a subsidy under U.S. countervailing duty law. While the Congress precluded the use of indirect taxes not otherwise rebated as *offsets* to subsidies, this restriction on offsets was not intended to

> prohibit the [Commerce Department] from determining that export payments are not subsidies if those payments are reasonably calculated, are specifically provided as non-excessive rebates of indirect taxes . . . and are directly related to the merchandise exported. S. Rep. No. 96-249, 96th Cong., 1st Sess. 85 (1979).

The fact that the CEDI program may, through a number of eligibility requirements, be designed to promote exports does not go to the question of whether or not the program involves a *bona fide* tax rebate. There is nothing contradictory about rebating indirect taxes for the purpose of strengthening export performance. On the other hand, the fact that the CEDI is, on its face, designed to rebate indirect taxes is not conclusive for purposes of a determination under our laws.

In appraising programs like the CEDI, we look to see how the program operates in practice for a specific industry. We consider not only whether it operates for the stated purpose of rebating indirect taxes, but also whether there is (1) a link between eligibility for CEDI payments and the payment of indirect taxes and (2) whether the government has reasonably calculated and documented the actual indirect tax incidence borne by exports of the product and has demonstrated a clear link between such tax incidence and the amount of the CEDI payments.

The difficulty in this case has been the absence of specific and convincing information on the type of indirect taxes borne by exports of leather wearing apparel, the incidence of such taxes and the linkage between CEDI benefits and the actual indirect taxes levied on leather wearing apparel exports.

We have been given a macro-economic study that gives an indication of the *total* tax incidence (both direct and indirect) of several Mexican industries (including leather products and wearing apparel, but not leather wearing apparel as a separate industry). We have also been given an analysis of an estimated tax incidence prepared by a producer of leather wearing apparel which breaks out specific indirect taxes for one particular leather wearing apparel product. However, neither analysis provides a reasonable basis from which we can identify the taxes which the CEDI is designed to rebate, determine whether they are indirect taxes which, under our countervailing duty law, may be rebated without constituting a subsidy to export, or determine the amount of rebate involved.

In order to meet the test of our laws, we would need specific analysis from which we could verify the indirect tax incidence for the leather wearing apparel industry as a whole and the linkage between the CEDI payment and such indirect tax incidence.

The Government of Mexico will have an opportunity to present more complete information in subsequent administrative reviews of this order. As noted above, our decision in this case rests on the lack of specific information on how the CEDI program operates with respect to exports of leather wearing apparel—not on any conclusion that the program is, because of its very nature, necessarily a subsidy for purposes of our countervailing duty law.

Final Determination

I hereby determine that the Government of Mexico provides bounties or grants (subsidies) within the meaning of section 303 of the Act and that the estimated aggregate net amount of these benefits equals the full amount of the CEDI rebate—5% of the f.o.b. value of the exported merchandise.

Administrative Procedures

The Department has afforded interested parties an opportunity to present oral views in accordance with § 355.35 Commerce Regulations (19 CFR 353.35). In addition, written views and oral views have been received in accordance with § 355.34(a) Commerce Regulations (19 CFR 355.34(a)).

Customs officers are directed to continue the suspension of liquidation ordered in the preliminary determination. Effective (date of publication) and until further notice, a cash deposit, in the amount of 5% ad valorem must be posted on leather wearing apparel entering the United States from Mexico, or being withdrawn from warehouse, for consumption. In accordance with Section 751 of the Act, the Department intends to conduct an administrative review within twelve months of the publication of the countervailing duty order. Within six

months after receiving satisfactory information on which to base the assessment, but in no event later than 12 months after the end of the annual accounting period of the manufacturer or exporter within which the merchandise is entered, or withdrawn from the warehouse, for consumption, the Secretary of Commerce will direct Customs officers to assess a countervailing duty equal to the amount of the net subsidy determined or estimated to exist.

PART 355

Annex III [Amended]

Annex III Part 355 of the Department of Commerce Regulations (19 CFR Part 355) is amended by inserting under Mexico in the "commodity" column, the words "leather wearing apparel," in the column headed "Treasury decision" the Federal Register citation of this notice, and in the column headed "Action," the words "Net Subsidy Declared—Rate."

(Secs. 303 and 706 of the Act (19 U.S.C. 1303, 1671e))

John D. Greenwald,

Acting Assistant Secretary for Trade Administration.

April 7, 1981.

[FR Doc. 81-10859 Filed 4-9-81; 8:45 am]

BILLING CODE 3510-25-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 146

[Docket No. 78N-0236]

Grapefruit Juice; Standards of Identity and Fill of Container; Correction

AGENCY: Food and Drug Administration.

ACTION: Final rule; correction.

SUMMARY: This document corrects a final rule establishing standards of identity and fill of container for grapefruit juice that appeared in the Federal Register of Tuesday, January 27, 1981 (46 FR 8462).

FOR FURTHER INFORMATION CONTACT: F. Leo Kauffman, Bureau of Foods (HFF-214), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-245-1164.

SUPPLEMENTARY INFORMATION: A proposal to establish standards of identity and fill of container for grapefruit juice (21 CFR 146.132) was published in the Federal Register of December 15, 1978 (43 FR 58575). As part of that document FDA proposed in § 146.132(a)(3)(ii) labeling requirements for sweeteners. No comments were received on this particular section of the regulation. However, when publishing the final rule to establish the standards of identity and fill of container for grapefruit juice in the Federal Register of January 27, 1981 (46 FR 8262), proposed paragraph (a)(3)(ii) of § 146.132 was inadvertently omitted. In addition, there was a typographical error and a misstatement as to the identity of one of the comments in the preamble.

Therefore, in FR Doc. 81-2919 appearing at page 8462 in the Federal Register of January 27, 1981, the following corrections are made:

1. On page 8463, in the second column, under "Minimum Soluble Solids," in item 8, the first and second lines, the words "a major manufacturer" are corrected to read "an association representing manufacturers."

2. On page 8465, § 146.132 is corrected by redesignating paragraph (a)(3)(ii) as (a)(3)(iii) and adding paragraph (a)(3)(ii) to read as follows:

§ 146.132 Grapefruit juice.

(a) * * *

(3) * * *

(ii) If no nutritive sweetener is added, the principal display panel of the label shall bear the statement "Sweetener added." If no sweetener is added, the word "unsweetened" may immediately precede or follow the words "Grapefruit Juice" or "Grapefruit Juice from Concentrate."

* * * * *

Dated: March 18, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-10518 Filed 4-9-81; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 155

[Docket No. 75P-0322]

Canned Peas and Canned Dry Peas; Standards of Identity, Quality and Fill of Container; Confirmation of Effective Date

AGENCY: Food and Drug Administration.

ACTION: Confirmation of Effective Date.

SUMMARY: The Food and Drug Administration (FDA) confirms the effective date for compliance with all provisions of the amended standards of identity, quality, and fill of container for canned peas and, by cross reference, for canned dry peas, which were published in the Federal Register of June 27, 1980 (45 FR 43394).

DATES: Effective July 1, 1981, for all affected products initially introduced or initially delivered for introduction into interstate commerce on or after this date. Voluntary compliance may have begun August 26, 1980.

FOR FURTHER INFORMATION CONTACT: F. Leo Kauffman, Bureau of Foods (HFF-214), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-245-1164.

SUPPLEMENTARY INFORMATION: FDA issued a final regulation in the Federal Register of June 27, 1980 (45 FR 43394) to amend the standards of identity, quality, and fill of container for canned peas (21 CFR 155.170) and, by cross reference, canned dry peas (21 CFR 155.172) to (1) provide for specified nutritive carbohydrate sweeteners; (2) provide for garnishes of other vegetables; (3) continue to permit artificial color to be used, but require declaration as part of the name of the food instead of a label statement of substandard quality; (4) establish a limit for blond and yellow peas; and (5) employ statistical sampling plans as a basis for determining compliance with quality and fill of container requirements. Any person who would be adversely affected by the regulation could have, at any time on or before July 28, 1980, filed written objections to the final regulation and requested a hearing on the specific provisions to which there were objections.

FDA received an objection to the quality provision that not more than two percent of the drained weight may be blond peas on the grounds that the requirement deviates from the Recommended International Standard for Canned Green Peas which does not consider blond peas a defect. The objection expressed an unawareness of any consumer research data or complaints regarding blond peas that would support FDA's contention that consumers want this restriction. By this arbitrary action, the comment states, FDA has violated, at least the spirit of the Codex standard, which was developed by careful consideration of international experts. To the extent that the U.S. standard differs from the Codex standard, FDA runs the real risk of impeding international exports of American produced peas, while at the same time discouraging foreign countries that might wish to export peas to the United States under the Codex standard. No request for a hearing on this objection was received.

FDA stated in the preamble to the final rule that it recognizes that a limitation based on color that includes

blond peas will be a deviation from the Codex standard. However, FDA further stated the opinion that when consumers purchase canned peas, they expect the peas to be green in color. In view of this, and the understanding that blond peas have not been a problem to the extent that they would exceed the proposed two percent limitation, FDA concluded that the proposed two percent limitation was reasonable and included it in the final regulation. Furthermore, no data were submitted to support the contention that the limitation might impede international exports of American produced peas or otherwise discourage international trade. Clearly, peas which meet the two percent limitation also would meet the requirements of the Codex standard. Therefore, no change is made in the final regulation.

Three comments requested that lactose be included in the list of safe and suitable nutritive carbohydrate sweeteners. Data from a taste panel study conducted in 1974 for the sensory evaluation of the effects of the addition of lactose to the brine of canned corn and peas were submitted in support of the request.

FDA is not convinced from the data received that lactose is a suitable nutritive carbohydrate sweetener in canned peas. The data submitted do not demonstrate that there is an established level of use for lactose which will result in a degree of sweetness normally associated with brine packed vegetables and which will not adversely affect the integrity or flavor of the product. FDA is not aware of any food processors who presently use lactose in those canned vegetables for which standards of identity permit the use of any safe and suitable nutritive carbohydrate sweeteners. Further, FDA is concerned that consumers may not expect lactose in such products. Therefore, FDA concludes it will not promote honesty and fair dealing in the interest of consumers to include lactose as an additional optional nutritive carbohydrate sweetener in the standard of identity for canned peas in § 155.170(a)(2)(vii) and, by cross reference, canned dry peas in § 155.172(a), and no such change is made in the final regulation. This decision is without prejudice to the future filing of a petition to include lactose as an optional nutritive carbohydrate sweetener with appropriate data to demonstrate its suitability.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 401, 701(e), 52 Stat. 1046, 70 Stat. 919 as amended (21 U.S.C. 341, 371(e))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1), notice is given that the standards of identity, quality, and fill of container for canned peas (21 CFR 155.170) and, by cross-reference, canned dry peas (21 CFR 155.172) as amended in the **Federal Register** of June 27, 1980 (45 FR 43394) will become effective July 1, 1981. Voluntary compliance may have begun August 26, 1980.

Dated: April 3, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-10819 Filed 4-9-81; 8:45 am]

BILLING CODE 4110-03-M

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21 CFR Parts 314, 330, and 812

[Docket No. 78N-0400]

Protection of Human Subjects; Informed Consent; Correction

AGENCY: Food and Drug Administration.

ACTION: Final rule; correction.

SUMMARY: This document corrects a final rule that was published in the **Federal Register** of Tuesday, January 27, 1981 (46 FR 8942) relating to protection of human subjects and informed consent.

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

SUPPLEMENTARY INFORMATION: In FR Doc. 81-2687 appearing at page 8942 in the **Federal Register** of Tuesday, January 27, 1981, various errors were made. Corrections are made as follows:

§§ 314.1, 314.8, 314.9, 314.12, and 314.110, and 330.10 [Corrected]

1. The word "areas" should be corrected to read "or was" as follows:

a. At page 8954, first column, paragraph (c)(2), item 17, and paragraph (f)(7) of § 314.1 *Applications.*

b. At page 8954, second column, paragraph (n) of § 314.8 *Supplemental applications.*

c. At page 8954, second column, paragraph (e) of § 314.9 *Insufficient information in application.*

d. At page 8954, second column, paragraph (e) of § 314.12 *Untrue statements in application.*

e. At page 8954, third column, paragraph (a)(11) of § 314.110 *Reasons for refusing to file applications.*

f. At page 8955, first column, paragraph (e) of § 330.10 *Procedures for classifying OTC drugs as generally recognized as safe and effective and not misbranded, and for establishing monographs.*

2. The amendments on page 8957 are corrected as follows:

§ 812.65 [Removed]

a. In the first column, under Subpart D, amendment "j" is changed to "k" and a new amendment is added to read "j. By removing § 812.65 *Responsibilities and procedures.*"

§ 812.70 [Removed]

b. In the second column, under Subpart D, amendment "k" is changed to "m," and a new amendment "l" is added to read "l. By removing § 812.70 *Review of IRB Actions.*"

c. In the second column under Subpart F [Removed], "l" is changed to "n," "m" is changed to "o," and "n" is changed to "p."

Dated: March 17, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-10659 Filed 4-9-81; 8:45 am]

BILLING CODE 4110-03-M

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21 CFR Part 442

[Docket No. 80N-0285]

Antibiotic Drugs; Cefaclor; Correction

AGENCY: Food and Drug Administration.

ACTION: Final rule; correction.

SUMMARY: In FR Doc. 81-1306, appearing at page 3831 in the **Federal Register** of Friday, January 16, 1981, the following corrections are made on page 3833.

1. In the second column, in § 442.104a(b)(1)(i), the fourth line reading "milligram of cefaclor." is changed to read "milligram of cefaclor per milliliter."

2. In the second column, in § 442.104a(b)(1)(ii), the seventh line reading "milligram per milliliter. Filter a portion" is changed to read "milligram of cefaclor per milliliter. Filter a portion."

3. In the third column, in § 442.104b(b)(1)(i), the last line reading "milligram of cefaclor." is changed to read "milligram of cefaclor per milliliter."

4. In the third column, in § 442.104b(b)(1)(ii), the last line reading "of 1 milligram per milliliter." is changed to read "of 1 milligram of cefaclor per milliliter."

FOR FURTHER INFORMATION CONTACT: Joan M. Eckert, Bureau of Drugs (HFD-140), Food and Drug Administration,

5600 Fishers Lane, Rockville, MD 20857, 301–443–4292.

Dated: March 17, 1981.

Mary A. McEniry,

Assistant Director for Regulatory Affairs, Bureau of Drugs.

[FR Doc. 81-10520 Filed 4-9-81; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 446

[Docket No. 80N-0304]

Antibiotic Drugs; Meclocycline Sulfosalicylate; Correction

AGENCY: Food and Drug Administration.

ACTION: Final rule; correction.

SUMMARY: In FR Doc. 81–1307, appearing at page 3835 in the **Federal Register** of Friday, January 16, 1981, § 446.542(b)(2)(iii) is corrected by changing the calculations on page 3837 to read as follows:

§ 446.542 Meclocycline sulfosalicylate cream.

* * * * *

(b) * * *

(2) * * *

(iii) * * *

$$\text{Meclocycline content of cream in percent} = \frac{A \times 2 \times \text{milligrams of working standard} \times \text{potency of working standard in micrograms per milligram}}{B \times 100 \times \text{milligrams of sample}}$$

where:

A = Area or peak height of the sample peak (at a retention time equal to that observed for the standard);

B = Area or peak height of the standard peak.

FOR FURTHER INFORMATION CONTACT: Joan M. Eckert, Bureau of Drugs (HFD–140), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4292.

Dated: March 16, 1981.

Mary A. McEniry,

Assistant Director for Regulatory Affairs, Bureau of Drugs.

[FR Doc. 81-10521 Filed 4-9-81; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 449

[Docket No. 77N-0069]

Antifungal Antibiotic Drugs, Method for Griseofulvin Content; Correction

AGENCY: Food and Drug Administration.

ACTION: Final rule; correction.

SUMMARY: This document corrects two final rules that were published in the **Federal Register** of Friday, April 6, 1979, and January 23, 1981 relating to griseofulvin.

FOR FURTHER INFORMATION CONTACT: Joan M. Eckert, Bureau of Drugs (HFD–140), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4290.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of May 26, 1978, two documents were published pertaining to griseofulvin tablets. One was a final rule (43 FR 22676) which provided for a new dosage size (250 milligrams) of griseofulvin; the other was a proposal (43 FR 22730) which did not include the new dosage size (250 milligrams). When the final rule resulting from this proposal was published April 6, 1979, effective May 7, 1979, the new dosage size was inadvertently omitted. This document corrects that error.

Similarly, another final rule published in the **Federal Register** of January 23, 1981, failed to include the new dosage size (250 milligrams). This document also corrects that error.

In FR Doc. 79–10311 appearing at page 20659 in the **Federal Register** for Friday, April 6, 1979, at page 20662, column one, and FR Doc. 81–2204 appearing at page 7274 in the **Federal Register** for Friday, January 23, 1981, at page 7275, column one, § 449.120d(a)(1) is corrected by revising the second sentence to read as follows:

§ 449.120d Griseofulvin (ultramicrosize) tablets.

(a) * * *

(1) *Standards of identity, strength, quality, and purity.* * * * Each tablet contains either 125 or 250 milligrams of griseofulvin. * * *

* * * * *

Dated: March 16, 1981.

Mary A. McEniry,

Assistant Director for Regulatory Affairs, Bureau of Drugs.

[FR Doc. 81-10529 Filed 4-9-81; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Parts 510 and 555

Animal Drugs, Feeds, and Related Products; Chloramphenicol Oral Solution

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the animal drug regulations to reflect approval of a new animal drug application (NADA) filed by Med-Tech, Inc., providing for safe and effective use of a chloramphenicol oral solution for treating dogs for certain bacterial infections. The regulations are also amended to add the firm to the list of sponsors of approved NADA's and to make minor revisions in the products' indications language.

EFFECTIVE DATE: April 10, 1981.

FOR FURTHER INFORMATION CONTACT: Sandra K. Woods, Bureau of Veterinary Medicine (HFV–114), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3420.

SUPPLEMENTARY INFORMATION: Med-Tech, Inc., P.O. Box 338, Elwood, KS 66024, filed an NADA (65–487) providing for use of an oral solution containing 250 milligrams of chloramphenicol per milliliter for treating dogs for bacterial pulmonary infections, urinary tract infections, enteritis, and infections associated with canine distemper that are caused by organisms susceptible to chloramphenicol.

This product conforms to the requirements for certification and conditions of marketing of chloramphenicol oral solution which are codified in § 555.110c (21 CFR 555.110c). Approval is based on submission of published literature and results of a crossover blood level study demonstrating bioequivalence to the oral solution for which certification was initially approved. Under § 514.1(b)(9) (21 CFR 514.1(b)(9)) an exemption from the submission of the data required by § 514.1(b)(8) (21 CFR 514.1(b)(8)) has been applied to this NADA

The agency has determined pursuant to 21 CFR 25.24(d)(1)(i) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

This action is governed by the provisions of 5 U.S.C. 556 and 557 and is therefore excluded from Executive Order 12291 by section 1(a)(1) of the Order.

The indications language of existing paragraph (c)(3)(i) in § 555.110c is slightly different from that which is approved for the labeling of the subject product and the other products covered by the regulation. Additionally, Med-Tech, Inc., has not previously been included in the regulations under the list of approved sponsors. Accordingly, the regulations are amended to (1) reflect

this approval, (2) make minor revisions in the indications language to achieve uniformity between the regulation and labeling of approved products, and (3) to include this firm in the list of sponsors.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of the safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (formerly the Hearing Clerk's office) (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i) and (n), 82 Stat. 347, 350-351 (21 U.S.C. 360b(i) and (n))) 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 5.83), Parts 510 and 555 are amended as follows:

PART 510—NEW ANIMAL DRUGS

1. In Part 510, § 510.600 is amended by adding a new sponsor alphabetically to paragraph (c)(1) and numerically to paragraph (c)(2), to read as follows:

§ 510.600 Names, addresses, and drug labeler codes of sponsors of approved applications.

* * * * *

(c) * * *

(1) * * *

Firm name and address	Drug labeler code
* * * * *	
Med-Tech, Inc., P.O. Box 338, Elwood, KS 66024	013983
* * * * *	

(2) * * *

Drug labeler code	Firm name and address
* * * * *	
013983	Med-Tech, Inc., P.O. Box 338, Elwood, KS 66024.
* * * * *	

PART 555—CHLORAMPHENICOL DRUGS FOR ANIMAL USE

2. In Part 555, § 555.110c is amended by revising the second sentence of paragraph (a)(1), and revising paragraphs (c)(2), and (c)(3)(i), to read as follows:

§ 555.110c Chloramphenicol oral solution.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* * * * Each milliliter contains 100 or 250 milligrams of chloramphenicol. * * *

* * * * *

(c) * * *

(2) *Sponsor.* (i) For solutions containing 100 milligrams of chloramphenicol per milliliter see 000010, 000196, 010271, 012518, and 049047 in § 510.600(c) of this chapter.

(ii) For solutions containing 250 milligrams of chloramphenicol per milliliter see 013983.

(3) *Conditions of use.* (i) It is used in dogs for treating bacterial pulmonary infections, urinary tract infections, enteritis, and infections associated with canine distemper that are caused by organisms susceptible to chloramphenicol.

* * * * *

Effective date. This amendment is effective April 10, 1981.

(Sec. 512 (i) and (n), 82 Stat. 347, 350-351 (21 U.S.C. 360b (i) and (n)))

Dated: April 2, 1981.

Gerald B. Guest,

Acting Director, Bureau of Veterinary Medicine.

[FR Doc. 81-10697 Filed 4-9-81; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 558

Animal Drugs, Feeds, and Related Products; New Animal Drugs for Use in Animal Feeds, Bacitracin Methylene Disalicylate

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by A. L. Laboratories, Inc., providing for use of bacitracin premixes to manufacture complete layer feeds containing 10 to 25 grams of bacitracin per ton. The feed is used for laying chickens for increased egg production and improved feed efficiency for egg production.

EFFECTIVE DATE: April 10, 1981.

FOR FURTHER INFORMATION CONTACT: Lonnie W. Luther, Bureau of Veterinary Medicine (HFV-147), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4317.

SUPPLEMENTARY INFORMATION: A. L. Laboratories, Inc., 452 Hudson Terrace, Englewood Cliffs, NJ 07632, filed a supplemental NADA (46-592) providing for use of bacitracin methylene disalicylate premixes containing 10, 25, 40, or 50 grams of bacitracin per pound to manufacture complete feeds containing 10 to 25 grams of bacitracin per ton for layings hens. The feed is limited to use during the first 7 months of laying for increased egg production and improved feed efficiency for egg production.

Bacitracin methylene disalicylate at 10 to 50 grams per ton (g/ton) was in use for layers before October 10, 1962. The product was the subject of two National Academy of Sciences/National Research Council (NAS/NRC) notices published in the **Federal Register** of July 17, 1970 (35 FR 11531; DESI 0061NV) and October 2, 1970 (35 FR 15408; DESI 0061NV). The NAS/NRC notices concluded, and the agency concurred, that the product should state that "only by controlling pathogenic organisms may the use of this product aid in maintaining egg production and hatchability" and that the product is "probably not effective for therapeutic claims." The Bureau of Veterinary Medicine required new data to support claims which NAS/NRC found not effective or probably not effective.

A. L. Laboratories, Inc., has collected new effectiveness data to support claims for use of bacitracin methylene disalicylate in feed for laying chickens to increase egg production and improve feed efficiency in the production of eggs. Based on the new data, the wording of the production claim for the A. L. Laboratories, Inc., product has been changed to reflect the new knowledge about the drug's effectiveness and to reduce the upper drug level limit from 50 g/ton for the entire laying period (about 12 months) to 25 g/ton of complete feed for the first 7 months of egg production.

Because bacitracin methylene disalicylate is currently permitted in 21 CFR 558.76 at 10 to 50 grams per ton for use in laying chickens for the entire laying period, approval of this supplement will not result in an increase in the number of food-producing animals receiving medication or in an increase in the amount of drug actually received. Accordingly, under the Bureau of Veterinary Medicine's supplemental approval policy (42 FR 64367; December 23, 1977), this is a Category II supplemental approval which does not require reevaluation of the human safety data supporting the parent application. The supplement is approved and the regulations amended to reflect the approval.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support

approval of this application may be seen in the Dockets Management Branch (formerly the Hearing Clerk's office) (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

The Director, Bureau of Veterinary Medicine, has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement therefore will not be prepared. The Director's finding of no significant impact and the evidence supporting this finding, contained in an environmental impact analysis report (pursuant to 21 CFR 25.1(j)) may be seen in the Dockets Management Branch, Food and Drug Administration.

This action is governed by the provisions of 5 U.S.C. 556 and 557 and is therefore excluded from Executive Order 12291 by section 1(a)(1) of the Order.

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 Bureau of Veterinary Medicine (21 CFR 5.83), Part 558 is amended in § 558.76 in paragraph (e)(1) in the table by redesignating existing items (iii) through (vi) as (iv) through (vii) and by adding new item (iii) to read as follows:

§ 558.76 Bacitracin methylene disalicylate.

* * * * *

(e) * * *

(1) * * *

Bacitracin methylene disalicylate in grams per ton	Combinations in grams per ton	Indications for use	Limitations	Sponsors
*	*	*	*	*
(iii) 10 to 25		Chickens; for increased egg production and improved feed efficiency for egg production.	For first 7 months of production.	046573
*	*	*	*	*

* * * * * * *

Effective date. April 10, 1981.

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

Dated: April 2, 1981.

Robert A. Baldwin,

Associate Director for Scientific Evaluation.

[FR Doc. 81–10530 Filed 4–9–81; 8:45 am]

BILLING CODE 4110–03–M

21 CFR Part 558

Animal Drugs, Feeds, and Related Products; New Animal Drugs for Use in Animal Feeds, Bacitracin Zinc

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by A. L. Laboratories, Inc., providing for use of a 50-gram-per-pound bacitracin zinc premix to manufacture a complete feed for laying chickens for increased egg production and improved feed efficiency.

EFFECTIVE DATE: April 10, 1981.

FOR FURTHER INFORMATION CONTACT: Adriano R. Gabuten, Bureau of Veterinary Medicine (HFV–149), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4913.

SUPPLEMENTARY INFORMATION:

A. L. Laboratories, Inc., 452 Hudson Ter., Englewood Cliffs, NJ 07632, filed a supplemental NADA (98–452) providing for use of a premix containing 50 grams of bacitracin (as bacitracin zinc) per pound to manufacture a complete feed for laying chickens for increased egg production and improved feed efficiency.

Approval of this supplement will not result in a significant increase in the number of food-producing animals receiving medication because the drug is already regulated at the requested range for this use. Therefore, the Bureau of Veterinary Medicine (the Bureau) concludes that approval of this supplemental NADA poses no increased human risk from exposure to residues of the new animal drug bacitracin zinc. Accordingly, under the Bureau's supplemental approval policy (December 23, 1977; 42 FR 64367), this approval does not require reevaluation of the human safety data supporting the parent application.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of the safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (formerly the Hearing Clerk's office) (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

The firm has submitted an Environmental Impact Analysis Report in accordance with (21 CFR 25.1(j)). The report has been evaluated and it has been concluded that this approval will not affect the quality of the human environment. The finding of no significant impact (see 21 CFR 25.32, proposed December 11, 1979; 44 FR 71742), and the evidence supporting this finding may be seen in the Dockets Management Branch (HFA–305).

This action is governed by the provisions of 5 U.S.C. 556 and 557 and is therefore excluded from Executive Order 12291 by section 1(a)(1) of the Order.

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 Bureau of Veterinary Medicine (21 CFR 5.83), § 558.78 is amended in the table of paragraph (e)(1) by redesignating existing items (iii) through (vi) as (iv) through (vii) and adding new item (iii) to read as follows:

§ 558.78 Bacitracin zinc.

* * * * *

(e) *Conditions of use.* (1) * * *

Bacitracin zinc in grams per ton	Combinations in grams per ton	Indications for use	Limitations	Sponsor
*	*	*	*	*
(iii) 10 to 25		Laying chickens; improved feed efficiency and increased egg production.		046573
*	*	*	*	*

* * * * * * *

Effective date. This amendment is effective April 10, 1981.

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

Dated: April 1, 1981.

Robert A. Baldwin,

Associate Director for Scientific Evaluation.

[FR Doc. 81-10820 Filed 4-9-81; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 558

Animal Drugs, Feeds, and Related Products; New Animal Drugs for Use in Animal Feeds, Hygromycin B

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the animal drug regulations to reflect approval of a new animal drug application (NADA) filed for Cadco, Inc., providing for use of a 2.4-gram-per-pound hygromycin B premix for making complete swine feeds for control of large roundworm, nodular worm, and whipworm infections.

EFFECTIVE DATE: April 10, 1981.

FOR FURTHER INFORMATION CONTACT: Jack C. Taylor, Bureau of Veterinary Medicine (HFV-136), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-5247.

SUPPLEMENTARY INFORMATION: Cadco, Inc., P.O. Box 3599, Des Moines, IA 50322, is sponsor of an NADA (109-635) providing for use of a 2.4-gram-per-pound hygromycin B premix for making complete swine feeds. The complete feed is used as an aid in the control of large roundworm, nodular worm, and whipworm infections. The NADA, filed by Elanco Products Co. in behalf of the sponsor, is based on safety and effectiveness data contained in Elanco's approved NADA 10-918. Use of the data in NADA 10-918 to support this application has been authorized by Elanco. This approval does not change the approved use of the drug. Consequently, approval of this NADA poses no increased human risk from exposure to residues of the animal drug, nor does it change the conditions of the drug's safe use in the target animal species. Accordingly, under the Bureau of Veterinary Medicine's supplemental approval policy (December 23, 1977; 42 FR 64367), approval of NADA 109-635 does not require reevaluation of the safety and effectiveness data in NADA 10-918. NADA 109-635 is approved, and the regulations are amended to reflect the approval.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (formerly the Hearing Clerk's office) (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

The agency has determined pursuant to 21 CFR 25.24(d)(1)(i) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

This action is governed by the provisions of 5 U.S.C. 556 and 557 and is therefore excluded from Executive Order 12291 by section 1(a)(1) of the Order.

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 Bureau of Veterinary Medicine (21 CFR 5.83), § 558.274 is amended by revising paragraphs (a) and (e)(1)(ii), to read as follows:

§ 558.274 Hygromycin B.

(a) *Approvals.* (1) Premix levels of 2.4 and 8 grams per pound granted to sponsor 000986 in § 510.600(c) of this chapter for use as in paragraph (e) of this section.

(2) Premix levels of 2.4 grams per pound granted to sponsors 043733 and 011490 in § 510.600(c) of this chapter for use in swine as in paragraph (e)(1)(ii) of this section.

* * * * *

(e) * * *

(1) * * *

Hygromycin B in grams per ton	Combination in grams per ton	Indications for use	Limitations	Sponsor
* * *		* * *	* * *	*
(ii) 12		Swine: Control of infestation of large roundworms (*Ascaris suis*), nodular worms (*Oesophagostomum dentatum*), and whipworms (*Trichuris suis*).	Withdraw 15 days before slaughter.	000986, 043733, 011490
* * *		* * *	* * *	*

Effective date. This amendment is effective April 10, 1981.

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

Dated: April 1, 1981.

Gerald B. Guest,

Acting Director, Bureau of Veterinary Medicine.

[FR Doc. 81-10670 Filed 4-9-81; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 880

[Docket No. 78N-1271]

Medical Devices; General Hospital and Personal Use Classification; Neonatal Ventilatory Effort Monitors (Apnea Detectors); Correction

AGENCY: Food and Drug Administration.

ACTION: Final rule; correction.

SUMMARY: In FR Doc. 80-31544 appearing at page 69684 in the Federal Register of Tuesday, October 21, 1980 the following change is made: in the second column, in § 880.2440(a), in the seventh line, remove the phrase "by a health care provider".

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: March 25, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-10517 Filed 4-9-81; 8:45 am]

BILLING CODE 4110-03-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1910

Occupational Noise Exposure; Hearing Conservation Amendment; Deferral of Effective Date

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Final rule; deferral of effective date.

SUMMARY: On January 16, 1981 (46 FR 4078), OSHA published an amendment to its standard for occupational noise exposure (29 CFR 1910.95). The amendment set forth specific requirements for hearing conservation programs including monitoring of employee exposure, audiometric testing and use of hearing protectors. The amendment was to become effective on April 15, 1981, with various provisions being phased in over the next two years.

Following the publication of the amendment, the Agency received numerous requests for interpretation, petitions for administrative reconsideration of various provisions of the amendment, and petitions for administrative stay.

Accordingly, by this notice the Agency defers the effective date for the hearing conservation amendment until June 1, 1981. This action will permit the Agency to analyze all of the requests and petitions received to date. The need for further consideration constitutes good cause for the deferral of the effective date. Due to the short deferral period, notice and opportunity to comment on the deferral is impractical and unnecessary within the meaning of 5 U.S.C. 553 and 29 U.S.C. 655(b).

EFFECTIVE DATE: The effective date of § 1910.95 (c)–(s) and Appendixes A–I is deferred until June 1, 1981.

FOR FURTHER INFORMATION CONTACT:

Mr. James Foster, Room N–3641, Office of Public Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210, Telephone: (202) 523–8151.

Signed at Washington, D.C. this 8th day of April 1981.

Thorne G. Auchter,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 81-11010 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-26-M

POSTAL SERVICE

39 CFR Part 601

Procurement of Property and Services; Amendments to Postal Contracting Manual

AGENCY: Postal Service.

ACTION: Amendments to the Postal Contracting Manual.

SUMMARY: The Postal Service hereby announces an amendment of the Postal Contracting Manual to reflect establishment of a procedure for more expeditious publication of amendments. The Service also makes certain other changes as explained below in the Supplementary Information.

EFFECTIVE DATE: March 23, 1981.

FOR FURTHER INFORMATION CONTACT:

William J. Jones, (202) 245–4603.

SUPPLEMENTARY INFORMATION: The Postal Contracting Manual, which has been incorporated by reference in the **Federal Register** (see 39 CFR 601.100) has been amended by the issuance of PCM Circular No. 81–1, dated March 23, 1981.

In accordance with 39 CFR 601.105, notice of these changes is hereby published in the **Federal Register** and the text of the changes is filed with the Director, Office of the Federal Register. Subscribers to the Basic Manual will receive these amendments from the Postal Service. (For other availability of the Postal Contracting Manual, see 39 CFR 601.104.)

Explanation of these amendments to the Postal Contracting Manual follows:

Explanation. Section 1, Part 1, has been rewritten to:

—Recognize that changes to the PCM will be made by PCM Circulars and the annual issuance of a transmittal letter.

—Define the functions and responsibilities of the Postal Contracting Policy Committee in the detail contained in Headquarters Circular I–D–1 (No. 77–1) dated 1–6–77 and Regional Instruction 957–PM–99, Filing No. 618, dated 1–6–77.

—Establish field representation on the committee for both Real Estate and Buildings Department and Mail Processing Department.

—Present an easily readable document by eliminating unnecessary verbiage, restructuring the flow of paragraphs and updating the coverage.

(5 U.S.C. 552(a), 39 U.S.C. 401, 404, 410, 411, 2008)

W. Allen Sanders,

Associate General Counsel, General Law and Administration.

[FR Doc. 81-10857 Filed 4-9-81; 8:45 am]

BILLING CODE 7710-12-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 651

Atlantic Groundfish (Cod, Haddock, and Yellowtail Flounder); Reduction in Cod Catch Limitations

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule (notice of reduction in cod catch limitations)

SUMMARY: This notice reduces the weekly landing limitations for cod for all vessel classes fishing in the Gulf of Maine and the Georges Bank and South management areas. Based on the landing rates for cod from October 1980 through February 1981, and upon catch projections for the remainder of the year, all vessel classes will attain their annual quota before the fishing year ends in September.

Reducing the weekly landing limitations for all vessel classes should prevent the annual harvest from exceeding the annual commercial quotas, thereby avoiding the need for fishery closures.

EFFECTIVE DATE: April 5, 1981.

FOR FURTHER INFORMATION CONTACT: Allen E. Peterson, Jr., Regional Director, Northeast Region, National Marine Fisheries Service, 14 Elm Street, Gloucester, Massachusetts 01930 or Frank Grice, Chief, Fishery Management Division, National Marine Fisheries Service, State Fish Pier, Gloucester, MA 01930. Telephone for either individual is: (617) 281–3600.

SUPPLEMENTARY INFORMATION: The Assistant Administrator for Fisheries, NOAA, has reviewed the catches of cod from the start of the fishing year in October 1980 through February 1981 for the Gulf of Maine and the Georges Bank and South management areas. The catches during these months indicate that the harvest of cod is ahead of schedule for all vessel classes in both management areas. For example, the projected 1980–81 harvest of cod for vessels over 125 gross registered tons fishing in the Gulf of Maine indicates that the annual quota will be exceeded half way through the third quarter of the fishing year. Moreover, the number of vessels entering the cod fishery is increasing. Based on these facts and consideration of the other fishery related factors described in 50 CFR 651.23(f), the Assistant Administrator has found that all vessel classes in both management areas are likely to exceed their annual quotas of cod.

Therefore, as directed by 50 CFR 651.23(f), the Assistant Administrator is adjusting the weekly catch limitations to reduce the need for fishery closure this fishing year. The catch limitations are revised as follows:

Vessel Class Catch Limitations for Cod

[Pounds of cod per fishing week per vessel]

Vessel class (GRT)	Present limitation	Revised limitations
Gulf of Maine		
Mobile gear:		
0–60 GRT	2,500	2,000
Over 60–125 GRT	5,000	4,000
Over 125 GRT	7,000	5,500
Fixed gear	5,000	4,500
Georges Bank and South		
Mobile gear:		
0–60 GRT	7,000	6,500
Over 60–125 GRT	14,000	13,000
Over 125 GRT	20,000	15,000
Fixed gear	16,000	14,500

In addition, a footnote to Appendix B, "Catch limitations," has been added to clarify that a vessel is allowed to land only the larger of the cod and haddock limits from either management area.

Other Matters

Since this action is an inseason adjustment, which is permitted under the existing regulations under specified conditions, the Administrator has determined the action: (1) is not a major rule under E.O. 12291; (2) is not expected to have a "significant economic impact" under the Regulatory Flexibility Act, and (3) is consistent with the Paperwork Reduction Act.

Signed at Washington, D.C. this 7th day of April 1981.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

(16 U.S.C. 1801 *et seq.*)

For the reasons set out in the preamble, and as directed by 50 CFR 651.23 (f), Appendix B to 50 CFR Part 651 is revised as follows:

Appendix B.—Catch Limitations

Vessel class	Gulf of Maine	Georges Bank and South
Cod (pounds per week)[1]		
Mobile gear:		
0–60 GRT	2,000	6,500
Over 60–125 GRT	4,000	13,000
Over 125 GRT	5,500	15,000
Fixed gear	4,500	14,500
Haddock (pounds per week)[1]		
Mobile gear:		
0–60 GRT	5,000	7,000
Over 60–125 GRT	7,000	14,000
Over 125 GRT	10,000	20,000
Fixed gear	16,000	16,000

Vessel class	West of 69° W. longitude	East 69° W. longitude
Yellowtail Flounder[2]		
0–60 GRT	1,500	5,000
Over 60–125 GRT	1,500	5,000
Over 125 GRT	1,500	5,000

[1] No overruns are allowed. A vessel is allowed to land only the larger of the limits from either management area.
[2] Pounds per week or per trip, whichever is the longer time period. No overruns are allowed.

[FR Doc. 81-10769 Filed 4-9-81; 8:45 am]

BILLING CODE 3510-22-M

Proposed Rules

Federal Register
Vol. 46, No. 69
Friday, April 10, 1981

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

Rural Electrification Administration

7 CFR Part 1701

Acceptance of Standards, Specifications, Equipment Contract Forms, Manual Sections, Drawings, Materials and Equipment for the Telecommunications Program; Bulletin 345–3

AGENCY: Rural Electrification Administration.

ACTION: Proposed rule.

SUMMARY: REA proposes to amend Appendix A by issuing a revised Bulletin 345–3. Bulletins 345–3 (Telephone) and 44–7 (Electric) were formerly issued as a joint document. This revision will issue 345–3 as a separate document, and similar action is being taken with 44–7. The result should be less confusing to all concerned. At this time changes in procedures, including added protection for a manufacturer prior to delisting of its products, have been incorporated.

DATE: Public comments must be received by REA no later than June 9, 1981.

ADDRESS: Submit written comments to Joseph M. Flanigan, 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: E. J. Cohen, Engineering Management and Standards Engineer, Telecommunications Engineering and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, telephone (202) 447–4561. The draft Impact Analysis describing the options considered in developing this proposed rule and the impact of implementing each option is available on request from the above office.

SUPPLEMENTARY INFORMATION: Pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), REA proposes to issue revised Bulletin 345–3, Acceptance of Standards, Specifications, Equipment Contract Forms, Manual Sections, Drawings, Materials and Equipment for the Telecommunications Program, Bulletin 345–3. This action has been reviewed under USDA procedures established to implement Executive Order No. 12291 and has been classified as not major.

This program is listed in the Catalog of Federal Domestic Assistance as 10.851 Rural Telephone Loans and Loan Guarantees.

REA, in an effort to clarify its operating procedures and to assure due process for suppliers, proposes to amend Bulletin 345–3. All written submissions made pursuant to this action will be made available for public inspection during regular business hours, above address.

Dated: March 16, 1981.

John H. Arnesen,
Assistant Administrator—Telephone.

[FR Doc. 81-10399 Filed 4-9-81; 8:45 am]
BILLING CODE 3410-15-M

CIVIL AERONAUTICS BOARD

14 CFR Ch. II

[Economic Regulations Docket 32585; EDR-354A]

Quality of Air Transportation Services

AGENCY: Civil Aeronautics Board.

ACTION: Termination of rulemaking.

SUMMARY: The CAB is ending its rulemaking on quality of air transportation services, because the information it would produce is generally available to consumers on request or in CAB reports. Also, the collection and publication of the types of information proposed would be too expensive and burdensome. This action is being taken on the Board's own initiative.

DATES: Adopted: April 7, 1981.

FOR FURTHER INFORMATION CONTACT: Joanne Petrie, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C. 20428, 202–673–5442.

SUPPLEMENTARY INFORMATION: In EDR–354, 43 FR 19667, May 8, 1978, the Board proposed a rule that would gather information from carriers, and publish it, on various aspects of air travel service quality, such as on-time arrival performance, flight cancellation rates, bumping rates, average load factors (by class of service), seat size (by class of service), and cabin noise level. The Board was concerned that travelers might not have enough information on these subjects to make an informed choice between competing carriers. This information was also to be made available to competing carriers, so that they could more easily evaluate each other's various price-service options, with the thought that it would sharpen competition in these areas.

Comments on EDR–354 were received from the Michigan Aeronautics Commission, Air New England, Air Transport Association, American Airlines, Trans-World Airlines, the National Air Carrier Association, Donald L. Pevsner, and Hamilton, Miller, Hudson and Fayne Travel Corp. The comments were generally opposed to the gathering and reporting of additional data. The opponents stated that the proposal served no useful purpose because the information important to travelers was already available to them through publication or by request. Those in favor of the proposal argued that the information should be made available to the public, and urged that the CAB require performance reports from all classes of direct carriers for a more complete comparative survey.

It appears that the goal of increased competition among carriers is now being achieved as a natural result of the Airline Deregulation Act of 1978, which is encouraging wider price-service options throughout the airline industry.

In the Board's judgment, therefore, these further incentives to increase competition, at the cost of greater reporting requirements, would not be cost-effective at this time. They would also run counter to our attempts to cut down on the paperwork required from regulated industries.

(Secs. 102, 204, 404, and 407 of the Federal Aviation Act of 1958, as amended, 72 Stat. 740, 743, 760, and 766; 49 U.S.C. 1302, 1324, 1374, and 1377)

By the Civil Aeronautics Board.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 81-10943 Filed 4-9-81; 8:45 am]

BILLING CODE 6320-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 207, 210, 225, 226, 501, 510, 514, 558

[Docket No. 77N-0076]

New Animal Drugs for Use in Animal Feeds; Definitions and General Considerations; Revised Procedures Re Medicated Feed Applications; Extension of Time for Filing Comments

AGENCY: Food and Drug Administration.

ACTION: Proposed Rule; Extension of Comment Period.

SUMMARY: The Food and Drug Administration is extending until July 8, 1981, the time for filing written comments on the proposal to revise the procedures for approval of medicated feed applications. The extension is granted in response to requests from the Animal Health Institute, the Academy of Veterinary Consultants, and the American Association of Bovine Practitioners.

DATE: Written comments by July 8, 1981.

ADDRESS: Written comments to the Dockets Management Branch (formerly the Hearing Clerk's office) (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: George Graber, Bureau of Veterinary Medicine (HFV-220), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4438.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of January 9, 1981 (46 FR 2456), the Food and Drug Administration proposed amending the regulations concerning the procedures and requirements for approval for the use of new animal drugs used in the manufacture of medicated animal feeds. Interested persons were given until April 9, 1981, to file written comments on the proposal. The Animal Health Institute, the Academy of Veterinary Consultants, and the American Association of Bovine Practitioners have requested that FDA extend the time for submission of comments for an additional period of 90 days asserting that the document proposes extensive revisions to current regulations and requires considerable review by the associations' memberships and coordination of membership responses. The requests for extension are on file in the Dockets Management Branch (HFA-305), Food and Drug Administration.

The agency agrees that additional time for submission of comments is appropriate.

Interested persons may, on or before July 8, 1981, submit to the Dockets Management Branch (HFA-305), Food and Drug Administration, written comments regarding the January 9 proposal on medicated animal feeds. Four copies of all comments shall be submitted, except that individuals may submit single copies. All comments shall be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the above office between 9 a.m. and 4 p.m., Monday through Friday.

This action is taken pursuant to the Federal Food, Drug, and Cosmetic Act (secs. 512, 701(a), 52 Stat. 1055, 82 Stat. 343-351 (21 U.S.C. 360b, 371(a))) and under authority delegated to the Commissioner (21 CFR 5.1).

Dated: April 6, 1981.

Mark Novitch,

Acting Commissioner of Food and Drugs.

[FR Doc. 81-10727 Filed 4-8-81; 10:13 am]

BILLING CODE 4110-03-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1910

[Docket No. S-201]

Conveyor Standard

AGENCY: Occupational Safety and Health Administration (OSHA), Department of Labor.

ACTION: Extension of time for submission of comments; Cancellation of informal rulemaking hearings; Notice of informal public meetings.

SUMMARY: This notice extends the time for written comments concerning the rulemaking proceeding for conveyors (29 CFR 1910.186). An earlier notice published November 14, 1980 (45 FR 75238) reopened the record and provided the public an opportunity to submit written comments through December 29, 1980. OSHA issued a second notice on January 16, 1981 (46 FR 3916), that extended the comment period to March 17, 1981, and scheduled public hearings during May, 1981. After consideration of new rulemaking requirements imposed by the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.) and Executive Order No. 12291 of February 17, 1981 (46 FR 13193), OSHA has decided to extend the written comment period to June 30, 1981 and not to proceed with rulemaking hearings at this time. The Agency will hold a series of informal public meetings at the same dates, times and places as those previously scheduled for rulemaking hearings. The purpose of these meetings is to receive testimony on the issues contained in the notices of November 14, 1980, and January 16, 1981, and those contained in this notice.

In addition, this notice proposes the adoption of non-mandatory appendices to accompany the conveyor standard. These appendices would provide additional insight into the meaning and intent of the standard, and would suggest possible means to comply with the standard. OSHA invites interested persons to submit written comment on these appendices.

DATES: Written comments must be submitted by June 30, 1981. The informal public meetings will begin on May 5, 1981 at 9:30 a.m. Requests to make presentations at these meetings should be received by April 30, 1981.

ADDRESSES: The informal meetings will begin at 9:30 a.m. on May 5, 6, and 7, 1981, in the Auditorium, Frances Perkins Department of Labor Building, 200 Constitution Avenue, NW., Washington, D.C. 20210; at 9:00 a.m. on May 12, 13, and 14, 1981, in the Lakeside Room, Best Western/Lakeshore Hotel, 600 North Lakeshore Drive, Chicago, Illinois 60611; and at 9:00 a.m. on May 19, 20, and 21, 1981 in the Century Room, Quality Inn—Airport, 5249 West Century Blvd., Los Angeles, California 90071.

Comments should be sent to: Docket Officer, Docket No. S-201, Room S-6212, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210. Telephone: (202) 523-7894.

Notices of intention to make oral presentations should be sent to: Tom Hall, Division of Consumer Affairs, Room N-3635, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210. Telephone: (202) 523-8024.

FOR FURTHER INFORMATION CONTACT: Carrol E. Burtner, Director, Office of Mechanical Engineering Safety Standards, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3506, 200 Constitution Avenue, NW., Washington, D.C. 20210. Telephone: (202) 523-7202.

SUPPLEMENTARY INFORMATION: The Occupational Safety and Health Administration published a Notice of

Proposed Rulemaking for a safety standard on conveyors used in general industry (29 CFR 1910.186) on June 3, 1974 (39 FR 19507). OSHA then held a one day informal rulemaking hearing on the standard on October 15, 1975. One hundred thirty two (132) comments were received in response to the proposal, and 14 parties testified at the public hearing. The record of the public hearing was closed on December 1, 1974. All the documents relating to this hearing are available for inspection and copying at the OSHA Docket Office, Room S–6212, Frances Perkins Department of Labor Building, 200 Constitution Avenue, NW., Washington, D.C. 20210. Telephone: (202) 523–7894.

OSHA reopened the conveyor record November 14, 1980 (45 FR 75238) to enter accident and economic data and analyses into the record, and allowed written public comment to be submitted on this material until December 29, 1980. On January 16, 1981 (46 FR 3916), in response to numerous requests from the public, OSHA extended the comment period through March 17, 1981, and scheduled informal public hearings for May, 1981.

After reviewing the requirements of the Regulatory Flexibility Act of 1980 (5 U.S.C 601 et seq.) and Executive Order No. 12291 (46 FR 13193), OSHA has decided not to proceed with rulemaking hearings at this time. Instead, OSHA has elected to change the status of the May, 1981 hearings to informal public meetings. These meetings will provide an opportunity for interested parties to state their views, comments and suggestions orally regarding this proposed standard, and all issues raised and referenced in this notice. In addition, OSHA solicits information which would assist the agency in complying with the Regulatory Flexibility Act and the new Executive Order and in the preparation of regulatory impact and flexibility analyses. The data received from these meetings on the matters specified above and on the issues outlined below will assist OSHA in deciding how to proceed with this rulemaking. OSHA intends to issue a supplementary notice and hold public hearings as part of this rulemaking process before a final determination is made. The Agency is also considering whether a new proposal on conveyors should be published in place of the current proposal.

Issues

In addition to all issues raised in the notices of November 14, 1980 and January 16, 1981, OSHA invites comment and testimony on the following issues.

Issue 1. OSHA has compiled evidence suggesting the existence of a significant risk or injury to conveyor maintenance and operating workers. Based on data from workers' compensation files, OSHA estimates that there are approximately 16,720 lost workday conveyor-related injuries annually. OSHA is seeking additional evidence; specifically, what is the workplace experience regarding the severity and the number of injuries per hour of employee exposure, and the distribution by industry type, of hours worked by employees using conveyors. See Benefits Analysis for the Proposed Federal Standard Regulating Conveyors, Ex. 83.

Issue 2. Executive Order No. 12291 requires that the potential benefits of regulatory action outweigh the potential costs. To this end, OSHA is seeking further information concerning the injury reduction potential and cost of proposed and alternative conveyor safety measures. This further information could include a description of safety measures that have demonstrably reduced conveyor-related injuries and documentation of the costs of these safety measures, including any loss in output per hour worked. In addition to the safey measures in the 1974 proposal, and the other issues addressed in the subsequent notices, particular areas of interest to OSHA include:

(a) The need for and cost of programs and procedures to be followed during unjamming operations; and

(b) The appropriateness of allowing cleaning operations while powered conveyors are in use, and the cost of restricting such cleaning operations.

Issue 3. The new executive order also mandates the achievement of a regulatory goal in the least costly manner. To avoid imposing an unnecessary burden on industry, OSHA solicits comments on the cost-effectiveness of proposed and alternative safety measures. In particular, OSHA is concerned with the following safety measures:

(a) The feasibility, benefit and cost of allowing or prohibiting employees to stand on or walk on conveyors in motion, including assembly and materials handling conveyors;

(b) The feasibility, benefit and cost of warning signals prior to each start of a conveyor; and

(c) The feasibility, benefit and cost of a requirement to inspect all parts of a conveyor before daily start-up.

Issue 4. The Regulatory Flexibility Act of 1980 requires that OSHA pay special attention to the needs of small business entities. Some evidence available to OSHA suggests that industrial establishments employing fewer than 20 people do not use conveyors in significant numbers. OSHA is seeking to document whether this is a general trend, as well as whether there are certain industries (e.g., grain handling) in which there is a substantial amount of employee exposure to conveyors in small establishments. In addition, OSHA solicits comments on the costs and benefits of the proposed and alternative safety measures and whether any of them are disproportionately burdensome or unnecessary for small business.

Issue 5. OSHA has prepared a study estimating the costs of compliance in 13 industries for the 1974 proposal and several alternative provisions (Compliance Cost Estimation and Economic Impact Assessment for the Proposed Federal Standard Regulating Conveyors, Ex. 84). Those industries were: Meat Products, Canned Fruits and Vegetables, Bakery Products, Beverages, Sawmills, Millwork, Paperboard Boxes, Newspapers, Iron and Steel Foundries, Fabricated Structural Metal Products, Motor Vehicle Assembly, Wholesale Groceries, and Retail Groceries. OSHA solicits additional information on the costs of compliance in these industries. In addition, OSHA is interested in information concerning the conveyor-using industries not included in its cost estimation study, and the extent to which the cost and economic impact estimates developed for the 13 industries studied are or are not representative of the industries not studied, as well as evidence of any unique or especially burdensome compliance problems in these industries.

Issue 6. There are requirements appearing in the proposed standard which are not addressed in the appendices (See Issue 7). A number of questions covering these requirements have been formulated. Answers to these questions should include a discussion of the feasiblity and the related costs, as appropriate. Commenters should endeavor to be thorough in their answers and provide illustrations, pictures or other aids to facilitate complete understanding of the viewpoint of the commenters

(a) Are there instances where ladders, walkways, passageways or other walking or working surfaces at or around conveyors cannot comply with the applicable provisions of Subpart D of the General Industry Standards? If so, why? What alternative safety requirements are necessary?

(b) Are there instance where conveyors or portions of conveyors which serve as walking or working surfaces, would not meet the applicable provisions of Subpart D, but must be used while the conveyor is operating? If so, what safety requirements are necessary?

(c) Should employees be prohibited from riding on assembly conveyors while they are moving, if the conveyor speed is in excess of 60 ft/min (.305 m/sec)? If so, why?

(d) What means are available to ensure that an accumulation of sufficient material that would cause a jam, stoppage or overflow of conveyed product cannot occur?

(e) Is it possible to ensure that a conveyor is not hazardous when started if, when a start-up alarm is sounded, each employee working at or near the conveyor checks the immediate area and is able to stop the conveyor, if necessary?

(f) Is it sufficient to provide an exception for a start-up warning to:

(1) Assembly conveyors moving at 60 ft/min (.305 m/sec) or less;

(2) Completely enclosed conveyors;

(3) Conveyors or sections of conveyors where there is no employee exposure; or

(4) Conveyors whose stopping and starting movements are in a regular, repetitive cycle.

(g) What employee qualifications and training are necessary to ensure that the employees who operate, service, modify, repair or test a conveyor, do so safely?

(h) Should preventative maintenance programs be required? If so, what should be the contents of those programs and for what types of conveyors should they be developed?

(i) What means, other than a brake, are available to prevent movement of a conveyor or its components during conveyor repair?

(j) What other methods would be effective, in lieu of roping off, barricading or posting, for protecting employees from any unguarded danger zones during conveyor modification, repair, testing or servicing?

(k) What problems would be encountered if replacement parts were required to have a performance capability at least equal to the original part?

(l) What difficulties would be encountered if slack cable switches were required on skip hoists to shut off power to the drive and set the brake when hoisting ropes develop slack?

(m) What problems prevent an employer from positioning portable conveyors and their components so that:

(1) There will be no shifting of the conveyor while the conveying medium is moving (the conveyor is operating);

(2) The load will not fall from the conveyor;

(3) The conveyor will not topple; or

(4) The conveyor will not collapse or slew during repositioning?

Issue 7. OSHA has developed two appendices to supplement the standard, to clarify the intent of the standard and to provide an aid in complying with the standard. In order to ensure that the appendices serve their intended purposes, OSHA is inviting public comment on the contents of the appendices.

These appendices are nonmandatory guidelines to assist employers in understanding and complying with the requirements of the conveyor standard, § 1910.186.

Appendix A—Explanation of the Standard

It must be recognized that many conveyors are one-of-a-kind devices each having different or unique features and uses. The hazards may not be the same even with the same type conveyor. In addition, many of the hazards of conveyors are related not only to the type of conveyor, but may be caused by the material conveyed, the location of the conveyor and the proximity of employees to the conveyor. For this reason, the employer should look at each conveyor to evaluate and determine what safeguarding is required. Only with an effective assessment of the hazards, can all conveyors be made safe by the use of guards or other means. Since all conveyors do not have the same hazards, this appendix will discuss only those most commonly recognized, and means to minimize or eliminate those problems.

1. *Initial test.* The standard requires newly installed conveyors to be tested with a representative load before initial use. This test is intended to insure the proper installation of the conveyor and the proper functioning of all controls, limit switches, emergency stop devices and other components. The use of a representative load is to insure that the conveyor is tested under the conditions which will be utilized, or at least under the conditions which it is intended to be used. The representative load is the average package, unit or quantity of material which the conveyor will carry. During that test, the critical areas around the conveyor (load points, transfer mechanisms, inclined sections, discharge points, etc.) where there is a greater potential hazard to an employee in the event of a malfunction, should have restricted access. Employees who must be at or near the conveyor should be made aware of the potential hazards and be kept alert to react in the event of an unforeseen occurrence, through appropriate instruction and training.

2. *Conveyor usage.* The standard provides that conveyors be used only within their design limitations. This requirement is intended to insure that conveyors are not used to carry loads for which the conveyor is not suited. For example, bulk material is usually carried on belt conveyors or conveyors with a bucket, trough or similar conveying medium which retains the material. However, transporting bulk material on a belt conveyor designed for packages or units can be hazardous and should not be done. The belt conveyor designed to carry packages usually has a conveying medium (belt) which is taut or under tension so the package or unit conveyor has a fairly rigid surface to support the conveyed product. The same type of conveyor (with the belt under tension) does not have a self-centering capability for the product, so bulk material would tend to fall off due to acceleration, vibration or any other number of causes. To insure that a conveyor can be properly used to convey a particular class of item, a knowledgeable conveyor manufacturer should be consulted.

3. *Slipping or falling hazards.* The standard requires the use of drip pans or other means to prevent the creation of a slipping or falling hazard. Other means which could provide an equal degree of protection would include the following:

(a) Location of the conveyor where the floor is sloped toward a drain;

(b) The use of a floor material which would not become slippery when wet;

(c) The use of grating or other means which would provide an elevated walking surface which would remain slip resistant; or

(d) The use of a sufficient quantity of sand or other absorbent materials. These materials would be readily available for use as needed.

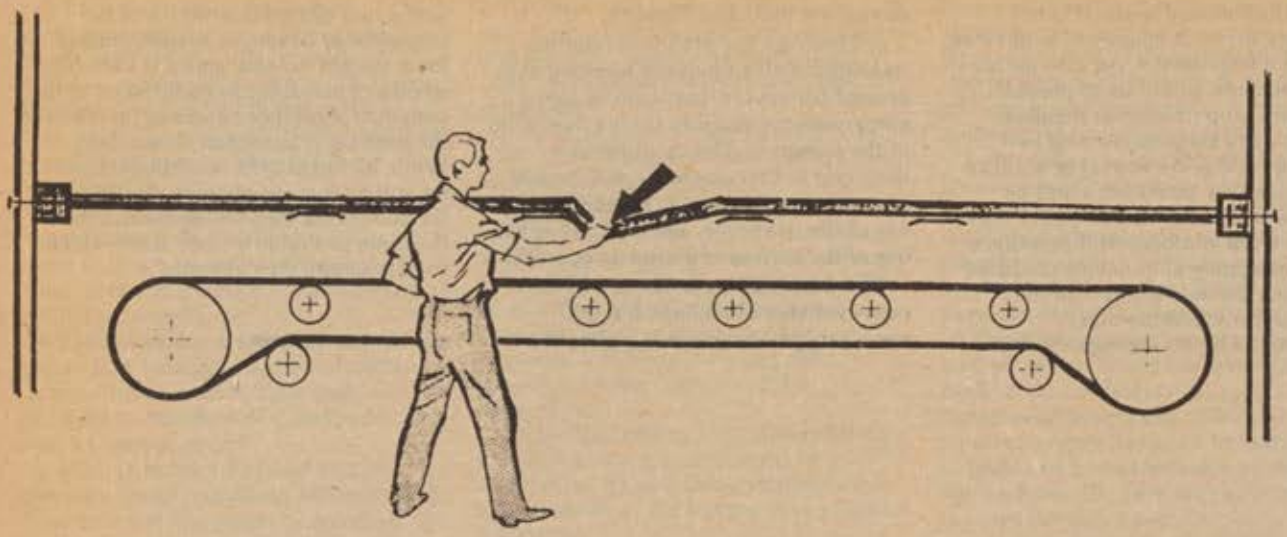
4. *Emergency stops.* The standard requires emergency stops to be installed on conveyors when employees work where they can not control the movement of the conveyor. This rule is intended to insure that employees working at or around conveyors have a means to shut off the conveyor in the event of an unforeseen occurrence. For example, if an employee were to become entrapped in a screw conveyor (i.e. have his hand caught), and if he or someone else nearby could not shut off the conveyor, the extent of the injury would be much greater than if the conveyor

was shut off immediately. It is not necessary for each employee to have an individual stop device. An alternative safety measure would be to provide emergency stop devices at regularly manned work stations, as long as employees using the conveyor at other points along the conveyor's unit be within sight and hearing of one of these manned work stations. Additionally, a single emergency stop device could be used along the entire length of the conveyor (provided the other requirements for an emergency stop device are met). See Figure 1.

5. *Training.* The standard requires training for all employees working at or around conveyors, particularly those employees responsible for the operation of the conveyor. The operator of a conveyor is that employee who would normally be responsible for initiating the use of the conveyor, and controlling the use of the conveyor during its operation.

Operator training in the use of the conveyor should include, but not necessarily be restricted to, the proper usage and design limitations of the conveyor or conveyor system (size of load, weight of load, speed if variable, or other operating characteristics of the conveyor) and those steps to be taken in the event of a hazardous condition. While all hazardous conditions cannot be anticipated, employees should be trained on the steps to be taken when the more probable events occur which require emergency actions.

BILLING CODE 4510-26-M



AT A CONVEYOR, INSTEAD OF A NUMBER OF SEPARATE EMERGENCY STOPPING DEVICES, IT IS SOMETIMES MORE EFFECTIVE TO INSTALL A TRIP WIRE OR ROPE ALONG THE ENTIRE LENGTH OF THE CONVEYOR. A PULL ON THE WIRE IN ANY DIRECTION, OR BREAKAGE OF THE WIRE WILL BRING THE CONVEYOR TO REST. THE ARRANGEMENT SHOULD BE SUCH THAT AFTER USAGE, MANUAL RESETTING IS NECESSARY. A SWITCH SHOULD BE PROVIDED AT EACH END SO THAT A PULL ON THE WIRE IN ANY DIRECTION WILL STOP THE CONVEYOR.

FIGURE 1. EMERGENCY STOPPING OF A CONVEYOR

BILLING CODE 4510-26-C

Upon initial assignment and periodically thereafter, all employees should be made aware of the characteristics of the conveyor as they affect the proper utilization of the conveyor, their safety, and the safety of other employees. Each employee working at or around the conveyor should be aware of limitations on the use of the conveyor, such as size and weight limitations, and the hazards and potential hazards in the immediate area around where they are working. These employees should also be made aware of the availability and usage of the available safety devices. Employees should be instructed in the need for all safety devices to be in place and operational during normal operation.

6. *Guarding.* The standard requires the danger zones at or near conveyors must be guarded. Guarding may be defined as either the use of enclosures, covers, casings, shield, troughs or other physical barriers which prevent employees from contacting the mechancial components of the conveyor or by having the danger zones so located that contact is not possible.

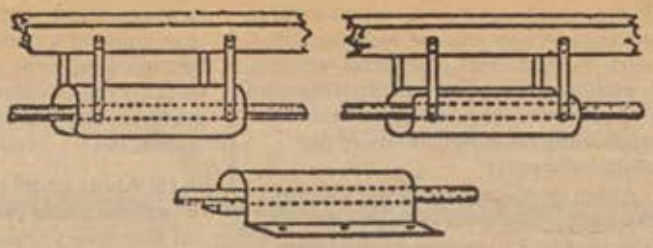
Guards must not merely fulfill technical requirements but must also be practical and durable. Guards can be made of expanded metal, perforated or solid sheet metal, wire mesh, plastic or other substantial material. The guard shall prevent injury from contact with moving parts by anyone walking into, reaching over, falling, slipping, tripping, or similar action. The safeguarding shall also prevent injury from reasonable or predictable breakage of any of the component parts.

Although the hazards at or around conveyors vary from conveyor to conveyor and from system to system, certain hazards can be associated with many conveyors. The following is a listing of some of the more common hazardous locations and probable solution:

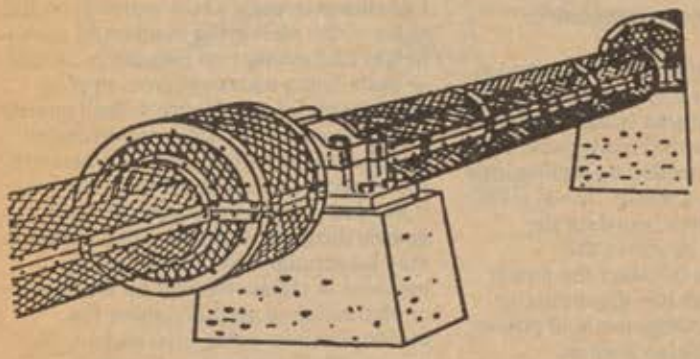
(a) Areas around power transmission apparatus. The use of power transmission apparatus is common with many types of powered conveyors. The usual means for introducing motion into the system is with a motor. The system of components which translate the rotary motion of a motor to the conveying medium is called the power transmission apparatus. Examples of device guards for components of power transmission apparatus such as horizontal and vertical shafting, belts and pulleys, and couplings, can be found in Figures 2–4. The general requirements to guard power transmission apparatus such as: flywheels; cranks and connecting rods; shafts; pulleys; belts, gears, sprockets and chains; keys, set screws and other projections; collars and couplings; and clutches are contained in § 1910.219 of this Part. Installations to be guarded include the sources of mechanical power and the components of the power transmission apparatus.

(b) Areas under conveyors. In areas where the conveyed material could fall off the conveyor onto employees, guards must be installed to either retain material on the conveyor or prevent material from falling. Spill guards may be railings or solid sheet material on the sides of the conveying medium of such height and strength to prevent packages or units being conveyed from tipping over the guard, see Figure 5. Spill guards may also consist of solid or perforated metal or other material located beneath the conveyor to catch the material once it has fallen from the conveyor. Spill guards designed to catch fallen material may be arranged so that the fallen material is either retained by the guard or channeled to an area where the material can be safely discharged. The areas under overhead conveyors where employees pass are generally particularly hazardous and guards should be installed to insure that these passageways are kept free of falling material. See Figure 6.

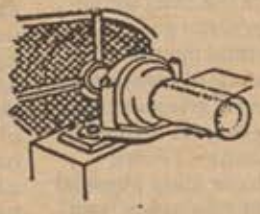
BILLING CODE 4510-26-M



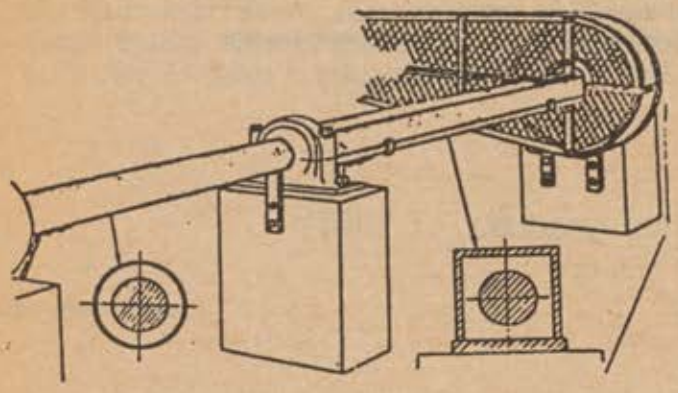
Horizontal Shafting



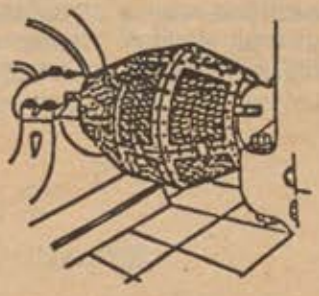
Horizontal Shafting



Sleeve for Shaft End



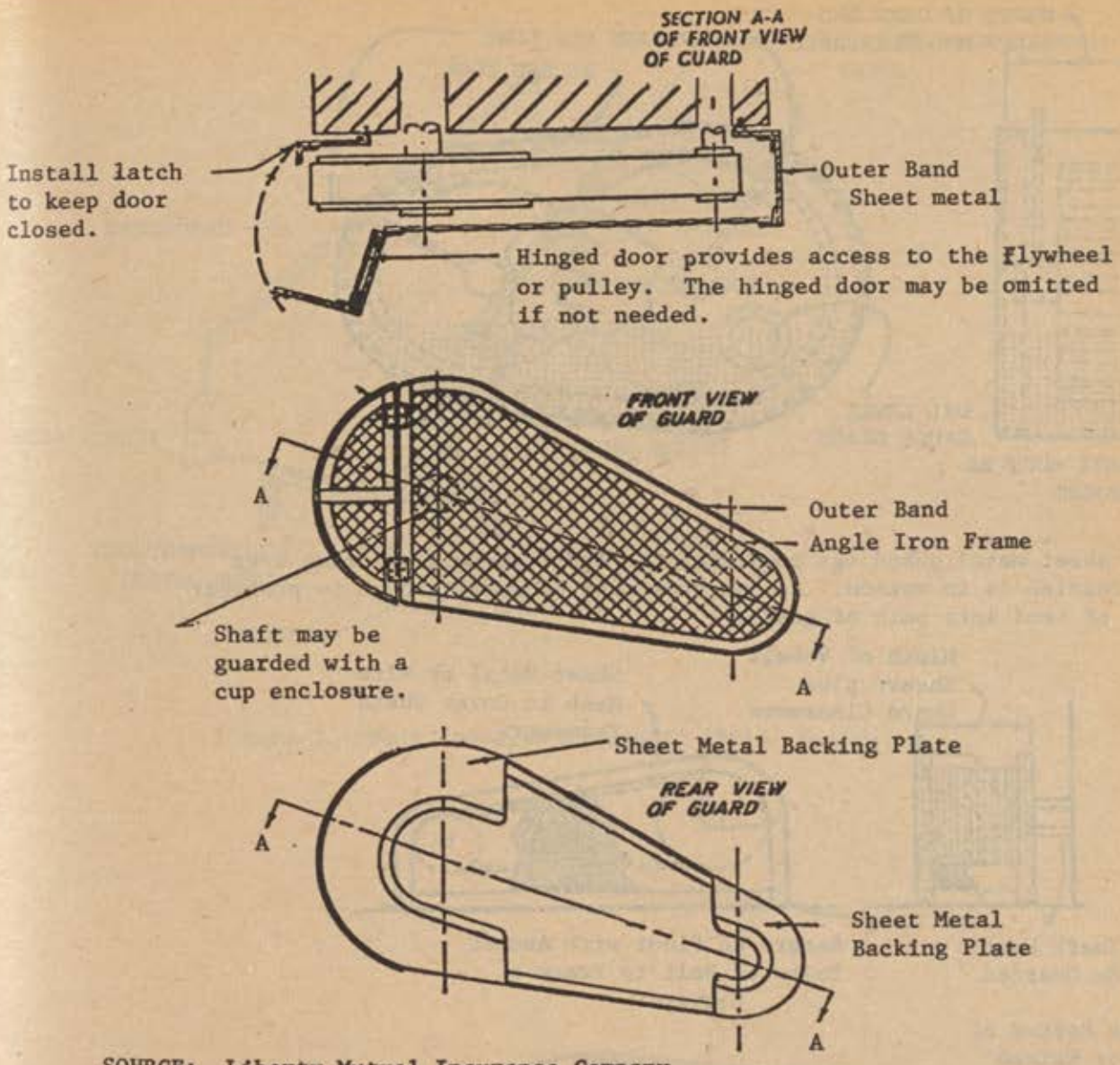
Horizontal Shafting and Belt and Pulley



Coupling Guard

Figure 2

Guarding Rotating Motion by Enclosure Guards



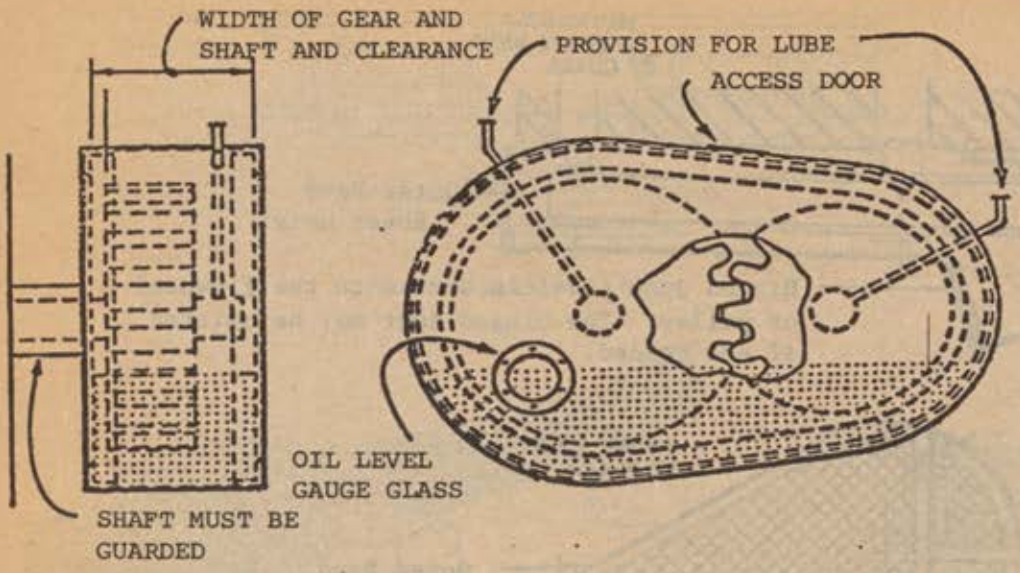
SOURCE: Liberty Mutual Insurance Company

NOTES: Guard shown is made with angle iron frame and expanded metal front panel. Sheet metal plates are attached to rear of guard.

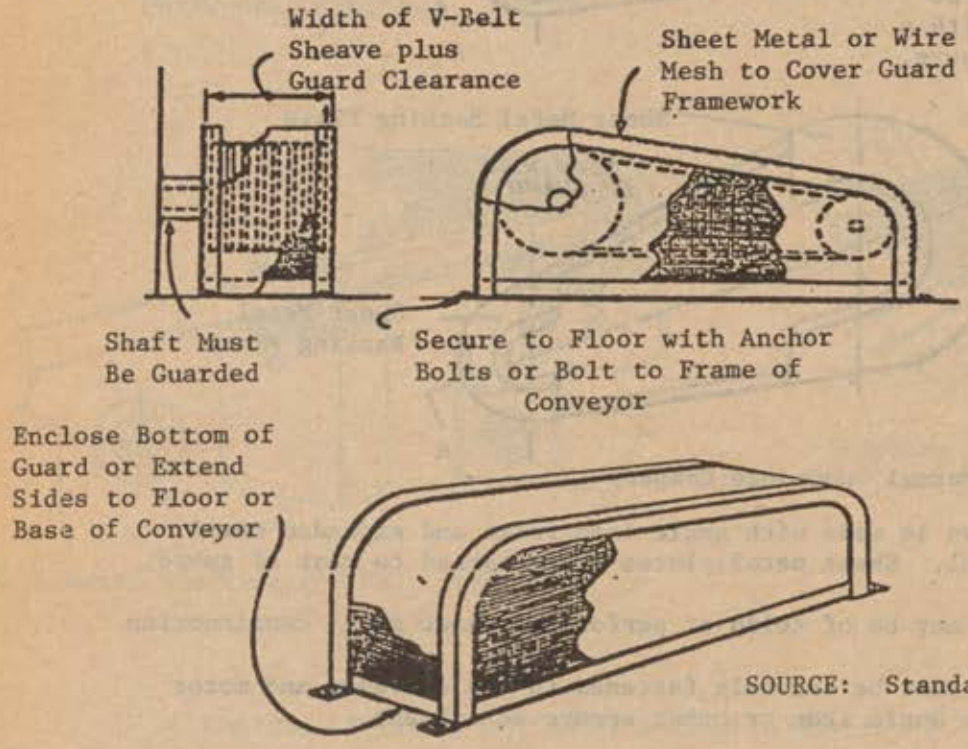
The guard may be of solid or perforated sheet metal construction.

The guard must be securely fastened to the conveyor and motor stand with angle iron or other secure attachment.

Figure 3. A well designed flywheel or pulley guard. This type of guard gives excellent protection and easy access for adjustments or repairs.



Solid sheet metal guard has provision for lubrication of bearing even when machine is in motion. Access door must be small enough to prohibit entry of hand into path of gears.



SOURCE: Standard Oil Company of California

Machine drives and pulleys located on the floor may be guarded as shown in these drawings. A part of the guard cover should be mesh, perforated or expanded metal to allow for ventilation.

Figure 4. Examples of Some Typical Guards.

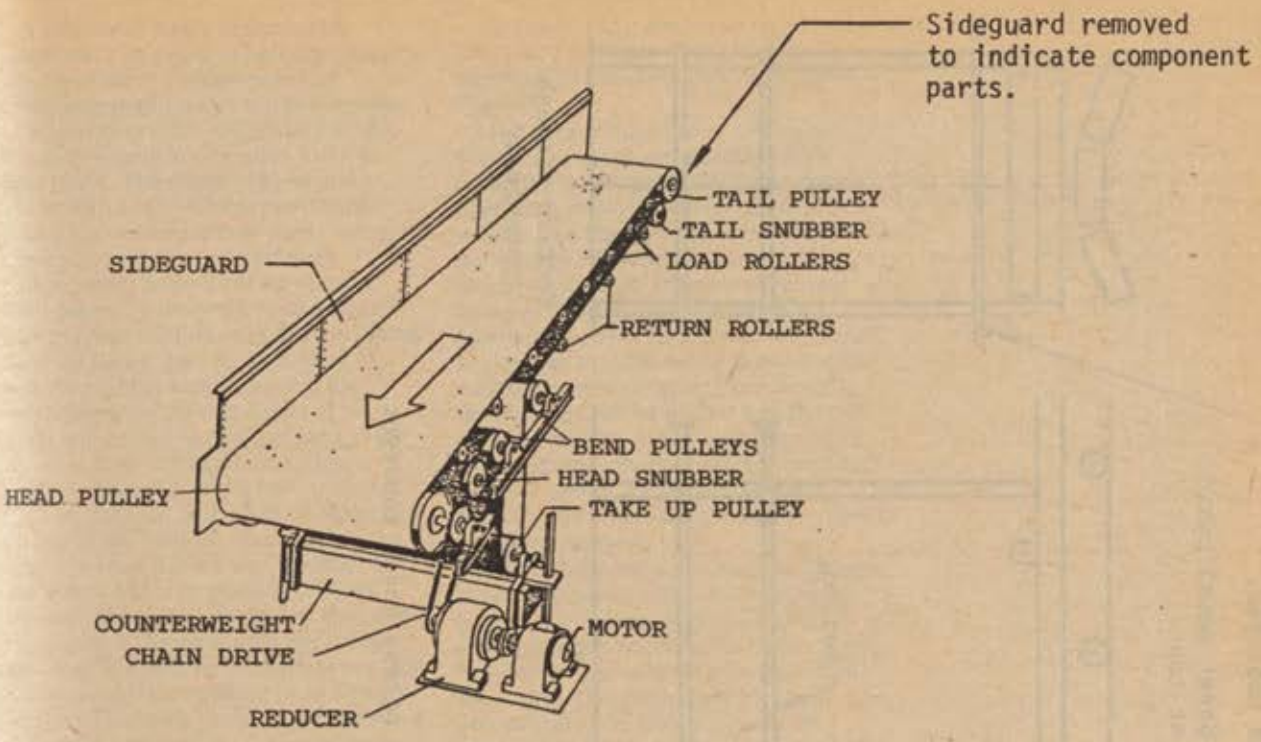


Figure 5. Belt Conveyor Sideguard (Spill Guard).

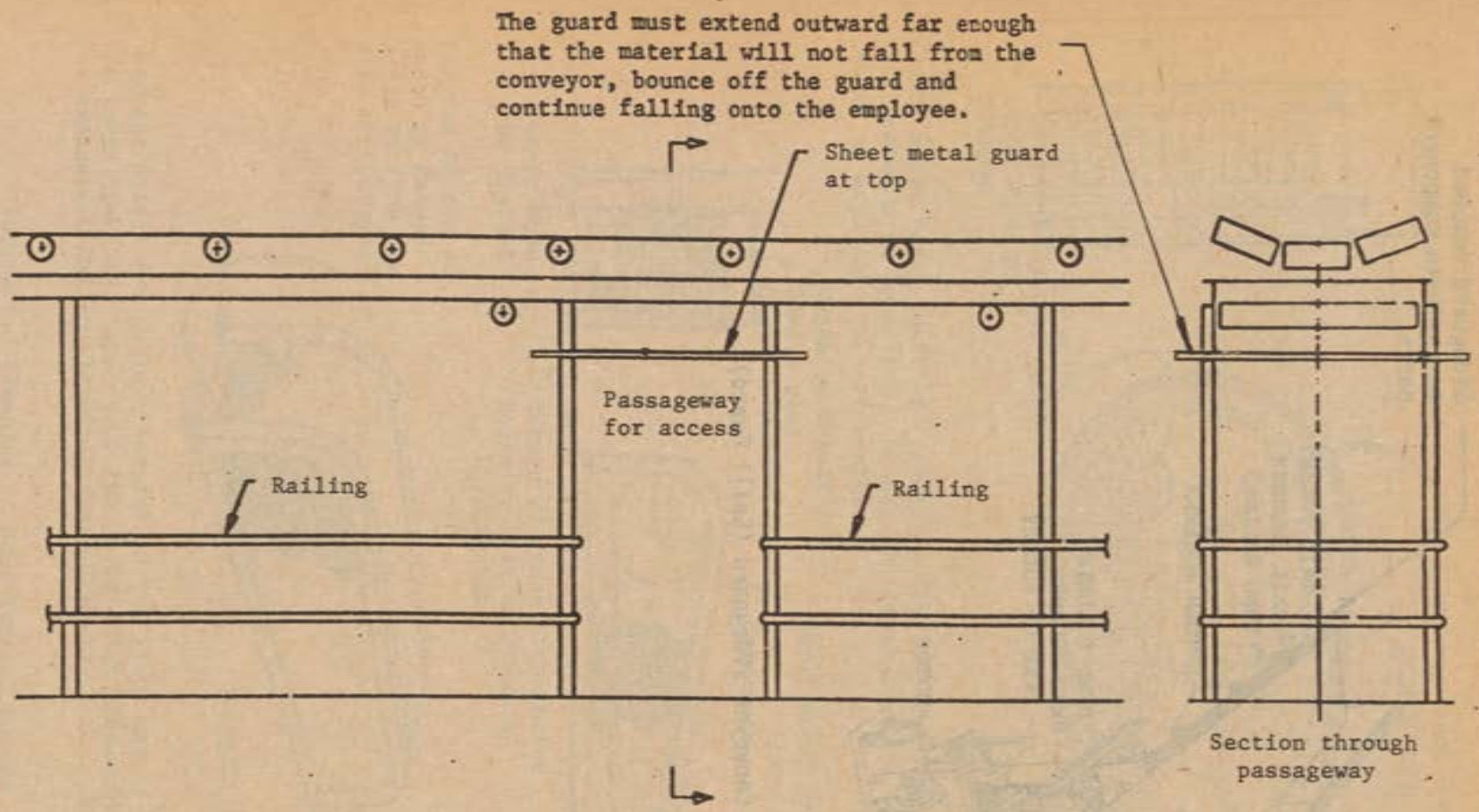


Figure 6. Typical guard for access under conveyor

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(c) Areas at edges of conveying mediums. The edges of belt and chain conveyor drive mechanisms and conveying mediums at workplaces and at aisleways which are utilized while the conveyor is in operation are hazardous. The edges of belts and chains can cause injury, particularly where these components pass over or in close proximity to rollers, frame components, floors or other objects. Spill guards, if properly designed, can also prevent contact with the conveying medium (See Figure 5). A method of guarding which would prevent the employee from placing a part of his body into such a hazardous area is the use of a sheet metal guard which encloses the edge of the belt or chain both on the side of the belt or chain and on top of the belts or chain so that the employee can not contact the edge of the belt or chain or place his fingers between the belt or chain and the guard. See Figure 7. Another area requiring guarding of a belt would be where a belt passes close to a walking or working surface. That area could be protected by the use of a toe board. An example is where the return run of the belt is in proximity to the walking or working surface an where the employee stands or works next to the conveyor.

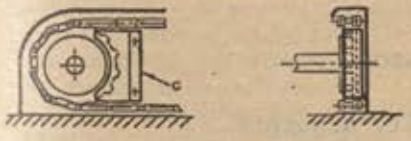


Figure 7. Guarding the edge of chain by enclosure at pulley.

(d) Area at base of inclined or vertical conveyors. The area around the base of inclined or vertical conveyors, such as bucket conveyors can be hazardous when the breakage of a component or the loss of power could cause uncontrolled lowering and/or dumping of the load. This hazard needs particular attention in areas where employees load or unload the conveyor at its lower end, or where passageways or aisleways are adjacent to these conveyors. Methods to minimize the hazards in the event of such an unforseen circumstance could include the following:

(1) Restricting access to areas around or beneath the conveyor;

(2) Use of a brake which would be activated upon loss of power to the conveyor; or

(3) The use of a device, such as illustrated in Figure 8 would allow movement of the conveyor only in one direction.

(e) Areas around screw conveyors. Screw conveyors are troughs with a revolving longitudinal shaft on which a high pitch spiral or twisted plate in wound. See Figure 9. Since the trough is not usually required to be covered for proper operation of the conveyor and because many screw conveyors are located at or near floor level, the hazard of stepping into the ara of the conveying medium is ever present. Once caught, the victim is pulled further into the path of the conveying medium. If the object caught in the conveyor were a hand or foot, the rest of the leg or arm and possibly the whole body could be drawn into the conveyor.

Not only does the possibility of injury exist from hands and feet entering the path of the conveying medium, but employees who allow tools to be caught in a screw conveyor, can be pulled into the screw. Therefore, guarding and procedural rules must preclude the placement of foreign material into the path of the screw conveyor while it is running.

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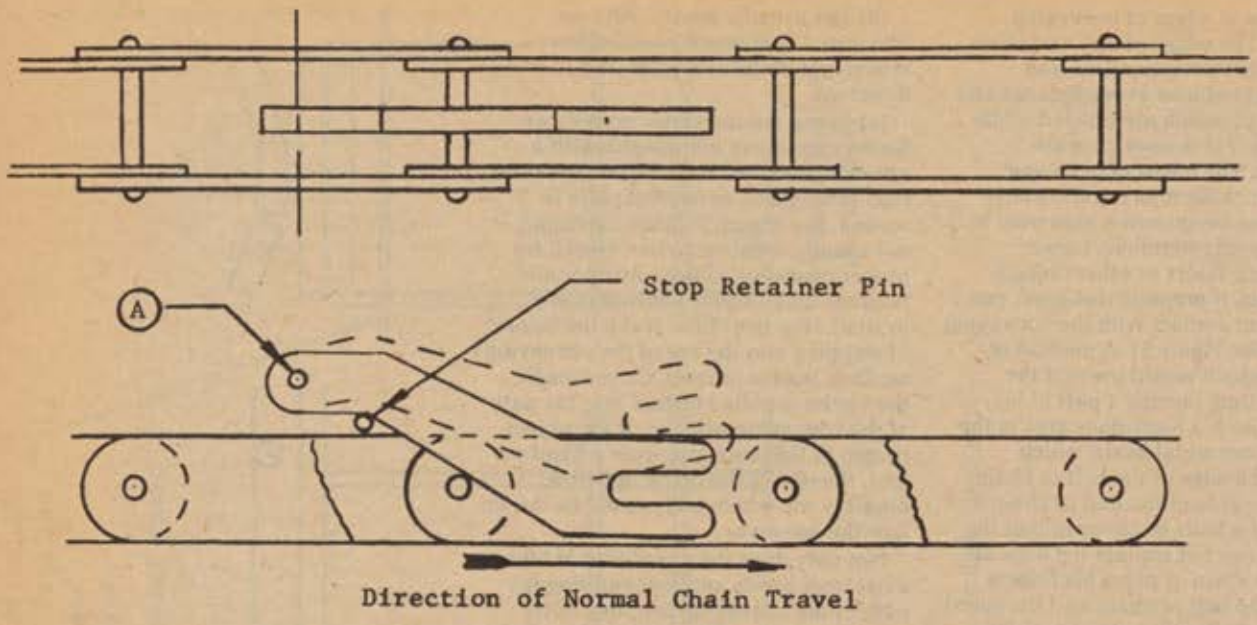


Figure 8. Anti-Reversing Chain Stop

When the chain is moving forward, the stop is pushed up by each link pin to the alternate position shown in dashed outline. In the event that the chain moves backward, the stop assumes the primary position shown, a link pin enters the groove on the stop and the chain is stopped and held.

NOTES: 1. Part of 2 chain links have been cut away to show stop.

2. This drawing is not to scale nor is it dimensionally accurate. The design of the stop is dependent upon the size chain and the loads imposed upon the stop.

3. Chain stop is pinned to bracket (not shown) at (A).

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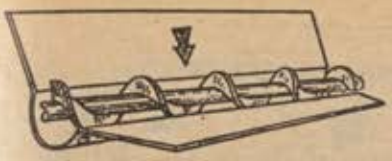


Figure 9. Screw Conveyor. Cover has been omitted to expose screw.

The usual means of guarding is by affixing a cover over the length of the screw conveyor except at feed and discharge points where there is a need to handle the material. Feed and discharge points can usually be guarded by providing enclosures, screening, bars or some other interruption across the openings which will allow the passage of the conveyed material without allowing the entry of a part of the body of the employee. Large openings of in-floor screw conveyors which do not require the employees to work in close proximity to the feed or discharge points can usually be guarded by the use of standard railings around the feed or discharge point, the railings so located that an employee cannot inadvertently reach over, under or through the railing and contact the conveying medium.

(f) Areas at roller conveyors. Roller conveyors are used to carry packages or units on a series of parallel rolls. The two general types of roller conveyors are gravity and power (live).

The gravity roller conveyor presents a hazard of materials "running away" and falling from the conveyor. This hazard can be minimized by using the conveyor within its design limitations (i.e., weight limitations) and by the use of spill guard or other restraints at critical points where the conveyed object might fall off the conveyor. (See Figure 5.)

Powered roller conveyors, also called live roller conveyors, have the additional hazard of pulling objects, including hands, hair and clothing into the area between rollers or between rollers and stationary components of the conveyor, thereby causing injury. The hazard of being pulled into the area between rollers is more likely where employees must feed or remove material from conveyors with counter-rotating rollers, such as those used to move sheet or plate material. The hazards described above can be minimized by the use of procedural rules (such as restricting employees wearing loose or baggy clothing), minimizing projections from rollers, and by the use of pop-up rollers.

(g) Areas around nip and shear points. Nip and shear points or lines can be found at those points where a machine element moving in a line meets a rotating element (nip point) or where a moving part meets or passes close to a stationary part (shear point or line). Many nip points or shear points and lines are the result of the movement of power transmission apparatus. Examples of nip and shear points and lines are shown in Figures 10–14. Nip and shear points and lines may be eliminated by placing a guard at the nip or shear point, or by using barrier guards around the moving parts to enclose those parts.

(h) Areas under counterweights. Counterweights used to impose a load must be so located or physically guarded that normal or unanticipated movement will not cause the counterweight to fall and injure an employee. Counterweights can be physically guarded by enclosing the counterweight, see Figure 15, to protect employees who work or pass close to them.

(i) Areas around lubrication fittings, tension adjusters and other devices. If these devices must be utilized during conveyor operation and are located in close proximity to moving components of the conveyor, they must be guarded. If these components are not utilized or access to them is not required when the conveyor is in operation, guarding is not required since the conveyor would be shut-off and locked out when these components are utilized. Guarding of these devices can be accomplished by either:

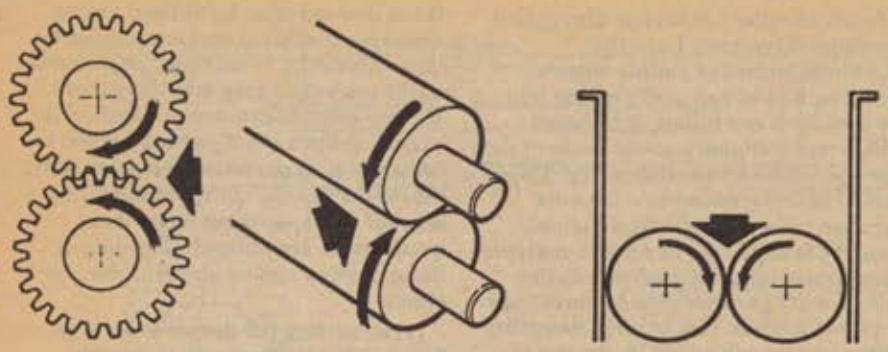
(1) Extending the device to an area which is not in proximity to moving conveyor components. This would have the effect of removing or minimizing the risk of contact of the hazardous component by the employee; or

(2) Placing guards either around the moving part or the components to which access is required to prevent employees from contacting the moving part when access is necessary.

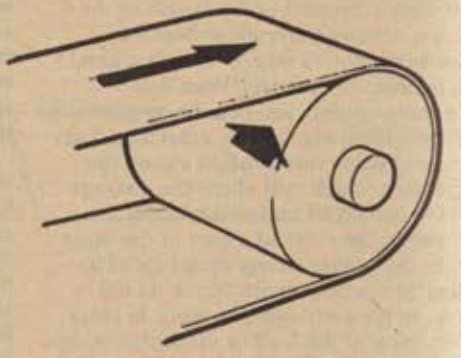
(j) Areas around transfer mechanisms. A transfer mechanism is a component of a conveyor system which transfers material onto or off of a conveyor, or from one conveyor to another. See Figure 16.

An example of a transfer mechanism is a hopper or chute for bulk material. The handling of bulk materials such as coal, stone, grain or sand, etc., requires the use of hoppers and chutes to transfer the material off of, on to, or between conveyors. All openings of hoppers and chutes located at ground or floor level must be guarded by grating or standard railings to prevent employees from falling into the hopper or chute. If gratings are used, they must be of such construction to support an employee's weight, while allowing the material to pass through.

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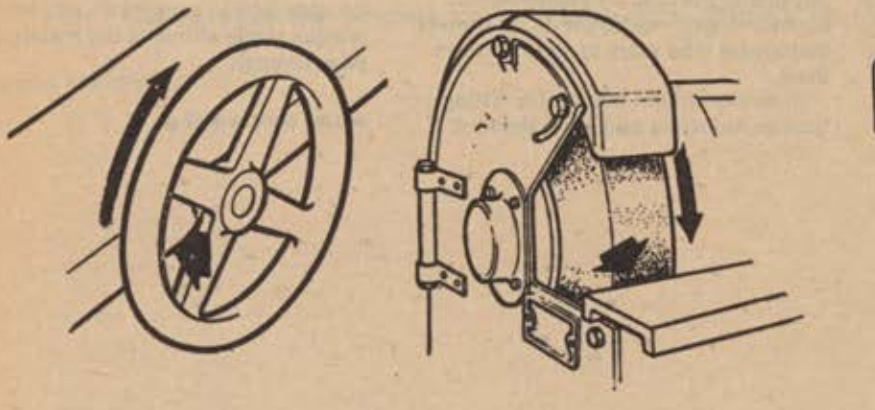


A. BETWEEN PARTS ROTATING IN OPPOSITE DIRECTIONS SUCH AS GEARS, ROLLING MILLS, MIXING ROLLS AND CALENDARS.



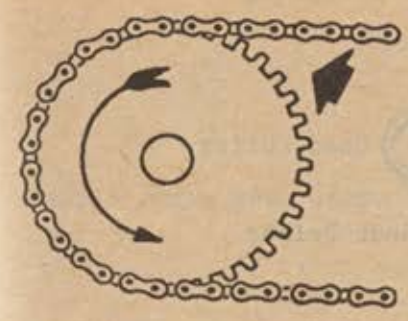
B. BETWEEN ROTATING AND TANGENTIALLY MOVING PARTS SUCH AS BELTS AND PULLEYS, CHAINS AND SPROCKETS, RACKS AND GEARS.



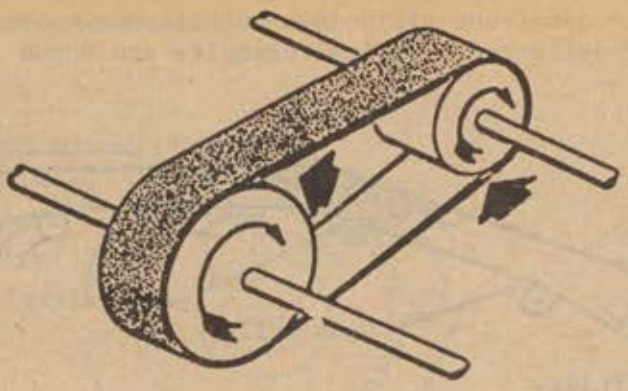


C. BETWEEN ROTATING AND FIXED PARTS SUCH AS FLYWHEELS AND MACHINERY FRAMES, SCREW CONVEYORS AND THEIR CASINGS.

FIGURE 10. INRUNNING NIP POINTS, THE THREE MAIN TYPES.



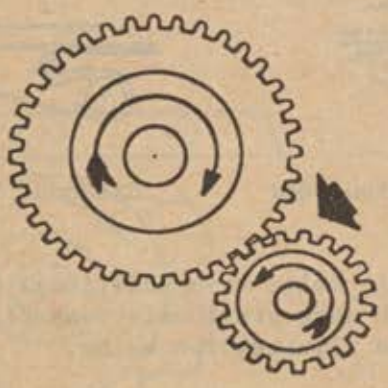
CHAIN AND SPROCKET



BELT AND PULLEY



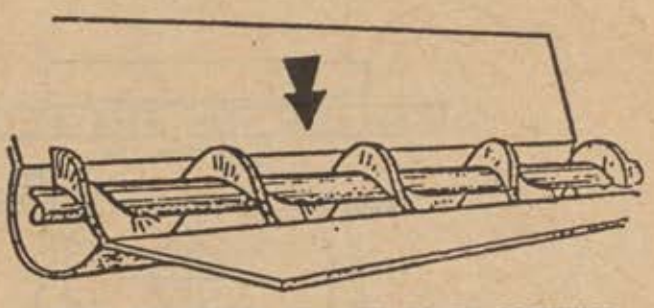
RACK AND GEAR



GEAR TRAIN



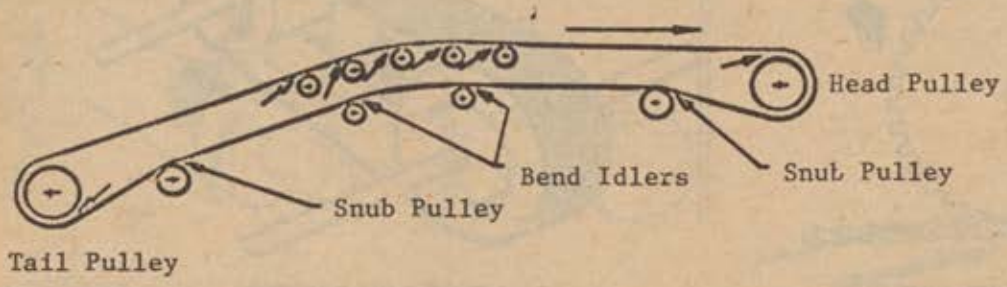
CONVEYOR JUNCTION



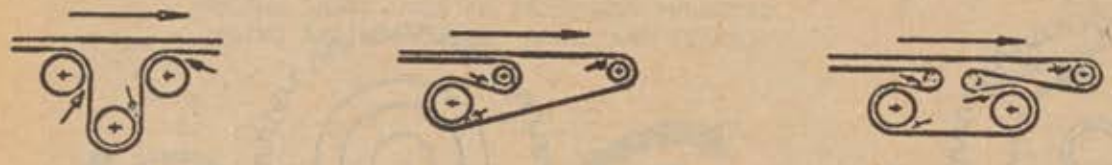
WORM MECHANISM USED IN SCREW CONVEYOR

Figure 11. Inrunning Nip Points.

12-1. The most dangerous nip points on belt conveyors occur when the belt is reversed or deflected. Typical examples are shown in the following illustration.



12-2. When there are additional reversal or deflection points on individual sections of a conveyor, the nip points to be guarded are typically as shown below.



Gravity Tension Gear Extended Throw-off Double Pulley Drive

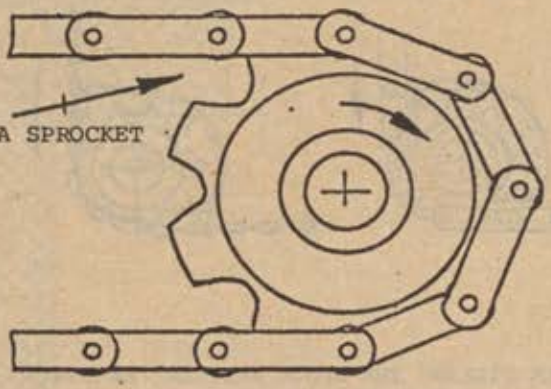
12-3. Reversible belts have additional danger points, namely, the in-running nip points which were previously run-off points of the pulleys, these points are shown in the illustration below.



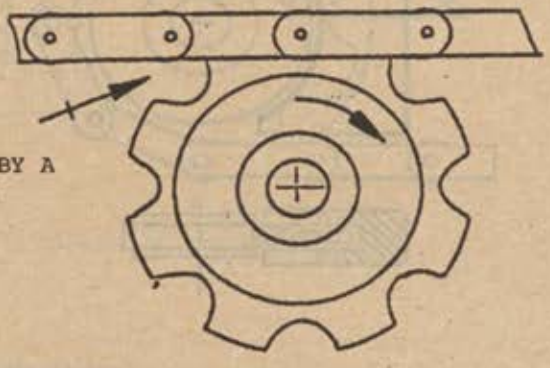
Figure 12. Conveyor Nip Points

Nip Points Occur When a Chain Contacts a Sprocket, Such as:

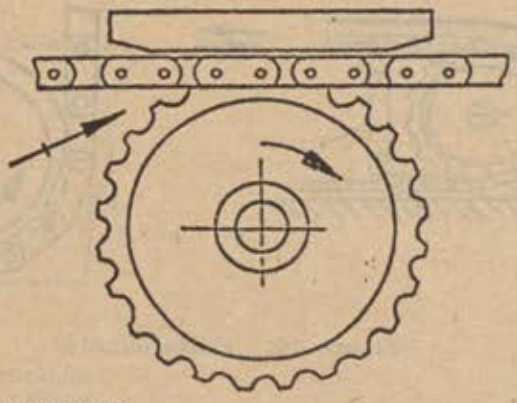
WHEN A CHAIN RUNS AROUND A SPROCKET



WHEN THE CHAIN IS SUPPORTED BY A SPROCKET



WHEN A SHOE ABOVE THE CHAIN PRECLUDES THE CHAIN FROM LIFTING OFF THE SPROCKET



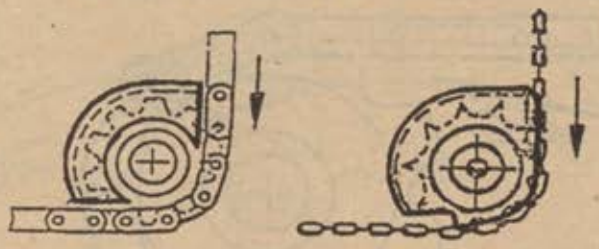
POINTS TO BE PROTECTED

DIRECTION OF TRAVEL

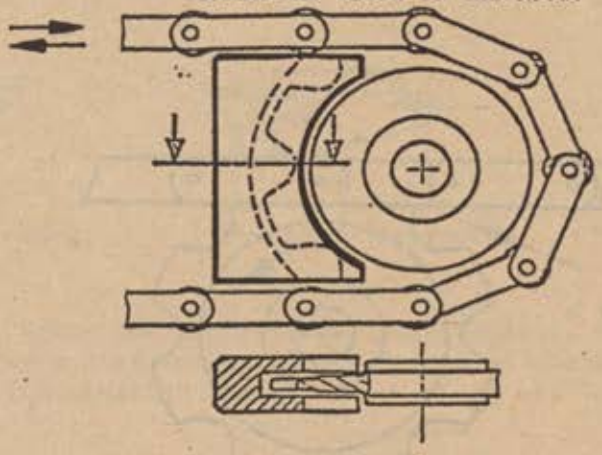
Figure 13. Chain Conveyor Nip Points.

CHAINS AND SPROCKETS CAN BE PROTECTED BY:

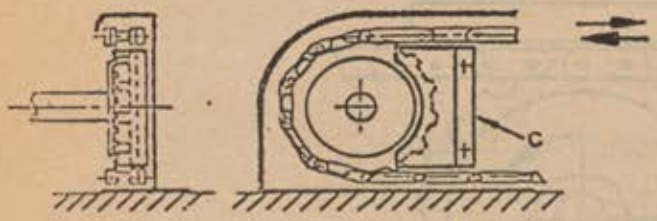
GUARDS EXTENDING BETWEEN THE CHAINS UP TO THE ROOT RADIUS OF THE SPROCKET WHEEL.



A FILLER BLOCK FILLING THE SPACE BETWEEN THE CHAINS AND SHAPED TO COVER THE TEETH TO THE ROOT.



A GUARD OUTSIDE AND ABOVE THE CHAIN. IN THE WORKING AREA AN ADDITIONAL PIECE "C" PREVENTS ACCESS TO THE NIP POINTS.



A FILLER BLOCK AS ILLUSTRATED MAY BE USED WITH PULLEYS AS SHOWN.

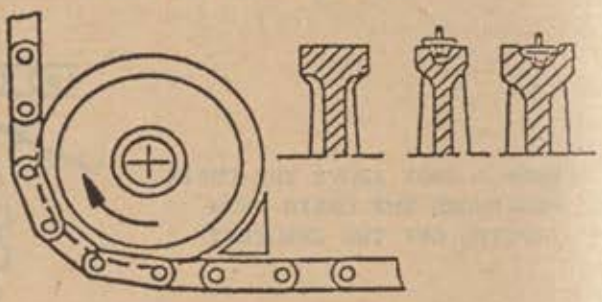


Figure 14. Chain Guards.

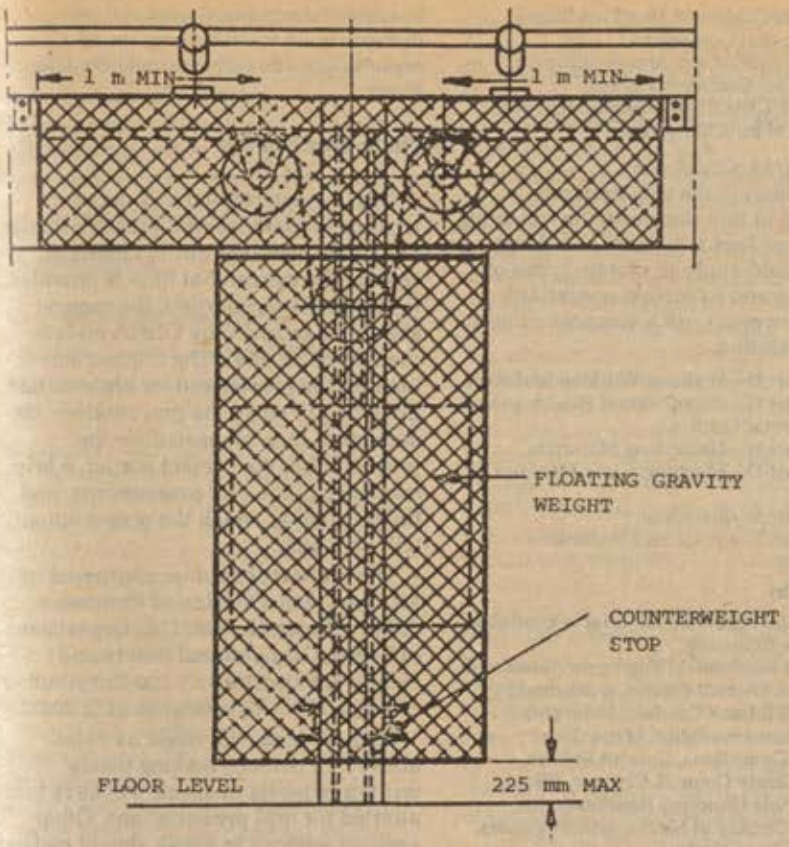


FIGURE 15. TYPICAL GUARD FOR GRAVITY TAKE-UP AT FLOOR LEVEL

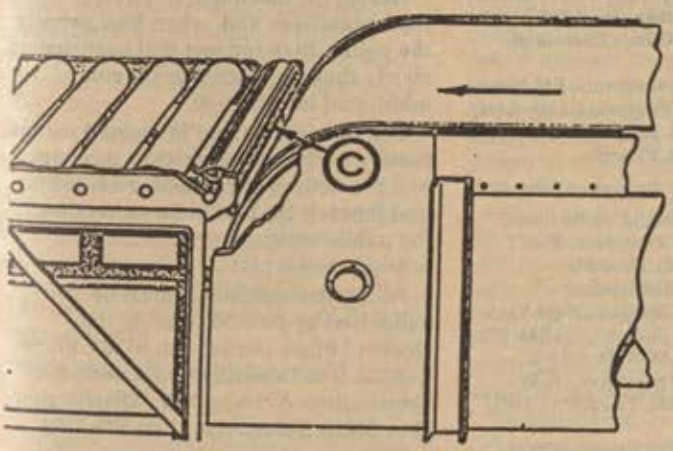


Fig. 16. Transfer mechanisms may include the addition of a single removable roller onto a roller conveyor. This roller can be made adjustable or easily removable, as shown.

7. *Lockout.* The standard requires that the power controls of a conveyor be locked out when modification, repair, tests or services are conducted on that conveyor. This requirement is intended to insure that employees are not exposed to a hazard when some other than normal activity is conducted with or on the conveyor. During many non-routine operations, employees are required to remove, disable, or disassemble guards, switches and other safety devices or to gain access to areas that are in close proximity to hazards that are considered to be normally guarded by location. When an employee is exposed to some extra hazard, the standard requires that a positive means be taken to ensure that that hazard is eliminated or minimized before work begins to perform repair, maintenance or testing.

This positive means can include de-energizing the system in combination with one or more of the following:

(a) Placement of a lock on a main power disconnect;

(b) Removal of a fuse and locking of the fuse box;

(c) Disconnecting power lines; and

(d) Placement of a blank flange on a fluid line.

With any combination of the above, a tag would identify the site, employee who applied lockout and the date/time. Simply de-energizing the system or the use of a tag alone is not considered to be a positive means of ensuring that a conveyor cannot be inadvertently started since the tag is subject to being lost, destroyed or disregarded.

Appendix B—Other References

National Consensus Standards

Additional information to assist in complying with this OSHA Standard can be obtained by referring to the latest revision of the following consensus standards:

1. ANSI B15.1 Safety Standard for Mechanical Power Transmission.
2. ANSI B20.1 (also refer to 1957 and 1972 editions) Safety Standard for Conveyors and Related Equipment.
3. ANSI/CEMA 102 Conveyors Terms and Definitions.
4. ANSI/CEMA 300 Series Screw Conveyors.
5. ANSI/CEMA 350 Screw Conveyors.
6. ANSI/CEMA 401 Unit Handling Conveyors-Roller Conveyors-Non-Powered.
7. ANSI/CEMA 402 Unit Handling Conveyors-Belt Conveyors.
8. ANSI/CEMA 403 Unit Handling Conveyors-Belt Driven Live Roller Conveyors.
9. ANSI/CEMA 404 Unit Handling Conveyors-Chain Drive Live Roller Conveyors.
10. ANSI/CEMA 405 Unit Handling Conveyors-Slat Conveyors.
11. ANSI/MPTA 301 Specification for Welded Steel Conveyor Pulleys.
12. ANSI/CEMA 550 Classification and Definition of Bulk Materials.

Other OSHA Standards

In addition to the requirements contained in this standard, the following Subparts of Part 1910 have standards which would apply to certain types of conveyors and to certain operations where conveyors are a component part of the operation:

1. Subpart D—Walking-Working Surfaces.
2. Subpart G—Occupational Health and Environmental Control.
3. Subpart H—Hazardous Materials.
4. Subpart O—Machinery and Machine Guarding.
5. Subpart S—Electrical.
6. Subpart Z—Toxic and Hazardous Substances.

Bibliography

Additional reference material is available, include the following:

1. Marks Mechanical Engineers' Handbook, Baumeister, Current Edition, published by McGraw Hill Book Co., Inc., New York.
2. Accident Prevention Manual for Industrial Operations, Current Edition, National Safety Council, Chicago, Illinois.
3. Materials Handling Handbook, the American Society of Mechanical Engineers, New York, New York.
6. Accident Facts, Current Edition, National Safety Council, Chicago, Illinois.
7. Belt Conveyors for Bulk Materials, Conveyor Equipment Manufacturers Association, Washington, D.C., 2nd Edition 1979.
8. Materials Handling Engineering Handbook and Directory, 1981–1982, Material Handling Engineering Magazine, 1980, Published by Penton/IPC Inc., Cleveland, Ohio.
9. General Safety Requirements, EM 385–1–1, March 1976, Corps of Engineers, U.S. Army.
10. Guards Illustrated, 3rd Edition, National Safety Council, Chicago, Illinois.

Addresses of Sources of Reference Material

1. American National Standards Institute, 1430 Broadway, New York, New York 10018, Telephone: (212) 354–3300
2. American Society of Mechanical Engineering, 345 E. 47th Street, New York, New York 10021, Telephone: (212) 644–7722
3. Conveyor Equipment Manufacturers Association, 1000 Vermont Ave., N.W., Washington, D.C. 20005, Telephone: (202) 628–4634
4. McGraw-Hill Publishing Company, 1221 Avenue of the Americas, New York, New York 10020, Telephone: (212) 997–1221
5. National Safety Council, 425 North Michigan Avenue, Chicago, Illinois 60611, Telephone: (312) 527–4800
6. Penton/IPC Incorporated, 614 Superior Avenue, West, Cleveland, Ohio 44113, Telephone: (212) 696–0300

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Public Participation

OSHA requests that any person wishing to make an oral presentation at the public meetings notify OSHA in writing. To assure that time is provided for the oral presentation, the request should be received by OSHA no later than April 30, 1981. The request should identify the person and/or organization intending to make the presentation, the amount of time requested for the presentation, the subject matter, a brief summary of the oral presentation, and the location at which the presentation will be made.

The request should be addressed to Mr. Tom Hall, Division of Consumer Affairs, Room N–3635, U.S. Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Each meeting will begin as noted above. All persons making timely written requests to speak will have time allotted for oral presentations. Other persons wishing to speak should register at each meeting from 8:30 a.m. to 9:00 a.m. on the day they wish to speak. As long as time permits, all persons who wish to speak may do so. If time is limited, priority will be given to those who have requested time in advance.

During the meetings, OSHA's representatives and, when time permits, the public, may request that participants clarify their comments or provide additional information.

OSHA suggests that interested parties review the issues set forth in this notice and the notices of November 14, 1980 and January 16, 1981 before attending the public meetings or submitting written comments.

All written comments must be submitted by June 30, 1981, to the Docket Office, Docket No. S–201, Room S–6212, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210. Telephone: (202) 523–7894.

This document was prepared under the direction of Thorne G. Auchter, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

(Sec. 6, Pub. L. 91–596, 84 Stat. 1593 (29 U.S.C. 655), 29 CFR Part 1911; Secretary of Labor's Order No. 8–76 (41 FR 25059))

Signed at Washington, D.C., this 8th day of April, 1981.

Thorne G. Auchter,

Assistant Secretary of Labor.

[FR Doc. 81-11055 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-26-M

VETERANS ADMINISTRATION

38 CFR Part 36

Loan Guaranty Program

AGENCY: Veterans Administration.

ACTION: Advance notice of proposed regulations.

SUMMARY: This notice is published to invite comments from the public to assist the VA (Veterans Administration) in determining the need for development of regulations or procedures to allow eligible veterans to simultaneously participate in the programs of State and local housing finance agencies and the VA guaranteed home loan program. Currently, some of these State or local agencies, which provide below market interest rate home loans or other housing assistance to home purchasers, impose program restrictions which violate VA regulations. Comments are sought both as to the need for and the type of program regulatory amendments necessary to allow veteran purchasers to simultaneously benefit from the VA guaranteed loan program and State or local housing financing programs.

DATES: Comments must be received on or before May 11, 1981.

ADDRESS: Send written comments to: Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, NW., Washington, D.C. 20420.

Comments will be available for inspection at the address shown above until May 20, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. George D. Moerman, Assistant Director for Loan Policy (264), Loan Guaranty Service, Veterans Administration, Washington, D.C. 20420, 202-389-3042.

SUPPLEMENTARY INFORMATION:

Background

One of the benefits of the VA home loan program is the right of the veteran obtaining a home with a VA guaranteed loan to sell, lease, rent, or otherwise dispose of the property as he or she chooses. In addition, § 36.4308 specifies that sale of the property subject to a VA guaranteed mortgage is not an element of default. Thus, the property may be sold subject to the mortgage with the new owner taking over the monthly obligation. In effect, the free assignability of VA loans aids in resale financing and is especially valuable to the buying and selling parties when current interest rates are higher than the rate on the existing loan.

In recent years, an increasing number of homes have been financed under the auspices of State and local governmental agency programs designed to foster affordable housing for those who otherwise might not be able to obtain a home. The assistance provided has already taken a variety of forms and additional varieties are likely to appear. One popular method currently employed provides home loans at below market interest rates, using funds generated through the sale of tax exempt bonds. Another method grants developers a waiver of certain zoning, subdivision, or occupancy requirements in return for the eventual sale of some of the homes at prices below those which the market might otherwise dictate. An example of this approach would be a zoning density bonus, whereby the developer could construct more units per acre on land zoned for a lesser number units per acre, in return for his or her agreement to sell the additional units under the guidelines of the affordable housing program.

Criteria for participation in such programs have been established, usually based on income (and sometimes family size or other factors) of the applicant in relation to area median income or other designated income level. Since these programs are designed to foster affordable housing for targeted groups of individuals and families, the housing agencies have devised requirements which attempt to assure that the benefits of the program accrue only to the intended beneficiaries. Restrictions often are imposed on resale of the property, either generally or for a prescribed number of years. These controls may take the form of rights of first refusal, age restrictions, rental restrictions, income restrictions, an agreement to forfeit all or part of any excess proceeds from a sale or other restrictions in the deed or mortgage instruments which prevent the home seller from freely selling his or her home.

To the extent that the housing programs sponsored by States and their political subdivisions restrict the homeowner's right to freely sell or otherwise dispose of his or her home, whether through estate limitations or restrictions on loan assumption, they fail to satisfy current VA regulations. As a result, veterans have sometimes been forced to choose between the benefits of a GI loan or the advantages of a below market interest rate loan and/or a home at a price lower than otherwise would be obtainable.

In the past, VA has been able to guarantee loans made by certain housing finance agencies at below market rates. To accommodate their program requirements, VA has permitted those agencies to increase the loan interest rate to the VA maximum rate in effect on the date the loan was originally closed, upon sale of the property to an ineligible person. In effect, the original home purchaser retained the advantage of a loan which was freely assumable at the VA maximum interest rate, and obtained the additional advantage of a below market interest rate for the duration of his or her ownership or occupancy of the home. Under the Revenue Adjustments Act of 1980 (Title XI of the Omnibus Reconciliation Act of 1980), this arrangement will no longer be adequate. This Act provides for loss of tax exempt status on bonds generating home mortgage funds unless certain requirements are satisfied, including restrictions on assumability of the mortgage by ineligible parties.

Comments Requested

Comments are invited on whether and, if so, in what manner VA regulations should be amended to enable veterans desiring to participate in housing programs, such as those discussed above, to do so with the benefit of a VA guaranteed loan.

The VA welcomes comments in particular on these issues:

1. Which, if any, specific criteria could best be employed by the VA to determine whether the advantages to be gained by a veteran participating in such a program outweigh the disadvantages; e.g., a loss of a freely assumable loan and/or restrictions on the veteran's ability to freely use and dispose of the property?

2. Should an objective method or system be developed to weigh the various advantages and disadvantages of the State and local programs, involving, for example, presumptions or point-scoring systems keyed to items such as: underlying bond rates, market interest rate indices, "program" mortgage rates, the VA maximum guaranteed loan rate, the "average" length of time a person will likely remain in any one domicile, the "average" expected duration of a mortgage, the price of an "in-the-program" dwelling in relation to a "free-market" dwelling, validity of indices employed or not employed in setting resale price controls, etc.

3. As an alternative to issue number 2 above, should the VA forego any specific balancing of advantages and accept all programs in which a tangible and significant financial advantage to the veteran can be demonstrated, so long as the veteran knowingly consents to participation in the program?

4. Should any particular restrictions imposed by State or local housing authorities be expressly prohibited by the VA?

5. What is the best method for informing the veteran in advance of the restrictions imposed by a State or local authority, and if possible, assuring that the veteran knowingly consents to such restrictions?

6. At what point in the home sale or the loan origination process should the VA require that the State or local housing authority provide the veteran with information concerning its program and secure the veteran's consent to its program requirements?

7. If the State or local housing program's requirements result in a loan foreclosure, which would not have occurred "but for" the local authority's requirements, how should this be reflected in any adjustment of the authority's claim upon the VA loan guaranty?

Comments and suggestions are sought on any aspect or facet of providing VA guaranteed loans to veterans wishing to participate in programs, such as those discussed above, which are sponsored by States and their political subdivisions.

Additional Comment Information

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Ave., NW., Washington, D.C. 20420. All written comments received will be available for public inspection at the above address only between 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays) until May 20, 1981. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Services Unit in room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

Approved: April 6, 1981.

Rufus H. Wilson,

Acting Administrator.

[FR Doc. 81-10897 Filed 4-9-81; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-5-FRL 1789-4]

Air Quality; Approval and Promulgation of Implementation Plans; Ohio

AGENCY: U.S. Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: EPA announced in 46 FR 19468, March 31, 1981 **Federal Register** conditional approval of rule 08 of the Ohio Administrative Code for the primary nonattainment area of Middletown, Ohio. A discussion of conditional approval and its practical effect appears in the July 2, 1979 **Federal Register** (44 FR 38583) and the November 23, 1978 **Federal Register** (44 FR 6718). A conditional approval requires the State to remedy identified deficiencies by specified deadlines. This notice solicits public comment on the deadline by which the State of Ohio has committed itself to remedy the conditionally approved portions of rule 08. Although public comment is solicited on the deadline, the State remains bound to its commitments unless the schedule is disapproved by EPA in its Final Rulemaking action. A conditional approval means that the restriction on new source construction in the designated nonattainment area will not apply unless the State fails to submit the corrections by the specified date, or unless the corrections are ultimately determined to be inadequate.

DATES: Comments must be received by May 11, 1981.

ADDRESSES: Comments should be sent to the following address: Mr. Gary Gulezian, Chief, Regulatory Analysis Section, Air Programs Branch, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604.

Copies of the materials submitted by the State and by the Public during the notice of proposed rulemaking are available for review during normal business hours at the following addresses:

USEPA Region V, Air Programs Branch, 230 South Dearborn Street, Chicago, Illinois 60604

USEPA Public Information Reference, Unit 401 M Street SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Clarizio, Regulatory Analysis Section, Air Programs Branch, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886-6029.

SUPPLEMENTARY INFORMATION: In final rulemaking action published in the March 31, 1981 **Federal Register** (46 FR 19468), EPA identified the actions taken by the State of Ohio to remedy a deficiency in rule 08 of the Administrative Code as it applies to the Middletown primary total suspended particulate nonattainment area. This deficiency was noted in EPA's January 27, 1981 Notice of Proposed Rulemaking (46 FR 8589). In today's final rulemaking EPA also identified the condition which must be satisfied by the State of Ohio. In particular, the State must submit the enforceable control programs developed pursuant to rule 08 for each of the area. The State of Ohio has commited itself to submit these control programs by December 31, 1981. EPA proposes to approve this date and solicits public comment on the acceptability of this date.

Pursuant to the provisions of title 5 United States Code section 605(b) I hereby certify that the proposed rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. This action only approves a schedule for the State to submit additional information and imposes no new requirements. On January 27, 1981 the Administrator published the required certification for all SIP approvals under Section 110 of the Act at 46 FR 8709.

Under Executive Order 12291 (Order) EPA must judge whether a regulation is "major" and, therefore subject to the requirements of a regulatory impact analysis. Today's action is not a major regulation because it merely proposes approval of a schedule for submission of additional information. If promulgated, this action will impose no additional substantive requirements. This action was submitted to the Office of Management and Budget (OMB) for review as required by the Order. Any comments from OMB to EPA and any EPA response to those comments are available for public inspection at the EPA Regional Office previously listed.

(Sec. 110(a) of the Clean Air Act (42 U.S.C. 7410))

Dated: March 20, 1981.

Valdas V. Adamkus,

Acting Regional Administrator.

[FR Doc. 81-10899 Filed 4-9-81; 8:45 am]

BILLING CODE 6560-38-M

40 CFR Part 52

[A-10-FRL 1787-3]

Air Quality Implementation Plans; State of Washington

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: The purpose of this notice is to present the results of EPA's review of that portion of the Washington State Implementation Plan (SIP) dealing with requirements of section 110 of the Clean Air Act (hereafter referred to as the Act) as amended in 1977 (42 U.S.C. 1857 et seq.) as applied to energy facilities.

Further, this notice will propose approval of the Washington SIP as it applies to Energy facilities which in turn will allow Energy facilities to be constructed or modified in accordance with the provisions of Section 110. This notice will not deal with requirements of Part D or Part C of the Act; they will be covered by a separate action at a later date.

DATE: Comments must be received on or before May 11, 1981.

ADDRESSES: Written comments should be addressed to: Laurie M. Kral M/S 625, Air Programs Branch, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT: Richard F. White M/S 625 Air Programs Branch, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101 (206) 442-1226.

Copies of material submitted to EPA may be examined during normal business hours at:

Central Docket Section (10A-80-9), West Tower Lobby, Gallery I, Environmental Protection Agency, 401 M Street SW., Washington, D. C. 20460.

Air Programs Branch, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101.

State of Washington, Department of Ecology, 4224 Sixth Ave. SE, Lacey, Washington 98503.

SUPPLEMENTARY INFORMATION:

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I. Introduction
II. Background
III. Plan Review
A. Legal Authority: Chapter 80.50 RCW
B. Regulations: Chapter 463-39 WAC
C. Memorandum of Agreement between the Energy Facility Site Evaluation Council EFSEC) and the Washington Department of Ecology (DOE)

I. Introduction

The information in this notice is divided into two sections entitled "Background" and "Plan Review." The first section outlines the activities leading to the development of the portion of the Washington SIP dealing with energy related facilities (hereafter referred to as the EFSEC SIP) under the jurisdiction of the Energy Facility Site Evaluation Council (EFSEC). The "Plan Review" portion is divided into three sub-sections. The first discusses the adequacy of the EFSEC legal authority with respect to Section 110 of the Act. The second discusses the EFSEC regulations in terms of their consistency with similar regulations previously approved by EPA and currently implemented by the DOE for all sources except those under the jurisdiction of EFSEC.

The third discusses the "Memorandum of Agreement" between EFSEC and DOE as a means of implementing the EFSEC regulations. Any deficiencies which would affect approval of the SIP are summarized at the end of each topical discussion.

II. Background

On April 29, 1979 the Governor submitted to EPA a SIP revision to satisfy the requirements of the Act and to update the SIP in place at that time. This April 1979 SIP revision did not provide for sources under EFSEC jurisdiction.

On August 17, 1979 the Governor submitted general air pollution control regulations for EFSEC sources, but no plan or program describing how the regulations would be implemented. On May 28, 1980 the Department of Ecology submitted the remaining constituents of the EFSEC SIP—the legal authority and a memorandum of agreement between DOE and EFSEC. A package containing all three elements of the EFSEC SIP was submitted by the Governor on July 30, 1980.

III. Plan Review

The following discussion will describe the provisions of the EFSEC SIP for energy sources as it relates to the DOE SIP for general air pollution sources and as it serves to complete the State SIP for all sources.

A. Legal Authority—RCW 80.50

As stated previously, the State submitted a copy of the enabling legislation (RCW 80.50) as part of the SIP. However, there was no accompanying legal opinion from the State Attorney General specifying that RCW 80.50 satisfied all the requirements for a State Implementation Plan as described in Section 110 of the Act.

It appears that the broad, general grant of authority under RCW 80.50 to the Energy Facility Site Evaluation Council (EFSEC) is adequate to satisfy the requirements of Section 110 of the Act. In fact, the enabling statute evidences an intent that energy facilities be controlled so that compliance with the federal Clean Air Act is achieved.

This opinion does not substitute for an opinion by the State Attorney General's Office. Therefore, EPA is proposing approval of the statutory authority for EFSEC provided that, prior to final approval, the State Attorney General submits an opinion to EPA which describes the adequacy of RCW 80.50 to meet the requirements of Section 110 of the Clean Air Act.

B. Regulations—WAC 463-39

The air pollution control regulations for sources under the jurisdiction of EFSEC (WAC 463-39) are patterned after the Department of Ecology General Regulations for Air Pollution Sources (WAC 173-400). The provisions governing implementation of Section 110 of the Act are similar to and consistent with comparable provisions contained in WAC 173-400 (formerly WAC 18-04). In fact, the EFSEC regulations were purposely developed to parallel the DOE regulations so that the Statewide air pollution control effort would be carried out in a consistent manner.

WAC 463-39 was adopted by the State prior to a Court ruling (*Alabama Power Co.* vs. *Costle*, 13 ERC 1993 (D.C. Cir., Dec. 14, 1979)), which required many changes in EPA's requirements under Section 110 of the Act. Regulations implementing those changes were promulgated on August 7, 1980. However, because State submittal of revisions to meet the new regulations is not required until May 1981 (nine months after EPA promulgation), today's action is based on EPA requirements prior to the court ruling. It is important to note that only the requirements for pre-construction review are addressed in this action; the requirements of Part D and Part C of the Act are not being considered. This is due to the State's desire to have a basic SIP, including pre-construction review authority, in place before a separate action is taken to deal with revisions to all Section 110 requirements affected by *Alabama Power Co.* vs. *Costle*. EPA is proposing to approve only those portions of WAC 463-39 dealing with the pre-construction review requirements of Section 110 of the Act until WAC 463-39 is revised, adopted by the State and submitted to

EPA for approval. The DOE and EFSEC understand that both WAC 173-400 and 463-39 must be revised to meet all the new EPA requirements resulting from (*Alabama Power Co.* vs. *Costle*, (pre-construction review, Part D and Part C). As noted above, since State submittal of the revisions is not required until May 1981, EPA considers today's proposed action an interim measure to allow EFSEC to conduct a pre-construction review and thus, permit new sources until an approved SIP must be in place (approximately November 1981).

The following discussion will identify each section of WAC 463-39 and described EPA's proposed action with regard to the requirements of Section 110 of the Act. EPA will further identify those sections dealing with Part D and Part C and indicate that no action will be taken.

WAC 463-39—

a. 010—Purpose: Proposed Approval
b. 020—Applicability: Proposed Approval
c. 030—Definitions
(1) Abnormal Operation: Proposed Approval
(2) Air Contaminant: Proposed Approval
(3) Air Pollution: Proposed Approval
(4) Allowable Emissions: No Action, Part D Provision
(5) Ambient Air: Proposed Approval
(6) Ambient Air Quality Standard: Proposed Approval
(7) Best Available Control Technology: No Action, Part C Provision
(8) Capacity Factor: Proposed Approval
(9) Combustion and Incineration Sources: Proposed Approval
(10) Commenced Construction: No Action, Part D Provision
(11) Compliance Schedule: Proposed Approval
(12) Concealment: Proposed Approval
(13) Council: Proposed Approval
(14) Chairman: Proposed Approval
(15) Emission: Proposed Approval
(16) Emission Standard: Proposed Approval
(17) Excess Emissions: Proposed Approval
(18) Facility: Proposed Approval
(19) Fossil Fuel—Fired Steam Generator: Proposed Approval
(20) Fugitive Dust: Proposed Approval
(21) Fugitive Emissions: Proposed Approval
(22) General Process Source: Proposed Approval
(23) Incinerator: Proposed Approval
(24) Lowest Achievable Emission Rate: No Action, Part D Provision
(25) Major Source: No Action, Part D/C Provision
(26) Masking: Proposed Approval
(27) Materials Handling: Proposed Approval
(28) New Source: The definition of "New Source" is, in part, a source "constructed, installed or established after the effective date of this chapter." A question was raised regarding the effective date as it applies to new sources under EFSEC jurisdiction and whether some sources might have escaped coverage during the period from the inception of EFSEC (March 1976) to the effective date of the EFSEC regulations (July 1979). However, the creation of EFSEC merely caused certain energy sources to be regulated by EFSEC instead of DOE. Until regulations governing possible air pollution impacts of the energy sources were adopted by EFSEC, new sources with such impacts would be unable to secure the permits required by law and thus, would not be permitted to construct. In fact, no energy sources with air pollution impacts have yet been approved by EFSEC, although the proceedings for such a source are in progress now.

Since both the DOE and the EFSEC regulations are in *place*, all new sources in Washington will require pre-construction review before approval to construct is granted. Therefore, EPA proposes to approve this section.
(29) New Source Performance Standards: No action, Provision of Section 111 of the Act.
(30) Nonattainment Area: No Action, Part D Provision
(31) Opacity: Proposed Approval
(32) Open Burning: Proposed Approval
(33) Particulate Matter: Proposed Approval
(34) Person: Proposed Approval
(35) Potential Emissions: No Action, Part D Provision
(36) Reasonably Available Control Technology: No Action, Part D Provision
(37) Source: Proposed Approval
(38) Source Category: Proposed Approval
(39) Standard Conditions: Proposed Approval
(40) Upset: Proposed Approval
d. 040—General Standards for Maximum Permissible Emissions: Proposed Approval
e. 050—Minimum Emission Standards for Combustion and Incineration Sources: Proposed Approval
f. 060—Minimum Emission Standards for General Process Sources: Proposed Approval
g. 080—Compliance Schedules: Proposed Approval. Note: EPA is proposing approval of this section with the understanding that sources are subject to enforcement action until they are in compliance with emission standards. Being in compliance with the administrative aspects of the Chapter does not rule out potential enforcement of emission limitations.
h. 100—Registration: Proposed Approval
i. 110—New Source Review
(1)—110(1)(a) Variance—related exemption. This section improperly exempts from pre-construction review certain source modifications which occur in conjunction with a previously approved variance. EPA proposes to disapprove this provision.
(2)—110(1)(b) and (1)(c) No Action. These provisions describe Part D and Part C requirements.
(3)—110(2)—Submittal of Review Material. Due to a typographical error, this provision is difficult to understand. It appears that the intent is to require the proposed source to submit whatever information EFSEC deems is necessary for proper review. EPA proposes to approve this section.
(4)—110(3)(a), 110(3)(b) and 110(6)—Adoption of DOE rules by reference—The reference in WAC 463-39 to 70.94 RCW and the rules and regulations in force pursuant to that statute (DOE's RCW legal authority) results in an adoption by EFSEC of the provisions referenced. EPA finds that this is an acceptable method for incorporation of rules and regulations and proposes to approve these provisions.
(5)—110(3)(c)—PSD requirements: No Action, Part C Provision.
(6)—110(3) (d) and (e)—Reasonable Further Progress: No Action, Part D Provision.
(7)—110(4) thru (8)—New Source Review administrative procedure: Proposed Approval.
j. 115—Standards of Performance for New Stationary Sources: No Action, Provision of Section 111 of the Act.
k. 120—Monitoring and Special Report: Proposed Approval with the following clarification:
(1) 120(3) Source Testing: EPA is proposing approval with the understanding that source testing will be done in accordance with methods described in the DOE Source Test Manual and contained in Part III of the Washington SIP.
l. 130—Regulatory Actions: Proposed Approval
m. 135—Criminal Penalties: Proposed Approval
n. 150—Variances. As written this section provides for discretionary exemption from any or all of the provisions of the chapter. Although there are certain instances where variances to SIP emission limitations are warranted and can be handled through a

SIP revision per 40 CFR 51.34 and 51.36, there can be no variances to new source review and many other non-discretionary portions of the chapter. EPA proposes to disapprove this section as written. This action will not affect EFSEC's ability to conduct an approvable pre-construction review program.

o. 170—Requirements for Boards and Director: Proposed Approval

C. Memorandum of Agreement Between EFSEC and DOE To Describe Program Implementation and Resources

EPA proposes to approve the Memorandum of Agreement between EFSEC and DOE as a means of conducting an effective air pollution control program for energy sources in the State of Washington. Further, since EPA has previously approved the Washington SIP as meeting the program requirements of Section 110 of the Act, EPA now proposes to approve the same general program as it applies to sources under the jurisdiction of EFSEC.

For energy facilities as air contaminant sources, the means by which attainment and maintenance of national ambient air quality standards are to be achieved are basically the same as for other source categories under the jurisdiction of the Department of Ecology. That is, the strategy is not different for these sources, but the agency having jurisdiction over their construction and operation is a separate state entity which is distinct from the DOE or any activated air pollution control authority.

State law regarding the siting, construction and operation of energy facilities is set forth in Chapter 80.50 RCW, which is set forth at Appendix M1 of the SIP.

Under this statute an Energy Facility Site Evaluation Council (EFSEC) is given authority over energy facilities, as there defined. EFSEC has full authority to establish construction requirements and conditions of operation, but lacks the staff for in-depth technical air quality control analysis and for field work to evaluate operational performance.

The DOE has entered into an agreement with EFSEC to undertake these functions, while leaving the statutory authority of EFSEC intact. This agreement, which is set forth in Appendix M2 of the SIP, provides for a division of functions of the two agencies so that both the establishment of emission limitations and their enforcement can be effectively implemented in conformity with the requirements of the Federal Clean Air Act.

The enabling statute for EFSEC evidences an intent that energy facilities be so controlled that compliance with the Federal Clean Air Act is achieved and gives EFSEC all permit issuing and standard setting authority to that end. Therefore, EFSEC through its rule-making and permit writing functions, intends, in general, to impose substantive standards on energy facilities which are consistent with the limitations imposed on other air contaminant sources. In addition, EFSEC will require such sources to meet the relevant level of technical control dictated by federal and State law. DOE will assist in developing these limitations and will perform the data gathering function necessary for their enforcement. The general air pollution regulation dealing with EFSEC sources is Chapter 463–39 WAC, which is set forth in Appendix M3 of the SIP. It is in most major respects, the same as DOE's General Regulation for Air Pollution Sources (WAC 173–400).

EPA finds that good cause exists for providing a 30-day comment period for the following reasons: (1) The public has had adequate notice of the guidelines for preparation of State Implementation Plans (SIP) and has had several opportunities to comment on those guidelines, (2) the **Federal Register** notice of receipt and request for public comments was published on September 9, 1979 and (3) the impact of this rulemaking is limited only to the State of Washington. Therefore, EPA is soliciting public comments for 30 days on its proposed approval of various Washington SIP revisions.

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. The SIP approvals proposed today are not major rules because they only propose to approve State action actions. They do not impose any new regulatory requirements. Furthermore, they will enable existing energy sources in the State of Washington to be modified and new energy sources to be constructed. Construction and modification of energy sources is prohibited under the current Washington SIP, which does not permit issuance of preconstruction permits to such sources. The two disapprovals proposed today relate only to variance procedures. They will not affect any energy source's ability to obtain a preconstruction permit.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291. Any comments from OMB to EPA and any EPA response to those comments are available for public inspection at: EPA Region X, Air Programs, 1200 Sixth Avenue, Seattle, Washington 98101.

Pursuant to the provisions of 5 U.S.C. 605(b) I hereby certify that the attached rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. This action only approves State actions. It imposes no new requirements. Moreover, due to the nature of the Federal-State relationship, Federal inquiry into the economic reasonableness of the State actions would serve no practical purpose and could well be improper.

Interested parties are invited to comment on all aspects of this proposed approval of the Washington SIP. Comments should be submitted, preferably in triplicate, to the address listed in the front of this Notice. Public comments postmarked by May 11, 1981 will be considered in any final action EPA takes on this proposal.

(Sec. 110, Clean Air Act 42 U.S.C. 7410(a) and 7502)

Dated: March 2, 1981.

Donald P. Dubois,

Regional Administrator.

[FR Doc. 81-10894 Filed 4-9-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 86

[AMS-FRL-1801-8; Docket Nos. A-80-31, A-80-18]

Air Pollution Control; Gaseous Emission Regulations for 1985 and Later Model Year Light-Duty Trucks and 1986 and Later Model Year Heavy-Duty Engines; Particulate Regulations for Heavy-Duty Diesel Vehicles; Hearing Delay

AGENCY: Environmental Protection Agency (EPA).

ACTION: Delay of public hearings.

SUMMARY: EPA announces a delay in the timing of public hearings on: (1) the Advance Notice of Proposed Rulemaking (ANPRM) for the control of emissions of nitrogen oxides (NO_x) from light-duty trucks and heavy-duty engines, published on January 19, 1981 (46 FR 5838); and (2) the Notice of Proposed Rulemaking (NPRM) for the control of particulate emissions from heavy-duty diesel engines, published on January 7, 1981 (46 FR 1910). The exact time and place for these two hearings will be announced in the **Federal Register** at a later date.

Interested parties are also reminded that the close of the public comment period for the ANPRM concerned with averaging NO_x emissions (45 FR 79382) is March 31, 1981 and will not change with the delay of the two hearings mentioned above.

DATES: The two hearings described above will be delayed until at least August 1, 1981. The period for public comment will continue to remain open until that time and for at least 30 days after the actual dates of the hearings.

ADDRESS: The public dockets associated with the ANPRM for the NO_x standards, Docket No. A–80–31, and the NPRM for the particulate standard, Docket No. A–80–18, contain supporting documentation for these rulemakings. These dockets are located at the Environmental Protection Agency, Central Docket Section, West Tower Lobby, Gallery 1, 401 M Street, S.W., Washington, D.C. 20460. The dockets are open for inspection between 8:00 am and 4:00 pm on weekdays, and a reasonable fee may be charged for copying.

Free single copies of the NO_x preliminary Draft Regulatory Analysis for the NO_x ANPRM are available through Mr. Tad Wysor and copies of the Draft Regulatory Analysis for the proposed particulate standard are available through Mr. Dwight Atkinson.

Persons wishing to submit written comments prior to the hearings should submit them (in duplicate if possible) to the appropriate docket at: Central Docket Section (A–130), Environmental Protection Agency, Attn: docket No A–80–31 (NO_x) or A–80–18 (particulate), 401 M. Street, SW, Washington, D.C., 20460.

FOR FURTHER INFORMATION CONTRACT:

(1) Mr. Tad Wysor (Hearing on the NO_x Standards), Telephone: (313)668–4497

(2) Mr. Dwight Atkinson (Hearing on the Particulate Standards), Telephone: (313)688–4215

Environmental Protection Agency, Standards Development and Support Branch, 2565 Plymouth Rd., Ann Arbor, Michigan 48105

SUPPLEMENTARY INFORMATION:

I. Notice of Proposed Rulemaking for a Particulate Emission Standard

Section 202(a)(3)(A)(iii) of the Clean Air Act, as amended in 1977 (the Act), directs the Administrator of the Environmental Protection Agency to "prescribe regulation * * * applicable to emissions of particulate matter for classes or categories of vehicles manufactured during and after model year 1981. Such regulations shall contain the greastest degree of emission reduction achievable through the application of technology * * * giving appropriate consideration to * * * cost * * * noise, energy, and safety * * *." On January 7, 1981 (46 FR 1910), EPA proposed a particulate emission standard of 0.25 gram per brake-horsepower (g/bhp-hr) for heavy-duty diesel engines beginning with the 1986 model year. In addition, EPA proposed certification test procedures for the measurement of particulate emissions from these engines.

The public hearing on this proposal was originally scheduled to be held approximately 45 days after publication of the NPRM, which falls in the last week of February, 1981. The primary topics of discussion were expected to be technological feasibility and the cost of compliance with the standard.

Soon after publication of the NPRM, EPA received a request from the Engine Manufacturers Association (EMA), which represents the manufacturers of heavy-duty diesel engines, to delay the hearing six months to one year. This request was followed by similar requests for six to eight month delays from two individual heavy-duty diesel engine manufacturers. The primary reason given for delay was the inability of the affected parties (the heay-duty diesel engine manufacturers) to comment intelligently on the technological feasibility of the proposed standard unless more time was allowed for particulate emission testing.

Though the Congressional mandate to control particulate emissions was given in August of 1977 and a draft recommended test procedure was available in April of 1979, relatively little particulate emission data exists today using the proposed test procedure. Furthermore, of the data which does exist, EPA has funded or directly provided the majority. No manufacturer has had transient particulate measurement capability for even a year, and two manufacturers have only very recently developed this capability in only one of their transient test cells. Given these circumstance, EPA must acknowledge that the affected industry currently has little experience with the procedure and has not characterized the particulate emissions of its engines or assessed the effectiveness of available control measures over the transient cycle. If the hearing were held at this time, comments on the feasibility of the proposed standard could not be based on actual data and the heavy-duty engine manufacturers would be prevented from meaningfully participating in the rulemaking.

As this is an important rulemaking action, both in terms of its environmental impact and cost, and it relies on the application of new emission control technology, detailed and informed comment by the affected industry in addition to others is necessary if the level of the standard is to be properly chosen. While EPA does not desire to see the promulgation and implementation of this standard delayed by a postponement of the hearing, we desire to set this standard based on the best information which can be made available. Thus, based on the present lack of test data, we have decided that a delay in the date of the hearing beyond July, 1981 would be in the best interests of complying with the intentions of Congress and the Clean Air Act. As this date approaches, EPA will announce a firm date for the hearing.

Two additional reasons for delay were cited by EMA and/or the individual engine manufacturers which deserve mention here. One reason was that the validity of the particulate emission data used by EPA in its proposal has been drawn into question because later tests of the same engines by EPA and manufacturers have often not obtained the same results. The second reason, presented by EMA, was that the hearing on the ANPRM for the NO_x emission standards had to be held and that EPA had to formally conclude that the Congressionally-mandated 75 percent reduction in NO_x emissions from heavy-duty engines was not feasible (see discussion of this hearing below) before the hearing on the proposed particulate standard could be held.

First, concerning the validity of the particulate emission testing performed at the Southwest Research Institute (SwRI, EPA's contractor), EPA has recently conducted an intensive review of both the SwRI test procedures and facility. Nothing was found that could cause a substantial offset in the data. Also, the most recent testing performed by both SwRI and the manufacturers' laboratories indicate that correlation between various test facilities is within acceptable levels. Thus, at present, the SwRI date appears valid and its use should not prove to be a problem.

However, EPA realizes that SwRI is only one laboratory out of many and that it would be advantageous to have data available from more than one laboratory. Thus, EPA has met with EMA and proposed a plan whereby the eight to ten engines most critical to the rulemaking would each be tested at one of two manufacturers' test facilities before the hearing. In this way, comment on the proposed degree of control can be based on data obtained from a variety of labs and not only SwRI. The delay

described above should allow enough time for this to occur.

Second, concerning the relationship between the NO_x and particulate hearings, EPA currently plans to hold them sequentially, with the hearing on the proposed particulate standard following immediately after that concerning the NO_x standards. There are a couple of reasons for holding the hearings so close together. One, the control of NO_x and particulate emissions from diesel engines are closely related technologically. Some techniques that reduce the emissions of one pollutant sometimes cause increases in the other pollutant. The data that industry proposes to generate in the next few months will apply equally to both rulemakings. Thus, it will be helpful for industry to be able to comment on the control of both pollutants at essentially one point in time, rather than having to qualify the first presentation due to more recent data. Two, both regulations, at least in part, affect the manufacturers and users of heavy-duty diesel engines. Holding the hearings close together will aid interested parties in presenting their views at both hearings, where funding limitations might otherwise limit participation.

EMA's main objection to holding the two hearings so close together concerned the legal relationship between the two regulations. EMA stated that the industry would not be able to comment on the proposed particulate standard until EPA had formally found that the 75 percent reduction in NO_x emissions mandated by Congress was not feasibile as outlined in Sections 202(a)(3)(B) and 202(a)(3)(C) of the Act. While it is true that EPA cannot formalize its findings under those sections until completion of the rulemaking process, the advance notice of proposed rulemaking expressed EPA's intent to relax the statutory NO_x emission limits for three years to the level which can be achieved by diesel engines, and EPA intends to propose a revised standard accordingly. Further, as outlined in the original proposals, in determining feasibility, the future NO_x standard for heavy-duty diesels will be restricted to a level where a 0.41 g/bhp-hr engine-out particulate emission level is feasible. Therefore, EPA sees no barrier to full industry participation in the hearings as structured.

Thus, the public hearing on the proposed 0.25 g/bhp-hr particulate emission standard for heavy-duty diesels will be delayed until at least August of 1981. EPA currently plans to hold this hearing immediately following the hearing on the NO_x emission standards, which is discussed below.

II. Advance Notice of Proposed Rulemaking for NO_x Emission Standards

This Advance Notice announced the Agency's plans to propose new regulatory requirements relating to light-duty trucks (LDTs) and heavy-duty engines (HDEs). The main focus of the new regulatory requirements is a set of new nitrogen oxides (NO_x) emission standards, one standard for 1985 and later model year LDTs and one for 1986 and later model year HDEs. The new standards, described in detail in the Advance Notice, would be proposed in response to the Clean Air Act mandate for a 75 percent reduction in LDT and HDE NO_x emissions from uncontrolled levels (Section 202(a)(3)(A) of the Act). For HDEs, the standard would be at a revised, less stringent level than the full 75 percent statutory reduction. We expect to also propose significant changes to the current regulatory provisions relating to durability testing and maintenance during certification.

Each of the components of the anticipated proposal raises important issues, and we encourage interested persons to refer to the detailed discussions found in the Advance Notice. An issue which will warrant special attention at the hearing relates to the revision of the NO_x emission standard for heavy-duty engines. The stringency of the statutory NO_x emission standard is such that we believe it is currently infeasible for heavy-duty diesel engines. Thus, we intend to propose a less stringent revised standard for all HDEs under the provisions of Section 202(a)(3)(B) of the Act. Thus, one major goal of the hearing will be to assemble a body of data to use in establishing the appropriate revised level. Commenters can aid this process by following the outline for comments which we suggested in the Advance Notice.

One issue that is somewhat related to the hearing on this Advance Notice is the closing date for the period of public comment on the ANPRM concerned with averaging NO_x emissions for heavy-duty engines and light-duty trucks. This comment period was extended at the Averaging Workshop (held in Ann Arbor on January 29 and 30, 1981) until March 31, 1981 to coincide with the expected closing of the public comment period on the Advance Notice for the revised NO_x emission standards. While the hearing on the NO_x emission standards is being delayed, the comment period for the Averaging ANPRM will not be extended and will still close on March 31, 1981.

III. Leadtime

The particulate NPRM and the NO_x ANPRM indicated that we anticipated adoption of the new standards for 1986 and later model year heavy-duty engines (1985 in the case of NO_x standards for light-duty trucks). During the comment period we will be reviewing these implementation dates to see if they remain appropriate. This review will incorporate all comments received concerning leadtime and will consider the impact of both the delays in the hearings and the fact that the NO_x rulemaking is now only at the ANPRM stage. We fully intend to provide sufficient leadtime for compliance, measuring such leadtime from the date when the final rules are promulgated.

Dated: March 25, 1981.

Edward F. Tuerk,

Acting Assistant Administrator for Air, Noise and Radiation.

[FR Doc. 81-10865 Filed 4-9-81; 8:45 am]

BILLING CODE 6560-26-M

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40 CFR Part 123

[A3 FRL 1795-4]

Water Pollution; Expansion of Virginia's NPDES Program To Include Federal Facilities

AGENCY: Environmental Protection Agency.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: On March 31, 1975, the Administrator of the Environmental Protection Agency gave approval to a request from the Commonwealth of Virginia for authorization to administer the National Pollutant Discharge Elimination System (NPDES) permit program for discharges within the jurisdiction of the State. This authorization was made pursuant to Section 402(b) of the Federal Water Pollution Control Act Amendments of 1972. The authorization excluded discharges from facilities which are agencies of instrumentalities of the Federal government.

The 1977 Amendment to the Federal Water Pollution Control Act (33 U.S.C. 1251 *et. seq.)* provide, in Section 313, authority for the States to regulate discharges from Federal facilities. The Administrator of the Environmental Protection Agency hereby proposes to expand the Commonwealth of Virginia's NPDES authorization to include Federal facilities and to modify the Memorandum of Understanding between the Virginia State Water Control Board, and EPA Region III to

reflect this expansion. Notice of this proposed rulemaking is referenced under the Clean Water Act.

DATE: Comments must be submitted on or before May 11, 1981.

ADDRESSES: Copies of the proposed modification to the Memorandum of Understanding are available from:

U.S. EPA, Region III,
3EN21,
6th and Walnut Streets,
Philadelphia, Pennsylvania 19106,
Attn.: Kathryn Hodgkiss
Virginia State Water Control Board,
2111 Hamilton Street
(P.O. Box 11145),
Richmond, Virginia 23230, Attn.: Laverne Corkran

All comments regarding the proposed rulemaking submitted on or before May 11, 1981, will be considered and should be directed to: Thomas C. Voltaggio (3EN21), Acting Director, Enforcement Division, U.S. EPA, Region III, 6th and Walnut Streets, Philadelphia, Pennsylvania 19106.

FOR FURTHER INFORMATION CONTACT: Kathryn Hodgkiss (3EN21), U.S. EPA, Region III, 6th and Walnut Street, Philadelphia, Pennsylvania, 19106.

SUPPLEMENTARY INFORMATION: On March 31, 1975, when Virginia's NPDES program was approved and memorialized in a Memorandum of Understanding, Federal law prohibited State regulation of Federal facilities (33 U.S.C. 1323(a)). The 1977 amendments to the Federal law removed this bar to full State regulation of all potential souces of water pollution within its boundaries. That actions hereby proposed expand Virginia's NPDES authorization to include regulation of Federal facilities within its boundaries, and modify the Memorandum of Understanding to reflect this expansion.

The Commonwealth of Virginia has indicated its desire and ability to administer this expanded program through approval of the Memorandum of Understanding modification language, and submission of a statement from its Attorney General indicating Virginia's statutory authority to regulate Federal facilities consistent with NPDES program requirements.

Based on the foregoing, it is the tentative decision of the Administrator to approve the proposed expansion of Virginia's NPDES program.

The Administrator's decision to approve or disapprove the proposed expansion will be based on the comments received and on a determination of whether the proposed program expanion meets the requirements of the Clean Water Act and 40 CFR Part 123.

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not Major because it merely transfers the authority from the Federal Government to the State Government. This action imposes no new regulatory requirements.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291. Any comments from OMB to EPA and any response to those comments are available at U.S. E.P.A., Region III, 6th and Walnut Streets, Philadelphia, Pa. 19106.

Date: February 25, 1981.

Jack J. Schramm,

Regional Administrator, EPA Region III.

[FR Doc. 81-10896 Filed 4-9-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Parts 430 and 431

[WH-FRL 1802-2]

Water Pollution; Pulp, Paper, and Paperboard and Builders' Paper and Roofing Felt Point Source Categories Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Availability and Extension of Comment Period.

SUMMARY: On January 6, 1981, EPA proposed a regulation under the Clean Water Act for pollutant discharges from pulp, paper, and paperboard mills (46 FR 1430). the comment period was scheduled to expire March 9, 1981, but was extended until May 1, 1981 (46 FR 15287, March 5, 1981). EPA is hereby further extending the public comment period until June 9, 1981, to allow an additional opportunity to comment on new information which the Agency will make available on April 10, 1981. This information will concern the methodology of calculating conventional pollutant removal costs used in establishing proposed BCT effluent limitations.

DATE: Comments on the proposed regulations for the pulp, paper, and paperboard industry must be submitted to EPA on or before June 9, 1981.

ADDRESS: Send comments to Mr. Robert W. Dellinger, Effluent Guidelines Division (WH-552), Environmental Protection Agency, 401 M St., S.W., Washington, D.C. 20460, ATTENTION: EGD Docket Clerk, PROPOSED PULP, PAPER, AND PAPERBOARD INDUSTRY RULES (WH-552).

The supporting information and all comments on the proposal are available for inspection and copying at the EPA Public Information Reference Unit, Room 2404 (Rear) PM-213. The EPA information regulation (40 CFR Part 2) provides that a reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. Robert W. Dellinger or Mr. Arthur E. Shattuck, (202) 426-2554.

SUPPLEMENTARY INFORMATION: On January 6, 1981, EPA proposed regulations to limit effluent discharges to waters of the United States and the introduction of pollutants into publicly owned treatment works from the pulp, paper, and paperboard industry (46 FR 1430). Comments on the proposal were to be submitted on or before March 9, 1981. Industry representatives petitioned for an extension of the comment period and, on March 5, 1981 (46 FR 15287), the period for comment on all technical and economic aspects of the proposed regulations was extended until May 1, 1981.

On April 10, the Agency intends to place additional information in the EPA Public Information Reference Unit. This information relates to the Agency's methodology for calculating the cost per pound of removal of conventional pollutants for each subcategory of the pulp, paper, and paperboard industry. This information was previously maintained in EPA's confidential information files but is being reformatted to exclude all confidential data. In order to provide a 60 day period for comment on this additional information (from April 10, 1981), EPA is extending the period for comment on all technical and economic aspects of the proposed regulations from May 1, 1981 until June 9. EPA still intends to provide a period of 60 days from publication of the Agency's review of the Council on Wage and Price Stability (COWPS) study on the BCT methodology in which interested persons can comment on EPA's review of the COWPS study. This 60 day period will begin upon publication of a notice in the **Federal Register** announcing the availability of the Agency's review and is strictly limited to the subject of the COWPS study—the appropriate methodology for determining the removal costs for POTWs.

We believe these actions will provide the pulp, paper, and paperboard industry and other interested parties with sufficient opportunity to review and comment on the Agency's

methodology of calculating conventional pollutant removal costs used in establishing proposed BCT effluent limitations.

Dated: April 6, 1981.

James N. Smith,

Acting Assistant Administrator for Water and Waste Management.

[FR Doc. 81-10895 Filed 4-9-81; 8:45 am]

BILLING CODE 6560-29-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

[PR Docket No. 81-65; RM-3376; FCC 81-57]

Sharing of Certain Frequencies by the Forest Products Radio Service

AGENCY: Federal Communications Commission.

ACTION: Notice of Proposed Rule Making.

SUMMARY: This Notice of Proposed Rule Making proposes to amend the Commission's Rules on Private Land Mobile Radio Services to provide for the sharing of 36 frequencies now allocated to Power and Petroleum Radio Services by the Forest Products Radio Service in the states of Washington, Oregon and California North of 39° N. Latitude. This action is taken to provide relief from frequency congestion in the Forest Products Service and denies a petition filed by Forest Industries Telecommunications, an association of Forest Products licensees, requesting the sharing of Police Radio Service channels.

DATES: Comments are due by May 29, 1981 and replies by June 29, 1981.

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

FOR FURTHER INFORMATION CONTACT: Larry D. Reed, Private Radio Bureau, (202) 632-7597.

SUPPLEMENTARY INFORMATION: In the matter of amendment of Part 90 of the Commission's rules and regulations to provide for sharing of certain frequencies by the Forest Products Radio Service.

Adopted: February 11, 1981.

Released: April 7, 1981.

By the Commission: Chairman Ferris not participating.

1. We have before us a petition for rule making (RM-3376) filed on April 27, 1979, by Forest Industries Telecommunications (FIT) asking the Commission to amend its rules to permit geographic sharing by eligibles in the Forest Products Radio Service of certain frequencies in the 40 MHz band presently assigned to the Police Radio Service.

2. In brief, the petition asks that we allow eligibles in the Forest Products Radio Service to share in the Southeast and Northwest [1] 32 lowband channels presently available only to Police Radio Service eligibles.[2] In support of its petition FIT points out that in the last 20 years there has been a 434% growth in the use of Forest Products Radio Service frequencies with that growth concentrated mainly in these two regions of the country. It also points out that geographical frequency sharing can be a partial solution to the existing congestion problem. FIT further notes that frequencies in the 40–50 MHz range are well suited to the needs of the forest products industry because they permit reliable long range communications in forested and/or mountainous terrains which are typical of this industry's areas of operation. Finally, FIT says there is relatively light use of these Police Radio Service frequencies in these areas, and, through coordination with the Police Radio Service frequency coordinator, that geographic sharing is workable and will result in "little or no impact on the Police Radio Service," and generally will lead to "better, more efficient radio spectrum use."

3. Comments and replies to FIT's rule making petition were filed by nine parties.[3] Most of those who commented represented licensees in the Police Radio Service who generally opposed the FIT proposal. While a variety of objections to sharing Police Radio Service frequencies were voiced, the major ones were: (1) the possibility of long and short range interference from frequency "skip," caused by sun-spot activity; [4] (2) the need for a strict plan to which all users of these frequencies will voluntarily adhere in order to allow long-range interference-free communications systems; (3) the undesirability of additional licensees on these frequencies in view of already existing Police Radio Service use; and (4) the need to restrict availability of these frequencies to Police Radio Service eligibles to assure uniformity in "operational discipline" among users (i.e. licensees "who (will) recognize the same priorities" in the use of the channels.) [5]

4. In its replies FIT stated: (1) while skip interference occurs in the 40 MHz band, it is "not serious" and "rarely disruptive", and that it is only in the upper 20 MHz and lower 30 MHz range where operations are most susceptible to long distance skip interference; (2) that it is willing to coordinate the use of these frequencies closely with police licensees; (3) that the comments in opposition in effect have affirmed that it is feasible through a coordinated approach to geographically share these frequencies; (4) that the use being made of these frequencies by Police Radio Service eligibles is relatively light; and (5) that licensees in the Forest Products Radio Service are "highly disciplined" and would recognize the same priorities in the use of these channels as do Police Radio Service licensees.

5. We have examined the petition and comments as well as our license files carefully and have decided on the following approach. Since the Commission's staff is currently undertaking an examination of the alternatives in allocating spectrum and assigning frequencies in the various private radio services on a differentiated basis for public safety and non-public safety users, we believe that it would be inappropriate at this time, to embark on a regulatory approach which would permit the use of public safety channels

[1] The specific states involved are Washington, Oregon, Northern California, Oklahoma, Texas, Arkansas, Louisiana, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina and Virginia.

[2] The 32 police frequencies which FIT requests to share are: 22 frequencies reserved for state police on a geographical assignment plan basis: Mobile only (MHz): 42.20, 42.22, 42.24, 42.26, 42.28, 42.30; Base/Mobile (MHz): 42.32, 42.34, 42.36, 42.38, 42.40, 42.42, 42.44, 42.46, 42.48, 42.82, 42.84, 42.86, 42.88, 42.90, 42.92, 42.94; and 10 frequencies with no state or geographic limitations: Mobile only (MHz): 45.74, 45.78, 45.82; Base/Mobile (MHz): 45.66, 45.70, 45.86, 45.90, 45.94, 45.98, 46.02.

[3] Parties filing comments and replies are set out in Appendix A.

[4] Skip interference is a commonly used term applied to the reception of undesired or interfering signals from distant transmitters as a result of skywave propagation, particularly during periods of high sun-spot activity. It refers to propagation over relatively long distance by means of reflection of radio waves from ionspheric layers of the atmosphere.

[5] For example, the Associated Public-Safety Communications Officers, Inc., (APCO) opposed the request arguing that the proposal will increase the danger of long and short range skip to police communications systems; that these frequencies can only be usefully employed pursuant to a strict plan geographically coordinating frequency use; and that it would be contrary to the public interest to allow shared use of public safety channels by commercial users. The North Carolina and California Highway Patrols cited large police investments in radio equipment in this band. The California Public Safety Radio Association, Inc., (CPSRA), the State of Illinois, the Oregon Highway Division, and the Oregon Chapter of APCO expressed their concern with public safety and commercial users employing the same frequencies. The State of Illinois raised the question of possible incompatibility between Forest Products systems using tone coded squelch and police systems employing carrier squelch only.

by persons not eligible in the public safety radio services. Accordingly, we are denying the FIT petition. We are persuaded, however, that eligibles in the Forest Products Radio Service are in need of some measure of relief. We have, therefore, identified 36 other lightly used low band frequencies in the Power and Petroleum Radio Services which could be shared by Forest Products eligibles in the northwest, and we are proposing to place them in a pool in this geographic area and allow them to be shared among all three radio services. In the southeast, we have been able to identify nineteen frequencies below 800 MHz which could be shared and which are not already being shared. This may provide some measure of relief to Forest Products Radio Service licensees in the southeast. As a long term solution, however, operation above 800 MHz appears to be the answer. We have also recently proposed and expanded use of offset frequencies in the 450–470 MHz band,[6] and this may provide further relief.

6. To summarize, we are proposing to give Forest Products users in Northern California, Oregon and Washington access to 36 Power and Petroleum Service frequencies as set forth in Appendix B. In the designated southeastern states, we propose to make available nineteen frequencies from these two services for assignments, where feasible, in the Forest Products Service. In all other regards we are denying FIT's petition.

7. After an analysis of these proposed rules, the Commission concludes that they are not likely to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act of 1980 (Public Law 96–354). The frequencies which we propose to make available for sharing are presently assigned to entities eligible in the Power, Petroleum and Forest Products Service. The majority of licensees in the affected services are not small businesses [7] and in our estimation, the proposed rule would be minor, if any. Neither eligibles nor existing users will incur any significant additional costs if the proposed rule is adopted. In that regard, it is noteworthy that use of radio in the industries affected is secondary to their main operations. Nor would the proposed rule, if adopted, impose new recordkeeping, reporting or other requirements upon license applicants or holders. This proposal does not affect frequency eligibility criteria in any way; it simply expands the number of frequencies shared, thereby furthering the goal of spectrum efficiency.[8] Accordingly, the Commission certifies that Sections 603 and 604 of the Regulatory Flexibility Act do not apply to these proceedings. *See* U.S.C. section 605(b).

8. For purposes of this non-restricted notice and comment rulemaking proceeding, members of the public are advised that *ex parte* contacts are permitted from the time the Commission adopts a notice of proposed rulemaking until the time a public notice is issued stating that a substantive disposition of the matter is to be considered at a forthcoming meeting or until a final order disposing of the matter is adopted by the Commission, whichever is earlier. In general an *ex parte* presentation is any written or oral communication (other than formal written comments/pleadings and formal oral arguments) between a person outside the Commission and a Commissioner or a member of the Commission's staff which addresses the merits of the proceeding. Any person who submits a written *ex parte* presentation must serve a copy of that presentation on the Commission's Secretary for inclusion in the public file. Any person who makes an oral *ex parte* presentation addressing matters not fully covered in any previously-filed written comments for the proceeding must prepare a written summary of that presentation; on the day of oral presentation, that written summary must be served on the Commission's Secretary for inclusion in the public file, with a copy to the Commission official receiving the oral presentation. Each *ex parte* presentation described above must state on its face that the Secretary has been served, and must also state by docket number the proceeding to which it relates. See generally, § 1.1231 of the Commission's rules, 47 CFR 1.1231.

9. Authority for issuance of this Notice is contained in Section 4(i) and 303(r) of the Communications Act of 1934 as amended, 47 U.S.C. 154(i) and 303(r). Pursuant to procedures set out in § 1.415 of the Rules and Regulations, 47 CFR 1.415, interested persons may file comments on or before May 29, 1981, and reply comments on or before June 29, 1981. All relevant and timely comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision, the Commission may take into consideration information and ideas not contained in the comments, provided that such information or a writing indicating the nature and source of such information is placed in the public files and provided that the fact of the Commission's reliance on such information is noted in the Report and Order.

10. In accordance with the provisions of § 1.419 of the Rules and Regulations, 47 CFR 1.419, formal participants shall file an original and 5 copies of their comments and other materials. Participants wishing each Commissioner to have a personal copy of their comments should file an original and 11 copies. Members of the general public who wish to express their interest by participating informally may do so by submitting one copy. All documents will be available for public inspection during regular business hours in the Commission's Public Reference Room at its headquarters in Washington, D.C.

11. For further information concerning this rule making contact Larry Reed, Rules Division, Private Radio Bureau, Federal Communications Commission, Washington, D.C. 20554, (202) 632–7597.

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

Federal Communications Commission.

William J. Tricarico,

Secretary.

Attachment: Appendices

Appendix A

The following is a list of the parties filing comments in response to this petition:

Comments

Associated Public-Safety Communications Officers, Inc.
International Association of Chiefs of Police, Inc.
State of Illinois
Department of California Highway Patrol
California Public-Safety Radio Association, Inc.
State of Oregon, State Police Department and Highway Division

[6] See Notice of Proposed Rule Making, Docket No. 80–605, FCC 80–566.

[7] Based on our research to date we feel that entities involved in the Power Petroleum and Forest Industries industries are not small businesses. Section 601(3) of the Regulatory Flexibility Act, 5 U.S.C. 601(3) provides that the term "small business" has the same meaning as the term "small business concern" under Section 3 of the Small Business Act. The Rules implementing the Small Business Act, found at 13 CFR 121.3 *et seq.* provide criteria for determining whether a business qualifies as a "small business concern" which would bring it under the reach of the Regulatory Flexibility Act. Under these criteria, based on information available to us, this rulemaking will not have a significant economic impact on a substantial number of small entities.

[8] Section 90.173 of the Commission's Rules, provides that frequencies are available on a shared basis only. *See* 47 CFR 90.173. Thus users reasonably expect to share frequencies with others. In this way, the Commission can promote the larger and more effective use of the spectrum.

Oregon Chapter, Associated Public-Safety Communications Officers, Inc.
North Carolina Highway Patrol

Replies

Forest Industries Telecommunications

Appendix B

Part 90 of the Commission's Rules and Regulations is proposed to be amended as follows:

1. Section 90.63(c) Table is amended and new paragraphs (d) (24) and (25) are added to read as follows:

§ 90.63 Power Radio Service.

* * * * *

(c) Frequencies available.* * *

Frequency or band	Class of station(s)	Limitations
* * * * *		
37.50	Base or mobile	24
37.52	do	24, 25
37.54	do	
37.56	do	24
37.58	do	
37.60	Base, mobile or operational fixed.	2, 25
* * * * *		
37.62	Base or mobile	24
37.64	do	24, 25
37.66	do	
37.68	do	24, 25
37.70	do	24
37.72	do	24
37.74	do	
37.76	do	24
37.78	do	24
37.80	do	24
37.82	do	24
37.84	Base, mobile or operational fixed.	2, 25
* * * * *		
47.80	do	24
47.82	do	
47.84	do	24, 25
* * * * *		
47.98	do	24
48.00	do	
48.02	do	
48.04	do	24, 25
48.06	do	
48.08	do	24, 25
48.10	do	
48.12	do	24, 25
* * * * *		
48.36	do	24
* * * * *		

(d) * * *

(24) This frequency is shared in the states of Oregon, Washington and California North of 39° North Latitude with the Petroleum and Forest Products Radio Service in accordance with the provisions of § 90.67(d)(4) of this Part, and interservice frequency coordination is required.

(25) This frequency is shared with the Forest Products Radio Service in the states of Texas, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia, in accordance with the provisions of § 90.67(d)(4) of this Part. Interservice frequency coordination is required.

2. Section 90.65(b) Table is amended, paragraph (c)(17) is revised, and a new paragraph (37) is added to read as follows:

§ 90.65 Petroleum Radio Service.

* * * * *

(b) Frequencies available. * * *

Frequency or band	Class of station(s)	Limitations
* * * * *		
25.14	Base or mobile	3,4,7,17
25.16	do	17
25.18	do	3,4
25.20	do	17,37
25.22	do	4,5
25.24	do	17
25.26	do	4,5
25.28	do	17
25.30	do	4,5
25.32	do	17
* * * * *		
33.18	do	17,37
33.20	do	17
33.22	do	17,37
33.24	do	17,37
33.26	do	17
33.28	do	17,37
33.30	do	17,37
33.32	do	17,37
33.34	do	17,37
33.36	do	17,37
33.38	do	17,37
* * * * *		

(c) * * *

(17) This frequency is shared in the states of Oregon, Washington, and California North of 39° North Latitude with the Power and Forest Products Radio Services in accordance with the provisions of § 90.67(d)(4) of this Part, and interservice frequency coordination is required.

* * * * *

(37) This frequency is shared with the Forest Products Radio Service in the states of Texas, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia, in accordance with the provisions of § 90.67(d)(4) of this Part. Interservice frequency coordination is required.

3. In § 90.67(d) a new subparagraph (4) is added to read as follows:

§ 90.67 Forest Products Radio Service.

* * * * *

(d) *Additional frequencies available.** * *

(4) The following frequencies are available for assignment in the Forest Products Radio Service as indicated below. They are shared with the Power and Petroleum Radio Services, and interservice frequency coordination is required.

(i) For use in the states of Washington, Oregon and California North of 39° North Latitude:

[MHz]

25.14	33.18	33.30
25.16	33.20	33.32
25.20	33.22	33.34
25.24	33.24	33.36
25.28	33.26	33.38
25.32	33.28	
37.50	37.70	[1,2] 47.80
37.52	37.72	47.84
37.56	37.76	[1] 47.98
37.62	37.78	[1] 48.04
37.64	37.80	48.08
37.68	[1] 37.82	[1] 48.12
		[1,3] 48.36

[1] Not available to Forest Products in California.
[2] Not available to Forest Products in Washington.
[3] Not available to Forest Products in Oregon.

(ii) For use in the states of Texas, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina and Virginia:

[MHz]

25.20	[4] 37.52
[5] 33.18	37.60
[1] 33.22	[4] 37.64
[1,3] 33.24	[4] 37.68
[4] 33.28	[1] 37.84
[4] 33.30	[1] 47.84
[1,3] 33.32	[7] 48.04
[4] 33.34	48.08
[5] 33.36	[7] 48.12
[4] 33.38	

[1] Not available to Forest Products in Texas and Oklahoma.
[2] Not available to Forest Products in North Carolina and South Carolina.
[3] Not available to Forest Products in Louisiana.
[4] This frequency is available to Forest Products only in the states of North Carolina, South Carolina and Florida.
[5] This frequency is available to Forest Products only in the states of North Carolina and South Carolina.
[6] This frequency is available to Forest Products only in the states of Texas and Oklahoma; except, that 37.52 MHz is also available in Louisiana and Arkansas.
[7] In the Forest Products Service, the frequency 37.84 MHz is available only in Florida, and the frequency 48.04 MHz is available only in South Carolina.

[FR Doc. 81-10810 Filed 4-9-81; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 611 and 675

North Pacific Fishery Management Council; Public Hearings

AGENCY: National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice of public hearings.

SUMMARY: The North Pacific Fishery Management Council will hold public hearings for the purpose of public input on proposed Amendment No. 3 to the Bering Sea and Aleutian Islands Groundfish Fishery Management Plan (FMP).

DATES: Comments must be received on or before May 1, 1981. Individuals or organizations wishing to comment on

the amendment may do so at public hearings to be held as follows:

April 18, 1981—Seattle, Washington.

April 22, 1981—Anchorage, Alaska.

ADDRESS: Send comments to: Chairman, North Pacific Fishery Management Council, P.O. Box 3136DT, Anchorage, Alaska 99510.

Public hearing locations:

April 18, 1981—Auditorium of the Northwest and Alaska Fisheries Center, 2725 Montlake Boulevard East, Seattle, Washington, 9 a.m. to 5 p.m.

April 21, 1981—Council Conference Room 33, North Pacific Fishery Management Council, West Fourth Avenue, Anchorage, Alaska 99510, 1 p.m. to 5 p.m.

FOR FURTHER INFORMATION CONTACT: Mr. Jim Branson, Executive Director, North Pacific Fishery Management Council, P.O. Box 3136DT, Anchorage, Alaska 99510. Telephone (907) 274–4563.

SUPPLEMENTARY INFORMATION: The proposed amendment to the FMP presents alternatives for reducing the amount of prohibited species such as salmon, halibut, and crab taken incidentally in the extensive groundfish fisheries. The alternatives include economic disincentives, extensive time/area closures, reductions in optimum yield for groundfish, gear restrictions, and quotas on incidental catch levels. These actions may apply to both the foreign and domestic fisheries or only to foreign fisheries. The amendment package became available to the public on March 27, 1981.

Dated: April 7, 1981.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 81-10963 Filed 4-9-81; 8:45 am]

BILLING CODE 3510-22-M

Notices

Federal Register
Vol. 46, No. 69
Friday, April 10, 1981

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

Food and Nutrition Service

Advisory Council on Maternal, Infant and Fetal Nutrition; Cancellation of Meeting

The National Advisory Council on Maternal, Infant and Fetal Nutrition Meeting scheduled for April 13–15, 1981, in Washington, D.C. has been cancelled.

Notice of when the meeting will be rescheduled will appear in the **Federal Register.**

Persons wishing additional information about this meeting should contact Mary Hemler Sloane, Supplemental Food Programs Division, Food and Nutrition Service, Washington, D.C. 20250, telephone (202) 447–8421.

Dated: April 7, 1981.

G. William Hoagland,

Administrator, Food and Nutrition Service.

[FR Doc. 81-10891 Filed 4-9-81; 8:45 am]

BILLING CODE 3410-30-M

CIVIL AERONAUTICS BOARD

Application for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits

In the matter of applications for certificates of public convenience and necessity and foreign air carrier permits filed under Subpart Q of the Board's procedural regulations, (see 14 CFR 302.1701 et. seq.); week ended April 3, 1981.

Subpart Q Applications

The due date for answers, conforming application, or motions to modify scope are set forth below for each application. Following the answer period the Board may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Date filed	Docket No.	Description
Mar. 30, 1981	39474	United Air Lines, Inc., P.O. Box 66100, Chicago, Illinois 60666. Application of United Air Lines, Inc. pursuant to Section 401 of the Act and Subpart Q of the Board's Procedural Regulations, requests an amendment of its Certificate of Public Convenience and Necessity for Route 57 so as to authorize it to perform scheduled foreign air transportation (of mail, passengers and property) between a point or points in the United States and a point or points in Belgium, the Netherlands and Switzerland. Conforming Applications, motions to modify scope, and Answers may be filed by April 27, 1981.
Do	39475	United Air Lines, Inc., P.O. Box 66100, Chicago, Illinois 60666. Application of United Air Lines, Inc. pursuant to Section 401 of the Act and Subpart Q of the Board's Procedural Regulations, requests an amendment of its Certificate of Public Convenience and Necessity for Route 57 so as to authorize it to perform scheduled foreign air transportation (of mail, passengers and property) between a point or points in the United States and a point or points in Taiwan, Thailand and Singapore. Conforming Applications, motions to modify scope, and Answers may be filed by April 27, 1981.
Do	39477	Jugoslovenski Aerotransport, c/o Bruce L. McDonald, Kirkland & Ellis, 1776 K Street, N.W., Suite 1100, Washington, D.C. 20006. Application of Jugoslovenski Aerotransport pursuant to Section 402 of the Act and Subpart Q of the Board's Procedural Regulations, requests the Board to renew its scheduled service foreign air carrier permit and its charter foreign air carrier permit. Answers may be filed by April 27, 1981.
Do	39481	Trinidad and Tobago (BWIA International) Airways Corporation, Kent, House, Long Circular Road, Maraval, Port of Spain, Trinidad. Application of Trinidad and Tobago (BWIA International) Airways Corporation, pursuant to Section 402 of the Act and Subpart Q of the Board's Procedural Regulations, requests an amendment of Segment 5 (the New York-Port of Spain segment) of its foreign air carrier permit so as to authorize BWIA to engage in the foreign air transportation of persons, property and mail in scheduled service as follows: Between the terminal point New York, New York; the intermediate points St. Kitts; Barbados; and St. Lucia; and the terminal point Port of Spain, Trinidad and Tobago. Answers may be filed by April 27, 1981.
Apr. 1, 1981	39488	Delta Air Lines, Inc., Hartsfield Atlanta Int'l Airport, Atlanta, Georgia 30320. Application of Delta Air Lines, Inc. pursuant to Section 401 of the Act and Subpart Q of the Board's Procedural Regulations, requests a new certificate of public convenience and necessity or for an amendment to its certificate for Route 178 permanently or temporarily authorizing Delta to engage in the scheduled air transportation of persons, property, and mail on an unrestricted basis between Atlanta, Georgia, and Paris, France. Conforming Applications, motions to modify scope, and Answers may be filed by April 28, 1981.
Do	39490	Air Florida, Inc., 3900 N.W. 79th Avenue, Miami, Florida 33166. Application of Air Florida, Inc. pursuant to Section 401 of the Act and Subpart Q of the Board's Procedural Regulations requests an amendment of its certificate of public convenience and necessity for Route 197 authorizing it to engage in air transportation with respect to persons, property and mail at the following Florida points: Eglin Air Force Base Ft. Pierce Lakeland Marco Island Melbourne Naples Ocala Ocean Reef Punta Gorda St. Augustine Titusville Vero Beach Conforming Applications, motions to modify scope, and Answers may be filed by April 29, 1981.
Apr. 2, 1981	39496	American Airlines, Inc., P.O. Box 61616, DFW Airport, Texas 75261. Conforming Application of American Airlines, Inc. pursuant to Section 401 of the Act and Subpart Q of the Board's Procedural Regulations, requests that its certificate for Route 137 be amended so as to authorize foreign air transportation between a point or points in the United States (except Sarasota/Bradenton, Florida, and Orange County, California), on the one hand, and a point or points in Switzerland, Finland, Israel, and Jordan, on the other hand. Answers may be filed by April 16, 1981.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 81-10942 Filed 4-9-81; 8:45 am]

BILLING CODE 6320-01-M

[Order 81-4-38]

Sea Airmotive Additional Bush Points Proceeding

AGENCY: Civil Aeronautics Board.

ACTION: Notice of Order to Show Cause (81-4-38).

SUMMARY: The Board is proposing to award air route authority at the 21 points listed in the attachment to Sea Airmotive under expedited show-cause procedures.

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

DATES: Objections: All interested persons having objections to the Board issuing the proposed order shall file, and serve upon all persons listed below, no later than May 21, 1981, a statement of objections together with a summary of the testimony, statistical data, and other material expected to be relied upon to support the stated objections. Such filings should be served upon all parties listed below.

ADDRESSES: Objections to the issuance of a final order should be filed in Docket 39307, which we have entitled the *Sea Airmotive Additional Bush Points Proceeding*. They should be addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428.

In addition, copies of such filings should be served on Sea Airmotive; Wien Air Alaska; the Mayor or Village Council President of each city to which the pleading refers; the Airport Managers of Dillingham, King Salmon and Kodiak; the Alaska Division of Aviation, Department of Public Works; the Alaska Transportation Commission; the Postmaster General and the CAB Office Field Representative, Anchorage, Alaska.

FOR FURTHER INFORMATION CONTACT: James F. Ransom, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428, (202) 673-5197.

SUPPLEMENTARY INFORMATION: The complete text of Order 81-4-38 is available from our Distribution Section, Room 516, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428. Persons outside the metropolitan area may send a postcard request for Order 81-4-38 to that address.

By the Bureau of Domestic Aviation: April 6, 1981.

Phyllis T. Kaylor,

Secretary.

Attachment

Aleknagik	Manokotak
Clarks Point	Naknek
Dillingham	New Stuyahok
Egegik	Pilot Point
Ekuk	Portage Creek
Ekwok	Queen
Igiugig	San Juan
King Salmon	South Naknek
Kodiak	Tokiak
Koliganek	Ugashik
Levelok	

[FR Doc. 81-10945 Filed 4-9-81; 8:45 am]

BILLING CODE 6320-01-M

[Docket 34802, etc.; Order 81-4-25]

Wien Air Alaska, Inc., et al.; Order Denying Petitions for Reconsideration of Orders 80-12-116 and 80-12-152

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 3rd day of April, 1981.

In the matter of the petition of Wien Air Alaska, Inc., for the establishment of fair and reasonable service mail rates; Docket 38402; Great Northern Airlines Service Mail Rates Investigation Docket 37165; Wien Air Alaska Mainline and Bush Mail Rates Investigation, Docket 38019; Sea Airmotive, Inc., Service Mail Rates Investigation, Docket 38180; Alaska International Air, Inc., Service Mail Rates Investigation Docket 38773; Alaska Airlines Temporary Mail Rate Proceeding, Docket 38960; and Intra-Alaska Class Service Mail Rates, Docket 38961.

By Order 80-12-116, served December 29, 1980, the Board fixed final intra-Alaska service mail rates for Wien Air Alaska, Inc. (and temporary rates for carriers with rates tied to Wien's) for calendar year 1980. Order 80-12-152, served January 2, 1981, fixed increased temporary intra-Alaska service rates for certain carriers effective January 1, 1981.[1] These orders applied an escalation factor to the final rates established by Order 80-4-53 to reflect cost increases that had taken place since the base period used to determine the rates. Order 80-8-123 had proposed rates based on the use of an escalation factor reflecting Wien's system rate of inflation. The carrier objected to the use of that factor because it did not accurately portray its intra-Alaska operating costs which are somewhat higher than system costs due primarily to shorter stage lengths. Wien presented data developed by the aircraft manufacturer (Boeing) showing B-737 aircraft operating costs at various stage lengths. Wien stated that ". . . it is calculated that the unit costs per mile for intra-Alaska service . . . 14 percent in excess of 'system' (including States-Alaska) unit costs per mile" (footnote omitted). Wien concluded that while the absolute dollar costs assumed by Boeing for the purpose of the model vary from carrier to carrier and were not intended to represent its actual costs, the relationships of range to unit costs and unit cost behavior are applicable to and provide a measurement of its unit cost behavior. Considered with the comparability of Wien's intra-Alaska and system state lengths to those used in the study, this conclusion appeared reasonable. Accordingly, final and temporary rates, at levels computed by using the study's approximation of Wien's intra-Alaska unit costs, were established for the appropriate rate periods.

On January 16, 1981, and January 22, 1981, the United States Postal Service filed petitions for reconsideration of Orders 80-12-116 and 80-12-152. The Postal Service has filed identical pleadings in both instances objecting to the rates and to the introduction of an allegedly unsupported 14 percent cost

[1] Alaska, Alaska International, Sea Airmotive and Wien.

escalation factor in the Board's updating methodology. It asserts that it has been denied the usual opportunity to respond to a newly proposed methodolgy through the show cause process. Since both pleadings address the same issue, we will afford them simultaneous treatment.

Wien on February 2, 1981, filed a consolidated answer in opposition to the Postal Service petitions. In its answer, Wien summarizes the proceeding and asserts that the methodology applied by the Board represents a reasonable exercise of judgment in response to the circumstances arising out of the transition of Wien from an exclusively intra-Alaska operator to that of a mixed States-Alaska/intra-Alaska opertor. It also states that the Postal Service petitions have failed to show error in the exercise of judgment by the Board and that the Postal Service, while quarreling with the formula developed by the Board, has not suggested a realistic escalation formula of its own.

After considering the arguments advanced by the Postal Service, we are not persuaded to reverse our use of a 14 percent cost escalation factor to establish Wien's temporary and final intra-Alaska service mail rate determinations. As stated in Order 80–2–116, we had a solid base of evidence and expertise for the adoption of this factor and no error has been shown in our determination to rely on this base.

In the interest of completeness, however, we have reviewed the arguments advanced by the Postal Service in light of the justification submitted by Wien along with other available pertinent data. The Postal Service contends that there is no basis for the use of a cost escalation factor of 14 percent. More specifically, it alleges that it has no direct relationship to Wien's costs; the Boeing exhibit depicting long- and short-haul cost relationships is an approximation at best; the cost basis for the calculations in the exhibit cannot be determined or the cost inputs verified; and the almost 15 percentage point difference between Wien's actual load factor of 50.3 percent and the exhibit's assumed 65 percent load factor conclusively discredits its value as probative evidence of intra-Alaska costs. It further alleges that even if it is necessary to apply some escalation factor to Wien's rates to reflect the higher cost for intra-Alaska versus system operations, the factor has been wrongly applied. Since the factor is related to B–737 operating costs, it should be applied only to capacity costs instead of to all cost as the Board has done. It also maintains that the attempt to alter the regular updating methodology exposes it to excessive risks. However, it does not state what these risks are. It proposes escalation factors of 1.75 and 4.36 percent for the first and last halves of 1980 instead of those of 11.09 and 13.94 percent used by the Board. Additionally, it proposes a factor of 12.01 percent effective January 1, 1981, instead of the 22.30 percent used by the Board.

As Wien's answer points out, while not perfect, the relationships presented in the Boeing exhibit are far more indicative of the intra-Alaska unit costs and result in a far more realistic approximation of cost increases than do the factors used by the Postal Service which are essentially based upon unrepresentative operations over Wien's entire system. It also states that the Boeing exhibit is based on total operating costs, both direct and indirect. As to the matter of load factors, the Boeing study develops cost relationships at various stage lengths and depicts them on a basis that is fundamentally independent of load factor considerations.[2] Although a difference exists between the assumed and actual load factors, it is irrelevant.

Moreover, fuel reports filed by Wien for 1980 reveal that fuel used for intra-Alaska scheduled services averaged 89.84 cents per gallon while fuel used for States-Alaska scheduled services averaged 83.75 cents per gallon. This clearly shows that fuel costs alone are 7.27 percent greater for intra-Alaska operations. Furthermore, carrier provided data disclose that, for the year ended June 30, 1980, B–737 available ton-miles accounted for more than 91 percent of the total intra-Alaska available ton-miles. Since the B–737 Aircraft constitute such a large proportion of intra-Alaska operations, it appears reasonable to apply the escalation factor to total operating costs, not just to capacity costs as stated by the Postal Service. Thus, there is independent evidence that a 14 percent escalation factor is substantiated and this coupled with a second review of the Boeing information submitted by Wien convinces us that our decision to adopt this factor was sound and that the resulting rate determinations are fair and reasonable.

Finally, there is no basis for the claim that our procedures have deprived the Postal Service of an opportunity to comment on the issue of cost escalation. Intra-Alaska cost escalation calculations along with the Boeing data were presented by Wien in its answer objecting to our initial method of calculating cost escalation. The Postal Service submitted a full set of comments on this matter and those comments were given our full consideration. Moreover, as the above discussion indicates, Wien's justification and independent data support for the 14 percent factor have been carefully evaluated and this reconsideration context has given the Postal Service a full opportunity to present its views on the reasonableness of this factor.

Therefore, in accordance with the Federal Aviation Act of 1958, as amended, particularly sections 204(a) and 406, and the Board's Procedural Regulations promulgated in 14 CFR, Part 302.

1. We deny the petitions for reconsideration of the United States Postal Service; and

2. We will serve this order upon all parties to these proceedings.

We shall publish this order in the **Federal Register.**

By the Civil Aeronautics Board:

Phyllis T. Kaylor,

Secretary.

[FR Doc. 81–10944 Filed 4–9–81; 8:45 am]

BILLING CODE 6320–01–M

[2] While the total costs per mile are less at a 50 percent load factor than at a 65 percent load factor, the ratio of costs at 360 miles to those at 451 miles will not vary significantly. By interpolation, costs at 360 miles are 14.47 percent greater than at 450 miles. Reducing these costs to reflect a lower load factor will not alter the relationship significantly.

DEPARTMENT OF COMMERCE

International Trade Administration

Certain Iron Metal Castings From India; Postponement of Preliminary Antidumping Determination

April 2, 1981.

AGENCY: Department of Commerce.

ACTION: Postponement of preliminary antidumping determination.

SUMMARY: The preliminary determination involving certain iron metal castings from India is being postponed from April 28, 1981 to May 20, 1981.

EFFECTIVE DATE: April 2, 1981.

FOR FURTHER INFORMATION CONTACT: Steven S. Lim or Richard Rimlinger, Office of Investigations, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, D.C. 20230, (202–377–1776 or 202–377–3962).

SUPPLEMENTARY INFORMATION: On December 12, 1980, we announced our initiation of an antidumping investigation to determine whether imports of certain iron metal castings

from India are being, or are likely to be, sold at less than fair value (45 FR 81802). The notice stated that unless the investigation is extended we would issue a preliminary determination not later than April 28, 1981.

On April 2, 1981, counsel for the petitioner, in a timely manner, requested that the Department extend the period for the preliminary determination for 22 days in accordance with section 773(c)(1)(A) of the Tariff Act of 1930, as amended.

After discussions with the Import Administration staff, the petitioner requested this extension in order to give the Department sufficient time to analyze the complicated technical cost of production and sales data collected from seven manufacturers in the iron metal castings industry. The volume of submissions received and the number of foreign producers who have responded to the questionnaires is unusually high. Therefore, we are postponing the period for this investigation's preliminary determination until May 20, 1981.

(Sec. 773(c)(2) of the Act (93 Stat. 164, 19 U.S.C. 1673b(c)(2))

John D. Greenwald,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 81-10781 Filed 4-9-81; 8:45 am]

BILLING CODE 3510-25-M

National Oceanic and Atmospheric Administration

Marine Mammals; Issuance of Permit; American Cetacean Society

On July 21, 1980, Notice was published in the **Federal Register** (45 FR 48682), as corrected on August 13, 1980 (45 FR 53857), that an application had been filed with the National Marine Fisheries Service by Mr. Gregory Dean Kaufman, The American Cetacean Society, Maui Chapter, P.O. Box 1518, Kihei, Maui, Hawaii 96753, for a permit to take humpback whales (*Megaptera novaeangliae*) by inadvertent harassment for the purpose of scientific research.

Notice is hereby given that on April 3, 1981, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407) and the Endangered Species Act of 1973 (16 U.S.C. 1531–1543), the National Marine Fisheries Service issued a Scientific Research Permit to Mr. Gregory D. Kaufman for the above taking subject to certain conditions set forth therein.

Issuance of this Permit as required by the Endangered Species Act of 1973 is based on a finding that such permit: (1) was applied for in good faith; (2) will not operate to the disadvantage of the endangered species which are the subject of the permit; and (3) will be consistent with the purposes and policies set forth in Section 2 of the Endangered Species Act of 1973.

The Permit and related documents are available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, NW, Washington, D.C.; and

Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Dated: April 3, 1981.

William H. Stevenson,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 81-10980 Filed 4-9-81; 8:45 am]

BILLING CODE 3510-22-M

Marine Mannual; Issuance of Permit; Canada's Wonderland Ltd.

On December 11, 1980, Notice was published in the **Federal Register** (45 FR 816421) that an application had been filed with the National Marine Fisheries Services by Canada's Wonderland Ltd., 9580 Jane Street, P.O. Box 624, Maple, Ontario LOJ 1E0 Canada, for a permit to use six (6) Atlantic bottlenose dolphins (*Tursiops truncatus*) and five (5) California sea lions (*Zalophus californianus*) from Marine Animal Productions, Inc., of the United States for public display.

Notice is hereby given that on April 7, 1981, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407), the National Marine Fisheries Service issued a public display Permit to Canada's Wonderland Ltd., subject to certain conditions set forth therein.

The Permit is available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, NW., Washington, D.C.;

Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731; and

Regional Director, National Marine Fisheries Service, Southeast Region, Duval Building, 9450 Koger Boulevard, St. Petersburg, Florida 33702.

Dated: April 7, 1981.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 81-10961 Filed 4-9-81; 8:45 am]

BILLING CODE 3510-22-M

Marine Mammals; Permit Modification Request; Brian W. and Patricia A. Johnson

Notice is hereby given that Brian W. and Patricia A. Johnson, P.O. Box 3830, Honolulu, Hawaii have requested a modification to Permit No. 258, issued to them on April 2, 1979 (44 FR 19221) as modified May 13, 1980 (45 FR 31458), under the authority of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407) and the Endangered Species Act of 1973 (16 U.S.C. 1531–1543).

The Johnsons are requesting authorization to allow the taking by marking of an additional 135 Hawaiian monk seals (*Monachus schauinslandi*) to be remarked up to three (3) times. In addition, they are requesting a three year extension of that permit. The Permit, as modified, presently authorizes the marking of up to 157 Hawaiian monk seals, and expires December 31, 1981. The procedures and techniques for marking would be the same as described in the original permit application.

Concurrent with the publicaton of this notice in the **Federal Register** the Secretary of Commerce is forwarding copies of this request to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this modification should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, Washington, D.C. 20235, on or before May 11, 1981. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries.

All statements and opinions contained in this request are summaries of those of the Applicants and do not necessarily reflect the views of the National Marine Fisheries Service.

Documentation pertaining to the above modification request is available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, NW., Washington, D.C.; and

Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Dated: April 6, 1981.

Richard B. Roe,

Acting Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service.

[FR Doc. 81-10962 Filed 4-9-81; 8:45 am]

BILLING CODE 3510-22-M

Office of the Secretary

National Voluntary Laboratory Accreditation Program (NVLAP); Quarterly Report

This report covers the period from January 1 to March 31, 1981 and has been prepared in accordance with §§ 7a.17(a), 7b.17(a), and 7c.17(a) of the National Voluntary Laboratory Accreditation Program (NVLAP) procedures (15 CFR Parts 7a, 7b, and 7c). In addition, to fulfull the requirements of §§ 7a.17(c), 7b.17(c), and 7c.17(c) of the procedures, notice of accreditation actions under NVLAP for the month of March are included in this report. No accreditation actions occurred during January or February.

Accreditation Actions

A total of five laboratories were accredited on March 23, 1981 under the laboratory accreditation program (LAP) for freshly mixed field concrete (Concrete LAP). The terms of these accreditations are valid for one year from the date that each accreditation was granted, unless otherwise revoked due to violation of the criteria or other conditions of accreditation, or terminated at the request of the laboratories. An alphabetical listing of the five accredited laboratories and the test methods for which each is accredited is shown in Appendices 1 and 2.

NVLAP accreditation shall in no way relieve any laboratory from the necessity of observing and complying with any existing Federal, State, and local statutes, ordinances, and regulations that may be applicable to operations including consumer protection and antitrust laws.

Laboratories seeking NVLAP accreditation may now apply at any time during the year for initial entry into NVLAP, for additional LAPs, and for additional test methods within existing LAPs. Applications will be reviewed and laboratory assessments will be conducted on a continual basis. Requests for a NVLAP application should be addressed to the NVLAP Coordinator, Room 3876, U.S. Department of Commerce, Washington, D.C. 20230.

Insulation LAP

The LAP for thermal insulation materials has 56 test methods for which accreditation may be granted. A total of 37 laboratories are currently accredited to perform one or more of these test methods.

In a letter of January 31, 1981, the U.S. Department of Energy requested DOC to include three test methods relative to urea-formaldehyde foam insulation, under the insulation LAP, in addition to those requested by their letter of December 2, 1980. Action by DOC on this request has been suspended pending the outcome of a Consumer Product Safety Commission decision on whether to ban the use of urea-formaldehyde foam.

Concrete LAP

The LAP for freshly mixed field concrete has two groups of test methods (with one optional test method) for which accreditation may be granted. A total of 45 laboratories are currently accredited under the Concrete LAP.

Carpet LAP

The LAP for carpet has 12 test methods for which accreditation may be granted. A total of 23 carpet testing laboratories are currently accredited for one or more of these test methods.

Potential LAPs

A determination of whether there is a need for a LAP to accredit laboratories that provide acoustical testing services is expected during the second quarter of 1981. Comments received in response to the November 10, 1980 **Federal Register** notice (45 FR 74684–74686) of a preliminary finding of need are still being analyzed.

A final finding of need to accredit laboratories that provide electromagnetic calibration services is still being considered. The technical details of implementing such a LAP are being analyzed.

On January 29, 1981 (46 FR 9689–9690), DOC published a request from the U.S. Nuclear Regulatory Commission (NRC) date December 23, 1980, to develop a program for accrediting processors of personnel dosimeters. Personnel dosimeters are carried or worn by workers of NRC licensees to measures occupational exposure to ionizing radiation. Dosimeters are collected at prescribed intervals by the licensee and processed by a dosimetry service (testing laboratory) which is provided in-house by the licensee or by a commercial processor. NRC will submit recommendations shortly for criteria to be used in the accreditation of personnel dosimetry processors.

On March 17, 1981 (46 FR 17073–17074), DOC published a request from the U.S. Department of Housing and Urban Development (HUD) dated December 4, 1980, to develop a program to accredit laboratories that test solid fuel room heaters in accordance with Underwriter's Laboratories (UL) standards UL 737 and UL 1482 and the 1981 HUD Minimum Property Standards. HUD recommended that general and specific criteria, as published on January 23, 1980 (45 FR 5572–5600), be used to accredit these laboratories. A DOC announcement of the availability of the program to the laboratories will await the development of specific technical details to be determined after public workshops on the matter, and pertinent results of formal reviews or reassessments.

Proposed Amendment

On January 27, 1981 (46 FR 8910–8919), DOC published a proposed amendment to the NVLAP procedures. The proposal would amend the procedures in three ways.

First, it would add to the procedures the general and specific criteria which testing laboratories must meet in order to accredited by DOC. This would established universal criteria for evaluating laboratories in all product or service areas. The use of universal criteria is intended to enhance uniform evaluation of laboratories, to prevent the possibility of conflicting criteria among LAPs, and to minimize accreditation costs to the laboratory. Changes or additions to the criteria could be made when needed in some product or service areas.

Second, it would eliminate the need to establish National Laboratory Accreditation Criteria Committees to develop and recommend criteria for each LAP. In the past the criteria committees also served as an informal source of information on precision and accuracy expectations for test methods, on proficiency testing approaches, on materials and protocols for assessing a laboratory's performance, and on implementation of the criteria for each test method within a LAP. In order to continue to received this valuable technical information, DOC plans to hold workshops for specific product or service areas. These workshops will be open to anyone from the public or private interested in the specific LAP.

Third, it would establish a National Laboratory Accreditation Advisory

Committee to provide advice to DOC on the NVLAP accreditation process, amendments to the criteria, and accreditation on the national and international levels.

Comments on this proposed amendments were due March 30, 1981 and are currently being analyzed.

Dated: April 7, 1981.

Robert B. Ellert,

Acting Assistant Secretary for Productivity, Technology and Innovation.

Appendix 1.—*Listing of Laboratories Accredited by the U.S. Department of Commerce under provisions of the National Voluntary Laboratory Accreditation Program and the Test Methods for Which Each Laboratory Is Accredited* [1]

American Testing Laboratories, Inc., Attn: Mr. John S. Kassees, P.O. Box 4014, 784 Flory Mill Road, Lancaster, Pa. 17604, Phone: (717) 569-0488

NVLAP code	Test method designation	Short title
02/M01	ASTM C31	Making and Curing Concrete Test Specimens in the Field.
02/M03	ASTM C172	Sampling Fresh Concrete.
02/P01	ASTM C143	Slump of Portland Cement Concrete.
02/W01	ASTM C138	Unit Weight, Yield, and Air Content (Gravimetric) of Concrete.
02/A01	ASTM C231	Air Content of Freshly Mixed Concrete by the Pressure Method.
02/S01	ASTM C39	Compressive Strength of Cylindrical Concrete Specimens.
02/A02	ASTM C173	Air Content of Freshly Mixed Concrete by the Volumetric Method.

NOTE.—Accreditation is granted on 3/23/81 and expires on 3/22/82.

[1] It should be noted that testing laboratories accredited by the Secretary of Commerce under these procedures are in no manner immune from the necessity of being in compliance with all legal obligations and responsibilities imposed by existing Federal, State, and local laws, ordinances, and regulations, including those related to consumer protection and antitrust prohibitions.

NVLAP code	Test method designation	Short title
02/M01	ASTM C31	Making and Curing Concrete Test Specimens in the Field.
02/M03	ASTM C172	Sampling Fresh Concrete.
02/P01	ASTM C143	Slump of Portland Cement Concrete.
02/W01	ASTM C138	Unit Weight, Yield, and Air Content (Gravimetric) of Concrete.
02/A01	ASTM C231	Air Content of Freshly Mixed Concrete by the Pressure Method.
02/S01	ASTM C39	Compressive Strength of Cylindrical Concrete Specimens.
02/A02	ASTM C173	Air Content of Freshly Mixed Concrete by the Volumetric Method.

NOTE.—Accreditation is granted on 3/23/81 and expires on 3/22/82.

NVLAP code	Test method designation	Short title
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02/M03	ASTM C172	Sampling Fresh Concrete.
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02/W01	ASTM C138	Unit Weight, Yield, and Air Content (Gravimetric) of Concrete.
02/A01	ASTM C231	Air Content of Freshly Mixed Concrete by the Pressure Method.
02/S01	ASTM C39	Compressive Strength of Cylindrical Concrete Specimens.
02/A02	ASTM C173	Air Content of Freshly Mixed Concrete by the Volumetric Method.

NOTE.—Accreditation is granted on 3/23/81 and expires on 3/22/82.

NVLAP code	Test method designation	Short title
02/M01	ASTM C31	Making and Curing Concrete Test Specimens in the Field.
02/M03	ASTM C172	Sampling Fresh Concrete.
02/P01	ASTM C143	Slump of Portland Cement Concrete.
02/W01	ASTM C138	Unit Weight, Yield, and Air Content (Gravimetric) of Concrete.
02/A01	ASTM C231	Air Content of Freshly Mixed Concrete by the Pressure Method.
02/S01	ASTM C39	Compressive Strength of Cylindrical Concrete Specimens.
02/A02	ASTM C173	Air Content of Freshly Mixed Concrete by the Volumetric Method.

NOTE.—Accreditation is granted on 3/23/81 and expires on 3/22/82.

Appendix 2.—List of Test Methods and the Laboratories Accredited To Perform Each Test Method

Concrete LAP Test Methods

02/M01 ASTM C31 Making and Curing Concrete Test Specimens in the Field

02/M03 ASTM C172 Sampling Fresh Concrete

02/P01 ASTM C143 Slump of Portland Cement Concrete

02/W01 ASTM C138 Unit Weight, Yield, and Air Content (Gravimetric) of Concrete

02/A01 ASTM C231 Air Content of Freshly Mixed Concrete by the Pressure Method

02/S01 ASTM C39 Compressive Strength of Cylindrical Concrete Specimens

02/A02 ASTM C173 Air Content of Freshly Mixed Concrete by the Volumetric Method

American Testing Laboratories, Inc., Lancaster, Pennsylvania

Arizona Sand and Rock Company, Phoenix, Arizona

Atlantic Testing Laboratories, Limited, Cicero, New York

Soil Testing Services of Carolina, Inc., Research Triangle Park, N. Carolina

Standard Concrete Material, Incorporated, Santa Ana, California [1]

[FR Doc. 81-10910 Filed 4-9-81; 8:45 am]

BILLING CODE 3510-13-M

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

Procurement List 1981; Addition

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Addition to Procurement List.

SUMMARY: This action adds to Procurement List 1981 a commodity to be produced by workshops for the blind and other severely handicapped.

EFFECTIVE DATE: April 10, 1981.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher, (703) 557-1145.

SUPPLEMENTARY INFORMATION: On December 19, 1980, the Committee for Purchase from the Blind and other Severely Handicapped published a notice (45 FR 83650) of proposed addition to Procurement List 1981, November 12, 1980 (45 FR 74836).

After consideration of the relevant matter presented, the Committee has determined that the commodity listed below is suitable for procurement by the Federal Government under 41 U.S.C. 46-48c, 85 Stat. 77.

Accordingly, the following commodity is hereby added to Procurement List 1981:

Class 8470

Strap, Chin, Parachutist Steel Helmet

[1] This laboratory did not apply for accreditation for test method 02/A02—ASTM Method C173.

8470-00-032-2737

C. W. Fletcher,

Executive Director.

[FR Doc. 81-10874 Filed 4-9-81; 8:45 am]

BILLING CODE 6820-33-M

Procurement List 1981; Proposed Additions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Proposed addition to procurement list.

SUMMARY: The Committee has received proposals to add to Procurement List 1981 commodities to be produced by workshops for the blind and other severely handicapped.

COMMENTS MUST BE RECEIVED ON OR BEFORE: May 13, 1981.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher, (703) 557-1145.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2), 85 Stat. 77. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed action.

If the Committee approves the proposed additions, all entities of the Federal Government will be required to procure the commodities listed below from workshops for the blind or other severely handicapped.

It is proposed to add the following commodities to Procurement List 1981, November 12, 1980 (45 FR 74836):

Class 5510

Stake, Wood
5510-00-NSH-0001 (¾" x 1½" x 24")
(Requirements for U.S. Forest Service in the States of Washington and Oregon only)
Lath, Wood
5510-00-NSH-0002 (¾" x 1½" x 36")
5510-00-NSH-0003 (¾" x 1½" x 48")
(Requirements for U.S. Forest Service in the States of Washington and Oregon only)

Class 9905

Tree Shade
9905-00-NSH-0001
(Requirements for U.S. Forest Service in the States of Washington and Oregon only)

C. W. Fletcher,

Executive Director.

[FR Doc. 81-10875 Filed 4-9-81; 8:45 am]

BILLING CODE 6820-33-M

Procurement List 1981; Correction of Proposed Deletions

In FR Doc. 81-10090, published on April 3, 1981 (46 FR 20258), the NSN for the second item under Pencil, Mechanical is corrected to read 7520-00-285-5817.

C. W. Fletcher,

Executive Director.

[FR Doc. 81-10876 Filed 4-9-81; 8:45 am]

BILLING CODE 6820-33-M

COMMITTEE FOR THE IMPLEMENTATION TEXTILE AGREEMENTS

Certain Cotton and Man-Made Fiber Textile Products From Sri Lanka; Amending Import Restraint Levels

April 9, 1981.

AGENCY: Committee for the Implementation of textile Agreements.

ACTION: Applying swing and carryforward to the level of restraint established for women's, girl's and infants' cotton trousers in Category 348, increasing that level from 200,000 dozen to 226,000 dozen for the agreement year which began on May 1, 1980 and extends through April 30, 1981. the amount of swing is being deducted from the level for women's, girl's and infants' woven cotton blouses in Category 641, reducing that level from 360,000 dozen to 342,814 dozen, and from the cluster limit for Categories 340/341/640/641, reducing that level from 1,150,000 dozen to 1,132,814 dozen.

(A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506) and December 24, 1980 (45 FR 85142)).

SUMMARY: The Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of July 7, 1980, between the Governments of the United States and Sri Lanka provides, among other things, for percentage increases in certain categories during the agreement year (swing) and for the borrowing of designated percentages of yardage from the succeeding year's level (carryforward) with the amounts used being deducted from the level in the succeeding agreement year. Accordingly, under the terms of the bilateral agreement, the level of restraint established for Category 348 is being increased to 226,000 dozen for the twelve-month period which began on May 1, 1980, and the levels for Category 641 and the cluster encompassing Categories 340/341/640/641 are being reduced to 342,814 dozen and 1,132,814 dozen, respectively, for the same period.

EFFECTIVE DATE: April 13, 1981.

FOR FURTHER INFORMATION CONTACT: Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377-4212).

SUPPLEMENTARY INFORMATION: On September 12, 1980, there was published in the **Federal Register** a letter dated September 9, 1980 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs which established levels of restraint for certain specified categories of cotton and man-made fiber textile products, produced or manufactured in Sri Lanka, which may be entered into the United States for consumption, or withdrawn from warehouse for consumption, during the twelve-month period which began on May 1, 1980 and extends through April 30, 1981. In the letter published below the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to amend the levels of restraint previously established for Categories 348, 641 and Categories 340/341/640/641.

Paul T. O'Day,

Chairman, Committee for the Implementation of Textile Agreements.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

April 9, 1981.

Commissioner of Customs,
Department of the Treasury, Washington, D.C. 20229.

Dear Mr. Commissioner: On September 9, 1980, the Chairman, Committee for the Implementation of Textile Agreements directed you to prohibit entry during the twelve-month period beginning on May 1, 1980 and extending through April 30, 1981 of cotton and man-made fiber textile products, produced or manufactured in Sri Lanka, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.[1]

Under the terms of the Arrangement Regarding International Trade in Textiles

[1] The term "adjustment" refers to those provisions of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of July 7, 1980, between the Governments of the United States and Sri Lanka, which provide, in part, that: (1) specific limits may be exceeded by not more than seven percent of their square yards equivalent total in any agreement period and sublimits of specific ceilings may be exceeded by not more than ten percent within the overall specified limits; (2) specific limits and sublimits may be increased for carryover and carryforward up to 11 percent of the applicable category limit or sublimit; and (3) administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of the agreement.

done at Geneva on December 20, 1973, as extended on December 15, 1977; pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of July 7, 1980, between the Governments of the United States and Sri Lanka; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended by Executive Order 11951 of January 6, 1977, you are directed to prohibit, effective on April 13, 1981 and for the twelve-month period beginning on May 1, 1980 and extending through April 30, 1981, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton and man-made fiber textile products in Categories 348 and 340/341/640/641, produced or manufactured in Sri Lanka, in excess of the following, adjusted levels of restraint:

Category	Adjusted 12-month level of restraint [1]
348	225,000
340/341/640/641	[2] 1,132,814

[1] The levels of restraint have not been adjusted to account for any imports after April 30, 1980.
[2] Of which not more than 385,000 dozen shall be in Cat. 340; not more than 360,000 dozen shall be in Cat. 341; not more than 80,000 dozen shall be in Cat. 640; and not more than 342,814 dozen shall be in Cat. 641.

The actions taken with respect to the Government of Sri Lanka and with respect to imports of cotton ad man-made fiber textile products from Sri Lanka have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553, this letter will be published in the **Federal Register**.

Sincerely,

Paul T. O'Day,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 81-11154 Filed 4-9-81; 9:53 am]

BILING CODE 3510-25-M

DEPARTMENT OF DEFENSE

Department of the Air Force

M-X Missile Program; Public Hearings on Draft Environmental Impact Statement

This notice amends the notice of public hearings on the Draft Environmental Impact Statement (EIS) for the M-X missile program which appeared in the **Federal Register** on Friday, March 13, 1981 on page 16708.

Additional informal public hearings will be held in these cities:

April 27—Reno, Nevada
April 28—Austin, Nevada
April 29—Elko, Nevada
April 30—Provo, Utah

The public locations and times for these hearings will be announced through local news media in each city.

Carol M. Rose,

Air Force Federal Register Liaison Officer.

[FR Doc. 81-11149 Filed 4-9-81; 9:29 am]

BILLING CODE 3910-01-M

Scientific Advisory Board; Meeting

March 31, 1981.

The USAF Scientific Advisory Board Chief's Technical Advisory Group (CTAG) will meet at the Pentagon, Washington, D.C. on April 28th and 29th. The meeting will convene at 8:30 a.m. and adjourn at 5:00 p.m. on both days.

The Advisory Group will review the Air Force Ballistic Missile Organization Programs. The briefings and discussions will be closed to the public in accordance with Section 552b(c) of Title 5, United States Code, specifically subparagraph (1).

For further information, contact the scientific Advisory Board Secretariat at (202) 697-4648.

Carol M. Rose,

Air Force Federal Register Liaison Officer.

[FR Doc. 81-10890 Filed 4-9-81; 8:45 am]

BILLING CODE 3910-01-M

Department of the Army

United States Army Medical Research and Development Advisory Panel; Partially Closed Meeting

In according with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, announcement is made of the following Subcommittee meeting:

Name of Committee: United States Army Medical Research and Development Advisory Panel Subcommittee on Blood Products and Preservation
Date of meeting: May 1, 1981.
Time and place: 0900 hrs, Conference Room AS3102, Letterman Army Institute of Research, Presidio of San Francisco, CA.
Proposed Agenda: This meeting will be open to the public on May 1, 1981 from 0900-0930 to discuss the scientific research program on Blood Products and Preservation at Letterman Army Institute of Research. Attendance by the public at open sesson will be limited to space available.

In accordance with the provisions set forth in Section 552b(c)(6), Title 5, US Code and Section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 0930-1715 for the review, discussion and evaluation of individual programs and projects conducted by the U.S. Army Medical Research and Development Command, including consideration of personnel qualifications and performance, the competence of individual investigators, medical files of individual research subjects, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

J. Ryan Neville, Ph.D., Assistant Director, Research Contract Management, Letterman Army Institute of Research, Presidio of San Francisco, CA 94129, (415/561-4367), will furnish summary minutes, roster of Subcommittee members and substantive program information.

For the Commander:

Harry G. Dangerfield,

Colonel, MC, Deputy Commander.

[FR Doc. 81-10821 Filed 4-9-81; 8:45 am]

BILLING CODE 3710-08-M

Office of the Secretary of Defense

Defense Science Board Task Force on Mapping, Charting and Geodesy; Change in Meeting Date

The Defense Science Board Task Force on Mapping, Charting and Geodesy (MC&G) meeting scheduled for 21-22 April 1981 in St. Louis, Missouri, as published in the **Federal Register** (Vol. 46, No. 56, dated Tuesday, March 24, 1981, FR Doc. 81-8915) has been changed to 23-24 April 1981. In all other respects, the original notice cited above remains the same.

April 6, 1981.

M. S. Healy,

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

[FR Doc. 81-10877 Filed 4-9-81; 8:45 am]

BILLING CODE 3810-70-M

DEPARTMENT OF ENERGY

Past Due Accounts; Assessment of Interest Charges

AGENCY: Department of Energy.

ACTION: Notice of change in interest rates.

SUMMARY: The U.S. Department of Energy (DOE) hereby announces a change in the method of assessing interest charges for overdue accounts.

This notice supercedes a similarly entitled notice published in the **Federal Register** of November 19, 1973.

Background

The Department of Treasury revised its Treasury Fiscal Requirements Manual to reflect changes in the cash management regulations (Section 8070, "Billings and Collections" of Chapter 8000 "Cash Management"). The revision is a direct result of the findings of a government-wide task force on debt

collection which stated that in order for the Federal Government to manage its accounts receivable more efficiently, interest should be collected on all overdue accounts. The rate at which the interest is assessed should be representative of current economic conditions.

In order to comply with Treasury guidelines, the Department of Energy is changing the rate at which interest on delinquent accounts will be assessed. The rate will be the percentage rate published quarterly by Treasury in Bulletins to the Treasury Fiscal Requirements Manual and in the **Federal Register**. This annualized percentage rate determined by the Treasury represents the average of the current value of funds to the Treasury for a recent three-month period.

Use of this rate enables the government to recoup the approximate value that has been lost by the delayed receipt of funds rather than to penalize the debtor. Assessment of interest on overdue accounts will be vigorously pursued by the Department. Interest will also be assessed on deferred payments.

Notice

The Department of Energy shall assess interest charges on all overdue accounts owed the Department both foreign and domestic, but exclusive of other Federal agencies. The rate of interest will be based on percentage rates published quarterly by Treasury in Bulletins to the Treasury Fiscal Requirements Manual and in the **Federal Register** prior to the quarter for which the rate is to be applied.

In the absence of a different rule prescribed by existing contract, statute or regulation, interest on delinquent debts will be assessed in conformance with Volume I of the Treasury Fiscal Requirements Manual, Part 6, Section 8020.20.

Deferrals of payment beyond a due date for specified time periods will similarly be assessed interest, regardless of amount.

EFFECTIVE DATE: April 1, 1981.

REFERENCE: Treasury Fiscal Requirements Manual, Volume I, Part 6, Section 8020.20, Charges for Late Payments.

FOR FURTHER INFORMATION CONTACT:
Mark D. Loop, Staff Accountant, Office of the Controller, Department of Energy, Washington, DC 20545, (301) 353–4899.

Dated: March 31, 1981.

P. Marshall Ryan,

Controller.

[FR Doc. 81–10706 Filed 4–9–81; 8:45 am]

BILLING CODE 6450–01–M

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

In accordance with section 252(c)(1)(a)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6272), notice is hereby provided that a meeting of the Industry Working Party (IWP) to the International Energy Agency (IEA) will be held on April 27 and 28, 1981, at the office of British Petroleum Company Ltd., Britannic House, Moor Lane, London, England, beginning at 9:30 a.m. on April 27. The agenda for the meeting is as follows:

1. Status of SOM and IWP activities and arrangements for future meetings.
2. Questions concerning analysis and review of:

A. Crude cost information system.

B. Crude and oil product import registers.

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

Issued in Washington, D.C., April 3, 1981.

Craig S. Bamberger,

Assistant General Counsel, International Trade and Emergency Preparednes.

[FR Doc. 81–10957 Filed 4–9–81; 8:45 am]

BILLING CODE 6450–01–M

Bonneville Power Administration

Interpretation Governing Power Sales Contract Offers

AGENCY: Bonneville Power Administration (Bonneville or BPA), DOE.

ACTION: Interpretation.

SUMMARY: Section 5(g) of Public Law 96–501, the Pacific Northwest Electric Power Planning and Conservation Act (the Regional Act), requires the Bonneville Power Administrator to offer initial, long-term power sales contracts to specified regional entities within 9 months after the effective date of the Regional Act. Prototype contracts to implement the provisions of the Regional Act are under development and negotiation.

Questions have arisen concerning the identification of the entities which Congress intended to receive contract offers under Section 5(g) of the Regional Act. This interpretation is intended to provide public notice of Bonneville's interpretation of congressional intent on this question, and to establish an administrative deadline by which such entities must request initial contracts under Section 5(g).

EFFECTIVE DATE: April 10, 1981.

FOR FURTHER INFORMATION CONTACT:
Ms. Donna Lou Geiger, Public Involvement Coordinator, P.O. Box 12999, Portland, Oregon 97212, 503–234–3361, ext. 4261. Toll-free numbers for Oregon callers, 800–452–8429; for callers from Washington, Idaho, Montana, Utah, Nevada, Wyoming, and California, 800–547–6048.

Mr. John H. Jones, Area Manager, Suite 288, 1500 NE. Irving Street, Portland, Oregon 97208, 503–234–3361, ext. 4551.

Mr. Ladd Sutton, District Manager, Room 206, 211 East Seventh Avenue, Eugene, Oregon 97401, 503–345–0311.

Mr. Ronald H. Wilkerson, Area Manager, Room 561, West 920 Riverside Avenue, Spokane, Washington 99201, 509–456–2518.

Mr. Gordon H. Brandenburger, District Manager, P.O. Box 758, Kalispell, Montana 59901, 406–755–6202.

Mr. Ronald K. Rodewald, District Manager, Suite 117, 23 South Wenatchee, Washington 98801, 509–662–4377, ext. 379.

Mr. Randall W. Hardy, Area Manager, Room 250, 415 First Avenue North, Seattle, Washington 98109, 206–442–4130.

Mr. Roy Nishi, Area Manager, West 101 Poplar, Walla Walla, Washington 99362, 509–525–5500, ext. 701.

Mr. Robert N. Laffel, District Manager, 531 Lomax Street, Idaho Falls, Idaho 83401, 208–523–2706.

SUPPLEMENTARY INFORMATION:
Bonneville is currently analyzing the issue of whether public bodies which are not distributing utilities are entitled to power sales contracts under Section 5(g) of the Regional Act. Now, Bonneville is publishing an interpretation governing the offer of initial power sales contracts to specified regional entities within 9 months after the effective date of the Act. The text of the interpretation governing the offer of initial long-term power sales contracts under Section 5(g) is as follows:

The Administrator shall offer within 9 months after the effective date of Public Law 96–501 (the Regional Act), initial long-term power sales contracts under Sections 5(g)(1)(A), 5(g)(1)(B), and 5(g)(1)(D) of the Regional Act to all requesting regional publicly-owned and cooperatively-owned utilities which are in legal existence according to State law on the date of the offers, all requesting regional investor-owned utilities, all requesting Federal agencies which held firm power sales contracts with the Bonneville Power Administration on the effective date of the Regional Act, and all requesting direct-service industries which held power sales contracts with

Bonneville on the effective date of the Regional Act. The term "regional" is defined according to Section 3(14) of the Regional Act.

Entities which believe they are eligible for such contract offers must submit written requests postmarked by midnight may 15, 1981, or earlier. Requests should be addressed as follows: Chief, Contracts Negotiation Branch; Division of Customer Service; Office of Power Management; Bonneville Power Administration; Attention: PCI; P.O. Box 3621; Portland, Oregon 97208.

Bonneville hereby acknowledges receipt of written requests originated after December 5, 1980 from the following entities:

Public Utility Districts

Benton County PUD, P.O. Box 6270, Kennewick, Washington 99336;

Central Lincoln PUD, 255 SW. Coast Highway, Newport, Oregon 97365;

Chelan County PUD No. 1, P.O. Box 1231, Wenatchee, Washington 98801;

Clallam County PUD No. 1, P.O. Box 951, Port Angeles, Washington 98362;

Clark County PUD, P.O. Box 1626, Vancouver, Washington 98663;

Clatskanie PUD, P.O. Box 216, Clatskanie, Oregon 97016;

Cowlitz County PUD, P.O. Box 1279, Longview, Washington 98632;

Douglas County PUD, No. 1, 1151 Valley Mall Parkway, East Wenatchee, Washington 98801;

Ferry County PUD No. 7, P.O. Box 324, Republic, Washington 99166;

Franklin County PUD, P.O. Box 2407, Pasco, Washington 99302;

Grant County PUD No. 2, P.O. Box 878, Ephrata, Washington 98823;

Grays Harbor County PUD No. 1, P.O. Box 480, Aberdeen, Washington 98520;

Kittitas County PUD No. 1, 1400 E. Vantage Highway, Ellensburg, Washington 98926;

Klickitat County PUD, 1313 S. Columbus, Goldendale, Washington 98620;

Lewis County PUD, 321 NW. Pacific Avenue, Chehalis, Washington 98432;

Mason County PUD No. 1, Route 5, Box 555, Shelton, Washington 98584;

Mason County PUD No. 3, P.O. Box 490, Shelton, Washington 98584;

Northern Wasco County PUD Box 621, The Dalles, Oregon 97058;

Okanogan County PUD No. 1, P.O. Box 912, Okanogan, Washington 98840;

Pacific County PUD No. 2, P.O. Box 472, Raymond, Washington 98577;

Pend Orielle County PUD No. 1, P.O. Box 190, Newport, Washington 99156;

Skamania County PUD, P.O. Box 500, Carson, Washington 98610;

Snohomish County PUD No. 1, P.O. Box 1107, Everett, Washington 98206;

Tillamook Peoples' Utility District, P.O. Box 433, Tillamook, Oregon 97141;

Wahkiakum County PUD, P.O. Box 248, Cathlamet, Washington 98612;

Whatcom County PUD No. 1, 215 Mason Building, Bellingham, Washington 98225.

Municipalities

City of Albion, P.O. Box 162, Albion, Idaho 83311;

City of Bandon, City Hall, P.O. Box 67, Bandon, Oregon 97411;

City of Blaine, P.O. Box 490, Blaine, Washington 98230;

City of Bonners Ferry, P.O. Box 149, Bonners Ferry, Idaho 83505;

City of Burley, P.O. Box 1090, Burley, Idaho 83318;

City of Drain Light & Power Department, P.O. Box 158, Drain, Oregon 97435;

Canby Utility Board, P.O. Box 470, Canby, Oregon 97013;

Cascade Locks City Light, P.O. Box 308, Cascade Locks, Oregon 97014;

City of Centralia, 1100 N. Tower Avenue, Centralia, Washington 98531;

City of Cheney Light Department, 609 Second Street, Cheney, Washington 98531;

Consolidated Irrigation District No. 19, North 120 Greenacres Road, Greenacres, Washington 99016;

Coulee Dam Light Department, City Hall, Coulee Dam, Washington 99116;

City of Declo, Box 141, Declo, Idaho 83323;

Town of Eatonville Power and Light Company, P.O. Box 309, Eatonville, Washington 98328;

City of Ellensburg, 420 N. Pearl Street, Ellensburg, Washington 98926;

Eugene Water and Electric Board, P.O. Box 10148, Eugene, Oregon 97440;

Town of Fircrest, 115 Ramsdell Street, Tacoma, Washington 98466;

City of Forest Grove, P.O. Box 326, Forest Grove, Oregon 97116;

City of Heyburn, P.O. Box 147, Heyburn, Idaho 83336;

City of Idaho Falls, 308 C. Street, Box 220, Idaho Falls, Idaho 83401;

City of McCleary, P.O. Box 360, McCleary, Washington 98557;

City of McMinnville, Water and Light Department, 130 N. Baker Street, McMinnville, Oregon 97218;

Town of Milton, P.O. Box D, Milton, Washington 98354;

Milton-Freewater Light and Power, Box 108, City Hall, Milton-Freewater, Oregon 97862;

City of Minidoka, Minidoka, Idaho 83343;

City of Monmouth, City Hall, Monmouth, Oregon 97361;

City of Port Angeles, P.O. Box 1150, Port Angeles, Washington 98362;

City of Richland Electric Department, P.O. Box 190, Richland, Washington 99352;

City of Rupert, Civic Building, Box 426, Rupert, Idaho 83350;

Seattle City Light, 1015 Third Avenue, Seattle, Washington 98104;

Springfield Utility Board, 250 North A Street, Box 300, Springfield, Oregon 97477;

Town of Steilacoom, 1715 Lafayette Street, Steilacoom, Washington 98388;

City of Sumas, Box 5, Sumas, Washington 98295;

Tacoma City Light, P.O. Box 11007, Tacoma, Washington 98411;

Vera Irrigation District No. 15, 601 N. Evergreen Road, Veradale, Washington 99037;

Cooperatives

Alder Mutual Light Company, Route 2, Box 139K, Eatonville, Washington 98329;

Benton Rural Electric Association, P.O. Box 150, Prosser, Washington 99350;

Big Bend Electric Cooperative, Inc., P.O. Box 348, Ritzville, Washington 99169;

Blachly-Lane County Cooperative Electric Association, 90680 Highway 99, Eugene, Oregon 97402;

Central Electric Cooperative, Inc., P.O. Box 846, Redmond, Oregon 97756;

Consumers Power, Inc., P.O. Box 1106, Corvallis, Oregon 97330;

Clearwater Power Company, P.O. Box 997, Lewiston, Idaho 83501;

Columbia Basin Electric Cooperative, Inc., P.O. Box 398, Heppner, Oregon 97836;

Columbia Power Cooperative Association, P.O. Box 97, Monument, Oregon 97864;

Columbia Rural Electric Association, Inc., P.O. Box 46, Dayton, Washington 99328;

Coos-Curry Electric Cooperative, Inc., P.O. Box 460, Coquille, Oregon 97423;

Douglas Electric Cooperative, Inc., P.O. Box 1327, Roseburg, Oregon 97470;

East End Mutual Electric Co., Ltd., 534 E Street, Rupert, Idaho 83350;

Elmhurst Mutual Power & Light Co., 120 South 132nd Street, Tacoma, Washington 98444;

Fall River Rural Electric Cooperative, Inc., Ashton, Idaho 83350;

Farmers Electric Company, Route 2, Rupert, Idaho 83350;

Flathead Electric Cooperative, Inc., 510 Lasalle Road, Kalispell, Montana 59901;

Glacier Electric Cooperative, Inc., P.O. Box 358, Cut Bank, Montana 59427;

Harney Electric Cooperative, Inc., P.O. Box 873, Burns, Oregon 97720;
Hood River Electric Cooperative, P.O. Box 95, Odell, Oregon 97044;
Idaho County Light & Power Cooperative Association, Inc., P.O. Drawer B, Grangeville, Idaho 83530;
Inland Power & Light Company, East 320 Second Avenue, Spokane, Washington 99202;
Kootenai Electric Cooperative, Inc., P.O. Drawer K, Hayden Lake, Idaho 83835;
Lakeview Light & Power Co., P.O. Box 99490, Tacoma, Washington 98499;
Lane Electric Cooperative, Inc., P.O. Box 3195, Eugene, Oregon 97403;
Lost River Electric Cooperative, Inc., P.O. Box 417, Mackay, Idaho 82351;
Lower Valley and Light, Inc., P.O. Box 188, Afton, Wyoming 83110;
Lincoln Electric Cooperative, Inc., P.O. Box 628, Eureka, Montana 59917;
Lincoln Electric Cooperative, Inc., P.O. Box 289, Davenport, Washington 99122;
Midstate Electric Cooperative, Inc., P.O. Box 127, La Pine, Oregon 97739;
Missoula Electric Cooperative, Inc., 1950 N. Sherwood, Missoula, Montana 59801;
Nespelem Valley Electric Cooperative, Inc., P.O. Box 31, Nespelem, Washington 99155;
Northern Lights, Inc., P.O. Box 310, Sandpoint, Idaho 83860;
Ohop Mutual Light Company, Route 1, Box 149–C, Eatonville, Washington 98328;
Okanogan County Electric Cooperative, Inc., P.O. Box 68, Winthrop, Washington 98862;
Orcas Power and Light Company, P.O. Box 187, Eastsound, Washington 98245;
Parkland Light and Water Company, Box 44426, Tacoma, Washington 98444;
Peninsula Light Company, P.O. Box 47, Gig Harbor, Washington 98355;
Prairie Power Cooperative, Inc., P.O. Box 187, Fairfield, Idaho 83327;
Raft River Rural Electric Cooperative, P.O. Box 617, Malta, Idaho 83342;
Ravalli County Electric Cooperative, Inc., P.O. Box 109, Corvallis, Montana 59828;
Riverside Electric Company, P.O. Box 12, Rupert, Idaho 83350;
Rural Electric Company, P.O. Box 647, Rupert, Idaho 83350;
Salmon Electric, P.O. Box 5588, Salem, Oregon 97304;
Salmon River Electric Cooperative, Inc., P.O. Box 384, Challis, Idaho 83226;
South Side Electric Lines, Inc., P.O. Box 142, Declo, Idaho 83323;
Surprise Valley Electrification Cooperative, P.O. Box 691, Alturas, California 96101;
Tanner Electric, Box 330, North Bend, Washington 98045;
Umatilla Electric Cooperative Association, P.O. Box 48, Hermiston, Oregon 97838;
Unity Light & Power Company, P.O. Box 1247, Burley, Idaho 83318;
Vigilante Electric Cooperative, Inc., P.O. Drawer 71, Dillon, Montana 59725;
Wasco Electric Cooperative, Inc., P.O. Box 537, The Dalles, Oregon 97058;
Wells Rural Electric Company, Box 365, Wells, Nevada 89835;
West Oregon Electric Cooperative, Inc., P.O. Box 69, Vernonia, Oregon 97064.

Other (includes potential new customers from whom requests received since effective date of the Regional Act):
City of Ashland, City Hall, Ashland, Oregon 97520;
City of Soda Springs, 109 South Main Street, Soda Springs, Idaho 83276;
Columbia River PUD, c/o Lucas, Peterson & Huffman, 970 Columbia Boulevard, St. Helens, Oregon 97051;
Emerald PUD, Pleasant Hill Plaza, 84899 Tillicum Avenue, Suite 9, Pleasant Hill, Oregon 97401;
Montana Power & Light, P.O. Box VX, Libby, Montana 59923;
Umatilla County PUD, Route 3, Box 161, Milton-Freewater, Oregon 97862.

Direct Service Industries

The Anaconda Company, P.O. Box 61493, Vancouver, Washington 98666;
Kaiser Aluminum & Chemical Corporation, P.O. Box 604, Vancouver, Washington 98660;
Reynolds Metals Company, 1800 SW. First Avenue, Portland, Oregon 97201;
The Carborundum Company, P.O. Box 423, Niagara Falls, New York 24302, cc: The Carborundum Company, P.O. Box 291, Vancouver, Washington 98666;
Crown Zellerbach Corporation, Central Engineering Office, 6363 Airport Way South, Seattle, Washington 98108;
Georgia-Pacific Corporation, P.O. Box 1236, Bellingham, Washington 98225;
Hanna Nickel Smelting Company, P.O. Box 85, Riddle, Oregon 97469;
Oregon Metallurgical Co., P.O. Box 580, Albany, Oregon 97321;
Pacific Carbide & Alloys Company, P.O. Box 17008, Portland, Oregon 97217;
Pennwalt Corporation, P.O. Box 4102, Portland, Oregon 97208;
Stauffer Chemical Company, Energy Management, Westport, Connecticut 06880;
Aluminum Company of America, P.O. Box 120, Vancouver, Washington 98666;
Intalco Aluminum Corporation, P.O. Box 937, Ferndale, Washington 98248;
Martin Marietta Aluminum, 6801 Rockledge Drive, Bethesda, Maryland 20034;
Alumax, Inc., 400 South El Camino Real, San Mateo, California 94402.

Investor-Owned Utilities

Idaho Power Company, 1220 Idaho Street, Box 70, Boise, Idaho 83707;
The Montana Power Company, P.O. Box 1338, Butte, Montana 59701;
Pacific Power & Light Company, 920 SW. Sixth Avenue, Portland, Oregon 97204;
Portland General Electric, 121 SW. Salmon Street, Portland, Oregon 97205;
Puget Sound Power & Light Company, P.O. Box 868, Bellevue, Washington 98009;
The Washington Water Power Company, P.O. Box 3727, Spokane, Washington 99220;
C. P. National Corporation, P.O. Box 3724, 550 California Street, San Francisco, California 94119.

Dated: March 26, 1981.

Earl G. Gjelde,

Administrator.

[FR Doc. 81-10935 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

Murphy H. Baxter; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of action taken and opportunity for comment on consent order.

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

DATES: Effective Date: March 4, 1981.

COMMENTS BY: May 11, 1981.

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

FOR FURTHER INFORMATION CONTACT: Wayne I. Tucker, District Manager of Enforcement, Southwest District Office, Department of Energy, P.O. Box 35228, Dallas, Texas 75235—(214) 767–7745.

SUPPLEMENTARY INFORMATION: On March 4, 1981, the Office of Enforcement of the ERA executed a Consent Order with Murphy H. Baxter, (Baxter) of Houston, Texas. Under 10 CFR 205.199J(b), a Consent Order which involves a sum of less than $500,000 in the aggregate, excluding penalties and

interest, becomes effective upon its execution.

Because the DOE and Baxter wish to expeditiously resolve this matter as agreed and to avoid delay in the payment of refunds, the DOE has determined that it is in the public interest to make the Consent Order with Baxter effective as of the date of its execution by the DOE and Baxter.

I. The Consent Order

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

1. The initial audit period was from September 1, 1973, through August 31, 1976. This period was extended through December 31, 1976, in order to resolve any additional overcharges that might have occurred subsequent to the original audit period. During the above extended period Baxter allegedly sold crude oil above the allowable prices specified at 10 CFR Part 212, Subpart D. Five purchasers are involved; Mesa Pipeline, Atlantic Richfield, Texaco, Charter Oil and Cities Service.

2. Baxter and the DOE have agreed to a settlement of $200,000.00. The amount will be refunded on or before April 4, 1981. The negotiated settlement was determined to be in the public interest as well as the best interest of the DOE and Baxter.

3. This Consent Order constitutes neither an admission by Baxter that ERA regulations have been violated nor a finding by the ERA that Baxter has violated ERA regulations.

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

II. Disposition of Refunded Overcharges

In this Consent Order, Baxter agrees to refund, in full settlement of any civil liability with respect to actions which might be brought by the Office of Enforcement, ERA, arising out of the transactions specified in I.1. above, the sum of $200,000.00 in the manner specified in I.2. above. Refunded overcharges will be in the form of a certified check made payable to the United States Department of Energy and will be delivered to the Assistant Administrator for Enforcement, ERA. These funds will remain in a suitable account pending the determination of their proper disposition.

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

III. Submission of Written Comments

A. *Potential Claimants:* Interested persons who believe that they have a claim to all or a portion of the refund amount should provide written notification of the claim to the ERA at this time. Proof of claims is not now being required. Written notification to the ERA at this time is requested primarily for the purpose of identifying valid potential claims to the refund amount. After potential claims are identified, procedures for the making of proof of claims may be established. Failure by a person to provide written notification of a potential claim within the comment period for this Notice may result in the DOE irrevocably disbursing the funds to other claimants or to the general public interest.

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

You should identify your comments or written notification of a claim on the outside of your envelope and on the documents you submit with the designation, "Comments on Baxter Consent Order." We will consider all comments we receive by 4:30 p.m., local time, on May 11, 1981. You should identify any information ge a10ap3.172or data which, in your opinion, is confidential and submit it in accordance with the procedures in 10 CFR 205.9(f).

Issued in Dallas, Texas on the 31st day of March, 1981.

Wayne I. Tucker,

District Manager, for Enforcement, Southwest District, Economic Regulatory Administration.

[FR Doc. 81-10958 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-01-M

Interest Rates on Violations; Policy

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of Change in Agency Policy Concerning Interest Rates on Violations.

SUMMARY: The Office of Enforcement, Economic Regulatory Administration (OE) hereby gives notice of its current policy regarding interest rates, and the manner of computing interest, in connection with remedial actions to eliminate or compensate for the effects of violations of the Mandatory Petroleum Price and Allocation Regulations, 10 CFR Parts 210, 211, and 212.

In enforcing the above regulations, the OE and its predecessors have, as a matter of enforcement policy, sought to have interest assessed on the amount by which a firm is found to have violated the regulations. This Notice describes the method of computing interest currently used by the OE in consent orders and orders subject to review by the Department's Office of Hearings and Appeals (OHA). On February 1, 1980, the OE began using the rates employed by the Federal Energy Regulatory Commission (FERC), except in cases involving small gasoline retailers as discussed below. The rates employed by the FERC for periods prior to October 1, 1979 are set forth in the Appendix to this Notice. Beginning October 1, 1979, interest paid on violation amounts is adjusted every quarter, based on the prime rate charged by commercial banks on short term loans, and compounded quarterly. The rates thus determined through the second quarter of 1981 are also set forth in the Appendix. This method is intended to approximate more closely current commercial lending rates, and to remove incentives to delay in settlement occasioned by use of interest rates which do not reflect adequately the value of the use of funds unlawfully obtained. Furthermore, this

method advances public policy goals of fully compensating for violations and/or preventing unjust enrichment which would occur unless interest is assessed which reflects the full value of the violation revenues over time to the firm concerned.

DATES: Effective date: February 1, 1980.

FOR FURTHER INFORMATION CONTACT:

Robert D. Gerring, Office of Enforcement, Economic Regulatory Administration, Department of Energy, Room 5002, 2000 M Street, NW., Washington, D.C. 20461, (202) 653-3507.

Robert G. Heiss, Enforcement Division, Office of General Counsel, Department of Energy, Room 5308, 2000 M Street, NW., Washington, D.C. 20461, (202) 653-3487.

SUPPLEMENTARY INFORMATION:

A. Introduction

The purposes of this notice are:

(1) To meet the **Federal Register** publication requirements of Section 552(a)(1) of the Administrative Procedure Act (APA), applicable to statements of general policy and rules of procedure;[1]

(2) To set forth the reasons for the change in policy with regard to interest rates; and

(3) To discuss the procedural aspects of this Notice.

B. Reasons for the Policy

The policy of the OE is to require firms found to have violated the Mandatory Petroleum Price and Allocation Regulations to refund the violation amount plus the amount which reflects the value of the use of the funds obtained in the violation. Agency policy previously has been to compute interest charges, from the date of the violation to the date of effective restitution, at the rates used by the Internal Revenue Service (IRS) in assessing interest on delinquent federal income taxes. However, because the IRS is barred by law from revising its interest rates more frequently than every two years, the rates have not adequately reflected commercial lending rates, especially during the recent unprecedented fluctuations in the costs of borrowing. For these reasons, the Economic Regulatory Administration (ERA) has adopted an interest rate policy which more nearly reflects changes in commercial lending rates.

The policy enables the OE to carry out its compliance responsibilities more effectively. The OE interest policy should fully compensate for the value of funds unlawfully retained and deny to violators the benefit of the use of such funds over extended periods of time; otherwise the result is to remove incentives to prompt settlement of cases by firms in violation. For this reason, and particularly in view of the levels the prime lending rate has reached, compared with prevailing IRS interest rates, a revision of the OE interest rate policy was required.

This policy is supported by the Department of Energy (DOE) Inspector General's "Report on Interest Rates Charged in Settling Price Violations," Report No. 79-12-A, dated January 22, 1980. In this report, the Inspector General reiterated a preliminary recommendation made in December, 1979, that, in view of the widening gap between the prime rate and the interest rate used by the IRS, the DOE interest rate applicable to overcharges arising under the petroleum price regulations be increased "at least [to] reflect current money costs as measured by the nation's prime interest rate." The report specifically indicated that the IRS interest rates were not high enough to provide adequate compensation to overcharged customers.

Accordingly, the OE has determined that in its consent orders and contested orders subject to review by the OHA interest paid on violation amounts should be compounded quarterly and tied to the prime rate charged by commercial banks on short term business loans. The rate for future periods will be determined every calendar quarter, based on prime rate values determined by the Federal Reserve Board.[2] Details concerning the interest policy are provided in the Appendix to this Notice.

C. Authority To Impose Interest on Violation Amounts

The OHA and its predecessors have extensively discussed and consistently upheld the authority of the Department and its predecessors to impose interest charges in remedial orders, in view of the breadth of the agency's statutory obligation; the agency's express regulatory authority to order other compensatory action; and because of the encouragement to non-compliance which would result in the absence of such a rule. *See, e.g., Koch Industries, Inc.*, 2 FEA ¶ 80,580 at 80,761-2 (1975); *Shell Oil Co.*, 3 DOE ¶ 80,138 at 80,689-91 (1979); *Memphis Aero Corp.*, 4 DOE ¶ 83,004 at 86,042 (1979).

Furthermore, the authority of the agency to impose interest charges has been judicially sanctioned on the ground that the requirement to pay interest on the violation amount is a rational method to "make whole" those who have been overcharged. *Bonray Oil Co.* v. *DOE*, 472 F.Supp. 899 (W.D. Okla. 1978), *aff'd per curiam* 601 F.2d 1191 (TECA 1979) Fed. Energy Guidelines ¶ 26,160; *Sauder* v. *DOE*, —— F.Supp. —— (D.Kan. 1979), Fed. Energy Guidelines ¶ 26,157; *Gray Operating Co.* v. *DOE*, —— F.Supp. —— (W.D. Okla. 1980), Federal Energy Guidelines ¶ 26,208.

Accordingly, in consent orders the OE uses, and in contested orders requests that the OHA assess, interest computed in the manner set forth in this notice.

D. Procedural Considerations

1. *This Notice Is a Statement of Policy Within the Meaning of the Administrative Procedure Act, 5 U.S.C. 553.* "General statements of policy," like interpretative rules and rules of agency organization, procedure, or practice, are excepted from the notice-and-comment requirements of section 553 of the APA by section 553(b)(A). The rates set forth here are employed in consent orders and remedial orders subject to OHA review.

Initially the agency determined to use for these purposes the same interest rates that the IRS assesses on underpayment or non-payment of federal income taxes. The OHA and its predecessors have specifically held that the use by the agency of the IRS interest rates was a matter of valid agency "policy." *E.g., Wickland Oil Co.*, 5 FEA ¶ 87,011 (1977); *Shell Oil Co., supra.* OHA has also held that the agency's "current" policy is that as set forth in this notice. *Getty Oil Co.*, 7 DOE ¶ 82,504 (1980). *See also Kenneth H. White Co., Inc.*, 7 DOE ¶ 83,013 (1980).

In addition, the method of computing interest rates described in this notice is only imposed on firms by their consent or by order entered after agency adjudication, including notice and opportunity for hearing. Accordingly, the interest rate computation method is a matter of agency "policy", within the meaning of 5 U.S.C. 553(b)(A) both by its subject matter and by the manner in

[1] Notice by personal service has previously been given of this change in interest policy to individual firms charged with price violations in pending administrative enforcement cases.

[2] Compliance audits involving small gasoline retailers under the regulations as amended effective August 1, 1979, generally involve short time periods and small overcharge amounts, and the compliance documents setting forth the overcharges and the requisite remedial actions are typically prepared in the field and served directly on the retailer by OE field personnel. Accordingly, the OE has determined that fixed rates reasonably related to current interest levels computed by a simpler method suitable for use in field conditions should be used in the gasoline retailer cases. The rate presently used by the OE in gasoline retailer cases is generally one (1) percent per month, simple interest.

which it is employed, and the agency is also free to modify the policy relating to interest rates without following formal rulemaking procedures pursuant to 5 U.S.C. 553.

2. *Applicability of Sections 501.(a), (b), and (c) of the DOE Organization Act.* The rulemaking procedures imposed by Section 501 of the DOE Organization Act in addition to the requirements of 5 U.S.C. 553 do not apply to statements of policy such as that set forth herein. The OHA has held that Congress, in the enactment of Section 501, did not intend to eliminate "the long-standing and judicially-approved APA exemption for rules of agency procedure." *Mobil Oil Corp.*, 4 DOE ¶ 83,014 at 86,189 (1979) (amendments to procedural rule governing issuance of remedial order), *aff'd* 12 FERC ¶ 61,183, *text at* Fed. Energy Guidelines ¶ 46,093 (1980). *See also Amerada Hess Corp.*, 4 DOE ¶ 83,021 (1979). Statements of policy, which are exempted from APA notice-and-comment requirements in the same clause as are rules of agency procedure, are likewise not subject to the public participation requirements of Sections 501(b) and (c).

Issued in Washington, D.C., April 6, 1981.

Gordon W. Harvey,

Assistant Administrator for Enforcement.

Appendix

1. *Interim Revision to Enforcement Manual, Reflecting Details of New Interest Policy.*

§ 5.300.00[3] Reimbursement of Interest.

Where the Department of Energy determines that a person has violated the Mandatory Petroleum Price and Allocation Regulations, it is appropriate that DOE determine the actual (i.e., out of pocket) costs to the victim of such violations. Obviously, the costs to the victim of a violation not only include the amount of the violation, but also an amount necessary to compensate the victim for the loss of the use of such funds. Therefore, DOE may require firms found in violation of DOE Price and Allocation Regulations to calculate an amount representing the interest on the amount of the violations, computed from the date of the violations to the date of restitution, and will require such firms to add this amount to the violation amounts. See Sections 5.601.00,[3] 5.602.00[3] and 5.606.00[3] for appropriate language to be placed in CO's, NOPV's, and PRO's to cover these requirements.

In those cases where full interest is computed as part of a CO or specified in an NOPV or a PRO, interest should be computed as follows:

(1) At a rate of seven percent simple interest per annum prior to October 10, 1974;

(2) At a rate of nine percent simple interest per annum between October 10, 1974, and September 30, 1979; and

(3) a. At an average prime rate for each calendar quarter on or after October 1, 1979. The applicable average prime rate for each calendar quarter shall be the arithmetic mean, to the nearest one-hundredth of one percent, of the prime rate value published in the Federal Reserve Bulletin for the fourth, third, and second months preceding the first month of the calendar quarter.

b. The interest paid under clause (3) a. should be compounded quarterly.

c. Prior to the beginning of each quarter, the National Office of Enforcement will provide the District offices with the applicable average prime rate which has been computed for the quarter.

As applicable, interest should be computed from the date of the violation to the effective restitution date although where it is practically impossible to determine the specific date upon which a violation commenced, it may be necessary, for the purpose of computing interest, to treat all violations in a given month as having occurred on the last day of that month.

Consent Orders which allow payments to be made over a period of time should require interest to be paid at the rate in effect on the date the Consent Order is signed by the firm.

2. *Summary of Interest Rates Determined to Date:*

Period	Interest rate (percent)
Prior to Oct. 10, 1974	7
Oct. 10, 1974 to Sept. 30, 1979	9
Oct. 1, 1979 to Dec. 31, 1979	11.70
Jan. 1, 1980 to Mar. 31, 1980	14.28
Apr. 1, 1980 to June 30, 1980	15.39
July 1, 1980 to Sept. 30, 1980	18.22
Oct. 1, 1980 to Dec. 31, 1980	11.74
Jan. 1, 1981 to Mar. 31, 1981	14.03
Apr. 1, 1981 to June 30, 1981	19.98

3. *Notes:*

1. These new rates are applicable to all audits open on February 1, 1980, except those where a settlement agreement had been reached between the parties on the basis of the old interest rates but the Consent Order had not been signed by ERA.

2. The rates for the periods prior to October 1, 1979, are those used by FERC, based on the historical practice of FERC and its predecessor, the Federal Power Commission.

3. In gasoline retailer cases involving post-July, 1979 audit periods, the rate is to be one percent per month, simple interest, beginning the first day of the month after the overcharges take place.

[FR Doc. 81-10959 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-01-M

[3] Citations to section numbers do not reflect the current structure of the Enforcement Manual but anticipate revisions expected to be made therein in the near future.

Federal Energy Regulatory Commission

[Docket No. CP75-123]

Arkansas Louisiana Gas Co.; Petition To Amend

April 6, 1981.

Take notice that on March 19, 1981, Arkansas Louisiana Gas Company (Petitioner), P.O. Box 21734, Shreveport, Louisiana 71151, filed in Docket No. CP75-123 a petition to amend the order issued February 12, 1975,[1] in the instant docket pursuant to Section 7(c) of the Natural Gas Act so as to authorize additional delivery points for the exchange of natural gas between Petitioner and Natural Gas Pipeline Company of America (Natural), all as more fully set forth in the petition to amend.

Petitioner states that by order issued February 12, 1975, as amended, Petitioner and Natural were authorized to implement a July 5, 974, gas exchange arrangement and to construct and operate all necessary facilities to that end. Petitioner now proposes to add additional delivery points to the exchange agreement in order to receive for Natural the natural gas from 21 wells located in Carthage Field, Panola County, Texas, which is outside the currently approved specified area of interest.

Petitioner states that it assigned 20 percent of a gas purchase contract covering the rights to buy gas from certain properties in Panola County, Texas, to Lone Star Gas Company (Lone Star) and that Lone Star in turn assigned its rights on May 23, 1980, to Natural. It is stated that the assignments cover 21 presently completed wells and that Petitioner is already connected to the wells and receiving a share of the natural gas from them for its own account. It is stated that Petitioner has agreed to receive Natural's share of natural gas from 21 wells for Natural's account under the previously implemented gas exchange arrangement. It is stated that Petitioner and Natural entered into a May 22, 1980, amendment to the existing gas exchange agreement in order to add as additional delivery points from Natural to Petitioner the several delivery points where Petitioner would receive gas from the 21 wells for Natural's account.

Petitioner states that it would return this gas under the exchange arrangement at the already certificated

[1] This proceeding was commenced before the FPC. By joint regulation of October 1, 1977 (10 CFR 1000.1), it was transferred to the Commission.

points of delivery from Natural. Moreover, Petitioner asserts that no new facilities are necessary as the additional delivery points are already in service.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before April 27, 1981 file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10834 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP76-215-002]

Arkansas Louisiana Gas Co.; Petition To Amend

April 6, 1981.

Take notice that on March 10, 1981,[1] Arkansas Louisiana Gas Company (Petitioner), P.O. Box 21734, Shreveport, Louisiana 71151, filed in Docket No. CP76-215-002 a petition to amend the order issued October 27, 1976,[2] in the instant docket pursuant to Section 7(c) of the Natural Gas Act so as to authorize the exchange of natural gas from two additional delivery points from Texas Eastern Transmission Corporation (Texas Eastern) under an existing field exchange arrangement, all as more fully set forth in the petition to amend.

Applicant states that by order issued October 27, 1976, it was authorized to exchange gas with Texas Eastern in order to enable the parties to receive new gas supply purchased from producers in the field into their respective systems by displacement. It is stated that for the mutual operating convenience of the two pipelines involved and to facilitate the balancing of their exchange account from time to time, Applicant and Texas Eastern entered into a March 18, 1980, amendment to the gas exchange agreement which provided for two additional delivery points from Texas Eastern to Applicant. Petitioner states that one proposed point would be at a mutually agreeable point located on its Line AT-7 which is situated on the 30 acre Walker Clark tract, Harrison County, Texas, and the other would be at a mutually agreeable point located on Petitioner's Line A-150 which is situated on the 142 acre Robert Knox tract, Harrison County, Texas.

Applicant states that it has filed revised tariff sheets to its Rate Schedule XE-46 to reflect the changes effected by the March 18, 1980, amendment.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before April 27, 1981 file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10833 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4154-000]

The Cities of Bellevue, Preston, and Sabula; Application for Preliminary Permit

April 6, 1981.

Take notice that the Cities of Bellevue, Preston, and Subula (Applicants) filed on February 9, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for proposed Project No. 4154 to be known as to be known as Lock and Dam No. 11 located on the Mississippi River in Dubuque County, Dubuque, Iowa. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Michael E. Ament, P.E., Shive-Hattery and Associates, P.O. Box 1803, Cedar Rapids, Iowa 52406, Telephone (319) 364-0227. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize a U.S. Army Corps of Engineer's dam. Project No. 4154 would consists of: (1) a proposed approach channel to be located adjacent to the east side of the existing gates in the nonoverflow section of dam; (2) a proposed powerhouse housing 20 new generators with a total capacity of 24 MW; (3) a proposed tailrace channel; (4) proposed transmission lines; and (5) appurtenant facilities. The proposed project would be located on Federal lands.

The Applicant estimates that the average annual energy output would be 105,120,000 kWh.

Purpose of Project—The Applicants propose to sell the output of energy generated to their residents, with any excess power sold to the Interstate Power Company.

Proposed Scope and Cost of Studies Under Permit—The Applicants seeks issuance of a preliminary permit for a period of 12 months. Within the 12 month time frame, the Applicants propose to conduct engineering, environmental and economic investigations. The Applicants estimates the cost of the proposed investigations to be $60,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant). Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file

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[1] This application was initially tendered for filing on March 10, 1981; however, the fee required by Section 159.1 of the Regulations under the Natural Gas Act (18 CFR 159.1) was not paid until March 17, 1981; thus the filing was not complete until the later date.

[2] This proceeding was commenced before the FPC. By joint regulation of October 1, 1977 (10 CFR 1000.1), it was transferred to the Commission.

comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to the Mitchell Energy Company, Inc. Project No. 3668, filed on November 4, 1980. Anyone desiring to file a competing application must submit to the Commission, on or before March 19, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than May 18, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirement of its Rules and Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to interene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 6, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4154. Any comments, protest, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208RB, 825 North Capitol Street, NE, Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10831 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4293-000]

Christopher M. Anthony; Application for Preliminary Permit

April 1, 1981.

Take notice that Christopher M. Anthony (Applicant) filed on March 4, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for proposed Project No. 4293 to be known as the Waverley Avenue Project located on the Sebasticook River in the town of Pittsfield, Somerset County, Maine. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Christopher M. Anthony, 46 Somerset Avenue, Pittsfield, Maine 04967. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) an existing 11-foot high, 220-foot long concrete gravity dam; (2) a reservoir with a total storage capacity of 2,550 acre-feet; (3) an existing gate structure; (4) an existing forebay integral with the dam extending 100 feet downstream; (5) a new powerhouse, to be located at the forebay structure, containing four turbine-generator units with a total rated capacity of 720 kW; (6) a 1.7 mile-lng transmission line; and (7) appurtenant facilities. The existing facilities are owned by the town of Pittsfield, Maine. The Applicant estimates that the average annual energy output would be 2,000,000 kWh.

Purpose of Project—Purchasers of the energy produced at the project would be determined during the term of the permit.

Proposed Scope and Cost of Studies Under Permit—The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on results of these studies, Applicant would decide whether to proceed with more detailed studies and the preparation of an application for license to construct and operate the project. Applicant estimates that the cost of the studies under the permit would be $33,500.

Purpose of Prelimnary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly frm the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed t have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 8, 1971, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 7, 1981. A notice of intent must cnform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protect, or petition to intervene must be received on or before June 8, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4293. Any comments, notices of intent, competing applications, protects, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10562 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4073-000]

Consolidated Hydroelectric, Inc.; Application for Preliminary Permit

April 3, 1981.

Take notice that Consolidated Hydroelectric, Inc. (Applicant) filed on January 28, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 4073 to be know as Rock Creek Power Project located on Rock Creek in Shasta County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. L. Porter Davis, Vice President, Consolidated Hydroelectric, Inc., Suite 208, 4543 Post Oak Place, Houston, Texas 77027. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a rock and concrete diversion structure within the western bank of the Rock Creek; (2) a 36-inch diameter, 2640-foot long low pressure conduit; (3) a 36-inch diameter, 620-foot long penstock; (4) a powerhouse containing a single generating unit with a rated capacity of 1,230 kW; and (5) appurtenant facilities.

The Applicant estimates that the average annual energy output would be 4.7 million kWh.

Purpose of Project—Project energy would be sold to a private utility.

Proposed Scope and Cost of Studies Under Permit—Applicant has requested a 36-month permit to prepare a definitive project report including preliminary designs, results of geological, environmental, and economic feasibility studies. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with the Federal, State, and local agencies, preparing a license application, conducting final field surveys, and preparing designs is estimated by the Applicant to be between $80,000 and $140,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 11, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 10, 1981. A notice of intent must coform with the requirements of 18 CFR 4,33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comment does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 11, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4073. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10837 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4078-000]

Consolidated Hydroelectric, Inc.; Application for Preliminary Permit

April 3, 1981.

Take notice that Consolidated Hydroelectric, Inc. (Applicant) filed on January 29, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 4078 to be known as Canyon Creek Power Project located on Canyon Creek in Nevada County, near Baxter, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. L. Porter Davis, Consolidated Hydroelectric, Inc., Suite 208, 4543 Post Oak Place, Houston, Texas 77027. With copies to Mr. Ronald F. Ott, Ott Water Engineers, Inc., Redding, California 96099. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) an existing natural rock and concrete diversion dam; (2) a 5,280-foot long, 3-foot diameter diversion conduit; (3) a 1,060-foot long, 2-foot diameter steel penstock; (4) a powerhouse to contain one impulse-type, turbine-generating unit to operate under a head of 598 feet with a rated capacity of 1,270 kW; and (5) a 4-miles long, 12.5-kV transmission line to connect to an existing Pacific Gas and Electric Company Line. The Applicant estimates that the average annual energy output would be 7.0 million kWhs.

Purpose of Project—Applicant proposes to sell the project energy to the Pacific Gas and Electric Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks a preliminary permit for a period of 36 months during which it would conduct environmental, engineering, and economical studies to determine the feasibility of constructing and operating the proposed project. Applicant estimates that the cost of the feasibility studies would be about $140,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 15, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 14, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 15, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4078. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10836 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4079-000]

Consolidated Hydroelectric, Inc.; Application for Preliminary Permit

April 3, 1981.

Take notice that Consolidated Hydroelectric, Inc. (Applicant) filed on January 29, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 4079 to be known as South Branch Middle Fork Feather River Project located on the Feather River in Butte County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Terence L. O'Rourke, Consolidated Hydroelectric, Inc., Suite 208, 4543 Post Oak Place, Houston, Texas 77027. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a three-foot high natural rock and concrete diversion dam; (2) a 5,550-foot long diversion conduit or channel; (3) a 30-inch diameter, 1,056-foot long steel penstock; (4) a powerhouse containing one generating unit rated at 2,630 kW; and (5) a 4-mile long, 12.5 kV transmission line connecting the powerhouse to an existing Pacific Gas and Electric Company transmission line. The Applicant estimates that the average annual energy output would be 14.0 million kWh.

Purpose of Project—The energy output of the project would be sold to the Pacific Gas and Electric Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would conduct engineering studies and surveys, do preliminary designs, conduct environmental studies, and prepare an FERC license application. No new roads would be required to conduct the studies. The estimated cost of the work to be performed under the preliminary permit is $80,000 to $140,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 11, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 10, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 11, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4079. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10843 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4157-000]

Consolidated Hydroelectric, Inc.; Application for Preliminary Permit

April 3, 1981.

Take notice that Consolidated Hydroelectric, Inc. (Applicant) filed on February 9, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 4157 to be known as Upper Mill Creek Project located on Mill Creek in Humboldt County, California. The application is on file with the Commission and is available for public inspection.

Correspondence with the Applicant should be directed to: L. Porter Davis, Consolidated Hydroelectric, Inc., Suite 208, 4543 Post Oak Place, Houston, Texas 77027. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a rock-and-concrete diversion structure; (2) a 6,000-foot long conduit; (3) a rock-and-concrete diversion structure; (4) an 8,400-foot long conduit; (5) a transition structure; (6) a 1,200-foot long and 42-inch diameter steel penstock; (7) a powerhouse containing one generating unit rated at 3,430 kW; and (8) a 7-mile long transmission line. The Applicant estimates that the average annual energy output would be 12.3 million kWh.

Purpose of Project—The energy generated by the project would be sold to the Pacific Gas and Electric Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would conduct engineering studies and surveys, do preliminary designs, conduct environmental studies, and prepare an FERC license application. No new roads would be required to conduct the studies. The cost of the work to be performed under the preliminary permit is estimated to be $140,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file

comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 11, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 10, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 11, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4157. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10842 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4075-000]

Consolidated Hydroelectric, Inc.; Application for Preliminary Permit

April 6, 1981.

Take notice that Consolidated Hydroelectric, Inc., (Applicant) filed on January 29, 1981, and application for preliminary permit [pursuant to the Federal Power Act, 16, U.S.C. 791(a)-825(r)] for proposed Project No. 4075 to be known as the East Fork Indian Creek Project located on East Fork of Indian Creek in Siskiyou County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. L. Porter Davis, Vice-President, Consolidated Hydroelectric, Inc. Suite 208, 4543 Post Oak Place, Houston, Texas 77027. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Decription—The proposed project would consist of: (1) a natural rock and concrete diversion structure; (2) a 4,100 foot long diversion conduit or channel; (3) a 1,000 foot-long, 36-inch diameter steel penstock; (4) a 25-feet wide by 35 -feet long powerhouse which will house on generating unit rated at 2,030 kw; (5) a 12.5 kV transmission line. The Applicant estimates that the average annual energy output would be 83 million kwh.

Purpose of Project—The energy output of the project will be sold to Pacific Power and Light Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of preliminary permit for a period of 36 months, during which time it would conduct engineering, environmental, economic, and feasibility studies, and prepare an FERC license application. No new roads would be required to conduct the studies. The cost of the work to be performed under the preliminary permit its estimated to be $140,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, state and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the decribed application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Application—Anyone desiring to file a competing application must submit to the Commission, on or before June 11, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 10, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c)(1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d)(1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard to or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the natuare of a protest may also be submitted by conforming to the procedures specified in 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, by a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 11, 1981.

Filing and Service of Responsive Documents—any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made a response to this notice of application for preliminary permit for Project No. 4075. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's Regulations to: Kenneth F. Plum, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Room 208 RB Building, Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10824 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4084-000]

Consolidated Hydroelectric, Inc.; Application for Preliminary Permit

April 6, 1981.

Take notice that Consolidated Hydroelectric, Inc. (Applicant) filed on January 29, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4084 to be known as Fall River below Nelson's Crossing Power Project located on Fall River in Butte County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Terence L. O'Rourke, Consolidated Hydroelectric, Inc., Suite 208, 4543 Post Oak Place, Houston, Texas 77027. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a 3-foot high natural rock and concrete diversion dam; (2) a 5,300-foot long diversion conduit, 48 inches in a diameter, or a channel, 2.5 feet wide and 5 feet deep; (3) a penstock approximately 1,060 feet long and 30 inches in diameter; (4) a powerhouse containing one generating unit rated at 2,040 kW; and (5) a 12.5 kV transmission line approximately 3.5 miles long. The Applicant estimates that the average annual energy output would be 9.7 million kWh.

Purpose of the Project—The energy output of the project will be sold to the Pacific Gas and Electric Company and/or other utilities.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would conduct engineering studies and surveys, do preliminary designs, consult with agencies, prepare a feasibility report, conduct environmental studies, conduct negotiations with PG&E and/or others for the sale of power generated from this project, and prepare an FERC license application. No new roads would be required to conduct the studies. The estimated cost of the work to be performed under the preliminary permit would be $80,000 to $140,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 11, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 10, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a pary to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. ny comments, protest, or petition to intervene must be received on or before June 11, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST" OR "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4084.

Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Room 208, RB Building, Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10823 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3940-000]

City of Denton, Tex.; Application for Preliminary Permit

April 6, 1981.

Take notice that the City of Denton, Texas (Applicant) filed on January 7, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 3940 to be known as the Lewisville Project located on the Elm Fork of the Trinity River in Denton County, Texas. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Robert E. Nelson, Director of Utilities, Municipal Building, Denton, Texas 76201. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the existing U.S. Army Corps of Engineers' Lewisville Dam and Reservoir and would consist of a powerhouse with two turbine generator units having a total rated capacity of 4.9 MW, and 1.4-mile long transmission line. The project would be capable of generating up to 7,500,000 kWh annually saving the equivalent of 12,300 barrels of oil or 3,500 tons of coal.

Purpose of Project—Energy generated at the project would likely be used by the City of Denton's existing electric system.

Proposed Scope and Cost of Studies Under Permit—The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on results of these studies, Applicant would decide whether to proceed with more detailed studies and the preparation of an application for license to construct and operate the project. Applicant estimates that the cost of the work to be performed under the preliminary permit would be $69,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to the Lewisville Project No. 3373 filed on August 25, 1980, by Continental Hydro Corporation under 18 CFR 4.33 (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 26, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3940. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10841 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. TA81-1-23-001 (PGA81-1, et al.)]

Eastern Shore Gas Co.; Revised Tariff Filing

April 3, 1981.

Take notice that Eastern Shore Natural Gas Company (Eastern Shore) on April 3, 1981, tendered for filing the following revised tariff sheets to Original Volume No. 1 of Eastern Shore's FERC Gas Tariff:

To Be Effective March 1, 1981

Substitute Seventeenth Revised Sheet No. 5
Substitute Seventeenth Revised Sheet No. 6
Substitute Seventeenth Revised Sheet No. 10
Substitute Seventeenth Revised Sheet No. 11
Substitute Seventeenth Revised Sheet No. 12

Eastern Shore states that the purpose of this filing is to reflect a Purchased Gas Cost Current Adjustment. This filing is being made in accordance with Section 21 of Eastern Shore's FERC Gas Tariff and the Purchased Gas Cost Adjustment reflects rates payable to Eastern Shore's supplier during the period March 1, 1981 through August 31, 1981.

Eastern Shore states that copies of the filing have been mailed to each of its jurisdictional customers and interested State Commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 17, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file

with the Commission and available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10844 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. CI67-820-001]

El Grande Pipeline Corp. (Successor to Aminoil U.S.A. Inc.); Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates[1]

April 3, 1981.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 10 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before April 10, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

Docket No. and date filed	Applicant	Purchaser and Location	Price per 1,000 ft[3]	Pressure base
CI67-820-001 E, December 10, 1980.	El Grande Pipeline Corporation (Successor to Aminoil U.S.A., Inc., P.O. Box 2510, Irving, Texas 75061.	Michigan Wisconsin Pipeline Company, Northeast Lovedale Field, Woods County, Oklahoma.	(2)	14.65
CI64-11-000 C, Mar. 2, 1981	ARCO Oil and Gas Company, Division of Atlantic Richfield Company, P.O. Box 2819, Dallas, Texas 75221.	Lone Star Gas Company, Healdton Field, Carter County, Oklahoma.	(2)	14.65

[1] Effective 11-22-78 is the date of transfer of property and Applicant requests to continue service of predecessor.
[2] Applicant is filing under Gas Purchase Contract dated June 11, 1963, Amendment to Gas Purchase Contract dated January 1, 1981.
Filing Code: A—Initial Service, B—Abandonment, C—Amendment to add acreage, D—Amendment to delete acreage, E—Total Succession, F—Partial Succession.

[FR Doc. 81-10845 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4131-000]

Enagenics; Application for Preliminary Permit

April 1, 1981.

Take notice that Enagenics (Applicant) filed on February 2, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4131, to be known as Mason Dam Project located on the Powder River in Baker County, Oregon. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., ENAGENICS, 1727 Q Street, NW, Washington, D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize an existing government dam owned by the United States Water and Power Resources Service and known as the Mason Dam and would consist of a penstock and power plant with an installed capacity of 3.7 MW. The Applicant estimates that the average annual energy output would be 5.51 gWh.

Purpose of Project—The Applicant intends to market the power generated by the project to the Idaho Power Company or Bonneville Power Administration.

Proposed Scope and Cost of Studies Under Permit—The proposed studies would include economic analysis, preliminary engineering, and environmental impact assessment. Based on the results of the studies, Applicant would decide whether to proceed with more detailed studies, designs, and preparation of an application for license to construct and operate the project. Applicant estimates the cost of the studies would be $35,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If any agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to the Cascade Waterpower Development Corporation's Project No. 3459 filed on September 12, 1980, under 18 CFR 4.33 (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protests, or petition to intervene must be received on or before May 1, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear, in all capital letters, the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4131. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's Regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 N. Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 N. Capitol Street, NE, Room 208RB, Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10563 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4174-000]

Enagenics; Application for Preliminary Permit

April 1, 1981.

Take notice that Enagenics (Applicant) filed on February 10, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)–825(r)] for proposed Project No. 4174 to be known as Green River Lock and Dam No. 2 located on the Green River in McLean County, Kentucky. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, Enagenics, 1727 Q Street, N.W., Washington, D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize an existing dam owned by the U.S. Army Corps of Engineers, and the Applicant's facilities would be located mostly on U.S. lands. The proposed Project No. 4174 would consist of: (1) a proposed powerhouse, located at the east end of the existing dam, containing generating units with a total installed capacity of 6.3 MW; (2) proposed 138 kV transmission lines; and (3) appurtenant facilities. The Applicant estimates that the average annual energy output would be 44,700 MWh.

Purpose of Project—The energy produced at the project would be sold to either the Kentucky Utilities Company or the Green River Electric Corporation.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months during which time studies would be made to determine the engineering, economic, and environmental feasibility of the project. In addition, the Applicant would consult with Federal, State, and local government agencies concerning the environmental effects of the project. Applicant estimates the cost of the studies would be $40,000.00.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Dam Two Development Ltd., Project No. 3673, filed on November 5, 1980. Anyone desiring to file a competing application must submit to the Commission, on or before April 6, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than June 5, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 1, 1981.

Filing and Service of Responsive Documents—Any comments, notices of

intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4174. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10564 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4275-000]

Enagenics; Application for Preliminary Permit

April 6, 1981.

Take notice that Enagenics (Applicant) filed on March 2, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4275 to be known as Mississippi River Lock and Dam No. 7 located at a U.S. Army Corps of Engineers navigational facility on the Mississippi River in Winona County, Minnesota. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, Enagenics, 1727 Q Street, N.W., Washington, D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project will utilize a U.S. Army Corps of Engineers navigational facility. Project No. 4275 would consist of: (1) a proposed powerhouse with an estimated installed capacity of 6.5 MW; (2) a proposed 1 mile transmission line to interconnect with a 115 kV transmission line owned by Northern States Power Company; and (3) appurtenant facilities. The proposed project is located on Federal lands. The Applicant estimates that the average annual energy output would be 53,300,000 kWh.

Purpose of Project—The Applicant proposes to sell the generated output of energy to the Northern States Power Company. The Applicant also proposes to investigate other appropriate alternatives, such as the possible sale of energy to nearby public institutions or industrial users.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time studies would be made to determine the engineering, environmental, and economic feasibility of the project. In addition, historic and recreational aspects of the project would be determined, along with consultation with Federal, State, and local agencies for information, comments and recommendations relevant to the project. The Applicant estimates that the cost of the studies would be $45,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Mitchell Energy Company, Inc., Project No. 3649 filed on November 3, 1980. Anyone desiring to file a competing application must submit to the Commission, on or before May 18, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than July 17, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 26, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4275. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative

of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10828 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4176-000]

Energenics Systems, Inc.; Application for Preliminary Permit

April 3, 1981.

Take notice that Energenics Systems, Inc. (Applicant) filed on February 10, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4176 to be known as the Ochoco Dam Project located on the Ochoco River in Crook County, Oregon. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, President, Energenics Systems, Inc., 1727 Q Street NW., Washington, D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of a powerhouse containing a single 454-kw generating unit located adjacent to the existing outlet works of the Ochoco Irrigation District's Ochoco Dam and approximately 7 miles of transmission line.

The Applicant estimates that the average annual energy output would be 1,160 MWh.

Purpose of Project—Project power would be sold to an appropriate power purchaser.

Proposed Scope and Cost of Studies Under Permit—Applicant would conduct a detailed feasibility study including engineering, environmental, and marketing analysis. Applicant estimates the costs of its proposed study to be $30,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Cascade Waterpower Development Corporation's Project No. 3378 filed on August 25, 1980, under 18 CFR 4.33 (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 8, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4176. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10838 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4276-000]

Energenics Systems, Inc.; Application for Preliminary Permit

April 6, 1981.

Take notice that Energenics Systems, Inc. (Applicant) filed on March 2, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4276 to be known as Mississippi lock and dam No. 15 located at a U.S. Army Corps of Engineers navigational facility on the Mississippi River in Scott County, Iowa. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, Energenics Systems, Inc., 1727 Q Street, N.W., Washington, D.C. 20009. Any person who wishes to file a repsonse to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project will utilize a U.S. Army Corps of Engineers navigational facility. Project No. 4276 would consist of: (1) a proposed powerhouse with an estimated installed capacity of 15 MW; (2) a proposed 2 mile transmission line to interconnect with a 161 kV transmission line owned by Iowa-Illinois Gas and Electric Company; and (3) appurtenant facilities. The Applicant estimates that the average annual energy output would be 195,100,000 kWh.

Purpose of Project—The Applicant proposes to sell the generated output of energy to the Iowa-Illinois Gas & Electric Company. The Applicant also proposes to investigate other appropriate alternatives, such as possible sale of energy to nearby public institutions or industrial users.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time studies would be made to determine the engineering, environmental, and economic feasibility of the project. In addition, historic and recreational

aspects of the project would be determined, along with consultation with Federal, State, and local agencies for information, comments and recommendations relevant to the project. The Applicant estimates that the cost of the studies would be $50,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 11, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 10, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 11, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4276. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. an additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10825 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-252-000]

Florida Gas Transmission Co.; Application

April 2, 1981.

Take notice that on March 26, 1981, Florida Gas Transmission Company (Applicant), P.O. Box 44, Winter Park, Florida 32790, filed in Docket No. CP81-252-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessiry authorizing the transportation of natural gas for Southern Natural Gas Company (SNG), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Pursuant to a gas transportation agreement between Applicant and SNG dated February 10, 1981, Applicant has agreed to transport certain gas reserves dedicated to SNG from Flomaton Field area, Escambia County, Alabama, for redelivery to SNG at an existing point of interconnection between the parties in Washington Parish, Louisiana. It is asserted that Applicant would transport up to 1 billion Btu of gas per day.

Applicant proposes to charge SNG 5.0 cents per million Btu delivered with a minimum charge of $500 per month. It is further stated that SNG would reimburse Applicant for any expenses incurred in Applicant's making minor system adjustments; however, neither party contemplates the need for any new facilities to effectuate the proposed service.

Applicant states that the primary term of the transportation agreement is for two years and from year to year thereafter.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 24, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determing the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10565 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4222]

Georgia-Pacific Corp; Application for Preliminary Permit

April 3, 1981.

Take notice that Georgia-Pacific Corporation (Applicant) filed on February 17, 1981, and application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791.(a)–825(r)] for proposed project No. 4222 to be known as the Galbraith Creek Water Power Project located on the East Fork and West Fork of Galbraith Creek, an unnamed creek, and on a tributary to the Middle Fork Nooksack River in Whatcom County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. John H. Asmundson, Project Engineering Coordinator, Georgia-Pacific Corporation, P.O. Box 1236, Bellingham, Washington 98227. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) three reinforced concrete diversion weirs with slide gates and steel trash racks; (2) a 5,500-foot long penstock; (3) a surge tank; (4) a powerhouse to contain two pelton-type turbines powering a single 4,000-kW generator; and (5) a 12-kV transmission line. The Applicant estimates that the average annual energy output would be 18.4 million kWh.

Purpose of Project—The power generated at the Galbraith Creek Water Power Project will be sold to a utility or reserved for use in Applicant's manufacturing operations.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 24 months during which time it would prepare a definitive project report that would include economic feasibility, topographical mapping, engineering and environmental data, and cost estimates. The cost of the studies under the permit has been estimated by the Applicant to be about $200,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 11, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 10, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 11, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4222. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10640 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4249-000]

Georgia-Pacific Corp.; Application for Preliminary Permit

April 3, 1981.

Take notice that Georgia-Pacific Corporation (Applicant) filed on February 24, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for proposed Project No. 4249 to be known as the Cumberland Creek Hydroelectric Development located on Cumberland Creek in Skagit County Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. John H. Asmundson, Project Engineering Coordinator, Georgia-Pacific Corporation, P.O. Box 1236, Bellingham, Washington 98227. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a reinforced concrete diversion weir with slide gate and a steel trash rack; (2) a 400-foot long penstock; (3) a 1-mile long pipeline extending to a surge tank; (4) a

powerhouse containing 2 Pelton-type turbine-generating units with a rated capacity of 5,000 kW; and (5) a 12-kV transmission line. The Applicant estimates that the average annual energy output would be 21.3 million kWh.

Purpose of Project—The power generated by the Cumberland Creek Hydroelectric Development will be sold to a utility or reserved for use by Georgia-Pacific Corporation.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks a preliminary permit for a term of 30 months. During this term the applicant will conduct engineering, environmental, and economic feasibility studies, and prepare a detailed design and specification for the project. The studies are to be performed at a cost of approximately $200,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before *June 11, 1981*, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than *August 10, 1981*. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before *June 11, 1981*.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4249. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10839 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3892-000]

Georgia-Pacific Corp.; Application for Preliminary Permit

April 6, 1981.

Take notice that Georgia-Pacific Corporation (Applicant) filed on December 22, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 3892 to be known as Thompson Plant Project located on the Hudson River in Washington County, New York. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Robert A. Schumacher, Senior Vice President, Georgia-Pacific Corporation, 320 Post Road, Darien, Connecticut 06820. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) the existing Lock 5 Dam, a 12-foot-high masonry structure 820 feet long; (2) the existing Lock 5 Reservoir, having a surface area of 380 acres, at a normal pool elevation of 102.5 feet; (3) the Lock 5 which is part of the Champlain Division of the State Barge Canal System; (4) the existing power canal 1,000 feet long with headgates; (5) a new powerhouse having a total rated generating capacity of 7,200 kW; (6) the existing tailrace structure, 100 feet long and 125 feet wide; (7) the existing transmission lines; and (8) appurtenant works. The Applicant estimates that the average annual energy output would be 50,000,000 kWh.

Purpose of Project—Project energy would be used by Applicant and/or sold to public utilities.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of three years during which time Applicant would investigate legal aspects, hydrology, technical design, financial feasibility, and prepare an environmental assessment. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for FERC license. Applicant estimates the cost of studies under the permit would be between $180,000 and $232,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this

notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 12, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 11, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 12, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3892. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10827 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4295-000]

Hydrokinetic Co.; Application for Preliminary Permit

April 6, 1981.

Take notice that Hydrokinetic Company (Applicant) filed on March 5, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4295 to be known as the Aldrich Creek Project located on Aldrich Creek in Whatcom County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Ms. Sherri M. Lee, Hydrokinetic Company, 2100 Electric Avenue, #326, Bellingham, Washington 98225. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a diversion structure at elevation 1,860 feet on an unnamed creek directing flows into Aldrich Creek; (2) a diversion structure at elevation 1,620 feet on the west tributary of Aldrich Creek directing flows into Aldrich Creek; (3) a diversion dam on Aldrich Creek at elevation 1,480 feet; (4) 5,000 feet of 18-inch diameter penstock pipe; (5) a powerhouse with a capacity of 575 kW located adjacent to Aldrich Creek at elevation 780 feet; and (6) associated electrical and transmission equipment. The Applicant estimates that the average annual energy output would be 3,450 MWh.

Purpose of Project—Project energy would be sold to the Puget Sound Power and Light Company or other purchaser.

Proposed Scope and Cost of Studies Under Permit—Applicant has submitted a study plan and schedule. Studies to be conducted by Applicant include engineering design and feasibility, environmental, and economic feasibility. Test borings would be made at the site of the proposed diversion dam, penstock, and powerhouse with a small portable hand operated machine. Disturbed areas would be returned to their natural state. No new roads are proposed under the permit. Applicant estimates the costs of its studies to be $85,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 11, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 10, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest

may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 11, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4295. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10828 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4123-000]

Kern County Water Agency; Application for Preliminary Permit

April 1, 1981.

Take notice that Kern County Water Agency (Applicant) filed on February 5, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4123 to be known as Hobo Project located on the Kern River in Kern County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Robert E. McCarthy, President, Kern County Water Agency, P.O. Box 58, Bakersfield, California 93302. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a 200-foot high earth-and-concrete diversion dam, impounding approximately 585 acre-feet; (2) a 9,400-foot long tunnel; (3) a 13,000-foot long pipeline; (4) surging facilities; (5) a powerhouse containing a total installed capacity of 36,500 kW; and (6) a 1,300-foot long transmission line. The Applicant estimates that the average annual energy output would be 120 million kWh.

Purpose of Project—The energy generated by the project would be sold to the Southern California Edison Company or to the Pacific Gas and Electric Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would conduct engineering geotechnical, economic, and environmental studies, and prepare an FERC license application. No new roads would be required to conduct the studies. Field Studies to be done for the new dam include topographical surveys, geological investigations, trenching, and test borings. The cost of the studies to be performed under the preliminary permit is estimated to be $100,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Fluid Energy System's Project No. 3855 filed on December 8, 1980, under 18 CFR 4.33 (1980). Anyone desiring to file a competing application must submit to the Commission, on or before April 17, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested peron to file the competing application no later than June 16, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) 1980. A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protest, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 1, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4123. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower

Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10566 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4124-000]

Kern County Water Agency; Application for Preliminary Permit

April 6, 1981.

Take notice that Kern County Water Agency (Applicant) filed on February 5, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4124 to be known as the Isabella Power Project located on the Kern River in Kern County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Robert E. McCarthy, Kern County Water Agency, P.O. Box 58, Bakersfield, California 93302. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) an extension of the outlet structure of the Corps of Engineers Isabella Dam; (2) a power plant containing a 8,000-kw generating unit; and a 2,000-foot long transmission line.

The Applicant estimates that the average annual energy output would be 10 million kwh.

Purpose of Project—The power generated by the proposed project would be sold to a local utility.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary for a period of 36 months during which it would study topography and geology; perform hydrologic, geotechnical, and field studies; prepare cost estimates to establish the project's feasibility; negotiate with necessary agencies; and secure necessary permits. The cost of these studies is estimated by the Applicant to be $100,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to the California Department of Water Resources and North Kern Water Storage District's Project Nos. 3209 and 3518 respectively, under 18 CFR 4.33 (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 and 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protests or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 6, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTESTS", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made a response to this notice of application for preliminary permit for Project No. *4124*. Any comments, protests, or petitions to intervene must be filed by providing to original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Room 208 RB Building, Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10829 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. G-2756-000, et al.]

Kerr-McGee Corp., et al., Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

April 3, 1981.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before April 16, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Practice and Procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per 1,000 ft³	Pressure base
G-2756-000, D, Mar. 19, 1981	Kerr-McGee Corporation, Bison Gas Co. and Joseph Allen, Frear, Jr., P.O. Box 25861, Oklahoma City, Oklahoma 73125.	Phillips Petroleum Company, Guymon-Hugoton Field, Texas County, Oklahoma and Texas-Hugoton Field, Sherman County, Texas.	(1)	
CI61-985-000, D, Mar. 20, 1981	Phillips Petroleum Company, 336 HS&L Building, Bartlesville, Oklahoma 74004.	Transwestern Pipeline Company, Ochiltree and Lipscomb Counties, Texas and Ellis, Beaver, and Harper Counties, Oklahoma.	(2)	
CI77-46-001, C, Mar. 16, 1981	Exxon Corporation, P.O. Box 2180, Houston, Texas 77001.	Trunkline Gas Company, Eugene Island Block 332 Field, Offshore Louisiana.	(3)	15.025
CI79-97-001, D, Mar. 13, 1981	Phillips Petroleum Company, 336 HS&L Building, Bartlesville, Oklahoma 74004.	Michigan Wisconsin Pipe Line Company, Various wells in Roberts, Ochiltree, Moore, Hansford and Sherman Counties, Texas and in Texas County, Oklahoma.	(4)	
CI78-223-002, C, Mar. 16, 1981	Exxon Corporation, P.O. Box 2180, Houston, Texas 77001.	Trunkline Gas Company, West Cameron Block 630 Field, Offshore Louisiana.	(5)	15.025
CI78-225-002, C, Mar. 16, 1981	do	Columbia Gas Transmission Corporation, West Cameron Block 630 Field, Offshore Louisiana.	(5)	15.025
CI78-226-002, C, Mar. 16, 1981	do	Northern Natural Gas Company, West Cameron Block 630 Field, Offshore Louisiana.	(5)	15.025
CI81-77-001, C, Mar. 20, 1981	ARCO Oil and Gas Company, a Division of Atlantic Richfield Company, P.O. Box 2819, Dallas, Texas 75221.	Northern Natural Gas Company, West Cameron Block 206 Field, Offshore Louisiana.	(5)	15.025
CI81-258-000, A, Mar. 13, 1981	Texas Eastern Exploration Co., P.O. Box 2521, Houston, Texas 77001.	Columbia Gas Transmission Corporation, Block 595, West Cameron Area, South Addition, Offshore Louisiana.	(6)	15.025
CI81-259-000, B, Mar. 9, 1981	Jones & Pellow Oil Co., 2821 Northwest 50th Street, Oklahoma City, Oklahoma 73112.	Panhandle Eastern Pipeline Company, Ellis County, Oklahoma.	(7)	
CI81-260-000, B, Mar. 9, 1981	Jones & Pellow Oil Co., 2821 Northwest 50th Street, Oklahoma City, Oklahoma 73112.	Panhandle Eastern Pipeline Company, Woods County, Oklahoma.	(8)	
CI81-261-000, A, Mar. 12, 1981	Penrzoil Producing Company, P.O. Box 2967, Houston, Texas 77001.	Tennessee Gas Pipeline Company, Cuellar-Garza Field in Zapata County, Texas.	(9)	14.65
CI81-262-000, B, Mar. 12, 1961	Philcon Development Company, a partnership composed of Danny H. Conklin and Harry H. Phillips, partners, First National Place, Suite 730, Amarillo, Texas 79101.	Cities Service Gas Company, Section 163, Block 41, H&TC Survey, Hemphill County, Texas.	(10)	
CI81-263-000 (G-6711), B, Mar. 13, 1981.	Sun Oil Company, P.O. Box 20, Dallas, Texas 75221	Colorado Interstate Gas Company, Keyes Field, Oklahoma.	(11)	
CI81-264-000 (CI61-275), B, Mar. 13, 1981.	Cabot Corporation, One Houston Center, Suite 1000, Houston, Texas 77010.	Kansas-Nebraska Natural Gas Co. Inc., Section 31, Township 3 North, Range 18 ECM, Texas County, Oklahoma.	(12)	
CI81-265-000, A, Mar. 13, 1981	Anadarko Production Company, P.O. Box 1330, Houston, Texas 77001.	Trunkline Gas Company, Eugene Island Block 377, South Addition, and a portion of Block 380 (Platform B), South Addition, Offshore Louisiana.	(13)	15.025
CI81-266-000, A, Mar. 13, 1981	Sun Oil Company, P.O. Box 20, Dallas, Texas 75221	Tennessee Gas Pipeline Company, Eugene Island South Addition, Block 321, Offshore Louisiana Lease No. OCS-G-2610.	(14)	15.025
CI81-267-000, A, Mar. 16, 1981	Felmont Oil Corporation, P.O. Box 2266, Midland, Texas 79702.	Columbia Gas Transmission Corporation, Block 143 South Marsh Island Area, Offshore Louisiana in the Federal Domain.	(15)	15.025
CI81-268-000 (CI78-1245), B, Mar. 17, 1981.	Phillips Petroleum Company, 336 HS&L Building, Bartlesville, Oklahoma 74004.	El Paso Natural Gas Company, Malaga Field, Eddy County, New Mexico.	(16)	
CI81-269-000 (CI67-1827), B, Mar. 19, 1981.	Kerr-McGee Corporation, P.O. Box 25861, Oklahoma City, Oklahoma 73125.	Texas Gas Transmission Corporation, Cartwright Field, Jackson Parish, Louisiana.	(17)	
CI81-270-000, B, Mar. 19, 1981	McAfee & Wickham, (Operator), *et al.*, 7920 Lakehurst Drive, Oklahoma City, Oklahoma 73120.	Lone Star Gas Company, Knox Field, Stephens County, Oklahoma.	(18)	
CI81-271-000 (CI79-198), B, Mar. 19, 1981.	Sun Oil Company, P.O. Box 20, Dallas, Texas 75221	Texas Eastern Transmission Corporation, Jule Walker Field, Jim Hogg County, Texas.	(19)	
CI81-272-000, A, Mar. 23, 1981	Case-Pomeroy Oil Corporation, P.O. Box 1511, Midland, Texas 79702.	Transcontinental Gas Pipe LIne Corporation, Block A-508 High Island Area, Offshore Texas in the Federal Domain.	(19)	14.65
CI81-273-000, A, Mar. 23, 1981	Felmont Oil Corporation, P.O. Box 2266, Midland, Texas 79702.	Transcontinental Gas Pipe Line Corporation, Block A-508 High Island Area, Offshore Texas in the Federal Domain.	(19)	14.65
CI81-274-000, A, Mar. 24, 1981	Samedan Oil Corporation, P.O. Box 909, Ardmore, Oklahoma 73401.	Tennessee Gas Pipeline Company, Brazos Block A-17 Field, Offshore Texas.	(20)	14.65

[1] The wells on the lands covered by this Application have been plugged and Applicant has no right to explore or develop said lands.
[2] Acreage was released and has been deleted from the February 2, 1981 rollover contract.
[3] Applicant agrees to accept a permanent Certificate of Public Convenience and Necessity covering the subject sale conditioned in accordance with the Natural Gas Policy Act of 1978 and the Commission's Regulations under said Act.
[4] The Apollo Power No. 1 Well located in Moore County, Texas was inadvertently dedicated to Michigan Wisconsin Pipe Line Company after it was already dedicated to El Paso Natural Gas Company and Panhandle Eastern Pipe Line Company under Phillips FERC Gas Rate Schedule Nos. 32 and 399 respectively.
[5] Applicant is filing under Gas Purchase and Sales Agreement dated May 22, 1980, amended by Amendment dated February 17, 1981.
[6] Applicant is willing to accept temporary authorization conditioned to the applicable maximum lawful price, including any increases in such rate prescribed, allowed, or published by the Commission; provided that Applicant or the operator shall also be entitled to file applications with the appropriate jurisdictional agencies for increases to any higher contractually authorized prices allowed by the regulations of the Commission under either the NGA or the NGPA.
[7] Well no longer capable of producing gas. Geological and engineering analysis indicates depleted reserves and no additional completion possibilities.
[8] Well no longer capable of producing gas.
[9] Applicant is willing to accept a certificate of public convenience and necessity conditioned in price to the applicable ceiling rates as established by the Natural Gas Policy Act of 1978.
[10] The only well which was drilled on the dedicated acreage ceased production in November of 1977 and was plugged and abandoned on September 13, 1980.
[11] The Ferguson Gas Unit wells, operated by Amoco Production Company, were plugged and abandoned September 26, 1979. Sun's lease expired under its own terms on January 24, 1980.
[12] All gas reserves have been depleted to the extent that the continuance of service is unwarranted. The only remaining well on the lease was plugged and abandoned.
[13] Applicant is filing under Gas Purchase Contract dated September 22, 1980.

[18] Applicant is filing under Gas Purchase Contract dated August 15, 1980.
[19] Applicant agrees to accept the Certificate being applied for herein if such Certificate authorizes the initial sale of gas thereunder at the applicable maximum rate prescribed by the Commission at the time of initial deliveries thereunder, provided, however, Applicant reserves the right to reject such Certificate if it contains other conditions that are unacceptable, in Applicant's judgment.
[16] Production dedicated under Phillips' Rate Schedule No. 631 qualified for NGPA Section 103 removing it from the jurisdiction of the Natural Gas Act pursuant to Section 601(a)(1)(B)(iii).
[17] The only wells drilled on the lands covered by this application have been plugged and Applicant's leases have expired due to lack of commercial production.
[18] The wells currently produce only small quantities of gas. Wellhead pressures being less than 50 psig.
[19] The lease expired on February 7, 1980.
[20] Applicant is filing under Gas Purchase Contract dated October 30, 1980.
Filing Code: A—Initial Service. B—Abandonment. C—Amendment to add acreage. D—Amendment to delete acreage. E—Total Succession. F—Partial Succession.

[FR Doc. 81-10646 Filed 4-9-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. CP74-92]

MIGC, Inc.; Tariff Sheet Filings

April 2, 1981.

Take notice that on March 17, 1981, MIGC, Inc. (MIGC), 1880 Wilshire Boulevard, Los Angeles, California 90024, tendered for filing in Docket No. CP74-92 pursuant to § 154.63 of the Commission's Regulations under the Natural Gas Act additional tariff sheets, consisting of Original Sheet Nos. 54 through 87, to its Initial Rate Schedule X-1 of it FERC Gas Tariff, Original Volume No. 1, to become effective April 16, 1981, reflecting a substitution of the contract under which MIGC renders its transportation service to Colorado Interstate Gas Company (CIG), all as more fully set forth in the proposed additional tariff sheets which are on file with the Commission and open to public inspection.

By order issued February 11, 1976, in Docket No. CP74-92, McCulloch Interstate Gas Corporation, MIGC's predecessor, was authorized to render a transportation service for CIG for an initial term of five years. MIGC states that the transportation agreement under which the service was rendered expired on September 5, 1978, and that in anticipation of that, MIGC on August 18, 1978, submitted its revised tariff filing in order to provide a contractual base for the continuation of the authorized transportation service. It is asserted that that contract then submitted, and resubmitted herewith, is an agreement, executed July 16, 1976, for the sale and purchase of pipeline facilities. Further, MIGC asserts that the new agreement provides for the continuation of the transportation service and that it was filed as the only extant contract under which the authorized transportation service could continue after September 5, 1978. It is indicated that on September 15, 1978, the Director of the Commission's Office of Pipeline and Producer Regulation rejected the July 16, 1976, contract filing because the contract provides for service for which certificate authorization pursuant to Section 7(c) of the Natural Gas Act had not been granted. Upon petition for review, the U.S. Court of Appeals for the Ninth Circuit remanded the proceedings to the Commission with instructions. (*McCulloch Interstate Gas Corporation v. Federal Energy Regulatory Commission*, No. 78-3716, 9th Cir. February 25, 1981).

MIGC states that it is resubmitting the July 16, 1976, agreement at this time in accordance with the Court's findings and that the purpose is, as previously submitted, to provide a proper contractual base for the transportation service from the date of expiration of the previous agreement on September 5, 1978, forward. The rate charged to CIG for the subject service would not be affected.

MIGC requests that the subject tariff sheets become effective April 16, 1981, without suspension, and that the Commission expressly recognize that, pursuant to the Court's directive, the terms of Section 12.01 of the July 16, 1976, agreement, which provides for the continuation of the transportation service for CIG, apply to all transportation service provided by MIGC to CIG since September 5, 1978.

Any person desiring to be heard or to make any protest with reference to said tariff sheets should on or before April 13, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-10647 Filed 4-9-81; 8:45 am]
BILLING CODE 6450-85-M

[Project No. 4282-000]

Mountain Water Resources; Application for Preliminary Permit

April 6, 1981.

Take notice that Mountain Water Resources (Applicant) filed on March 2, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4282 to be known as Deadhorse Creek Water Power Project located on Deadhorse Creek in Whatcom County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. William L. Devine, 8040 Mt. Baker Highway, P.O. Box 68, Maple Falls, Washington 98266. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a 3-foot high, 75-foot long prefabricated concrete gravity dam; (2) an 18- to 20-inch diameter, 5,000-foot long penstock; (3) a concrete powerhouse containing generating units with a total rated capacity of 1,000 kW; and (4) appurtenant facilities. The Applicant estimates that the average annual energy output would be 6 million kWh.

Purpose of Project—Project energy would be sold to a private utility.

Proposed Scope and Cost of Studies Under Permit—Applicant has requested a 36 month preliminary permit to prepare a project report, including preliminary designs, and results of geological, hydrological, environmental and economic feasibility studies. Applicant has indicated that: (a) no new roads would be required for conducting the studies; and (b) test borings would be done in areas which are clear of vegetation, boring holes would be backfilled, and the ground surface reconditioned to the extent possible. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with the Federal, State, and local agencies, preparing a license application, conducting final field surveys and preparing designs is estimated by the Applicant to be $100,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives

the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 11, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 10, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (b) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 11, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4282. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10830 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4006-000]

City of Ogdensburg, New York; Application for Preliminary Permit

April 3, 1981.

Take notice that the City of Ogdensburg, New York (Applicant) filed on January 12, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4006 to be known as the Ogdensburg Project located on the Oswegatchie River in the City of Ogdensburg, St. Lawrence County, New York. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Gerald F. Johnson, City Manager, City Hall, 330 Ford Street, Ogdensburg, New York 13669. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed run-of-river project would utilize the existing Ogdensburg Dam and would consist of: (1) a 19-foot high and 400-foot long concrete gravity-type dam; (2) a reservoir having a storage capacity of 1,450 acre-feet at normal maximum water elevation of 258.5 feet m.s.l.; (3) an existing powerhouse at the right (east) bank which would contain three rehabilitated or new turbines to connect directly to rehabilitated or new generating units having a total rated capacity of 3,000-kW; (4) a transmission line approximately 1,000 feet long; and (5) appurtenant facilities. The Applicant estimates that the average annual energy output would be 10,000,000 to 20,000,000 kWh.

Purpose of Project—Project energy would be either sold to others or used by Applicant for municipal purposes.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 12 months, during which time it would conduct geotechnical surveys, perform technical and economic studies, prepare an environmental report and prepare an application for an FERC license. Applicant estimates the cost of the studies under the permit would be $50,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to that of Niagara Mohawk Power Corporation Project No. 3874 filed on December 15, 1980 under 18 CFR 4.33 (1980). Anyone desiring to file a competing application must submit to the Commission, on or before April 23, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than June 22, 1981. A

notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 6, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made a response to this notice of application for preliminary permit for Project No. 4006. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB Building, Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10635 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ST79-20-001]

ONG Western, Inc.; Filing of Extension Report

April 6, 1981.

Take notice that on March 17, 1981, ONG Western, Inc. (Applicant), 624 South Boston Avenue, Tulsa, Oklahoma 74119, filed in Docket No. ST79-20-001 an extension report pursuant to Section 311 of the Natural Gas Policy Act of 1978 and Part 284 of the regulations thereunder giving notice of Applicant's intention to continue the sale of natural gas for a period of two years to Transwestern Pipe Line Company (Transwestern), a wholly-owned subsidiary of Texas Eastern Transmission Corporation, all as more fully set forth in the extension report which is on file with the Commission and open to public inspection.

Applicant states that it initiated the sale of natural gas to Transwestern on July 28, 1979, and now proposes to extend such sale for an additional two-year period.

Applicant estimates that the daily quantities of gas to be sold to Transwestern would be 75 billion Btu with the total quantity to be sold during the two-year period to be approximately 50 trillion Btu.

Applicant states that the rate to be charged for the gas sold to Transwestern would be equal to (a) Applicant's weighted average acquisition cost of natural gas per million Btu for the month during which gas is delivered; plus (b) a fee of 10.0 cents per million Btu as compensation for expenses incurred by Applicant and associated with the gathering, treatment, processing, transportation, and delivery of natural gas hereunder including a reasonable profit on such services; plus (c) an adjustment to reflect any differences between the weighted average acquisition cost of natural gas used for billing purposes for the most recent billing period and the actual weighted average acquisition cost experience during the same billing period for which actual data are presently available and for which the actual weighted average acquisition costs of natural gas have not yet been recovered.

Any person desiring to be heard or to make any protest with reference to said extension report should on or before April 24, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10649 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3941-000]

Village of Penn Yan, New York; Application for Preliminary Permit

April 6, 1981.

Take notice that the Village of Penn Yan, New York (Applicant) filed on January 7, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 3941 to be known as the Keuka Lake Outlet Project located on Keuka Lake Outlet in Yates County, New York. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Phillip J. Movish, Project Engineer, Daverman & Associates, P.C., 500 South Salina Street, Syracuse, New York 13210. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The project would involve the utilization of the existing Birkett Mills, Keuka Mills, and Milo Mills dams in Penn Yan, New York. Each of the dams has a negligible storage capacity.

The 10-foot high Birkett Mills dam is located beneath the Main Street Bridge. The Keuka Mills dam is an earthen dam 12 feet high and located 4,500 feet downstream of Birkett Mills. The Milo Mills dam is 12 feet high and located 3,600 feet downstream of the Keuka Mills dam. The Keuka Mills and Milo Mills dams have been breached. There is a total of 70 feet of head available between the Birkett Mills and Milo Mills site.

The Applicant proposes to study several design alternatives, all of which would involve the construction of a powerhouse at Milo Mills dam. These would include: (1) the reconstruction of Milo Mills dam, including the construction of a penstock from the downstream side of the structure to the proposed powerhouse; (2) construction of a penstock from Birkett Mills dam to the proposed powerhouse at the Milo Mills dam site; and (3) relocation of the lake stage control gates from Birkett Mills dam to Milo Mills dam, in order to raise the dam height, create a larger

reservoir and provide a higher hydraulic head to the proposed power plant at that site.

The total installed generating capacity of the project would be 4,000 kW. The Applicant estimates that the average annual energy output would be 8,320,300 kWh.

Purpose of Project—Project energy would be used by the Applicant or others for public utilities purposes.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of three years during which time Applicant would investigate the engineering, economic, environmental, historic, and recreational aspects of the project. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for license. Applicant estimates the cost of studies under the permit would be $55,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before May 22, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than July 22, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 22, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3941. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10832 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3899-000]

Pennsylvania Renewable Resources, Inc.; Application for Preliminary Permit

April 6, 1981.

Take notice that Pennsylvania Renewable Resources, Inc. (Applicant) filed on December 30, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 3899 to be known as Maxwell Lock and Dam Hydroelectric Project located on Monongahela River in Fayette County, Pennsylvania. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Jeffrey M. Kossak, 14 Wall Street, Suite 1900, New York, New York 10005. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the existing U.S. Army Corps of Engineers' Maxwell Lock and Dam and would consist of: (1) a new penstock; (2) a new powerhouse containing generating unit(s) having a total rated capacity of 13 MW; (3) a transmission line about one-half mile long; and (4) appurtenant facilities. The Applicant estimates that the average annual energy output would be 70.6 GWh.

Purpose of Project—Project energy would be sold to the West Penn Power Company, GPU or Duquesne Power & Light.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would prepare studies of the hydraulic, construction, economic, environmental, historic, and recreational aspects of the project. Depending upon the outcome of the studies, Applicant would prepare an application for an FERC license. Applicant estimates the cost of the studies under the permit would be $125,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should

be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to the Maxwell Lock and Dam Project No. 3517 filed on October 1, 1980, by Atlantic Power Development Corporation under 18 CFR 4.33 (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 26, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATIONS", "PROTEST", or PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3899. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10848 Filed 4-9-81; 8:45 am]

BILLING CODE 6450-85-M

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-1803-1]

Availability of Environmental Impact Statements

AGENCY: Office of Federal Activities (A-104), U.S. Environmental Protection Agency.

Purpose: This notice lists the Environmental Impact Statements (EISS) which have been officially filed with the EPA and distributed to federal agencies and interested groups, organizations and individuals for review pursuant to the Council on Environmental Quality's regulations (40 CFR Part 1506.9) during the week of March 30, 1981 to April 3, 1981.

Review Periods: The 45-day review period for Draft EISs' listed in this notice is calculated from April 10, 1981 and will end on May 25, 1981. The 30-day review period for Final EISs' as calculated from April 10, 1981 will end on May 11, 1981.

EIS Availability: To obtain a copy of an EIS listed in this notice you should contact the federal agency which prepared the EIS. If a federal agency does not have the EIS available upon request you may contact the Office of Federal Activities, EPA, for further information. Copies of EIS's previously filed with EPA or CEQ which are no longer available from the originating agency are available with charge from the following source: Information Resources Press, 1700 North Moore Street, Arlington, Virginia 22209, (703) 558-8270.

FOR FURTHER INFORMATION CONTACT: Kathi L. Wilson, Office of Federal Activities, Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (202) 245-3006.

William N. Hedeman, Jr.,

Director, Office of Federal Activities (A-104).

Dated: April 7, 1981.

U.S. Army Corps of Engineers

Final—Coinjock Bridge Replacement, Atlantic ICWW, Currituck County, North Carolina (EIS Order No. 810245).

Report—Great Sodus Bay, Little Sodus Bay and Oswego Harbors O/M, Wayne, Cayuga and Oswego Counties, New York (EIS Order No. 810261).

U.S. Department of Defense

Final—DOD Stocks of DDT, Safe Collection, Transportation and Disposal, Several States (EIS Order No. 810260).

Environmental Protection Agency

EPAII: Draft—Tri-Municipal Sewer Improvement Area WWT Facilities Plan, Grant, Dutchess County, New York; the review period for this EIS has been extended until June 19, 1981 (EIS Order No. 810255).

Federal Energy Regulatory Commission

Final—Kootenai River Hydroelectric Project, License, Lincoln County, Montana (EIS Order No. 810258).

Department of Housing and Urban Development

Draft—Colby Lake Planned Residential Development, Mortgage Insurance, Washington County, Minnesota (EIS Order No. 810249).

Final—Briarwood Housing Development, Mortgage Insurance, Yellowstone County, Montana (EIS Order No. 810243).

Draft Supplement—The Woodlands New Town, Mortgage Insurance, Montgomery County, Texas (EIS Order No. 810257).

104H: Draft—East Hendersonville Revitalization Project, CDBG, Henderson County, North Carolina (EIS Order No. 810259).

104H: Final—Wellington Station Area Development, UDAG, Middlesex County, Massachusetts (EIS Order No. 810251).

Department of the Interior

BLM: Draft—Cal-Neva Planning Unit Livestock Grazing Management Program, Lassen County, California and Washoe County, Nevada (EIS Order No. 810253).

BLM: Draft—Big Desert Area Range Management Program, Several Counties, Idaho; the review period for this EIS has been extended until May 29, 1981 (EIS Order No. 810254).

BLM: Final—Sustained Yield Unit 13 Timber Management Plan, Humboldt, Mendocino, Trinity and Sonoma Counties, California (EIS Order No. 810242).

FWS: Final—Big Boggy National Wildlife Refuge, Matagorda County, Texas (EIS Order No. 810244).

Nuclear Regulatory Commission

Draft Supplement—Susquehanna Steam Electric Station, Units 1 and 2,

Luzerne County, Pennsylvania (EIS Order No. 810256).

U.S. Department of Transportation

FHWA: Draft—Freeport Deepwater Port Construction and Operation, Brazoria County, Texas and Gulf of Mexico (EIS Order No. 810252).

FHWA: Final—I-164 Spur Construction, I-64/IN-57 to IN-66, Vanderburgh County, Indiana (EIS Order No. 810246).

FHWA: Final—US 35, US 68 to US 35 Bypass, Greene and Fayette Counties, Ohio (EIS Order No. 810247).

FHWA: Final—Madison Street Improvement, I-55 to West Belt Highway, Sangamon County, Illinois (EIS Order No. 810248).

FHWA: Final—PR-20/Guaynabo Highway Relocation and Reconstruction, San Juan, Puerto Rico (EIS Order No. 810250).

[FR Doc. 81-10056 Filed 4-9-81; 8:45 am]

BILLING CODE 6560-37-M

[OPP-180585; PH-FRL 1802-5]

Texas; Issuance of Specific Exemption for Aldicarb in Grapefruit Orchards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted a specific exemption to the Texas Department of Agriculture (hereafter referred to as the "Applicant") for the use of Temik (aldicarb) to control the citrus nematode in 23,900 acres of grapefruit in three counties in Texas. The specific exemption is issued under the Federal Insecticide, Fungicide, and Rodenticide Act.

DATE: The specific exemption expires on October 1, 1981.

FOR FURTHER INFORMATION CONTACT: Jack E. Housenger, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 502C, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202 (703-557-7321).

SUPPLEMENTARY INFORMATION: The October 29, 1979, suspension of most dibromochloropropane (DBCP) uses included that chemical's use as a post-plant treatment for control of the citrus nematode in grapefruit orchards. This was the only use registered to control the citrus nematode. The Applicant estimates losses could be as high as $8.07 million on the acreage proposed for treatment without the use of Temik, which contains the active ingredient (a.i.) aldicarb.

EPA has determined that residues of aldicarb and its cholinesterase-inhibiting metabolites, aldicarb sulfoxide and aldicarb sulfone, will not exceed 0.3 part per million (ppm) in or on grapefruit or the already established level of 0.6 ppm in or on dried citrus pulp. These levels have been judged adequate to protect the public health. Secondary residues are not expected to exceed the established tolerances of 0.01 ppm and 0.002 ppm in meat and milk, respectively.

A full evaluation of the effect the proposed use will have on nontarget organisms cannot be made. EPA has required monitoring for residues in water in the Laguna Madre Bay and the Laguna Atacosa National Wildlife Refuge.

After reviewing the application and other available information, EPA has determined that the criteria for an exemption have been met. Accordingly, the Applicant has been granted a specific exemption for use of the pesticide noted above until October 1, 1981, to the extent and in the manner set forth in the application. The specific exemption is also subject to the following conditions:

1. The Applicant is responsible for ensuring that all provisions of this specific exemption are met. It is also responsible for providing information in accordance with 40 CFR 166.5. This information must be submitted to EPA Headquarters through the EPA Regional Office. Information provided in accordance with paragraph (a) of this section must include an exact location of the place of application, a report summarizing the results of this program, as required in paragraph (d), must be submitted by November 1, 1981.

2. Use of the product Temik 15G (EPA Reg. No. 264-330) manufactured by Union Carbide, is authorized.

3. Total acreage to be treated may not exceed 23,900.

4. A maximum of 1,601,300 pounds of product may be applied at a maximum rate of 67 pounds product per acre. No more than 1 application per year may be made.

5. Application may take place in the counties of Cameron, Hildago, and Willacy.

6. All applications will be made by applicators certified in this category of pest control or persons under their direct supervision.

7. Treated grapefruit orchards may not be grazed.

8. All precautions and applicable restrictions on the EPA-registered label must be adhered to.

9. Aldicarb is toxic to fish, birds, and other wildlife. Birds feeding on treated areas may be killed.

10. Due to the use of tiled fields, water runoff and accumulation can occur, establishing a potential hazard to birds and mammals which may utilize such contaminated water. Data are not available that would allow a full evaluation of this potential hazard. The Applicant must ensure that observations are carried out in treated areas concerning possible adverse effects to birds and mammals from contaminated water. Additionally, due to the lack of data concerning the level of residues of aldicarb and its metabolites which may drain to the Laguna Madre Bay, a full evaluation of potential hazard to brown shrimp populations cannot be made.

11. Monitoring for residues of aldicarb and its metabolites in water shall be conducted in the Laguna Madre Bay and in the Laguna Atacosa National Wildlife Refuge. Staff of the Office of Pesticide Programs, EPA, will work with the Applicant to develop details of this program.

12. Residues of aldicarb and cholinesterase-inhibiting metabolites, aldicarb sulfoxide and aldicarb sulfone, are not expected to exceed 0.3 ppm in or on grapefruit or 0.6 ppm in or on dried citrus pulp from the proposed use. Additionally, secondary residues in meat and milk are not expected to exceed already established tolerances of 0.01 ppm and 0.002 ppm, respectively. Commodities with residues not in excess of the above levels may enter interstate commerce. The Food and Drug Administration, U.S. Department of Health and Human Services, has been advised of this action.

13. The EPA shall be immediately notified of any adverse effects resulting from use of Temik in connection with this exemption.

(Sec. 18 as amended 92 Stat. 819; (7 U.S.C. 136))

Dated: March 31, 1981.

Edwin L. Johnson,

Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 81-10003 Filed 4-9-81; 8:45 am]

BILLING CODE 6560-32-M

[OPP-180568A; PH-FRL 1802-3]

Pesticides; California; Amendment to Specific Exemption for Carbofuran on Grapes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted an amendment to a specific exemption issued to California for the use of carbofuran on grapes to control nematodes.

FOR FURTHER INFORMATION CONTACT: Edward Gross, Registration Division (TS–767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 509C, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703–557–7123).

SUPPLEMENTARY INFORMATION: Notice of this exemption apeared in the **Federal Register** of March 3, 1981 (46 FR 14951). The date of expiration of the specific exemption has been changed to May 31, 1981. All other terms of the specific exemption still apply.

Dated: March 31, 1981.

Edwin L. Johnson,

Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 81–10886 Filed 4–9–81; 8:45 am]

BILLING CODE 6560–32–M

[OPP 180586; PH–FRL 1802–4]

Pesticides; New York; Issuance of Specific Exemption for Chlorpyrifos on Onions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has issued a specific exemption to the New York Department of Environmental Conservation (hereafter referred to as the "Applicant") to use Chlorpyrifos to control the onion maggot on 6,750 acres of onions in Madison, Ontairo, Orleans, Oswego, Steuben, Wayne, and Yates Counties, New York. The specific exemption is issued under the Federal Insecticide, Fungicide, and Rodenticide act.

DATE: This exemption ends on June 30, 1981.

FOR FURTHER INFORMATION CONTACT: Edward Gross, Registration Division (TS–767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 509C, CM2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703–557–7123).

SUPPLEMENTARY INFORMATION: Onion maggot, *Hylemya antiqua* (Meigen), is a single host pest that annually threatens onion crops grown in New York. Because the onion maggot is a single host pest, the entire population is exposed to the chemical being applied, resulting in eventual resistance to the chemical. Fensulfothion and fonophos are the only registered pesticides still recommended for use as preventive applications at planting time before the larvae invade the plants; according to the Applicant, neither provides satisfactory control. There are no alternative cultural or biological practices. The applicant states that chlorpyrifos, the active ingredient (a.i.) in Lorsban 4E and Lorsban 15G, provides good control. The Applicant claims that losses of up to $6.71 million could result if the onion maggot is not controlled.

EPA has concluded that residues of chlorpyrifos in onions are not expected to exceed 0.5 part per million (ppm) from the proposed use. This residue level has been deemed adequate to protect the public health. EPA has also determined that the proposed use should not pose an unreasonable hazard to the environment.

After reviewing the application and other available information, EPA has determined that the criteria for an exemption have been met. Accordingly, the Applicant has been granted a specific exemption to use the pesticide noted above until June 30, 1981, to the extent and in the manner set forth in the application. The specific exemption is also subject to the following conditions:

1. The Applicant is responsible for ensuring that all provisions of this specific exemption are met. It is also responsible for providing information in accordance with 40 CFR 166.5. This information must be submitted to EPA Headquarters through the EPA Regional Office. Information provided in accordance with paragraph (a) of this section must include an exact location of the place of application. A report summarizing the results of this program, as required in paragraph (d) must be submitted by December 31, 1981.

2. Use of the products Lorsban 4E (EPA Reg. No. 464–448) and Lorsban 15G (EPA Reg. No. 464–523) is authorized at a dosage rate of 0.029 pound a.i. per 1,000 linear-foot of row, or 1 pound a.i. per acre based on the standard 15-inch row width.

3. A maximum of 1 application is authorized. Application will be made at planting time only.

4. Applications may be made by growers certified as private applicators or by persons in their employ and under their supervision.

5. A maximum of 6,750 acres of dry bulb onions in the counties named above may be treated.

6. A maximum of 6,750 pounds a.i. may be applied.

7. Application may be made by (a) drench treatment, (b) furrow spray, or (c) granules.

8. Onions with residue levels of chlorpyrifos not exceeding 0.5 ppm may enter interstate commerce. The Food and Drug Administration, U.S. Department of Health and Human Services, has been advised of this action.

9. There is to be a preharvest interval of not less than 90 days.

10. All applicable label directions, precautions, and restrictions must be adhered to.

(Sec. 18, as amended (92 Stat. 819; 7 U.S.C. 136))

Dated: March 31, 1981.

Edwin L. Johnson,

Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 81–10887 Filed 4–9–81; 8:45am]

BILLING CODE 6460–32–M

FEDERAL MARITIME COMMISSION

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(c)).

Persons knowing of any reason 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.

Seaport Shipping (Jo Ann C. Chertoff, d.b.a.), 1544 Waterside Drive, Chesapeake, VA 23320

Geo. B. Salas & Co. (T. Ted Lee, d.b.a.), 9009 La Cienega Blvd., Second Floor, Inglewood, CA 90301

Aerotyme, Inc., 200 Crofton Road, P.O. Box 20048, New Orleans, LA 70141. Officers: Clifford M. Tallman, President, Julia M. Tallman, Secretary/Treasurer, Steven Tallman, Vice President

A & A Express International, Inc., 8595 Mosley Road, Bldg. 20, Houston, Texas. Officers: Alvardo Fajardo, President, Segundo M. Miranda, Vice President, Jesus M. Miranda, Secretary/Treasurer

Best Forwarders (Leonel Silva, d.b.a), 4632 W. Imperial Hwy., Inglewood, CA 90304

Intermodal Forwarding Corp., 9424 N.W. 13th Street, Room 51, Miami, FL 33172. Officers: Eugenio A. Rau, President, Elena C. Rau, Secretary/Treasurer

Sapico Freight Services (Alberto C. Sapico, d.b.a.), 13965 East Stage Road, Unit G, Santa Fe Springs, CA 90670

China Interocean Transport, Inc., One World Trade Center, Suite 3127, New York, NY 10048. Officers: Liu Xinnan, President/Director, Jackson Ko, Treasurer, Lin Shihuai, Secretary, Liu Jingxin, Assistant

Secretary, Gao Zhufeng, Director, Li Chuntien, Director, Lin Shin-Shau, a/k/a Edward S. Lin, Assistant Treasurer

Dated: April 7, 1981.

By the Federal Maritime Commission.

Joseph C. Polking,

Acting Secretary.

[FR Doc. 81-10765 Filed 4-9-81; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Banore Bancshares, Inc.; Formation of Bank Holding Company

Banore Bancshares, Inc., Woodburn, Marion County, Oregon, 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 Bank of Oregon, Woodburn, Marion County, Oregon. 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 San Francisco. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than May 1, 1981. 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, April 3, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-10905 Filed 4-9-81; 8:45 am]

BILLING CODE 6210-01-M

Buhl Bancorporation, Inc.; Formation of Bank Holding Company

Buhl Bancorporation, Inc., Buhl, Minnesota, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 95.1 percent or more of the voting shares of The First National Bank of Buhl, Buhl, Minnesota. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received no later than May 5, 1981. 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, April 6, 1981.

D. Michael Maines,

Assistant Secretary of the Board.

[FR Doc. 81-10906 Filed 4-9-81; 8:45 am]

BILLING CODE 6210-01-M

Citizens Greenville Bancshares, Inc.; Formation of Bank Holding Company

Citizens Greenville Bancshares, Inc., Greenville, Texas, 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 less directors' qualifying shares of Citizens National Bank of Greenville, Greenville, Texas. 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 Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than May 5, 1981. 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, April 6, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-10907 Filed 4-9-81; 8:45 am]

BILLING CODE 6210-01-M

Equality Bankshares; Formation of Bank Holding Company

Equality Bankshares, Cheyenne, Wyoming, 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 at least 80 percent of the voting shares of The Equality State Bank, Cheyenne, Wyoming. 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 May 2, 1981. 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, April 3, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-10908 Filed 4-9-81; 8:45 am]

BILLING CODE 6210-01-M

Fox Valley Bancorp., Inc.; Formation of Bank Holding Company

Fox Valley Bancorp., Inc., Montgomery, 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 80 percent or more of the voting shares of Bank of Montgomery, Montgomery, 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 May 1, 1981. 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, April 2, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-10860 Filed 4-9-81; 8:45am]

BILLING CODE 6210-01-M

Independent Bank Holding Co.; Formation of Bank Holding Company

The Independent Bank Holding Company, Englewood, 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 94.5 percent or more of the voting shares of Western National Bank of Denver, Denver, 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 Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received no later than May 1, 1981. 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, April 3, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-10919 Filed 4-9-81; 8:45 am]

BILLING CODE 6210-01-M

Irving American Bancshares Corp.; Formation of Bank Holding Company

Irving American Bancshares Corp, Irving, Texas, 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 percent or more of the voting shares of The American Bank, Irving, Texas. 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 Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than May 2, 1981. 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, April 1, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-10918 Filed 4-9-81; 8:45 am]

BILLING CODE 6210-01-M

Peoples Bancshares, Inc.; Formation of Bank Holding Company

Peoples Bancshares, Inc., Pell City, Alabama, 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 percent or more of the voting shares of The Peoples Bank, Pell City, Alabama. 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 May 2, 1981. Any comment on an application that requests a hearing must include a statement of why 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, April 3, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-10917 Filed 4-9-81; 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 interests, 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 May 1, 1981.

A. *Federal Reserve Bank of Cleveland* (Harry W. Hunning, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

Provident Bancorporation, Inc., Cincinnati, Ohio (leasing activities; United States): to engage through its subsidiary, Provident Leasing Company, in leasing of industrial, transportation and other commerical equipment under full payout, financing type leases, and in commercial real estate leasing activities. These activities would be conducted from offices in Cincinnati, Ohio, serving the United States (for leases on equipment which costs over $100,000); Ohio, Indiana, and Kentucky (for leases on equipment which costs $100,000 or less); and Cincinnati, Ohio and its surrounding area (for commercial real estate leases).

B. *Federal Reserve Bank of Kansas City* (Thomas M. Hoenig, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

First of Chadron Bank Corporation, Chadron, Nebraska (leasing; Nebraska, South Dakota, Wyoming), proposes to engage in leasing a water flood injection system. This activity will be conducted from an office in Chadron, Nebraska, serving western Nebraska, southwestern South Dakota and eastern Wyoming.

C. *Other Federal Reserve Banks:* None.

Board of Governors of the Federal Reserve System, April 2, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-10858 Filed 4-9-81; 8:45 am]

BILLING CODE 6210-01-M

Bank Holding Companies; Proposed de Novo 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 May 1, 1981.

A. *Federal Reserve Bank of New York* (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

Barclays Bank Limited and its subsidiary, Barclays Bank International Limited, each a bank holding company whose principal office is in London, England (financing and insurance activities in Florida, New York, North Carolina, Ohio, Tennessee and Texas): to engage through their indirect subsidiaries—BarclaysAmerican/Credit, Inc., a North Carolina corporation ("BACI"), BarclaysAmerican/Financial, Inc., a North Carolina corporation ("BAFI-NC"), BarclaysAmerican/Financial, Inc., a New York corporation ("BAFI-NY"), BarclaysAmerican/Retail Services, Inc., an Ohio corporation ("BARS"), and BarclaysAmerican/Mortgage, Inc., a North Carolina corporation ("BAMI")—in (i) making direct consumer loans, including loans secured by real estate, and purchasing of sales finance contracts representing extensions of credit such as would be made or acquired by a consumer finance company, and wholesale financing (floor planning), and (ii) acting as agent for the sale of related credit life, credit accident and health and credit property insurance. These activities would be conducted from offices of BACI at 8102 North Davis Highway, Pensacola, Florida 32504, and 4350 Fayetteville Road, Lumberton, North Carolina 28358; an office of BAFI-NY at 280 Route 211 East, Middletown, New York 10940; an office of BARS at 280 Route 211 East, Middletown, New York 10904; offices of BAFI-NC at Store 1, Waterloo Road, Akron, Ohio 44312, 4839 Robinhood Drive, Willoughby, Ohio 44094, and 11750 Wilcrest Street, Houston, Texas 77072; and offices of BAMI at Store 1, Waterloo Road, Akron, Ohio 44312, and 4839 Robinhood Drive, Willoughby, Ohio 44094; each such office serving portions of the county in which such office is located and in certain cases portions of contiguous counties.

B. *Federal Reserve Bank of Chicago* (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

First Chicago Corporation, Chicago, Illinois (investment adviser activities; United States): to engage through its subsidiary, First Chicago Realty Services Corporation, in the activity of providing portfolio investment advice with respect to real estate other than that used in the trade or business of the customer. This activity would be conducted from offices located in Chicago, Illinois; Houston, Texas; Miami, Florida; and Atlanta, Georgia; serving the United States. Comments on this application must be received not later than April 27, 1981.

C. *Other Federal Reserve Banks:* None.

Board of Governors of the Federal Reserve System, April 2, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-10859 Filed 4-9-81; 8:45 am]

BILLING CODE 6210-01-M

FEDERAL TRADE COMMISSION

Early Termination of the Waiting Period of the Premerger Notification Rules; Applied Material, Inc.

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: Applied Materials Inc. is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed acquisition of certain assets of Computervision Corp. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by Computervision. Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: March 31, 1981.

FOR FURTHER INFORMATION CONTACT: Roberta Baruch, Attorney, Premerger Notification Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580, (202-523-3894).

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register.**

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 81-10736 Filed 4-9-81; 8:45 am]

BILLING CODE 6750-01-M

Early Termination of the Waiting Period of the Premerger Notification Rules; Aktiebolaget Volvo

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: Aktiebolaget Volvo is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed acquisition of certain voting securities and assets from A/S Quatro. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by both parties.

Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: March 27, 1981.

FOR FURTHER INFORMATION CONTACT: Roberta Baruch, Attorney, Premerger Notification Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580 (202–523–3894).

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register.**

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 81–10735 Filed 4–9–81; 8:45 am]

BILLING CODE 6750–01–M

Early Termination of the Waiting Period of the Premerger Notification Rules; Bache Group

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: Bache Group is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed acquisition of all voting securities of Jackson Precious Metals. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by both parties. Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: April 2, 1981.

FOR FURTHER INFORMATION CONTACT: Roberta Baruch, Senior Attorney, Premerger Notification Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580, (202–523–3894).

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register.**

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 81–10737 Filed 4–9–81; 8:45 am]

BILLING CODE 6750–01–M

Early Termination of the Waiting Period of the Premerger Notification Rules; General Electric Company, Ltd.

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: The General Electric Company Limited is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed acquisition of certain voting securities of George J. Mealey. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by both parties. Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: March 27, 1981.

FOR FURTHER INFORMATION CONTACT: Roberta Baruch, Senior Attorney, Premerger Notification Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580 (202–523–3894).

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register.**

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 81–10759 Filed 4–9–81; 8:45 am]

BILLING CODE 6750–01–M

Early Termination of the Waiting Period of the Premerger Notification Rules; Tiger International, Inc.

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: Tiger International Incorporated is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed acquisition of certain assets of Purolator Incorporated. The grant was mase by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by Tiger. Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: April 1, 1981.

FOR FURTHER INFORMATION CONTACT: Roberta Baruch, Senior Attorney, Premerger Notification Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580 (202–523–3894).

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register.**

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 81–10760 Filed 4–9–81; 8:45 am]

BILLING CODE 6750–01–M

Early Termination of the Waiting Period of the Premerger Notification Rules; 465 Corp.

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: 465 Corp. is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed acquisition of certain assets from Twin Fair, Inc. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by Twin Fair. Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: April 2, 1981.

FOR FURTHER INFORMATION CONTACT: Roberta Baruch, Attorney, Premerger Notification Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580, (202–523–3894).

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register.**

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 81–10761 Filed 4–9–81; 8:45 am]

BILLING CODE 6750–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

John D. Copanos & Co., Inc.; Penicillin in Oil; Withdrawal of Approval of New Animal Drug Application

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration withdraws approval of a new animal drug application (NADA) providing for use of Procaine Penicillin G in Oil for the treatment of horses, dogs, cats, and mink for diseases caused by organisms sensitive to penicillin. The sponsor, John D. Copanos & Co., Inc., requested the withdrawal of approval.

EFFECTIVE DATE: April 20, 1981.

FOR FURTHER INFORMATION CONTACT: Louis L. Nangeroni, Bureau of Veterinary Medicine (HFV–216), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4093.

SUPPLEMENTARY INFORMATION: John D. Copanos & Co., Inc., 6110 Robinwood Rd., Baltimore, MD 21225, is the sponsor of NADA 65–143 which provides for use of Procaine Penicillin G in Oil for the treatment of horses, dogs, cats, and mink for diseases caused by organisms sensitive to penicillin. The NADA was originally approved August 28, 1963. In response to the agency's requests for current information concerning the product, the firm requested that approval of the NADA be withdrawn 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))), 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), and in accordance with § 514.115 *Withdrawal of approval of applications* (21 CFR 514.115), notice is given that approval of NADA 65–143 and all supplements for Copanos' Procaine Penicillin G in Oil is hereby withdrawn, effective April 20, 1981.

Dated: April 1, 1981.

Gerald B. Guest,

Acting Director, Bureau of Veterinary Medicine.

[FR Doc. 81–10674 Filed 4–9–81; 8:45 am]

BILLING CODE 4110–03–M

Consumer Participation; Open Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces a forthcoming consumer exchange meeting to be chaired by Robert O. Bartz, District Director, New Orleans District Office, New Orleans, LA.

DATE: The meeting will be held at 2 p.m., Tuesday, April 28, 1981.

ADDRESS: The meeting will be held at McGeese University, Gayle Hall Auditorium, Ryan St., Lake Charles, LA 70609.

FOR FURTHER INFORMATION CONTACT: Frances Brysson, Consumer Affairs Officer, Food and Drug Administration, 4298 Elysiana Fields Ave., New Orleans, LA 70122, 504–589–2420.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to encourage dialogue between consumers and FDA officials, to identify and set priorities for current and future health concerns, to enhance relationships between local consumers and FDA's New Orleans District Office, and contribute to the agency's policymaking decisions on vital issues.

Dated: April 3, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81–10816 Filed 4–9–81; 8:45 am]

BILLING CODE 4110–03–M

Consumer Participation; Open Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces a forthcoming consumer exchange meeting to be chaired by Robert O. Bartz, District Director, New Orleans District Office, New Orleans, LA.

DATE: The meeting will be held at 10 a.m., Wednesday, April 29, 1981.

ADDRESS: The meeting will be held at the Chamber of Commerce, 804 E. St. Mary's Blvd., Conference Rm., Lafayette, LA 70609.

FOR FURTHER INFORMATION CONTACT: Frances Brysson, Consumer Affairs Officer, Food and Drug Administration, 4298 Elysiana Fields Ave., New Orleans, LA 70122, 504–589–2420.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to encourage dialogue between consumers and FDA officials, to identify and set priorities for current and future health concerns, to enhance relationships between local consumers and FDA's New Orleans District Office, and contribute to the agency's policymaking decisions on vital issues.

Dated: April 3, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81–10818 Filed 4–9–81; 8:45 am]

BILLING CODE 4110–03–M

Drug Abuse 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:

Drug Abuse Advisory Committee

Date, time, and place. May 14 and 15, 9 a.m., Conference Rms. G and H, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD.

Type of meeting and executive secretary. Open public hearing, May 14, 9 a.m. to 10 a.m.; open committee discussion May 14, 10 a.m. to 4:30 p.m.; open public hearing, May 15, 9 a.m. to 10 a.m.; open committee discussion, May 15, 10 a.m. to 4:30 p.m.; Robert C. Nelson, Bureau of Drugs (HFD–123), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3504.

General function of the Committee. The Committee advises the Commissioner of Food and Drugs regarding the scientific and medical evaluation of all information gathered by the Department of Health and Human Services and the Department of Justice with regard to safety, efficacy, and abuse potential of drugs.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally or in writing, on issues pending before the Committee.

Open Committee discussion. FDA with the assistance of the Drug Abuse Advisory Committee intends to conduct a review and assessment of the abuse liability associated with each of the benzodiazepine compounds listed below. This evaluation does not relate directly to the domestic scheduling of these compounds under the Controlled Substances Act of 1970.The purpose of the review is to formulate a well-constructed and objective information package which will be transmitted by the Secretary, Department of Health and Human Services, through channels to the World Health Organization's Scientific Advisory Board in time for its fall 1981 meeting. These compounds are not currently subject to international control. They are now being considered for inclusion in the Convention on Psychotropic Substances, 1971. Control decisions at the international level may necessitate adjustments to the current placement of these compounds under the Controlled Substances Act.

The drugs to be evaluated include the following: lorazepam (Ativan(R)) and oxazepam (Serax(R)); prazepam (Verstran(R)), and (Centrax(R)); temazepam (Restoril(R)); halazepam (Paxipam(R)); alprazolam (Xanax(R)) and triazolam (Halcion(R)); colorazepate dipotassium (Tranxene(R)) and clorazepate monpotassium (Azene(R)); diazepam (Valium(R)); chlordiazepoxide (Librium(R) and generics); clonazepam (Clonopin(R)), bromazepam (Lectopam(R)), flurazepam (Dalmane(R)), nitrazepam, and zolazepam.

Applications for reimbursement. Must be received by May 1, 1981.

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 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. There are no closed portions for the meetings announced 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 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 requested from the Dockets Management Branch (formerly the Hearing Clerk's office) 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. 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 the Office of Consumer Affairs (HFE–1), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, rather than to the Dockets Management Branch (formerly the Hearing Clerk's office) as presecribed 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 301–443–5006.

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: April 6, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81–10815 Filed 4–9–81; 8:45 am]

BILLING CODE 4110–03–M

Miscellaneous Internal Drug Products Panel; Meeting Cancellation

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces cancellation of a meeting of the Miscellaneous Internal Drug Products Panel scheduled for April 25 and 26, 1981. The meeting was announced by notice in the **Federal Register** of March 13, 1981 (46 FR 16728).

FOR FURTHER INFORMATION CONTACT: John R. Short, Bureau of Drugs (HFD–510), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–6156.

Dated: April 3, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81–10817 Filed 4–9–81; 8:45 am]

BILLING CODE 4110–03–M

[Docket No. 81N–0120]

International Drug Scheduling; Foreign Exemptions

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is maintaining a public file containing information received by the United States from the United Nations (UN) about exemptions taken by foreign nations for various drug products under the 1971 Convention on Psychotropic Substances. The United States, as a party to the Convention, helps determine whether the exemptions taken by foreign nations may be allowed to continue. This notice is to inform interested persons of the existence of this public file.

DATE: The public file on foreign exemptions will be maintained until approximately December 1, 1981.

ADDRESS: Written comments to the Dockets Management Branch (formerly the Hearing Clerk's office) (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Edwin V. Dutra, Jr., Bureau of Drugs (HFD–30), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–6490.

SUPPLEMENTARY INFORMATION: The United States is a party to the 1971 Convention on Psychotropic Substances. The Convention allows member countries to unilaterally exempt drug preparations meeting stated criteria (see Article 3 of the Convention) from certain controls imposed by the Convention, subject to termination by the UN Commission on Narcotic Drugs (CND). The United States, as a voting member of the CND, helps determine whether the exemptions taken by various countries should be allowed to continue. The CND makes its determinations about the exemptions taken based, in part, on recommendations made to it by the World Health Organization (WHO).

The Food and Drug Administration is maintaining a public file containing notifications received by the United States from the United Nations about exemptions taken by foreign nations for various drug products under the Convention. To date the United States has received notice from the UN that three countries (Sweden, Hungary, and Chile) have exempted certain preparations from specified controls under the Convention. If the United States receives notice from the UN about additional exemptions taken, this information will be added to the public file on foreign exemptions when the notice(s) is received.

The Department of Health and Human Services (HHS) at the request of the Department of State intends to evaluate these foreign exemptions (as well as others that may be received) in accordance with Convention procedures. Because of certain time schedules followed by the WHO and the CND, the United States does not expect receipt of any additional notice of foreign exemptions after October 1, 1981, although the United States in no way controls the timing of such notifications. Thus, the public file on foreign exemptions will be maintained for approximately 60 days after that date to allow interested persons adequate time for access to the information. On approximately December 1, 1981, the public file will be closed, and evaluation of the foreign exemptions will be made by HHS in preparation for the CND meeting in February 1982.

Interested persons may, on or before December 1, 1981, submit to the Dockets Management Branch (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857, written comments regarding this action. Four copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: April 6, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-10814 Filed 4-9-81; 8:45 am]

BILLING CODE 4110-03-M

[Docket No. 81N-0121]

International Drug Scheduling; Convention on Psychotropic Substances and Single Convention on Narcotic Drugs; Benzodiazepines and Opiate Agonists/Antagonists

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) requests interested persons to submit data or comments concerning whether to impose international manufacturing and distribution restrictions on twelve tranquilizer drugs and five analgesic drugs. This information will be considered in preparing a response from the United States about the potential international restrictions on these drugs. The tranquilizer drugs are used to treat psychoses and neuroses and have a tranquilizing action on the central nervous system. The analgesic drugs are used to treat pain. This notice requesting information is required by law.

DATE: Comments by June 9, 1981.

ADDRESS: Written comments to the Dockets Management Branch (formerly the Hearing Clerk's office) (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Edwin V. Dutra, Jr., Bureau of Drugs (HFD–30), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–6490.

SUPPLEMENTARY INFORMATION: The United States is a party to the 1971 Convention on Psychotropic Substances and the Single Convention on Narcotic Drugs, 1961. Article 2 of the Convention on Psychotropic Substances provides that if a party to that Convention or the World Health Organization (WHO) has information about a substance that is not yet under international control, which in its opinion may require such control, it shall so notify the Secretary-General of the United Nations and provide the Secretary-General with information in support of its opinion. Article 3 of the Single Convention on Narcotic Drugs has a similar provision.

The Controlled Substances Act (Title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970) requires that when WHO notifies the United States under Article 2 of the Convention on Psychotropic Substances of information that may justify adding a drug or other substance to one of the schedules of that Convention, transferring a drug or substance from one schedule to another, or deleting it from the schedules, the Secretary of State must transmit the notice to the Secretary of the Department of Health and Human Services (HHS). The Secretary of HHS must then publish the notice in the **Federal Register** and provide opportunity to interested persons to submit comments to assist HHS in preparing scientific and medical evaluations about the drug or substance.

The Secretary of HHS received the following notice from WHO on behalf of the Secretary-General:

The Secretary-General of the United Nations presents his compliments to the Secretary of State of the United States of America and has the honour to inform His Excellency's Government that he has been asked to assist the Director General of the World Health Organization in obtaining data on certain substances. A WHO expert group will review these substances this fall with a view to determining whether any of them should be brought under the control of either the Single Convention on Narcotic Drugs, 1961, and that Convention as amended by the

1972 Protocol, or the 1971 Convention on Psychotropic Substances. The substances to be reviewed are:

(a) *Opiate agonists/antagonists:* cyclazocine, pentazocine, buprenorphine, butorphanol, nalbuphine;

(b) *Benzodiazepines:* chlordiazepoxide, clonazepam, clorazepate, diazepam, flurazepam, lorazepam, medazepam, nitrazepam, oxazepam, oxazolam, prazepam, temazepam.

The World Health Organization, in addition to the data already available to it, needs further information with regard to these substances. This information would also be useful to the Commission on Narcotic Drugs and the Secretariat of the United Nations, in case any recommendation to change the present status of any of the substances were to be submitted for decision to the Commission.

The Secretary-General would therefore be most grateful if His Excellency's Government would indicate whether any of the above-mentioned substances have been seized from the illicit drug traffic during the past three years, and, if so, the amounts seized, the number of such seizures and, where this could be determined, the provenance of the substances. Any additional information on clandestine laboratories where these substances may have been manufactured and on precursors used in this process would also be valuable.

It would also be very useful if His Excellency's Government could indicate the importance and the frequency of the abuse of any of these substances, as well as the personal and social consequences of such abuse.

In view of the fact that the Secretary-General must prepare a report for WHO on this subject before 31 July 1981, it would be appreciated if the information requested in this note could be sent to the Director of the Division of Narcotic Drugs, Vienna International Centre, P.O. Box 500, 1400 Vienna, Austria, by 20 July 1981.

Therefore, as required by section 201(d)(2)(A) of the Controlled Substances Act (21 U.S.C. 811(d)(2)(A)), FDA on behalf of HHS invites interested persons to submit data or comments to be considered in preparing a response to WHO respecting the potential international control of the named tranquilizer drugs and the named analgesic drugs. This control may limit, among other things, the manufacture and distribution (import/export) of, and impose recordkeeping requirements on these drugs. The twelve tranquilizer drugs are chlordiazepoxide, clonazepam, clorazepate, diazepam, flurazepam, lorazepam, medazepam, nitrazepam, oxazepam, oxazolam, prazepam, and temazepam. Of these, medazepam, nitrazepam, oxazolam, and temazepam are not now commercially available in the United States. (Temazepam, however, is expected to be available in the near future following a domestic scheduling decision.) Each of the other tranquilizer drugs listed above is commercially available in the United States, and each is currently controlled domestically in Schedule IV of the Controlled Substances Act. None of the twelve tranquilizer drugs listed above is currently scheduled internationally.

The five analgesic drugs are buprenophine, butorphanol, cyclazocine, nalbuphine, and pentazocine. Cyclazocine and buprenorphine are not now commercially available in the United States. Each of the other analgesic drugs listed above is commercially available in the United States. However, only pentazocine and buprenorphine are currently controlled domestically under the Controlled Substances Act, in Schedules IV and II, respectively. None of the analgesic drugs is currently scheduled internationally.

Interested persons may, on or before June 9, 1981, submit to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857, written comments regarding this action. Four copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

The Food and Drug Administration will send copies of all written comments it receives regarding the opiate agonists/antagonists to the Drug Enforcement Administration (DEA) for their concurrent review because, at this time, it is not certain under which Convention (Single or Psychotropic) these drugs may be considered for potential international control. Traditionally, DEA has reviewed matters under the Single Convention on Narcotic Drugs.

Note.—Elsewhere in this **Federal Register** there is a notice announcing a scheduled Drug Abuse Advisory Committee meeting. The Advisory Committee will consider the abuse liability associated with the benzodiazepine compounds listed above. Persons who have submitted data or comments to FDA for consideration of these benzodiazepine compounds by the Advisory Committee should not resubmit the same information to FDA because of this notice. FDA will consider the information generated by the Advisory Committee meeting when preparing a response to the United Nations about these tranquilizer drugs.

Dated: April 6, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-10813 Filed 4-9-81; 8:45 am]

BILLING CODE 4110-03-M

Health Services Administration

Maternal and Child Health Research Grants Review Committee; Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), announcement is made of the following National Advisory body scheduled to meet during the month of May 1981:

Name: Maternal and Child Health Research Grants Review Committee

Date and Time: May 27-29, 1981, 9:00 a.m.

Place: Conference Room M, Parklawn Building, 5600 Fishers Lane, Rockville Maryland 20857

Open May 27, 9:00 a.m.-10:00 a.m. Closed for remainder of meeting.

Purpose: The Committee is charged with the review of all research grant applications in the program areas of maternal and child health administered by the Bureau of Community Health Services.

Agenda: The open portion of the meeting will cover: Report on program issues, Congressional activities, and other topics of interest in the field of maternal and child health. The meeting will be closed to the public on May 27, 1981, from 10:00 a.m. for the remainder of the meeting for the review of research grant applications. The closing is in accordance with the provision set forth in section 552b(c)(6), Title 5, U.S. Code, and the Determination by the Acting Administrator, Health Services Administration, pursuant to Public Law 92-4623.

Anyone wishing to obtain a roster of the members, minutes of meeting, or other relevant information should write to or contact DR. GONTRAN LAMBERTY, Bureau of Community Health Services, Health Service Administration, Room 7-44, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone (301) 443-2190.

Agenda items are subject to change as priorities dictate.

Dated: April 3, 1981.

William H. Aspden, Jr.,

Associate Administrator for Management.

[FR Doc. 81-10898 Filed 4-9-81; 8:45 am]

BILLING CODE 4110-84-M

National Institutes of Health

Arteriosclerosis, Hypertension and Lipid Metabolism Advisory Committee; Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Arteriosclerosis, Hypertension, and Lipid Metabolism Advisory Committee,

National Heart, Lung, and Blood Institute, May 7–8, 1981, Conference Room 7, 6th Floor, C-Wing, Building 31, National Institutes of Health, Bethesda, Maryland 20205. The entire meeting will be open to the public from 9:00 a.m. to 5:00 p.m. on Thursday, May 7, and on Friday, May 8, to evaluate program support in Arteriosclerosis, Hypertension, and Lipid Metabolism. Attendance by the public will be limited on a space available basis.

Mr. York Onnen, Chief, Public Inquiries and Reports Branch, NHLBI, Room 4A–21, Building 31, National Institutes of Health, Bethesda, Maryland 20205, Phone (301) 496–4236, will provide summaries of the meeting and rosters of committee members.

Dr. G. C. McMillian, Associate Director, Arteriosclerosis, Hypertension and Lipid Metabolism Program, NHLBI, Room 4C–12, Federal Building, National Institutes of Health, Bethesda, Maryland 20205, Phone (303) 496–1613, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.837, Heart and Vascular Diseases Research, National Institutes of Health)

Note.—NIH programs are not covered by OMB Circular A–95 because they fit the description of "programs not considered appropriate" in sections 8(b) (4) and (5) of that Circular.

Dated: April 1, 1981.

Thomas E. Malone,

Deputy Director, NIH.

[FR Doc. 81–10851 Filed 4–9–81; 8:45 am]

BILLING CODE 4110–08–M

National Advisory Council on Aging; Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the National Advisory Council on Aging, National Institute on Aging, on May 27–28, 1981, in Building 1, Wilson Hall, National Institutes of Health, Bethesda, Maryland.

The meeting will be open to the public from 9:00 a.m. until adjournment on May 27, and from 9:00 a.m. until approximately 1:00 p.m. on May 28. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and Section 10(d) of Public Law 92–463, the meeting will be closed to the public on May 28, 1981 from approximately 1:00 p.m. until adjournment for the review, discussion and evaluation of grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. June McCann, Council Secretary, National Institute on Aging, Building 31, Room 2C–08, National Institutes of Health, Bethesda, Maryland 20205 (Area Code 301, 496–5898), will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.866, Aging Research, National Institutes of Health)

Note.—NIH programs are not covered by OMB Circular A–95 because they fit the description of "programs not considered appropriate" in sections 8(b)(4) and (5) of that Circular.

Dated: April 1, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 81–10852 Filed 4–9–81; 8:45am]

BILLING CODE 4110–08–M

National Advisory Dental Research Council; Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the National Advisory Dental Research Council, National Institute of Dental Research, on June 4–5, 1981, in Conference Room 10, Building 31–C, National Institutes of Health, Bethesda, Maryland. This meeting will be open to the public from 9:00 a.m. to adjournment on June 5 for general discussion and program presentations. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and Section 10(d) of Public Law 92–463, the meeting of the Council will be closed to the public on June 4 from 9:00 a.m. to adjournment for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mrs. Dorothy Costinett, Committee Management Assistant, National Institute of Dental Research, National Institutes of Health, Building 31–C, Room 2C36, Bethesda, MD 20205, (phone 301 496–2883) will furnish rosters of committee members, a summary of the meeting, and other information pertaining to the meeting.

(Catalog of Federal Domestic Assistance Programs Nos. 13.840-Caries Research, 13.841-Peridontal Diseases Research, 13.842-Craniofacial Anomalies Research, 13.843-Restorative Materials Research, 13.844-Pain Control and Behavioral Studies, 13.845-Dental Research Institutes, 13.878-Soft Tissue Stomatology and Nutrition Research, National Institutes of Health.)

Note.—NIH programs are not covered by OMB Circular A–95 because they fit the description of "programs not considered appropriate" in section 8(b) (4) and (5) of that Circular.

Dated: April 1, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 81–10853 Filed 4–9–81; 8:45 am]

BILLING CODE 4110–08–M

National Advisory Neurological and Communicative Disorders and Stroke Council and the Planning Subcommittee; Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the National Advisory Neurological and Communicative Disorders and Stroke Council, May 21 and 22, 1981, at 9 a.m. in Building 31–C, Conference Room 6, National Institutes of Health, Bethesda, MD 20205. In addition, a meeting of the Planning Subcommittee of the above Council will be held on May 20, 1981, at 1 p.m. to approximately 5:30 p.m. in Building 31, Room 8A28, National Institutes of Health, Bethesda, MD 20205.

The meeting of the full Council will be open to the public from 9 a.m. until approximately 11:30 a.m. on May 21, 1981, to discuss administration, management and special reports. The meeting of the Planning Subcommittee will be open from 1 p.m. to approximately 3 p.m. on May 20 to discuss program planning and program accomplishments. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552b(c)(4), and 552b(c)(6) of Title 5, U.S. Code and Section 10(d) of Pub. L. 92–463, the Advisory Council meeting will be closed to the public from approximately 11:30 a.m. on May 21, 1981, until the conclusion of the meeting that day, and from 8:30 a.m. until adjournment on May 22, 1981, for review, discussion and evaluation of Research Grant applications and applications for Teacher-Investigator Awards, Research Career Development Awards, and Institutional National Research Service

Awards. The meeting of the Planning Subcommittee will be closed from approximately 3 p.m. to adjournment on May 20, 1981, also for the review, discussion and evaluation of individual grant applications. These applications and the discussion could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The Chief, Office of Scientific and Health Reports, Miss Sylvia Shaffer, Building 31, Room 8A06, NIH, NINCDS, Bethesda, Maryland, 20205, telephone (301) 496–5751, will furnish summaries of the meeting and rosters of committee members.

Dr. John C. Dalton, Executive Secretary, Federal Building, Room 1016, Bethesda, Maryland 20205, telephone (301) 496–9248, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.851, Communicative Disorders Program; No. 13.852, Neurological Disorders Program; No. 13.853, Stroke and Nervous System Trauma; No. 13.854, Fundamental Neurosciences Program, National Institutes of Health)

Note.—NIH programs are not covered by OMB Circular A–95 because they fit the description of "programs not considered appropriate" in section 8(b)(4) and (5) of that Circular.

Dated: April 1, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 81–10854 Filed 4–9–81; 8:45 am]

BILLING CODE 4110–08–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[Docket No. D–81–644]

Designated Agency Ethics Official; Alternate Agency Ethics Official

1. I hereby designate John J. Knapp as the Designated Agency Ethics Official under the Ethics in Government Act of 1978 and 5 CFR Part 738.

2. I hereby designate Marilyn G. Wagner as the Deputy Agency Ethics Official who shall serve as Alternate Agency Ethics Official in Accordance with 5 CFR 738.202(b).

3. The Designated Agency Ethics Official and the Alternate Agency Ethics Official are authorized to coordinate and manage the ethics program of the Department as set forth in 5 CFR 738.203.

(Title II, Pub. L. 95–521, as amended, and 5 CFR Part 738)

Effective Date: April 2, 1981.

Samuel R. Pierce,

Secretary of Housing and Urban Development.

[FR Doc. 81–10900 Filed 4–9–81; 8:45 am]

BILLING CODE 4210–01–M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Squaxin Island Reservation, Washington; Ordinance Regulating the Introduction, Possession, and Sale of Liquor

March 30, 1981.

This Notice is published in accordance with authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8, and in accordance with the Act of August 15, 1953, 18 U.S.C. 1161 (1976). I certify that the following Ordinance relating to the application of the Federal Indian Liquor Laws on the Squaxin Island Indian Reservation, Washington, was adopted on August 3, 1979, and amended by Resolution on January 27, 1981, by the Squaxin Island Tribal Council which has jurisdiction over the area of Indian country included in the Resolution and Ordinance, reading as follows:

James F. Canan,

Acting Deputy Assistant Secretary, Indian Affairs.

Resolution No. 81–12 of the Squaxin Island Tribal Council

Whereas, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe of Indians by the authority of the Constitution and By-Laws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965); and

Whereas, the Tribal Council has by Resolution adopted the Squaxin Island Liquor Code, Resolution No. 79–40 (1979); and

Whereas, the Squaxin Island Tribal Council finds it necessary and appropriate to amend the Tribal Liquor Code, pursuant to section 7.4 of that code (as amended);

Now Therefore be it Resolved, that the Squaxin Island Tribal Council hereby amends the Squaxin Island Liquor Code to read as set forth in the attached "Squaxin Island Liquor Code, as amended, January 27, 1981."

Certification

The Squaxin Island Tribal Council does hereby certify that the above Resolution was adopted at a special meeting of the Squaxin Island Tribal Council held on this 27th day of January, 1981, at which time a quorum was present and passed by a vote of 3 for, 0 against.

Attested by:

Bryan A. Johnson,

Chairman.

David Whitener,

Vice Chairman.

David Lopeman,

Secretary.

Squaxin Island Liquor Code as amended January 27, 1981.

Section 1. Findings and Purpose. 1.1 The introduction, possession, and sale of liquor on Indian reservations have, since Treaty times, been clearly recognized as matters of special concern of Indian Tribes and the United States Federal Government. The sale of liquor on reservations remains exclusively subject to their legislative enactments.

1.2 Beginning with the Treaty of Medicine Creek, Art. IX, to which the ancestors of the Squaxin Island Indian Tribe were parties, the Federal Government has respected this Tribe's determination regarding liquor-related transactions and activities on the Squaxin Island Indian Reservation. At Treaty times, the Squaxin Island Tribe's ancestors desired to exclude "ardent spirits" from their Reservation. This desire was honored by Congress in the anactment of 18 U.S.C. 1154 and 18 U.S.C. 1161, which prohibited the introduction of liquor into the Squaxin Island Indian Reservation unless and until the Squaxin Island Indian Tribe has decided when and to what extent liquor transactions shall be permitted. The Squaxin Island Tribal Constitution, Art. III § 1(b), empowers the Tribal Council to use and manage tribal property. The Tribal Council by this Code is exercising this power by providing for Tribal liquor sales on the Reservation as a Tribal business.

Section 2. Definitions. As used in this ordinance, the following words shall have the following meanings unless the context clearly requires otherwise.

2.1 "Alcohol" that substance known as ethyl alcohol, hydrated oxide of ethyl, or spirit of wine, which is commonly produced by the fermentation or distillation of grain, starch, molasses, or sugar, or other substances including all dilutions and mixtures of this substance.

2.2 "Alcoholic Beverage" is synonymous with the term liquor as defined in § 2.5 of this ordinance.

2.3 "Beer" means any beverage obtained by the alcoholic fermentation of an infusion or decoction of pure hops, or pure extract of hops and pure barely malt or other wholesome grain or cereal in pure water containing not more than four percent of alcohol by volume. For the purposes of this title, any such beverage, including ale, stout, and porter, containing more than four percent of alcohol by weight shall be referred to as "strong beer."

2.4 "Council" means the Squaxin Island Tribal Council.

2.5 "Liquor" includes the four varieties of liquor herein defined (alcohol, spirits, wine, and beer), and all fermented, spirituous, vinous, or malt liquor or combinations thereof, and mixed liquor, a part of which is fermented, spirituous, vinous, or malt liquor, or otherwise intoxicating; and every liquid or

solid or semi-solid or other substance, patented or not, containing alcohol, spirits, wine or beer, and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption and any liquid, semi-solid, solid, or other substances, which contains more than one percent of alcohol by weight shall be conclusively deemed to be intoxicating.

2.6 "Malt Liquor" means beer, strong beer, ale, stout, and porter.

2.7 "Package" means any container or receptacle used for holding liquor.

2.8 "Public Place" includes streets and alleys of incorporated cities and towns; state or county or Tribal or federal highways or roads, buildings and grounds used for school purposes; public dance halls and grounds adjacent thereto; those parts of establishments where beer may not be sold under this title, soft drink establishments, public buildings, public meeting halls, lobbies, halls, and dining rooms of hotels, resturants, theaters, stores, garages, and filling stations which are open to and are generally used by the public and to which the public is permitted to have unrestricted access; railroad trains, stages, and other public conveyances of all kinds and character, and the depots and waiting rooms used in conjunction therewith which are open to unrestricted use and access by the public; publicly owned bathing beaches, parks, and/or playgrounds, and all other places of like or similar nature to which the general public has unrestricted right of access, and which are generally used by the public.

2.9 "Sale" or "Sell" include exchange, barter, and traffic; and also include the selling or supplying or distributing, by any means whatsoever of liquor, or of any liquid known or described as beer or by any name whatsoever commonly used to describe malt or brewed liquor of wine, by any person to any person.

2.10 "Tavern" means any establishment with special space and accommodations for sale by the glass and for consumption on the premises, of beer, as herein defined.

2.11 "Tribal Council" means the Squaxin Island Tribal Council.

2.12 "Wine" means any alcoholic beverage obtained by fermentation of fruits (grapes, berries, apples, etc.) or other agricultural products containing sugar, to which any saccharine substances may have been added before, during, or after fermentation, and containing not more than seventeen percent of alcohol by weight.

Section 3. Authority of the Tribal Council. 3.1 *General.* The Tribal Council shall have complete authority to carry out and enforce the provisions of this code, and to delegate such of its responsibilities as it deems appropriate.

3.2 *Tribal Council Not To Profit.* Members of the Tribal Council may not accept any gratuity related to their provision for liquor sales, and may not have a personal business interest in such sales on the Reservation.

3.3 *Powers and Duties.* The Tribal Council shall have the following powers and duties:

(1) To make, publish, and enforce necessary rules and regulations governing the Tribal business of the sale and distribution of alcoholic beverages on the Reservation;

(2) To provide for the sale of liquor under Council authority, and to employ managers and other personnel as shall be reasonably necessary to allow the Council to perform its functions;

(3) To provide for appropriate warehouse and sales facilities;

(4) To contract with liquor wholesalers and distributors for the purchase and delivery of alcoholic beverages; and,

(5) To take orders, receive and distribute shipments of alcoholic beverages, establish wholesale base prices, set and collect taxes and fees, and to keep accurate records, books and accounts.

3.4 *Inspection.* The Council may at any time inspect warehouse or sale areas on the Reservation, and all financial records of purchases and sales.

Section 4. Sales. 4.1 *All Sales Cash.* All sales at Reservation liquor stores shall be on a cash or check only basis and no credit shall be extended to any person, organization, or entity.

4.2 *Sale to Minors.* No Tribal Liquor store shall sell liquor to any person under twenty-one (21) years of age. Any one of the following which shows the person's current age and bears his signature and photograph shall be suitable for identification purposes, if valid:

(1) Liquor control authority card of any State;

(2) Driver's license of any State or "Identification Card" issued by any State Department of Motor Vehicles;

(3) United States active duty military identification;

(4) Passport; and

(5) Tribal identification or enrollment card.

4.3 *Refusal To Sell.* A Tribal liquor may refuse to sell liquor to persons under the following circumstances:

(1) When that person does not provide satisfactory proof that he is at least twenty-one years of age;

(2) When that person is apparently intoxicated, or;

(3) When the Tribal Council has determined that a particular person and/or his family is significantly detrimentally affected by the abuse of alcohol.

4.4 *Sunday Sales.* No sales shall take place on Sunday.

Section 5. Property Control. 5.1 *Liquor Stamp.* No alcoholic beverage except for wine and beer shall be sold by a Tribal Liquor store unless its package has affixed to it a stamp of the Council.

5.2 *Restricted Tribal Property.* The entire stock of liquor and alcoholic beverages owned by the Tribe and kept for sale on the Reservation shall remain restricted property of the Tribe until sold.

Section 6. Profits. The gross proceeds collected by he Council for all sales of alcoholic beverages on the Squaxin Island Indian Reservation by the Tribe shall be distributed as follows:

(1) For the cost of goods;

(2) For the payment of all necessary personnel, administrative costs, and legal fees in furtherance of such sales;

(3) The remainder shall be profits of the Tribal Enterprise, and expended in accordance with Tribal law. Such profits shall be paid to the Council annually.

Section 7. Severability and Effective Date. 7.1 *Severability.* If any provision or application of this ordinance is determined by review to be invalid, such adjudication shall not be held to render ineffectual the remaining portions of this ordinance or to render such provision inapplicable to other persons or circumstances.

7.2 *Effective Date.* This ordinance shall be effective on the date of its approval by the Tribal Council.

7.3 *Inconsistent Enactments Rescinded.* Any and other prior enactments of the Squaxin Island Tribal Council which are inconsistent with the provisions of this ordinance are hereby rescinded.

7.4 *Amendments.* Amendments to this code may be made by the Squaxin Island Tribal Council.

7.5 *Conformity with State Law.* All acts and transactions under this ordinance shall be in conformity with this ordinance and in conformity with the laws of the State of Washington as they pertain to such sales and transactions.

[FR Doc. 81-9583 Filed 4-9-81; 8:45 am]

BILLING CODE 4310-02-M

Bureau of Land Management

Alaska; Invitation for Coal Exploration

The Chugach Natives, Inc., has filed three applications, serial numbers AA-42150, AA-42151, AA-42152, for licenses to conduct a core drilling exploration program for coal in the area commonly known as th Bering River coal field in southcentral Alaska. This coal field is located approximately seventy (70) miles east of Cordova. Chugach proposes to commence its operations on approximately May 15, 1981, and to pull out of the field in early September 1981.

Departmental regulation 43 CFR 3410.2-1(d) provides that applicants for exploration licenses shall be required to provide an opportunity for other parties to participate in exploration under the license on a pro rata cost sharing basis.

On or before May 11, 1981, any individual, organization, or corporation interested in participating in this exploration program with Chugach Natives, Inc., is hereby invited to notify the Bureau of Land Management, Alaska State Office, Chief, Branch of Lands and Minerals Operations, 701 "C" Street, Box 13, Anchorage, Alaska 99513, and Mr. Carl A. Propes, Jr., Project Manager, c/o Chugach Natives, Inc., 903 West Northern Lights Boulevard, Anchorage, Alaska 99503.

Robert E. Sorenson,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-10688 Filed 4-9-81; 8:45 am]

BILLING CODE 4310-84-M

[F-14869-A and F-14869-B]

Alaska Native Claims Selections

On April 4, and December 11, 1974, as amended, the Diomede Native Corporation, for the Native village of Diomede (Inalik), filed selection applications F-14869-A and F-14869-B under the provisions of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 701; 43 U.S.C. 1601, 1611 (1976)) (ANCSA), as amended by Sec. 1436 of Public Law 96-487, for the surface estate of certain lands in the Bering Straits region.

On November 14, 1978, the State of Alaska filed general purposes grant selection applications F-44296, F-44297, F-44314, and F-44315, all as amended, pursuant to Sec. 6(b) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 340; 48 U.S.C. Ch. 2, Sec. 6(b)), for certain lands in the Bering Straits region. The following described lands have been properly selected by Diomede Native Corporation or segregated by application pursuant to the public land laws. Section 6(b) of the Alaska Statehood Act of July 7, 1958, provides that the State may select *vacant, unappropriated,* and *unreserved* public lands in Alaska. Therefore, the following State selection applications are hereby rejected as to the following described lands:

State Selection F-44296

Mineral Survey No. 1242, known as the Venus; V; Speculator or No. 3; Peluk; Fluor Spar No. 4; Sea Gull; Eureka; Washington; Independence; Anvil; President; Discovery or Horn Spoon; Knickerbocker; Buckeye; Blow Pipe; White Owl; Old Glory; Dyke and Polar Bear Lodes in Port Clarence Mining District, Territory of Alaska.

Containing 391.205 acres.

That portion of Mineral Survey No. 1243, known as C; D; and Valley Lodes excluding that portion within Mineral Survey No. 2250 in Port Clarence Mining District, Territory of Alaska.

Containing approximately 47 acres.

Mineral Survey No. 2250, known as BE Group comprising BE #1 to #8, inclusive, and BE #10 and #11 Lodes, situate in Nome Mining District (unsurveyed).

Containing 206.600 acres.

Mineral Survey No. 2251, known as BE #12 through BE #19 Lode Claims, situate in Nome Mining District (unsurveyed).

Containing 164.330 acres.

Mineral Survey No. 2269, known as Barbara #1 and Barbara #2 Lode Claims, situate in Sections 33 and 34, T. 1 N., R. 41 W., Kateel River Meridian, Nome Mining District (unsurveyed).

Containing 38.158 acres.

Mineral Survey No. 2281, known as Barbara #3, situate in Sections 33 and 34, T. 1 N., R. 41 W., Kateel River Meridian, Nome Mining District (unsurveyed).

Containing 16.808 acres.

Mineral Survey No. 2282, known as Ringer #4 and Ringer #5 Lode Claims, situate in Sections 25 and 26, T. 1 N., R. 41 W., Kateel River Meridian, Nome Mining District (unsurveyed).

Containing 23.296 acres.

Mineral Survey No. 2283, known as Ringer #77 Lode Claim, situate in Sections 33 and 34, T. 1 N., R. 41 W., Kateel River Meridian, Nome Mining District (unsurveyed).

Containing 17.562 acres.

Kateel River Meridian, Alaska (Unsurveyed)

T. 1 N., R. 41 W.
Sec. 1 to 21, inclusive, all;
Sec. 22, excluding Mineral Survey (M.S.) 1234, M.S. 1235, and M.S. 2251;
Sec. 23, excluding M.S. 1234, M.S. 1242, and M.S. 2251;
Secs. 24 and 25, excluding M.S. 1242;
Sec. 26, excluding M.S. 1242, M.S. 2251, and M.S. 2282;
Sec. 27, excluding M.S. 1235, M.S. 1243, M.S. 2250, and M.S. 2251;
Sec. 28, excluding M.S. 1243 and M.S. 2250;
Secs. 29, 30, 31, and 32, all;
Sec. 33, excluding M.S. 1243 and M.S. 2250;
Sec. 34, excluding M.S. 1243, M.S. 2250, M.S. 2269, M.S. 2281, and M.S. 2283;
Secs. 35 and 36, all.
Containing approximately 21,596 acres.

State Selection F-44314

T. 2 N., R. 41 W.
Secs. 1, 2, and 3, all;
Secs. 10 to 15, inclusive, all;
Secs. 22 to 27, inclusive, all;
Secs. 34, 35, and 36, all.
Containing approximately 11,520 acres.

State Selection F-44297

T. 1 N., R. 42 W.
Secs. 5, 6, 7, and 8, all;
Secs. 11 to 18, inclusive, all;
Secs. 20 to 29, inclusive, all;
Secs. 32 to 36, inclusive, all.
Containing approximately 17,251 acres.

State Selection F-44315

T. 2 N., R. 42 W.
Secs. 7 and 8, all;
Secs. 17, 18, 19, and 20, all;
Secs. 29, 30, 31, and 32, all.
Containing approximately 6,310 acres.
Aggregating approximately 57,582 acres.

Further action on the above State selection applications F-44297, F-44314, and F-44315, as to those lands not rejected herein, will be taken at a later date. State selection application F-44296 is hereby rejected in its entirety and the case file will be closed of record when this decision becomes final. The State-selected lands rejected above were not valid selections and will not be charged against the village corporation as State-selected lands.

As to the lands described below, the applications submitted by Diomede Native Corporation, as amended, are properly filed and meet the requirements of the Alaska Native Claims Settlement Act and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface estate of the following described lands, selected pursuant to Sec. 12(a) aggregating approximately 85,135 acres, is considered proper for acquisition by the Diomede Native Corporation and is hereby approved for conveyance pursuant to Sec. 14(a) of the Alaska Native Claims Settlement Act:

Mineral Survey No. 1242, known as the Venus; V; Speculator or No. 3; Peluk; Fluor Spar No. 4; Sea Gull; Eureka; Washington; Independence; Anvil; President; Discovery or Horn Spoon; Knickerbocker; Buckeye; Blow Pipe; White Owl; Old Glory; Dyke and Polar Bear Lodes in Port Clarence Mining District, Territory of Alaska.

Containing 391.205 acres.

That portion of Mineral Survey No. 1243, known as C; D; and Valley Lodes, excluding that portion within Mineral Survey No. 2250 in Port Clarence Mining District, Territory of Alaska.

Containing approximately 47 acres.

Kateel River Meridian, Alaska (Unsurveyed)

T. 1 N., R. 41 W.
Secs. 1 to 21, inclusive all;
Sec. 22, excluding M.S. 1234, M.S. 1235, and M.S. 2251;
Sec. 23, excluding M.S. 1234, M.S. 1242, and M.S. 2251;
Secs. 24 and 25, excluding M.S. 1242;
Sec. 26, excluding M.S. 1242, M.S. 2251, and M.S. 2282;
Sec. 27, excluding M.S. 1235, M.S. 1243, M.S. 2250, and M.S. 2251;
Sec. 28, excluding M.S. 1243 and M.S. 2250;
Secs. 29, 30, 31, and 32, all;
Sec. 33, excluding M.S. 1243 and M.S. 2250;
Sec. 34, excluding M.S. 1243, M.S. 2250, M.S. 2269, M.S. 2281, and M.S. 2283;
Secs. 35 and 36, all.
Containing approximately 21,596 acres.

T. 2 N., R. 41 W.
Secs. 1, 2, and 3, all;
Secs. 10 to 15, inclusive, all;
Secs. 22 to 27, inclusive, all;
Secs. 34, 35, and 36, all.
Containing approximately 11,520 acres.

T. 1 N., R. 42 W.
Secs. 5, 6, 7, and 8, all;
Secs. 11 to 18, inclusive, all;
Secs. 20 to 29, inclusive, all;
Secs. 32 to 36, inclusive, all.
Containing approximately 17,251 acres.

T. 2 N., R. 42 W.
Secs. 7 and 8, all;
Secs. 17, 18, 19, and 20, all;
Secs. 29, 30, 31, and 32, all.
Containing approximately 6,310 acres.

T. 4 N., R. 49 W.
Sec. 5 (fractional), all;
Sec. 7 (fractional), excluding U.S. Survey 2020 (ANCSA Sec. 3(e) application F-37652);
Sec. 8 (fractional), all;

Secs. 17, 18, 19, and 20 (fractional), all.
Containing approximately 1,777 acres.

T. 1 S., R. 41 W.
Sec. 1, all;
Secs. 4 to 15, inclusive, all;
Sec. 16, excluding Native allotment F-18013 Parcel A;
Secs. 17 and 18, all;
Secs. 19 and 20 (fractional), all;
Sec. 21 (fractional), excluding Native allotment F-18013 Parcel A;
Sec. 22 (fractional), excluding Native allotment F-029776 Parcel D;
Secs. 23, 24, and 25 (fractional), all.
Containing approximately 11,884 acres.

T. 1 S., R. 42 W.
Secs. 1 to 12, inclusive, all;
Secs. 13 to 18 (fractional), inclusive, all.
Containing approximately 10,359 acres.

T. 1 S., R. 43 W.
Secs. 1 and 2, all;
Secs. 3, 4, and 5 (fractional), all;
Secs. 10 and 11 (fractional), all;
Sec. 12, all;
Secs. 13 and 14 (fractional), all.
Containing approximately 4,000 acres.
Aggregating approximately 85,135 acres.

The lands excluded in the above description are not being approved for conveyance at this time and have been excluded for one or more of the following reasons: Lands are no longer under Federal jurisdiction; lands are under applications pending further adjudication; lands are underlying water bodies determined to be navigable and/or tidally influenced; lands are pending a determination under Section 3(e) of ANCSA; or lands were previously rejected by decision. Lands within U.S. Surveys which are excluded are described separately in this decision if they are available for conveyance. These exclusions do not constitute a rejection of the selection application, unless specifically so stated.

The conveyance issued for the surface estate of the lands described above shall contain the following reservations to the United States:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(f)); and

2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 708; 43 U.S.C. 1601, 1616(b)), the following public easements, referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F-14869-EE, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail—The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

50 Foot Trail—The uses allowed on a fifty (50) foot wide trail easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, small and large all-terrain vehicles, track vehicles, and four-wheel drive vehicles.

60 Foot Road—The uses allowed on a sixty (60) foot wide road easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, small and large all-terrain vehicles, track vehicles, four-wheel drive vehicles, automobiles, and trucks.

One Acre Site—The uses allowed for a site easement are: vehicle parking (e.g., aircraft, boats, ATV's, snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

Site Easement (Airstrip)—The uses allowed for a site easement are: aircraft landing, vehicle parking (e.g., aircraft, boats, ATV's, snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

a. (EIN 3 C3, C5, D1, D9) An easement for an existing access trail, twenty-five (25) feet in width, from road EIN 6 D1 in Sec. 19, T. 1 S., R. 41 W., Kateel River Meridian, westerly to connect with Wales trail EIN 1 C3, C5, D1, D9, in Sec. 35, T. 1 N., R. 43 W., Kateel River Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.

b. (EIN 3a C5) An easement for an existing access trail, fifty (50) feet in width, from road EIN 6 D1 in Sec. 19, T. 1 S., R. 41 W., Kateel River Meridian, easterly to connect with Brevig Mission trail EIN 4 C5, D1, L, in Sec. 19, T. 1 S., R. 40 W., Kateel River Meridian. The uses allowed are those listed above for a fifty (50) foot wide trail.

c. (EIN 5 C3, D1) An easement for an existing access trail, fifty (50) feet in width, from Esch Creek in Sec. 22, T. 1 N., R. 41 W., Kateel River Meridian, northwesterly to public lands. The uses allowed are those listed above for a fifty (50) foot wide trail.

d. (EIN 6 D1) An easement, sixty (60) feet in width, for an existing road from the Bering Sea and site EIN 6a C5 in Sec. 19, T. 1 S., R. 41 W., Kateel River Meridian, northerly to the Lost River mining area in Sec. 22, T. 1 N., R. 41 W., Kateel River Meridian. The uses allowed are those listed above for a sixty (60) foot wide road.

e. (EIN 6a C5) A one (1) acre site easement, upland of the mean high-tide line, in Sec. 19, T. 1 S., R. 41 W., Kateel River Meridian, on the shore of the Bering Sea and on the right bank of Lost River. The uses allowed are those listed above for a one (1) acre site.

f. (EIN 10 C5) An easement for an existing access trail, fifty (50) feet in width, from Lost River in Sec. 16, T. 1 N., R. 41 W., Kateel River Meridian, northeasterly to public lands. The uses allowed are those listed above for a fifty (50) foot wide trail.

g. (EIN 11, D1, D9) A site easement for a bush airstrip, five hundred (500) feet in width and four thousand, eight hundred (4,800) feet in length, located in Sec. 19, T. 1 S., R. 41 W., Kateel River Meridian. This size is minimum for safe use of this airstrip. The uses allowed are those listed above for an airstrip site.

The grant of lands shall be subject to:

1. Issuance of a patent confirming the boundary description of the lands hereinabove granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands;

2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)(2)) (ANCSA), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and

3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 703; 43 U.S.C. 1601, 1613(c)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

Reindeer Grazing Permit, F-11729, issued to Ward Olanna on January 1, 1981, located within the lands herein approved for conveyance, will terminate upon conveyance of these lands in accordance with Sec. 9, Additional

Condition or Stipulation No. 1 of the permit.

Reindeer Grazing Permit, F–898, issued to Clarence Ongtowasruk on January 1, 1981, located within the lands herein approved for conveyance, will terminate upon conveyance of these lands in accordance with Sec. 9, Additional Condition or Stipulation No. 1 of the permit.

Diomede Native Corporation is entitled to conveyance of 92,160 acres of land selected pursuant to Sec. 12(a) of the Alaska Native Claims Settlement Act. To date, approximately 85,135 acres of this entitlement have been approved for conveyance; the remaining entitlement of approximately 7,025 acres will be conveyed at a later date.

Pursuant to Sec. 14(f) of the Alaska Native Claims Settlement Act, conveyance to the subsurface estate of the lands described above shall be granted to the Bering Straits Native Corporation when conveyance is granted to Diomede Native Corporation for the surface estate, and shall be subject to the same conditions as the surface conveyance.

There are no inland water bodies within the described lands, considered to be navigable.

In accordance with Department regulation 43 CFR 2650.7(d), notice of this decision is being published once in the **Federal Register** and once a week for four (4) consecutive weeks, in the NOME NUGGET.

Any party claiming property interest in land affected by this decision, an agency of the Federal Government, or regional corporation may appeal the decision to the Alaska Native Claims Appeal Board, provided, however, pursuant to Public Law 96–487, this decision constitutes the final administrative determination of the Department of the Interior concerning navigability of water bodies.

Appeals should be filed with the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510, with a copy served upon both the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513, and the Regional Solicitor, 510 L Street, Suite 408, Anchorage, Alaska 99501. The time limits for filing an appeal are:

1. Parties receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, and parties who failed or refused to sign the return receipt shall have until May 11, 1981 to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeal. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the adverse parties to be served are:

State of Alaska, Department of Natural Resources, Division of Research and Development, 323 East Fourth Avenue, Anchorage, Alaska 99501
Diomede Native Corporation, Little Diomede, Alaska 99762
Bering Straits Native Corporation, Box 1008, Nome, Alaska 99762

Ruth Stockie,

Acting Chief, Branch of Adjudication.

[FR Doc. 81–10893 Filed 4–9–81; 8:45 am]

BILLING CODE 4310–84–M

INTERSTATE COMMERCE COMMISSION

Intent To Engage in Compensated Intercorporate Hauling Operations

This is to provide notice as required by 49 U.S.C. 10524(b)(1) that the named corporations intend to provide or use compensated intercorporate hauling operations as authorized in 49 U.S.C. 10524(b).

1. Parent corporation:

ACF Industries, Incorporated, 750 Third Avenue, New York, NY 10017, New Jersey Corporation

Our trucking operation is managed and centrally controlled from the location next below:

Amcar Division, 110 Clark Street, St. Charles, MO 63301, New Jersey Corporation

2. Wholly-Owned subsidiaries which will participate in the operations, and location of their respective principal offices are:

Amcar Division, St. Charles, MO, New Jersey Corporation
Carter Carburetor Division, St. Louis, Mo, New Jersey Corporation
The Polymer Corporation, Reading, PA, Pennsylvania Corporation
Shippers Car Line Division, St. Charles, MO, New Jersey Corporation
W-K-M Division, Missouri City, TX, New Jersey Corporation
Corning Distribution Company, Sparks, NV, Arkansas Corporation
Corning Distribution Company, Corning, AR, Arkansas Corporation
Carter Automotive Products Company, Lafayett, TN, Tennessee Corporation
CDC Parts Distribution Company, Brampton, Ontario, Canada, ACF Canada Limited, Canada
Carter Precision Parts, Incorporated, City of Commerce, CA, California Corporation
Carter Precision Parts, Incorporated, Houston, TX, California Corporation
Carter Carburetor Division, Bramalea, Ontario, Canada, ACF Canada Limited, Canada

1. Parent corporation and address of principal office:

H. J. Heinz Company, P.O. Box 57, Pittsburgh, PA 15230

2. Wholly-owned subsidiaries which will participate in the operations, and states of incorporation:

(a) Ore-Ida Foods, Inc., State of Incorporation—Delaware
(b) Foodways National, Inc., State of Incorporation—Delaware
(c) Gagliardi Bros. Inc., State of Incorporation—Pennsylvania
(d) The Hubinger Company, State of Incorporation—Delaware
(e) Star-Kist Foods, Inc., State of Incorporation—California

1. Parent corporation and address of principal office:

HON Industries Inc., 414 East Third Street, Muscatine, IA 52761

2. Wholly-owned subsidiaries which will participate in the operations, and States of incorporation:

(a) The HON Company, unincorporated
(b) Corry Jamestown Corporation, Iowa
(c) Holga Metal Products Corporation, Iowa
(d) Murphy-Miller Co., Iowa
(e) Norman Bates Inc., Iowa
(f) Oakes Manufacturing, Inc., North Dakota
(g) The Prime-Mover Co., Iowa
(h) Hiebert, Inc., Iowa

1. Parent corporation:

Klein Tools, Inc., 7200 McCormick Blvd., Chicago, Illinois 60645

2. Wholly-owned subsidiaries which will participate in the operations:

R. H. Buhrke Co., Inc.—Arkansas
William Warne & Sons, Co.—Arizona

1. Parent corporation and address of principal office:

Royal Crown Companies, Inc., 41 Perimeter Center East NE., Atlanta, Georgia 30346

2. Wholly-owned subsidiaries which will participate in the operations and states of incorporation:

Adams Packing Association, Inc., a Delaware corporation
Athens Furniture, Inc., a Delaware corporation
Frederick Cooper Lamps Co., Inc., a Delaware corporation
Kent Wood Products, Inc., a Delaware corporation

Couroc of Monterey, Inc., a Delaware corporation
Hoyne Industries, Inc., a Delaware corporation
National Art Company, a Mississippi corporation
Royal Crown Bottling Company of Chicago, a Delaware corporation
Royal Crown Bottling Company of Chattanooga, a Delaware corporation
Royal Crown Bottling Company of Columbus, a Georgia corporation
Royal Crown Bottling Company of Florida, a Florida corporation
Royal Crown Bottling Company of Virginia, a Virginia corporation
Royal Crown Cola Co., a Delaware corporation
Texsun Corporation, a Delaware corporation
Tyndale, Inc., an Indiana corporation

1. Parent corporation:

Scapa Dryers, Inc., P.O. Box 1949, Waycross, GA 31501

2. Wholly-owned subsidiaries which will participate in the operations:

(a) Engineered Yarns, Inc., 372 Main St., Coventry, RI 02816
(b) Kern Rubber Company, 1415 Salisbury Blvd., Salisbury, NC 28144

1. Parent corporation and address of principal office:

Spence Building Supply, Inc., 1340 Gordon Highway, Augusta, Georgia 30901, Gerald P. Spence, President

2. Wholly-owned subsidiaries which will participate in the operations, and State(s) of incorporation:

(a) Spence Trucking, Inc., Georgia
(b) C.S.R.A. Wood Products, Inc., Georgia

1. Parent corporation:

Twin Y Corporation, 2526 North Western Avenue, Post Office Box 700, Plymouth, IN 46563

2. Wholly-owned subsidiaries which will participate in the operations:

Young Door Company, Midwest Division, 2526 North Western Avenue, Post Office Box 700, Plymouth, IN 46563
Young Door Company, Eastern Division, 215 Packer Street, Post Office Box 746, Sunbury, PA 17801
Young Door Company, South Central Division, 200 Young Drive, Post Office Box 757, Hartselle, AL 35640
Challenge Metal Products, Inc., 200 Gerber Street, Post Office Box 124, Ligonier, IN 46767
Young Transportation, Inc., 2526 North Western Avenue, Post Office Box 700, Plymouth, IN 46563

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-10873 Filed 4-9-81; 8:45 am]

BILLING CODE 7035-01-M

[Ex Parte No. 311]

Expedited Procedures for Recovery of Fuel Costs

Decided: April 7, 1981.

In our decisions of February 25, March 3, 10, 17, 24, and 31, 1981, a 19.0-percent surcharge was authorized on all owner-operator traffic, and on all truckload traffic whether or not owner-operators were employed. We ordered that all owner-Operators were to receive compensation at this level.

The weekly figure set forth in the appendix for transportation performed by owner-operators and for truckload is 18.8-percent. Accordingly, we are authorizing that the surcharge for this traffic remain at 19.0-percent. All owner-operators are to receive compensation at this level.

No change is authorized on the 2.2-percent surcharge for United Parcel Service. However, we are ordering the maximum surcharge on less-than-truckload (LTL) traffic performed by carriers not utilizing owner-operators be reduced to 3.2-percent, and that for the bus carriers to 7.0-percent.

Notice shall be given to the general public by mailing a copy of this decision to the Governor of each State and to the Public Utilities Commission or Boards of each State having jurisdiction over transportation, by depositing a copy in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection and by delivering a copy to the Director, Office of the Federal Register for publication therein.

It is ordered:

This decision shall become effective Friday 12:01 a.m. April 10, 1981.

By the Commission, Acting Chairman Alexis, Commissioners Gresham, Clapp Trantum, and Gilliam. Acting Chairman Alexis and Commissioner Gilliam were absent and did not participate.

Agatha L. Mergenovich,

Secretary.

April 6, 1981.

Appendix—*Fuel Surcharge*

Base date and price per gallon (including tax)

Jan. 1, 1979 ..... 63.5¢

Date of current price measurement and price per gallon (including tax)

Apr. 6, 1981 ..... 134.1¢

	Transportation performed by—			
	Owner-operator [1]	Other [2]	Bus carrier	UPS
	(1)	(2)	(3)	(4)
Average percent: Fuel expenses (including taxes) of total revenue	16.9%	2.9	6.3	3.3
Percent surcharge developed	18.8	3.2	7.0	[3] 3.0
Percent surcharge allowed	19.0	3.2	7.0	[4] 2.2

[1] Apply to all truckload rated traffic.
[2] Including less-than-truckload traffic.
[3] The percentage surcharge developed for UPS is calculated by applying 81 percent of the percentage increase in the current price per gallon over the base price per gallon to UPS average percent of fuel expense to revenue figure as of January 1, 1979 (3.3 percent).
[4] The developed surcharge is reduced 0.8 percent to reflect fuel-related increases already included in UPS rates.

[FR Doc. 81-10950 Filed 4-9-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Decision-Notice

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

We find that each transaction is exempt from section 11343 (formerly Section 5) of the Interstate Commerce Act, and complies with the appropriate transfer rules.

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.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsideration: any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1132.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will indicate that consummation of the transfer will be presumed to occur on the 20th day following service of the notice, unless either applicant has advised the Commission that the transfer will not be consummated or that an extension of time for consummation is needed. The notice will also recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 30 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

By the Commission, Review Board Number 5, Members Krock, Taylor, and Williams.

Finance Docket No. 29576. By decision of February 23, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1151, Review Board Number 5 approved the transfer to DYER INTERNATIONAL, INC., of Honolulu, HI, of Permit FF-421 (Sub-1), issued September 22, 1977, to COMET FORWARDING CORPORATION (formerly DOOR TO DOOR INTERNATIONAL, INC.), of Seattle, WA, authorizing the transportation of (a) *used household goods and unaccompanied baggage,* and (b) *automobiles,* between points in the United States (including Alaska and Hawaii), restricted in (b) to the transportation of export and import traffic. Representative: Alan F. Wohlstetter, 1700 K Street, NW, Washington, DC 20006.

Notes.—Application for TA has not been filed. Transferee is not a freight forwarder, nor a carrier subject to Parts I, II, and III of the Interstate Commerce Act, and is not an agent of such a forwarder or carrier. Transferee is affiliated with M. Dyer & Sons, Inc., a motor common carrier in the State of Hawaii, pursuant to MC 133909.

MC-FC-78612. By decision of February 25, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 5 approved the transfer to Flynn Trucking Co., Inc., of Jasper, TN of Permit MC 140543 (Sub-3) issued March 12, 1979 to Frank Garretson, of Morrison, TN, authorizing the transportation of *lumber, rough,* from the facilities of Mead Hardwoods Division of the Mead Corporation, in Jackson County, AL, to points in Tennessee, North Carolina, Alabama, Virginia, Mississippi, Georgia, and Florida, under contract with the Mead Corporation of Jackson County, AL. Representative is: Mark S. Gray, P.O. Box 872, Atlanta, GA 30301. TA lease authority has been granted. Transferee is not a carrier.

MC-FC-78901. By decision of February 27, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 5 approved the transfer to Crete Ways Transportation, Inc., Crete, NE of Certificate MC 133095 (Sub-34, 129, 133, 138, 143, 183, 196 and 208) issued to Joseph W. Colvin, Trustee of Ft. Worth, TX to Texas Continental Express, Inc.; authorizing the transportation of (1) *Plastic articles, brushes, combs, mirrors,* and *dresser* or *vanity sets,* and *toys,* from Fitchburg, MA to points in Kansas, Oklahoma, Texas, New Mexico, Arizona, Utah, Nevada, California, Oregon, and Washington; (2) *Plastic articles,* from Lowell, MA to points in Arizona, California, Kansas, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah and Washington; (3) *Meat, meat products, meat by-products and articles distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), From the plant site and storage facilities of Swift Fresh Meats Company, a Division of Swift & Company, located at or near Grand Island, NE to points in Connecticut, Delaware, Maine, Massachusetts, Maryland, New Jersey, New Hampshire, New York, North Carolina, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia and the District of Columbia. Restriction: The authority granted herein is restricted to the transportation of traffic from the named origin and destined to the named destination states; (4) *Printed publications,* from the facilities of Magazine Shippers Association, Inc., at or near Bridgeport, CT, to points in Arizona, California, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, New Mexico, Oklahoma, Oregon, Tennessee, Texas, Utah, Washington, and Wisconsin, with no transportation for compensation on return except as otherwise authorized; (5) *Meats, meat products, meat by-products and articles distributed by meat packinghouses (except hides and commodities in bulk),* as defined 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 Cherokee and Des Moines, IA to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia, restricted to the transportation of traffic originating at the above named origins and destined to the named destinations; (6) *Drugs and intravenous solutions, in containers, in vehicles equipped with mechanical refrigeration,* from the facilities of Invenex Pharmaceuticals, located in Erie County, NY to points in the United States in and west of Florida, Georgia, Tennessee, Kentucky, Michigan, and Ohio (except Alaska and Hawaii); *Glass containers,* from Millville, NJ and Chicago Heights, IL to the facilities of Invenex Pharmaceuticals, located in Erie County, NY; *Stopper enclosures, aluminum seals, and aluminum and plastic seals,* from St. Petersburg, FL to the facilities of invenex Pharmaceuticals, located in Erie County, NY. Restrictions: The authority granted herein is subject to the following conditions: This authority is restricted to the transportation of traffic originating at and destined to the named origins and destination points; (7) *Printed publications,* from the facilities of Magazine Shippers Association, Inc., at or near Bridgeport, CT, to points in Alabama, Georgia, Arkansas, Mississippi, Florida, South Carolina, and North Carolina; (8) (1) *Rubber articles* and *plastic articles,* and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk), between the facilities of Entek Corporation of America, at or near Irving, TX, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted to the transportation of traffic originating at or destined to the named facilities. Application for temporary authority has been filed.

The permanent authority will not be issued until the outstanding lease of this authority authorized in No. MC-F-Caravan Refrigerated Cargo, Inc.—Lease-Texas Continental Express, Inc. (Debtor in Possession) is cancelled. Representative is: Max H. Johnston, Box 6597, Lincoln, NE 68506.

MC-FC-78904. By decision of February 27, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 5 approved the transfer to California Eastern Xpress, Inc. of Anaheim, CA of the entire operating authorities issued to Texas Continental Carriers of Certificate MC 144855 and subs thereunder and permit MC 139485 and subs thereunder. These authorities authorize in part the transportation as a common carrier of *talc, specified foodstuffs, fruit, and frozen prepared foods* between specified points in the United States and as a contract carrier authorized in part to transport *paint, polyester body filler, specified building materials, bund, specified foodstuffs,* between points in the United States. Representative is: J. Max Harding, 1200 "N" Street, P.O. Box 82028, 500 The Atrium, Lincoln, NE 68501.

Notes.—TA has been filed. Transferee presently holds no authority from the Commission.

MC–FC–78959. By decision of February 26, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 5 approved the transfer to Paul G. Ward d.b.a. Snappy Delivery, of Pierre, SD of Certificate MC 140976 and Sub-1 issued March 15, 1976 and May 5, 1978, to Snappy Delivery, Inc., of Pierre, SD authorizing the transportation of *Used household goods*, Between points in that part of South Dakota on and east of the Missouri River. Between points in that part of South Dakota on and east of the Missouri River, on the one hand, and, on the other, Standing Rock, Cheyenne River, Lower Brule, Rosebud, and Pine Ridge Indian Reservation in South Dakota. Between those points in that part of South Dakota west of the Missouri River and on and east of South Dakota Highway 73. Between those points in that part of South Dakota east of the Missouri River, on the one hand, and, on the other, those points in that part of South Dakota west of the Missouri River and on and east of Cheyenne River, Lower Brule, Pine Ridge, Rosebud, and Standing Rock Indian Reservations. Representative is: Paul Ward, Snappy Delivery, 1823 E. Dakota Ave., Pierre, S.D. 57501. No TA lease application has been filed. Transferee holds no authority.

MC–FC–78963. By decision of February 27, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 5 approved the lease to Emmett O. McKenzie, d.b.a. Timber Express, of Evergreen, AL, of Permit MC 147658 (Sub-1 and 4) issued June 26, 1980, and November 10, 1980, respectively, to Darryal Watson, d.b.a. R&W Transportation, Inc., of Reston, AL, authorizing the transportation of (Sub-1) *lumber, lumber products,* and *lumber by-products,* from the facilities to T. R. Miller Mill Company at or near Brewton, AL, to points in Arkansas, Alabama, Georgia, Florida, Mississippi, Louisiana, and Texas, under continuing contracts with T. R. Miller Mill Company at or near Brewton, AL, to points in Illinois, Indiana, Tennessee, Kentucky, Michigan, Ohio, Missouri, Wisconsin, and Iowa under continuing contracts with T. R. Miller Mill Company, of Brewton, AL, and (2) from the facilities of Horrigan Lumber Company, at or near Monroeville, AL, to points in Arkansas, Alabama, Georgia, Florida, Mississippi, Louisiana, Texas, Illinois, Indiana, Ohio, Michigan, Wisconsin, Missouri, Iowa, Tennessee and Kentucky, under continuing contracts with Harrigan Lumber Company of Monroeville, AL, subject to the following conditions: the lease shall be terminated at the end of 12 months and shall be renewable only if special circumstances are involved. Representative is: Ernest O. McKenzie, P.O. Box 346, 325 Belleville Avenue, Evergreen, AL 36401.

MC–FC–78983. By decision of February 20, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Board Number 5 approved the transfer to RAC ENTERPRISES, LTD. of Bluefield, WV of Certificate MC 144990 (Sub-1F) issued July 24, 1980 to Charles A. Hurst d.b.a. GOOD TIMES CHARTERS of Bluefield, WV authorizing the transportation by irregular routes of *passengers and their baggage,* in the same vehicle with passengers, in charter-operations, between points in Logan, McDowall, Mercer, Mingo, and Wyoming, WV, and Bland, Buchanan, Carroll, Giles, Grayson, Montgomery, Russell, Wythe, and Tazewell Counties, VA, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). Representatives are: Mr. Richard L. Hirshberg, Mr. LeRoy Katz and Mr. John H. Shoot, P.O. Box 727, Bluefield, WV.

MC–FC–78988. By decision of February 24, 1981 issued 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. Part 1132 Review Board Number 5 approved the transfer to David A. Conkle and Gary W. Coakle d.b.a. the "J.J." Express of Permit MC 148185 (Sub-1F), issued February 19, 1980 to Winfried P. Bartz d.b.a. Winn Bartz Trucking, authorizing the transportation of recyclable materials, and materials, equipment and supplies used in the manufacture and distribution of foundry products, between Reedsburg, WI, on the one hand, and, on the other, points in Illinois, Indiana and Iowa, under continuing contract(s) with Grede Foundries, Inc., of Reedsburg, WI. Transferee presently holds no authority from the Commission. Representative is: Wayne W. Wilson, 150 E. Gilman St., Madison, WI 53703.

MC–FC–78985. By decision of February 20, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132 Review Board Number 5 approved the transfer to Stallings Motor Lines, Inc. of Fairbanks, AK of Certificate MC 133425 (Sub-1) issued July 25, 1969, to Bayless & Roberts, Inc. of Anchorage, AK, authorizing the transportation of *general commodities* (except articles of unusual value), Classes A and B explosives, and household goods as defined by the Commission, between points in Alaska, except points in the Alaska Panhandle south of Haines, AK. Representative is: Keith Otteafeld, 310 "K" St., Suite 201, Anchorage, AK 99501. Transferee presently holds no authority from the Commission.

MC–FC–78990. By decision of February 20, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132 Review Board Number 5 approved the transfer to J. D. Transportation, Inc. d.b.a. Fleming Trans Inc. of North Grafton, MA of Certificate MC 5819 issued May 11, 1956 to J.D. Transportation of Worcester, MA authorizing the transportation of Liquid Petroleum Products, in bulk, from Providence, East Providence and Riverton, RI and Fare River, MA to Worcester, MA, and points in MA within 25 miles of Worcester, MS. Subject to the following condition: Representative is: Charles F. Dodson, Esquire, 309 Main Street, Suite 600, Worcester, MA 10608.

78998. By decision of February 19, 1981 issued under 49 U.S.C. 10926 and the transfer rules at C.F.R. 1132 Review Board Number 5 approved the transfer to Larry's Collision, Inc., of Certificate MC 134544 issued May 4, 1971, to Walter E. Coleman, an individual, d.b.a. Coleman's Service, authorizing the transportation of (1) wrecked disabled, abandoned, repossessed, embezzled, and stolen motor vehicles (except trailers designed to be drawn by Passenger automobiles), by use of wrecker equipment, and (2) motor vehicles except trailers designed to be drawn by motor above, by use of wrecker equipment only, between points in Erie and Niagara Counties, NY, on the hand, and, on the other, points in Massachusetts, Connecticut, Rhode Island, New Hampshire, Vermont, Maine, New Jersey, Pennsylvania, Maryland, Delware, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Ohio, Michigan, Indiana, Illinois and Kentucky, restricted against the transportation of traffic originating at or destined to points in Canada. Respresentative is: Joseph A. Tringali, 91 Tremont Street, North Tonawanda, NY 14120.

MC–FC–79016. By decision of February 26, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132 Review Board Number 5 approved the transfer to Davis Tours, Inc. of Certificate MC 133305 issued March 25, 1970; MC 133305 (Sub-1) issued April 28, 1971 and MC 133305 (Sub-2) issued December 13, 1974 to Davis Airport Limousine Service, Inc. authorizing the transportation of (1) passengers and their baggage, restricted to traffic originating in the territory indicated, in charter operations, with stop-over

privileges, points in Ohio south of U.S. Highway 224 in the Counties of Ashland, Medina, Summit, Portage, Wayne, Stark, Columbiana, Holmes, Tuscarawas, and Carroll, Ohio, Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, the District of Columbia, Virginia, West Virginia, North Carolina, South Carolina, Michigan, Indiana, Illinois, Kentucky, Tennessee, Wisconsin, Minnesota, South Dakota, Nebraska, Iowa, Kansas, and Missouri. (2) Passengers and their baggage in charter operations, points in Summit and Portage Counties, Ohio, on and north of U.S. Highway 224, and points in the United States (except Alaska and Hawaii). Beginning and ending at points in Ashland, Medina, Portage, Wayne, Stark, Columbiana, Holmes, Tuscarawas, and Carroll Counties, Ohio, on and north of U.S. Highway 224, and points in the United States (except Alaska and Hawaii). (3) Passengers and their baggage, in the same vehicle with passengers in special operations in round-trip, sight-seeing, and pleasure tours, beginning and ending at Kent, Ohio, and points in Wayne, Summit and Stark Counties, Ohio, and extending to points in the United States (except Alaska and Hawaii). Representative is: Jeremy Kahn, 1511 K Street, N.W., Washington, D.C. 20005.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-10862 Filed 4-9-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Decision-Notice

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

We find that each transaction is exempt from section 11343 (formerly Section 5) of the Interstate Commerce Act, and complies with the appropriate transfer rules.

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.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsiderations; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1132.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will indicate that consummation of the transfer will be presumed to occur on the 20th day following service of the notice, unless either applicant has advised the Commission that the transfer will not be consummated or that an extension of time for consummation is needed. The notice will also recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 30 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

By the Commission, Review Board Number 3, The Motor Carrier Board, Members Krock, Joyce and Dowell.

MC-FC-79017. By decision of March 13, 1981 issued under 49 U.S.C. § 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to TEXAS CONSTRUCTION SERVICE COMPANY OF AUSTIN, a corporation, of Round Rock, TX of Certificate No. MC-139487 (sub-No. 1) issued March 21, 1975, as modified March 24, 1977, to COBO, Inc., of Round Rock TX, authorizing the transportation of *lightweight aggregate* in bulk, in dump vehicles, from the facilities of Texas Industries, Inc., at or near Statman, TX, to points in Oklahoma, Louisiana, and Arkansas. Representative: Thomas F. Sedberry, P.O. Box 2165, Austin, TX 78768, (512) 476-6083.

MC-FC-79019. By decision of March 4, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132 Review Board Number 3 approved the transfer to MW TRUCKING CORPORATION of Permit No. MC-142651 and Permit issued (date) May 23, 1978, to December 4, 1979, respectively and MW Warehouse Corporation authorizing (1) operations in No. MC-142651 as a contract carrier, in interstate or foreign commerce, over irregular routes of *wearing apparel*, on hangers and in cartons, and *accessories*, from the facilities of MW Warehouse Corp., at Secaucus, NJ, to Philadelphia, PA, Washington, D.C., and points in Nassau, Suffolk, Westchester, and Rockland Counties, NY and *returned shipments*, from the above named destination points to the above-named origin point, under a contract carrier Biderman Industries, U.S.A. of New York, NY and (2) operations in No. MC-142651 Sub if as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *such commodities* as are dealt in or used by manufacturers of wearing apparel and accessories for retail, specialty, and department stores (except foods and commodities in bulk), between the facilities of MW Warehouse Corp., at Secaucus, NJ, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), under continuing contract(s) with Biderman Industries, U.S.A. of New York, NY. Representative: Morton E. Kiel, Suite 1832, Two World Trade Center, New York, NY 10048.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-10863 Filed 4-9-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Decision-Notice

The following applications, filed on or after July 3, 1980, seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control of motor carriers pursuant to 49 U.S.C. 11343 or 11344. Also, applications directly related to these motor finance applications (such as conversions, gateway eliminations, and securities issuances) may be involved.

The applications are governed by Special Rule 240 of the Commission's Rules of Practice (49 CFR 1100.240). See Ex Parte 55 (Sub-No. 44), *Rules Governing Applications Filed By Motor Carriers Under 49 U.S.C. 11344 and 11349*, 363 I.C.C. 740 (1981). These rules provide among other things, that opposition to the granting of an application must be filed with the Commission in the form of verified statements within 45 days after the date of notice of filing of the application is published in the **Federal Register**. Failure seasonably to oppose will be construed as a waiver of opposition and participation in the proceeding. If the protest includes a request for oral hearing, the request shall meet the requirements of Rule 242 of the special rules and shall include the certification required.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.241. A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00, in accordance with 49 CFR 1100.241(d).

Amendments to the request for authority will not be accepted after the date of this publication. However, the Commission may modify the operating authority involved in the application to conform to the Commission's policy of simplifying grants of operating authority.

We find, with the exception of those applications involving impediments (e.g., jurisdictional problems, unresolved fitness questions, questions involving possible unlawful control, or improper divisions of operating rights) that each applicant has demonstrated, in accordance with the applicable provisions of 49 U.S.C. 11301, 11302, 11343, 11344, and 11349, and with the Commission's rules and regulations, that the proposed transaction should be authorized as stated below. Except where specifically noted this decision is neither a major Federal action significantly affecting the quality of the human environment nor does it appear to qualify as a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests as to the finance application *or* to any application directly related thereto filed within 45 days of publication (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (unless the application involves impediments) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, the duplication shall not be construed as conferring more than a single operating right.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectiveness of this decision-notice or the application of a non-complying applicant shall stand denied.

Dated: April 1, 1981.

By the Commission, Review Board No. 3, members Krock, Joyce, and Dowell. Board member Krock not participating in MC-F-14591.

MC-F-14595, filed March 13, 1981. LYON VAN LINES, INC. (Lyon Van) (55 Battery Street, Seattle, WA 98121)—Purchase—Lyon Moving & Storage Co. (Lyon Moving) (3416 South La Cienega Boulevard, Los Angeles, CA 90016). Representative: Charles A. Webb, Vorys, Sater, Seymour and Pease, 52 East Gay St., P.O. Box 1008, Columbus, OH 43216. Lyon Van seeks authority to purchase the interstate operating rights and property of Lyon Moving. Mayne Nickless, Incorporated, which is a wholly owned subsidiary of an Australian Corporation named Mayne Nickless Limited, seeks authority to acquire control of the said operating rights and property through the transaction. Lyon Van is purchasing the motor carrier certificates and brokers licenses held by Lyon Moving. The motor carrier certificates are those in No. MC-5428 and No. MC-5428 (Sub-Nos. 5 and 7) authorizing (A) in certificate No. MC-5428 the transportation as a motor common carrier, over regular routes, of *new furniture, metal signs, lubricating oils and greases, gas ranges, electric ironers, and washing machines,* between Los Angeles, and Los Angeles Harbor, CA, serving no intermediate points, and serving the off-route point of Long Beach, CA, over named Los Angeles streets and Truck Boulevard, and the transportation over irregular routes, of *general commodities* with the usual exceptions and except airplanes, from the Los Angeles, CA Commercial Zone to Los Angeles Harbor, CA, restricted to foreign commerce and traffic moving to U.S. Territories or possessions, *new furniture* from Los Angeles, CA to Pasadena, San Bernardino, Pomona, Gardena, Long Beach, Santa Monica, Glendale, Huntington Park, Compton, Fullerton, Anaheim, Santa Ana, San Pedro, Riverside, Wilmington, Orange, Monrovia, Covina and San Gabriel, CA, *airplanes and airplane parts,* between points in Marin, Sonoma, Napa, Solano, Sacramento, Contra Costa, Alameda, Santa Clara, San Mateo, and San Francisco Counties, CA, between points in Clatsop, Columbia, Multnomah, Washington, and Clackamas Counties, OR, and Wahkiakum, Cowlitz, and Clark Counties, WA, between Whatcom, Skagit, Snohomish, King, Pierce, Thurston, Mason, Jefferson, Clallam, San Juan, Kitsap, and Island Counties, WA. Restricted to shipments between airports, on the one hand, and, on the other, points at which steamships or other vessels may be loaded or unloaded, between San Diego and North Island, CA and between points in Los Angeles County, CA, *used or damaged airplanes or parts thereof,* uncrated, between points in Los Angeles County, CA, on the one hand, and, on the other, points in the United States west of the eastern State lines of MN, IA, MO, AR, and LA, *general commodities* except those of unusual value, classes A and B explosives, household goods as defined by the Commission, livestock, cement, hay, grain, lumber, broom corn, commodities in bulk, and commodities requiring refrigeration, between points in Fresno, CA, and with the additional exception of liquors and cigarettes, between San Diego, CA, on the one hand, and, on the other, CA points within 20 miles of the junction of 5th and Broadway Streets, San Diego, not including those on the boundary of the U.S. and Mexico, at San Ysidro, CA, and *heavy machinery* between San Diego, CA; on the one hand, and, on the other, CA points within 40 miles of the junction of 5th and Broadway Streets, San Diego, CA; (B) in certificate No. MC-5428 Sub-5 authorizing transportation as a motor common carrier, over irregular routes, of *autogyros and component parts,* k.d., uncrated, and *blades and brooms thereof,* between El Segundo, CA, and Lake Havasu City, AZ, on the one hand, and, on the other, U.S. points on and west of a line begining at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, thence northward along the western boundaries of Itasca and Koochiching Counties, MN, to the US-Canada Boundary line (except AK and HI), *emigrant movables,* between ND points on and north of US Hwy 2 and on and east of ND Hwy 14, on the one hand, and, on the other, points in MN, *household goods,* as defined by the Commission, between points in the United States (including Hawaii but excluding Alaska), *new furniture,* uncrated, and *technical furniture,* uncrated when moving to a hospital or laboratory for installation from points in Los Angeles and Orange Counties, CA, to points in WA, OR, ID, MT, WY, points in UT on and north of US Hwy 40, and point in NV on and north of US Hwy 50 (except points in Douglas, Ormsby, and Washoe Counties), *new furniture,* uncrated, from Monterey, Bakersfield, and points in San Diego, San Francisco, San Mateo, and Alameda Counties, CA, to points in WA, OR, ID, MT, WY, UT, CO, and NV (except points in Douglas, Ormsby, and Washoe Counties, NV), *general commodities* with the usual exceptions, between Seattle, WA, on the one hand, and, on the other, points within three miles of Seattle, and between points in Portland, OR, and (C) in certificate No. 5428 Sub-7 authorizing the transportation as a motor common carrier, over irregular routes, of *empty household goods shipping containers,* set up or k.d., between points in the United States, including Hawaii, but excluding Alaska; The following brokers licenses will also be transferred as part of the transaction: (A) License No. MC-12007 authorizing operations as a broker in Los Angeles, Pasadena, San Francisco, Glendale,

Long Beach, San Diego, Santa Barbara, and Fresno, CA, in connection with the motor vehicle transportation of *new or used household goods, office, store, and hospital furniture and equipment, personal effects, new or used musical instruments, works of art, special displays, office and commercial machinery*, and *airplanes*, between points in CA, on the one hand, and, on the other, points in the United States, and (B) License No. MC-12007 Sub-1 authorizing operations as a broker in connection with the motor vehicle transportation of *household goods* as defined by the Commission, between points in Washington, Oregon, and Idaho, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), at Seattle, Spokane, and Tacoma, WA, and between points in Oregon, Washington, and Idaho, on the one hand, and, on the other, points in the remaining States of the United States (excluding Alaska and Hawaii), at Portland, OR. Transferee, Lyon Van, holds no authority from the Commission. However, upon consummation of the transaction, it will become affiliated with various carriers. One is Loomis Armored Car Service which transports various valuable articles. Another is Alaska-Orient Van Service, Inc. which transports household goods in Alaska. Yet another is Loomis Armed Car Service Ltd. which transports coin and currency. Still another is Loomis Courier Service, Ltd., which transports commercial documents, business records and similar material. The final affiliate would be Lincoln Moving & Storage Company, Inc. which holds authority in No. MC-339 (Sub-Nos. 1, 11 and 12) to transport household goods between points in the States of Washington, California, Oregon and Idaho. The authority would theoretically duplicate part of that being acquired by Lyon Van. However, applicants argue that "cogent and acceptable" reasons exist for allowing the duplications to continue as set out in 49 CFR 1134.51(a)(3). Applicants state that Lincoln's operations as a United Van Lines agent will be severable and distinct from the Lyon Van operation with its own system of agents and hence two separate, distinct services will be involved as in the past. We agree with applicants, but will require that the duplicating operating rights of Lyon Van and Lincoln shall not be severed by sale or otherwise. Conditions: Upon consummation of the transaction, the certificates of Lincoln Moving & Storage Company, Inc. and Lyon Van Lines, Inc. shall be conditioned to provide that, to the extent they duplicate, they shall not be severed by sale or otherwise.

Notes.—(1) Application for temporary authority has been filed.

(2) A directly-related application simultaneously filed involves the transfer of certain freight forwarder rights and properties of an affiliate of vendor to an affiliate of vendee in Finance Docket No. 29606.

Caption Summary

FD 29606, filed March 10, 1981, LYON WORLDWIDE SHIPPING, INC. (55 Battery Street, Seattle, WA 98121), transferee, and LYON HOUSEHOLD SHIPPING, INC. (3416 South La Cienega Boulevard, Los Angeles, CA 90016), transferor, Representative: Charles A. Webb, 1928 L Street, N.W., Suite 1111, Washington, DC 20036. Authority sought for the transferee's purchase of the operating rights and certain assets of the transferor, which rights are set forth in Permit No. FF-366 sub-1, served September 15, 1977, authorizing the performance of transportation as a freight forwarder of (a) used household goods and unaccompanied baggage and (b) automobiles, between points in the U.S. (incl. AK and HI), restricted in (b) to the transportation of export-import traffic. The transferee now holds no authority from the Commission. (Hearing site: Seattle, WA or Los Angeles, CA.)

Notes.—(1) This application is directly related to a simultaneously filed application involving the purchase and sale of certain motor carrier rights and properties of an affiliate of transferor to an affiliate of transferee, in MCF-14595.

(2) Application for temporary authority has been filed.

MC-F-14597, filed March 12, 1981. NORTHERN VIRGINIA LINES, INC., d.b.a. NORTHERN VIRGINIA TRAILWAYS (Northern) (1429 N. Quincy St., Arlington, VA 22207)—PURCHASE (PORTION)—VIRGINIA STAGE LINES, INC., d.b.a. VIRGINIA TRAILWAYS (Virginia (1200 Eye Street, NW, Washington, DC 20005). Representative: Lawrence E. Lindeman, 425—13th Street, NW, Suite 1032, Washington, DC 20004. Northern seeks authority to purchase a portion of the interstate operating rights and property of Virginia. Joan Ryan, the sole stockholder of Northern, seeks authority to acquire control of said rights through the transaction. Virginia holds authority, as pertinent, in its lead certificate, MC-59238, which authorizes the transportation of (1) *passengers and their baggage, and express, and newspapers* in the same vehicle with passengers, between Washington, DC, and Warrenton, VA., serving all intermediate points: from Washington over U.S. Hwy 211 to junction Alternate U.S. Hwy 211, then over Alternate U.S. Hwy 211 to Warrenton, VA; and (2) *passengers and their baggage*, between Fredericksburg, VA, and Centreville, VA, serving all intermediate points: from Fredericksburg over U.S. Hwy 17 to junction VA Hwy 806, then over VA Hwy 806 to junction VA Hwy 28, then over VA Hwy 28 to Centreville, and return over the same route. Northern is purchasing those portion of the above authority which authorize the transportation of (1) *passengers and their baggage, and express, and newspapers* in the same vehicle with passengers, (a) between Washington, DC, and junction U.S. Hwys 211 and 50, at Fairfax, VA, serving all intermediate points: over U.S. Hwy 211 and (b) between junction U.S. Hwy 211 and Interstate Hwy 66 near Centreville, VA, and junction Interstate Hwy 66 and U.S. Hwy 211 at Gainesville, VA, serving all intermediate points: over U.S. Hwy 211; and (2) *passengers and their baggage*, between Morrisville, VA, and Centreville, VA, serving all intermediate points: from Morrisville over VA Hwy 807 to junction VA Hwy 28, then over VA Hwy 28 to Centreville, and return over the same route. Virginia will retain those portions which authorize transportation (1) between the junction of U.S. Hwys 50 and 211 at Fairfax, VA, and Centreville, VA, over U.S. Hwy 211; (2) between Gainesville and Warrenton, VA, over U.S. Hwy 211; and (3) between Fredericksburg, VA, and junction U.S. Hwy 17 and VA Hwy 806 at Morrisville, VA, over U.S. Hwy 17. Northern does not hold any authority from this Commission. However, Joan Ryan, the sole stockholder of Northern, also holds all the stock of Creative Bus Tours, Inc., a broker under MC-130433 and 51 percent of the stock of Capital City Coach, a motor common carrier under MC-147305.

Note.—Application for TA has been filed.

MC-F-14588, filed March 6, 1981. EDGAR SERVICE COMPANY, INC., (EDGAR), (3445 Paterson Plank Road, North Bergen, NJ 07047)—PURCHASE (PORTION)—QUINN FREIGHT LINES, INC. (QUINN), (1043 North Montello Street, Brockton, MA 02403). Representative: A. David Millner, P.O. Box 1409, 167 Fairfield Road, Fairfield, NJ 07006. Edgar seeks authority to purchase a portion of the operating rights of Quinn. Truck Load Transport, Inc., a non-carrier and sole stockholder of Edgar, and, in turn, Jack Schneider and Warren Sprayregan, the stockholders and persons in control of Truck Load Transport, Inc., seek to

acquire control of said rights through the transaction. Edgar is purchasing a portion of Quinn'as authority issued in Certificate No. MC–4914, Sub numbers 4, 5, 10, 11, 15, 24, 30, 41, 43, 56, 57, 59, 62, 63, 64, 67, 70, 71, 72, 75, 78, 79, 81, 87, 90, 91 and 98, authorizing the transportation, as a motor common carrier, over regular and irregular routes, of general commodities, with the usual exceptions, and specific commodities, involving points in CT, DE, ME, MD, NA, NH, NJ, NY, PA, RI, VT, VA, IN, OH, WI, WV, IL, MI, MO, ND, SD, NE, KS, OK, TX, IA, SC, NC, FL, GA, KY and D.C. Quinn is retaining that portion of its authority in the above-listed certificates which allows the transportation of general commodities, with stated exceptions, (1) at points in VT and NH on and north of U.S. Hwy 2, and (2) at points in ME (except under Sub-No. 78). Impediment: Applicants failed to present any evidence concerning the actual transportation of shipments under the operating authority involved in the proposed transaction. This information is required under section D–4 of Appendix D in Application form OP–F–44. See *Central Transport, Inc.—Pur.—Piedmont Petroleum, 127 M.C.C. 1 (1977). Applicants must provide such information.*

Note.—Application for temporary authority has been filed. Purchaser Quinn is both a motor common and contract carrier operating, respectively, pursuant to Certificate No. MC–149233 and Permit No. MC–149127.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81–10864 Filed 4–9–81; 8:45 am]

BILLING CODE 7035–01–M

Motor Carriers; Decision-Notice

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

We find:

Each transaction is exempt from section 11343 (formerly section 5) of the Interstate Commerce Act, and complies with the appropriate transfer rules.

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.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsiderations; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1132.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will indicate that consummation of the transfer will be presumed to occur on the 20th day following service of the notice, unless either applicant has advised the Commission that the transfer will not be consummated or that an extension of time for consummation is needed. The notice will also recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 30 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

By the Commission, Review Board Number 3, The Motor Carrier Board, Members Krock, Joyce, and Dowell.

Agatha L. Mergenovich,

Secretary.

MC–FC–79015. By decision of March 12, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to LARLEE LEASING, INC. of Permit MC–144437 (Sub-No. 3) issued October 3, 1978, to Custom Motor Freight Co. authorizing the transfer of (1) *General Commodities* with the usual exceptions over regular routes between Akron, OH, to Cincinnati, OH, serving no intermediate points (over U.S. Highway 224 to junction US Highway 42). (2) *Iron and Steel products* over irregular routes between points in Kentucky within 10 miles of Cincinnati, OH, to Butler, PA. *Steel and tinplate* from Weirton and Beechbotton, W. VA. to Cincinnati, OH. (3) *Steel and tin plate* from Wheeling, W. VA. to Cincinnati, OH. (4) *Steel, petroleum and petroleum products* from Allegheny County, PA. to Cincinnati, OH. (5) *Petroleum and petroleum products* from Butler and Freedom, PA. and St. Mary's, W. VA. to Cincinnati, OH. (6) *Empty petroleum and petroleum products containers* from Cincinnati to Butler and Freedom, PA. and St. Mary's, W. VA. (7) *Anti-Freeze compounds*, (8) *Glass products*. (9) *Glass products*, from Owens and Huntington, W. VA., to Cincinnati, Ohio, and points within 10 miles of Cincinnati, Ohio (10) *Waste paper and rags*, from Charleston and Huntington, W. VA., to Cincinnati, Ohio and points within 10 miles of Cincinnati Ohio. (11) *Oil*, in containers, from Cabin Creek, W. VA., to Cincinnati, Ohio, and points within 10 miles of Cincinnati, Ohio. (12) *Empty malt beverage containers*, from Ashland, KY., and points in that part of West Virginia on and west of U.S. Highway 19, to Cincinnati, Ohio, and points within 10 miles of Cincinnati, Ohio. (13) *Iron and steel products*, between Covington, Newport, and Wilder, Ky., on the one hand, and, on the other, points in Ohio. (14) *Machinery and machinery parts* used in plants engaged in the manufacture or processing of steel, between Newport and Wilder, Ky., on the one hand, and, on the other, points in Ohio. (15) *Machinery and machinery parts*, used in plants engaged in the manufacture or processing of steel, between points in Allegheny County, PA, on the one hand, and, on the other, Newport and Wilder, Ky. (16) *Steel products*, from points in Allegheny County, PA. to those points in that part of Ohio on and west of a line beginning at the intersection of Lake Erie and the eastern Lorain County line, thence continuing south on the eastern county lines of Lorain, Ashland, Knox, Licking, Fairfield, Pickaway, Ross, Pike, Scioto, and Lawrence County lines to the Ohio River. (17) *Iron and steel products*, from those points in that part of Ohio described in (16) above (except Bellefontaine and its commercial zone), to Butler, Pa. (18) *Steel and tinplate*, from Wheeling, W. VA., and points within 10 miles of Wheeeling, to those points in that part of Ohio on and west of a line beginning at the Intersection of Lake Erie and the eastern Lorain County line, thence continuing south on the eastern county lines of Lorain, Ashland, Knox, Licking, Fairfield, Pickaway, Ross, Pike, Scioto, and Lawrence County lines to the Ohio River. (19) *Machinery and machinery parts used in plants engaged in the manufacture or processing of steel*, between points in Allegheny County, Pa., on the one hand, and, on the other, those points in that part of Ohio on and west of a line beginning at the intersection of Lake Erie and the Eastern Lorain county Line, thence continuing south on the eastern county lines of Lorain, Ashland, Knox, Licking, Fairfield, Pickaway, Ross, Pike, Scioto, and Lawrence County Lines to the Ohio River. (20) *Steel and tinplate*, from Weirton and Beechbottom, W. Va., and points within 10 miles of Weirton and Beechbottom, to those points in that part of Ohio on and west of a line beginning at the intersection of Lake Erie and the Eastern Lorain county line, thence continuing south on the eastern county lines of Lorain, Ashland, Knox, Licking, Fairfield, Pickaway, Ross, Pike, Scioto,

and Lawrence county lines to the Ohio River. (21) *Machinery and machinery parts* used in plants engaged in the manufacture or processing of steel, between points in Clermont, Hamilton, Butler, and Preble Counties, Ohio, and points in Warren county , Ohio, on and west of Ohio Highway 48, on the one hand, and, on the other, points in Allegheny County, Pa. (22) *Steel and tinplate*, in truckloads, from Wheeling, W. Va. to points in Hamilton and Clermont Counties, Ohio, and those in Ohio on and west of a line beginning at the Hamilton County line and extending along U.S. Highway 503 to its junction with Ohio Highway 122 to Eaton, thence along Ohio Highway 122 to the Ohio-Indiana State line. (23) *Iron and Steel products*, in truckloads, from points in Ohio in Preble, Butler, Warren, Hamilton, and Clermont Counties, to Butler, Pa. (24) *Steel and tinplate*, in truckloads, from Weirton, W. Va., and points within 10 miles of Weirton to points in Ohio and in Butler, Hamilton, and Clermont Counties, and those points in Warren County, Ohio, south of a line beginning at the Butler County-Warren county line and extending along Ohio Highway 63 to Lebanon, thence along Ohio Highway 48 to the Warren County-Clermont County line. (25) *Steel*, in truckloads, from Pittsburgh, Pa., to points in Clermont, Hamilton, Warren, Butler, and Preble Counties, Ohio.

MC-FC-79021. By decision of March 4, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1151, Review Board Number 5, approved the transfer to FAST LEASING, INC. OF Permit No. MC-111002 and MC-111002 (Sub-No. 24) issued February 27, 1967, and February 4, 1972, respectively to Fame, Inc., authorizing generally the transportation of *potassium silicate* from and to named points in a number of eastern states and *strip steel* from named plantsites in Ohio and Massachusetts to a named plantsite in Pennsylvania. Representative: Preston L. Davis, 37 Arch Street, Milton, Pa. 17847.

MC-FC-79023. By decision of March 13, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1151, Review Board Number 3, approved the transfer to KWICK-WAY TRANSPORTATION COMPANY of Johnson City, TN, of Certificate No. MC-30487 (and subnumber 7 thereof) issued October 8, 1971, and October 13, 1977, to Dearman Moving and Storage Co. of Ontario, Oh, authorizing the transportation as a motor common carrier of (1) *household goods*, between points in Illinois, Indiana, Michigan, Ohio, Pennsylvania, and New York on the one hand, and, on the other, points in Connecticut, Colorado, Delaware, Florida, Illinois, Indiana, Iowa, Kentucky, Maryland, Mississippi, Michigan, Minnesota, Missouri, New York, New Jersey, Ohio, Pennsylvanis, Rhode Island, South Carolina, Tennessee, Birginia, West Virginia, Wisconsin and District of Columbia; (2) equipment, *materials, and supplies used in the manufacture and installation of telecommunications equipment and parts*, from points in the US to points in Washington County, TN, and (3) *telecommunications equipment, materials, parts and supplies* (a) between points in Washington County, TN, on the one hand, and, on the other, points in Alabama, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Virginia, Washington, West Virginia, Wisconsin, and District of Columbia, and (b) between points in Ohio, on the one hand, and, on the other, points in Alabama, California, Georgia, Kansas, Nebraska, North Carolina, Oregon, Texas and Washington. No temporary authority application or any other related application has been filed. Transferee holds no other motor carrier authority from the Commission. Representive: Robert L. Baker, 618 United American Bank Bldg., Nashville, TN 37219.

MC-FC-79025. By decision of March 12, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3, approved the transfer to POWELL TRUCKING, a subsidiary of Powell Erection Company, of Knoxville, TN, of Certificate Nos. MC-128404 (Sub-Nos. 1, 6, 11, 12, and 14), issued October 14, 1970; January 24, 1974, June 5, 1979, and December 8, 1980, respectively, to Blackwood Crane & Truck Service, Inc., of Knoxville, TN, authorizing the transportation of: Sub-No. 1, *Precast and prestressed concrete products*, From Knoxville, Tenn., to points in Alabama, Florida, Georgia, Kentucky, Mississippi, Missouri, North Carolina, Ohio, South Carolina, Virginia, and West Virginia; Sub-No. 6, (1) *Wood chips*, From Knoxville, Tenn., to points in Kentucky, Virginia, and North Carolina; (2) *Plastic conduct* and *plastic pipe* and *accessories* for such commodities; (a) From the plant site and storage facilities of Reliance Universal, Inc., at or near Knoxville, Tenn., to points in Alabama, Florida, Georgia, Kentucky, Maryland, Mississippi, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia and West Virginia, and (b) From the plant site of Independent Plastic Products Company at or near Toledo, Ohio, to points in Alabama, Florida, Georgia, Kentucky, Maryland, Mississippi, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia and West Virginia, and (3) *Precast and prestressed concrete products*, and *plastic conduit* and *plastic pipe*, and *accessories* for *such* commodities, From the plant site and storage facilities of Baltimore Universal, Inc., at or near Johnson City and Bristol, Tenn., to points in Alabama, Florida, Georgia, Kentucky, Maryland, Mississippi, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia, Sub-No. 11, (1) *signs, and sign poles*, and (2) *parts and accessories* for the commodities named in (1) above, between Knoxville, TN, on the one hand, and, on the other, points in the United States, (except Alaska, Hawaii, and Tennessee). Sub-No. 12, (1) *iron and steel articles*, from the facilities of Azcon Corporation, in Knox County, TN, to points to Alabama, Arkansas, Florida, Georgia, Iowa, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Missouri, Mississippi, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Texas, Virginia, Wisconsin, and West Virginia; and (2) *materials and supplies* used in the manufacture of iron and steel articles (except commodities in bulk), from points in Alabama, Arkansas, Florida, Georgia, Iowa, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Missouri, Mississippi, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Texas, Virginia, Wisconsin and West Virginia, to the facilities of the Axcon Corporation, in Knox County, TN; Sub-No. 14, (1) *iron and steel articles, and such commodities as are dealt in by manufacturers, distributors and processors of iron and steel articles*, between the facilities of Olympic Metal, Inc., in Knox and Loundon counties, TN, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

MC-FC-79026. By decision of March 12, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132 Review Board Number 3 approved the transfer to COASTAL FREIGHT LINES, INC. Certificate No. MC-142142 and 142142 Sub 2 issued August 13, 1976 and April 5, 1977 to Skyline Transport, Inc. authorizing the transportation of *General Commodities*, with the usual exceptions over regular routes between Greenwich, CT and New York, NY.

serving all intermediate points over the same route. General commodities with usual exceptions between New Haven and Greenwich, CT serving the intermediate points of Milford, Stratford, Bridgeport, Fairfield, Norwalk, Westport, Darien, Stainford, East Haven, West Haven, Hamden and Trumbell, CT. *General Commodities* between Hartford and Meriden, CT serving the intermediate points of West Hartford, New Britain, Southington and Middletown, CT, and the off-route points of Berlin, Plainville, Bristol, Terryville, East Hartford, Glastonbury and Portland, CT., and between Hartford and Vernon, CT, serving the intermediate points of Manchester and East Hartford, CT, and the off-route point of Wapping, CT, and between Hartford and Terrington, CT, serving no intermediate points and serving the off route points of Andover, Berlin, Bloomfield, Bolton, Bristol, Burlington, Colchester, Columbia, Coventry, Durham, East Granby, East Hartford, East Windsor, Ellington, Enfield, Furmington and other towns over U.S. Highway 44 to junction CT Highway 25. Representative: Ronald I. Shapss, 450 Seventh Avenue, New York, NY 10123.

MC–FC–79030. By decision of March 12, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1032 Review Board Number 5 approved the transfer to NORTH BAY TRUCKING, INC. of Permit No. MC–142620 issued January 22, 1979 to Bay View Orchards Cooperative, Inc., authorizing the transportation of processed *fruit products* (except in bulk) from points in Michigan on and west of U.S. Highway 131 and on and north of Highway I–96, Benton Harbour, Decatur, Holland and Lawrence, MI, to points in the United States (except Alaska and Hawaii), *frozen processed fruit products*, (except in bulk), from Green Bay, WI, to points in the United States (except Alaska and Hawaii), and *materials, supplies and equipment* (except salt, canned products and commodities in bulk), *used in the processing of fruit*, from points in the United States (except Alaska and Hawaii) to points in Michigan on and west of U.S. Highway 131 and on and north of Highway I–96, and Green Bay, WI, limited to a transportation service to be performed under a continuing contract(s) with Cherry Central Cooperative, Inc. Subject to the following conditions: The permit expires October 16, 1981. Representative: Martin J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Nashville, TN 48167.

MC–FC–79039. By decision of March 9, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132 Review Board Number 3 approved the transfer to O'NEAL, JERRY and MIKE MELTON d/b/a O'NEAL MELTON & SONS of Certificates No. MC–146010 (Sub-No. 2F), issued 12/04/80, to Freeman Cole and Billy G. Hall, A Partnership, d/b/a Cole and Hall Trucking Co. of Camden, TN, authorizing the transportation of *Silica sand and Natural bounded molding sand*, in bulk, in dump and tank vehicles, from points MS, OH, PA, TN, TX, and WI. Representative: Abraham A. Diamond, 29 South La Salle St., Chicago, IL. TA appl. have been filed.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81–10947 Filed 4–9–81; 8:45 am]

BILLING CODE 7035–01–M

Motor Carriers; Decision-Notice

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

We find:

Each transaction is exempt from section 11343 (formerly section 5) of the Interstate Commerce Act, and complies with the appropriate transfer rules.

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.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsiderations; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1132.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will indicate that consummation of the transfer will be presumed to occur on the 20th day following service of the notice, unless either applicant has advised the Commission that the transfer will not be consummated or that an extension of time for consummation is needed. The notice will also recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 30 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

By the Commission, Review Board Number 5, Members Krock, Taylor, and Williams.

MC–FC–78968. By decision of January 29, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132. Review Board Number 5 dismissed the application to transfer described operating authority held by PORT CARRIERS, INC., under Docket No. MC–148788 and subs thereunder to Hardee Transport, Inc., for the reason that the described operating authority proposed for transfer has not yet been issued by the Commission to Port Carriers, Inc. Representative: James E. Wharton, Suite 811, Metcalf Building, 100 South Orange Ave., Orlando, FL 32801.

MC–FC–78997. By decision of February 27, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1151, Review Board Number 5, approved the transfer to HUSTLERS INC. of authority granted in MC–FC–78842 issued June 5, 1980, to ARCTIC SLOPE REGIONAL CONSTRUCTION, INC. AND ALASKA GENERAL CONSTRUCTION COMPANY, a partnership d.b.a. ARCTIC SLOPE/ ALASKA GENERAL CONSTRUCTION CO. OF ANNEX, Anchorage, Alaska, authorizing the transportation of *general commodities* (except classes A and B explosives, commodities in bulk, and household goods as defined by the Commission), between points in AK (except points on the Alaska Panhandle south of Haines, AK). Representative: Alan F. Wohlstetter, 1700 K Street NW., Washington, DC 20006.

Notes.—(1) Hustlers, Inc. is a non-carrier. (2) An application for temporary authority has been filed. (3) Pursuant to *Transportation of Government Traffic* 131 M.C.C. 845, certificates issued under Ex Parte No. 107 shall not be transferable by sale or otherwise.

MC–FC–79007. By decision of February 29, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 5, approved the transfer to Sun Valley Stages, Inc., of Twin Falls, ID, of Certificates No. MC–2239 and (Sub–Nos. 1 and 3) issued to Mountain West Transportation Co., of Salt Lake City, UT, authorizing the transportation of passengers and their baggage, restricted to traffic originating at the point indicated, in charter operations over irregular routes, from Salt Lake City, UT to points and places in AZ, CO, ID, MT, NV, WY and UT within 400 miles of Salt Lake City, and return. Sub No. 1 authorizes the transportation of

passengers and their baggage, in the same or separate vehicles, in special operations, in round trip sightseeing or pleasure tours, originating at Salt Lake City, UT and extending to those points in AZ, CO, ID, MT, NV, NM, OR, and WY within 400 miles of Salt Lake City, and return. Sub No. 3 authorizes the transportation of passengers and their baggage, in the same vehicle with passengers in special operations, in sightseeing or pleasure tours, from Salt Lake City, Ut to West Yellowstone, MT and from West Yellowstone MT to Salt Lake City, UT. Representative: Irene Warr, 430 Judge Bldg., Salt Lake City, UT 84111. TA lease is sought. Transferee holds authority under MC 138746.

MC-FC-79020. By decision of February 27, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1151, Review Board Number 5, approved the transfer to Faben Transit, Inc. of Anavado, CO of Certificate No. MC-148692 (Sub-No. 2F) issued December 15, 1980 to Empire Delivery, Inc. of Denver, CO authorizing transportation as a motor common carrier, in interstate or foreign commerce, over irregular routes, transporting beverage in containers, and empty containers, on return, from points in Kentucky, Illinois, Ohio, and Michigan, to Denver, CO. Representative: Jerry L. Mutchie, 21235 Weld County Road 12, Box 345, Hudson, CO 80642.

MC-FC-79028. By decision of February 27, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3, approved the transfer to Points West, Inc., of Permit No. MC-140277 (Sub-Nos. 1 and 10) issued October 3, 1978 to Van Zee Express Ltd. and October 5, 1979, authorizing in MC-140277 (Sub-No. 1) the transportation over irregular routes *commodity bags, envelopes, packets, pouches, wrappers* and bag ties. From the facilities of American Western Corporation, in Sioux Falls, SD, to Phoenix, AZ, and points in California. From the facilities of American Western Corporation at Sioux Falls, SD, to points in New Mexico. *Bags, envelopes, packets, pouches and wrappers*, from the facilities of American Western Corporation, located at Sioux Falls, SD to points in Idaho, Montana, Nevada, Oregon, Utah, and Washington. *Bags, envelopes, packets* and *wrappers*, from the plant site and storage facilities of American Western Corporation, at or near Sioux Falls, SD to points in Arkansas, Louisiana and Texas. *Commodity bags, envelopes, packets, pouches and wrappers*, from the facilities of American Western Corporation at or near Placentia, CA to Phoenix, AZ and to points in Arkansas, Colorado, Idaho, Louisiana, Missouri, Montana, Nevada, New Mexico, Oklahoma, Oregon, South Dakota, Texas, Utah and Washington. Restriction: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract(s), with American Western Corporation, of Sioux Falls, SD. No. MC-140277 (Sub-No. 10) the transportation as a contract carrier by motor vehicle in interstate or foreign commerce, over irregular routes, transporting bags, envelopes, packets, pouches, wrappers, and bag ties, from Sioux Falls, SD, to Baltimore, MD, South Plainfield, NJ, Norfolk, VA, and points in Kansas and Oklahoma, under contract with American Western Corporation of Sioux Falls, SD. Representative: Micheal J. Ogburn, Attorney, P.O. Box 82028, Lincoln, NB 68501.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-10948 Filed 4-9-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special rule 247 was published in the **Federal Register** of July 3, 1980, at 45 FR 45539.

Persons wishing to oppose an application must follow the rules under 49 CFR 110.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication 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.gs., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where 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 the absence of legally sufficient protests in the form of verified statements filed within 45 days of publication of this decision-notice (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 notice that the decision-notice is effective. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OP3-216

Decided: April 3, 1981.

By the Commission

Review Board No. 3, Members Krock, Joyce and Dowell.

MC 145435 (Sub-12), filed January 13, 1981, previously published in the **Federal Register** of February 10, 1981. Applicant: WESTERN AG INDUSTRIES, INC., 2750 N. Parkway Dr., Fresno, CA 93711. Representative: Ronald J. Mefford (same address as applicant). Transporting *cleaning compounds*, between points in the U.S., under continuing contract(s) with Economic Laboratory, of Saint Paul, MN.

Note.—This republication adds the shipper's name as the contracting shipper.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-10965 Filed 4-9-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special Rule 247 was published in the **Federal Register** of July 3, 1980, at 45 FR 45539. For compliance procedures, refer

to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose and application must follow the rules under 49 CFR 1100.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conorm 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, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and Commission's regulations. Except where 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 the absence of legally sufficient interest in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of and effective notice setting forth the compliance requirements which must be satisfied before authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication and applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for named shipper "under contract".

Volume No. OP4–78.

Decided: April 6, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 151576 (Sub-1F) filed September 5, 1980, previously published in the FR issue of of September 23, 1980, and republished this issue. Applicant: CHESAPEAKE TRUCKING INC., 4717 W. Military Hwy, Chesapeake, VA 23321. Representative: Ernest E. Stovall, 5001 Bainbridge Bldv., Chesapeake, VA 23321. Transporting *lumber and wood products*, between Chesapeake and Norfolk, VA, on the one hand, and, on the other, points in AL, CT, DE, FL, GA, KY, MA, MD, ME, NC, NH, NJ, NY, OH, PA, RI, SC, TN, VA, VT, WV, and DC.

Note.—The purpose of this republication is to correct the commodity description.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81–10966 Filed 4–9–81; 8:45 am]

BILLING CODE 7035–01–M

Motor Carriers; 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 petitioner'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 petitioner'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 the date of this publication.*

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.gs., 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 within 30 days of publication of this decision-notice (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. 419.

Decided April 1, 1981.

By the Commission Review Board No. 1, Members Parker, Chandler, and Taylor.

MC 148092, filed May 25, 1979. Applicant: MARVIN HAYES FISH COMPANY, INC., P.O. Box 8, Samburg, TN 38254. Representative: Marvin Hayes (same as applicant), (901)538-2166. Transporting *foodstuffs* between points in the U.S. in and east of ND, SD, NE, KS, OK and TX.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-10967 Filed 4-9-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OP1-106]

Motor Carriers; Permanent Authority Decision; Decision-Notice

Decided: April 2, 1981.

The following operating rights applications, filed on or after July 3, 1980, are filed in connection with pending finance applications under 49 U.S.C. 10926, 11343 or 11344. The applications are governed by Special Rule 252 of the Commission's General Rules of Practice (49 CFR 1100.252).

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Persons submitting protests to applications filed in connection with pending finance applications are requested to indicate across the front page of all documents and letters submitted that the involved proceeding is directly related to a finance application and the finance docket number should be provided. A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. However, the Commission may have modified the application to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exceptions of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each applicant has demonstrated that its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. 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 regulations. 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 the absence of legally sufficient protest in the form of verified statements as to the finance application *or* to the following operating rights applications directly related thereto filed within 45 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except where the application involves duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectivenss of this decision-notice, or the application of a non-complying applicant shall stand denied.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board Number 1, Parker, Chandler, and Taylor.

Agatha L. Mergenovich,

Secretary.

MC 152750 (Sub-1), filed March 12, 1981. Applicant: SLAUSON TRUCKING CORPORATION, 6277 East Slauson Ave., City of Commerce, CA 90042. Representative: Michael S. Rubin, 256 Montgomery St., Fifth Floor, San Francisco, CA 94104. Transporting *general commodities* (except classes A and B explosives), moving on bills of lading of regulated freight forwarders, between points in Ventura, Los Angeles, San Bernardino, Riverside, Orange, San Diego, and Imperial Counties, CA.

Note.—This application is directly related to No. MC-F-14396, an application under 49 USC § 11344, whereby Larry Pittman, City of Commerce, CA, an individual controlling Interamerican Public Distribution Corp. through management and minority stock ownership, seeks authority to control Slauson Trucking Corporation through management and stock ownership.

[FR Doc. 81-10969 Filed 4-9-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OP1-105]

Motor Carrier; Permanent Authority Decision; Decision-Notice

Decided: April 2, 1981.

The following applications, filed on or after July 3, 1980, seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control of motor carriers pursuant to 49 U.S.C. 11343 or 11344. Also, applications directly related to these motor finance applications (such as conversions gateway eliminations, and securities issuances) may be involved.

The applications are governed by Special Rule 240 of the Commission's Rules of Practice (49 CFR 1100.240). See Ex Parte 55 (Sub-No. 44), *Rules Governing Applications Filed By Motor Carriers Under 49 U.S.C. 11344 and 11349*, 363 I.C.C. 740 (1981). These rules provide among other things, that opposition to the granting of an application must be filed with the Commission in the form of verified statements within 45 days after the date of notice of filing of the application is published in the **Federal Register**. Failure seasonably to oppose will be construed as a waiver of opposition and participation in the proceeding. If the protest includes a request for oral hearing, the request shall meet the requirements of Rule 242 of the special rules and shall include the certification required.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.241. A copy of an application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00, in accordance with 49 CFR 1100.241(d).

Amendments to the request for authority will not be accepted after the date of this publication. However, the Commission may modify the operating authority involved in the application to conform to the Commission's policy of simplifying grants of operating authority.

We find, with the exception of those applications involving impediments (e.g., jurisdictional problems, unresolved fitness questions, questions involving possible unlawful control, or improper divisions of operating rights) that each applicant has demonstrated, in accordance with the applicable provisions of 49 U.S.C. 11301, 11302, 11343, 11344, and 11349, and with the Commission's rules and regulations, that the proposed transaction should be authorized as stated below. Except where specifically noted this decision is neither a major Federal action significantly affecting the quality of the human environment nor does it appear to qualify as a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests as to the finance application *or* to any application directly related thereto filed within 45 days of publication (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (unless the application involves impediments) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, the duplication shall not be construed as conferring more than a single operating right.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 1, Parker, Chandler, and Taylor.

Agatha L. Mergenovich,

Secretary.

MC-F-14596, filed March 12, 1981. LARRY PITTMAN, an individual, (Pittman)—CONTINUANCE IN CONTROL—SLAUSON TRUCKING, INC., (Slauson) (Both of 6277 East Slauson Ave., City of Commerce, CA 90042). Representative: Michael S. Rubin, 256 Montgomery Street, Fifth Floor, San Francisco, CA 94104. Pittman, an individual presently controlling Interamerican Public Distribution Corporation through management and minority stock ownership, seeks authority to continue in control of Slauson through management and stock ownership, upon the institution by Slauson of operations in interstate or foreign commerce, as a motor common carrier. Interamerican Public Distribution Corporation is authorized to operate as a motor common carrier pursuant to Certificate of Registration No. MC-121903, which authorizes the transportation of general commodities, with exceptions, between specified points in CA.

Note.—An application directly related has been filed in MC-152750 (Sub-No. 1), an application under 49 U.S.C. 10922, whereby Slauson Trucking Corporation seeks authority to transport general commodities (except classes A and B explosives), moving on bills of lading or regulated freight forwarders, between points in Ventura, Los Angeles, San Bernardino, Riverside, Orange, San Diego and Imperial Counties, CA, and published in this same **Federal Register** issue.

[FR Doc. 81-10870 Filed 4-9-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special rule 247 was published in the **Federal Register** of July 3, 1980, at 45 FR 45539.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication 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, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where 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 the absence of legally sufficient protests in the form of verified statements filed within 45 days of publication of this decision-notice (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 notice that the decision-notice is effective. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications

for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OP3-210

Decided: March 27, 1981.

By the Commission Review Board No. 2. Members Carleton, Fisher, and Williams. (Carleton not participating)

MC 30605 (Sub-171), filed January 28, 1981, previously notice in the Federal Register on March 4, 1981. Applicant: SANTA FE TRAIL TRANSPORTATION COMPANY, 433 East Waterman, Wichita, KS 67201. Representative: Richard K. Knowlton, 224 South Michigan Ave., Chicago, IL 60604. Transporting *general commodities* (except household goods), between points in the U.S. under continuing contract(s) with The Atchison, Topeka and Santa Fe Railway Company, of Topeka, KS.

Note.—To the extent the permit granted in this proceeding authorizes the transportation of classes A and B explosives it will expire 5 years from the date of issuance.

Note.—This republication corrects the commodity description.

MC 145225 (Sub-3), filed February 3, 1981. Applicant: GAULCO, LTD., 1700 Church Ave., Winnipeg, Manitoba, Canada R2X 2W9. Representative: Robert D. Gisvold, 1600 TCF Tower, 121 So. 8th St., Minneapolis, MN 55402. Transporting *pet foods*, between points in the U.S. under continuing contract(s) with Tuffy's Pet Foods, a Division of Starkist Foods, Inc.

MC 149234 (Sub-2F), filed July 25, 1980, previously published in the Federal Register August 13, 1980. Applicant: RIVER VALLEY OIL CO., INC., Box 528, Spring Green, WI 53588. Representative: Michael J. Wyngaard, 150 East Gilman St., Madison, WI 53703. Transporting (1) *glass and insulated glass units*, and (2) *parts and accessories* for the commodities in (1) above, from Spring Green, WI, to points in IN, KY, NE, and TN.

Note.—This republication includes the origin point.

MC 152534 (Sub-1), filed December 9, 1980. Applicant: CALIFORNIA-AMERICAN TRUCKING, INC., P.O. Box 288, Grenada, CA 96038. Representative: Guy D. Dodge (same address as applicant). Transporting (1) *lumber mill products*, and (2) *wood products*, between points in the U.S., under continuing contract(s) with Hampton Lumber Sales Company, of Portland, OR.

Volume No. OP3-211

Decided: March 27, 1981.

By the Commission, Review Board No. 2. Members Carleton, Fisher, and Williams.

MC 153805F, filed January 23, 1981. Applicant: JIMMIE L. CARTER, d.b.a. J L CARTER BROKER CO., I-15 & Blue Diamond Bend, 8050 South Industrial Rd., Las Vegas, NV 89118. Representative: Jimmie L. Carter, 351 Alvin St., Las Vegas, NV 89101. As a *broker of general commodities* (except household goods), between points in the U.S.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-10853 Filed 4-9-81; 8:45 am]
BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule 251 of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the Federal Register on December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the Federal Register issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication 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, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulation. Except where 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 the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later become unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OPY-2-034

Decided: April 2, 1981.

By the Commission, Review Board No. 1. Members Parker, Chandler, and Taylor.

MC 141523 (Sub-7), filed March 27, 1981. Applicant: C. R. KIDD PRODUCE, INC., P.O. Box 364, Springdale, AR 72764. Representative: Connie R. Kidd (same address as applicant), (501) 751-9209. As a *broker* of *general commodities* (except household goods), between points in the U.S.

MC 154712F, filed March 13, 1981. Applicant: SEAMODAL TRANSPORT CORPORATION, 545 Mission St., San Francisco, CA 94105. Representative: George L. Fischer, #2 Commercial Pl., Suite 440 (P.O. Box 3709), Norfolk, VA 23510, (804) 625-1928. As a *broker* of *general commodities* (except household goods), between points in the U.S.

MC 154863, filed March 20, 1981. Applicant: NOR ENTERPRISES, 32 Thorn Creek Dr., Parkforest, IL 60466. Representative: Ronald Czupek (same address as applicant), (312) 747-0736. As

a *broker* of *general commodities* (except household goods), between points in the U.S.

MC 154983, filed March 27, 1981. Applicant: DENNIS LOVELAND, Main St., Montague Center, MA 01351. Representative: Bonnie E. Marien, 95 State St., Springfield, MA 01103, (413) 781-0750. As a *broker* of *general commodities* (except household goods), between points in the U.S.

MC 155002, filed March 30, 1981. Applicant: ROY LEWELLEN, d.b.a. LEWELLEN TRUCKING, 1814 Shirely Dr., Missoula, MT 59801. Representative: Roy Lewellen (same address as applicant), (406) 728-2234. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizer, and other soil conditioners*, subject to the conditions imposed by 49 U.S.C. 10922(b)(4)(E).

Volume No. OPY-3-028

Decided March 27, 1981.

By the Commission, Review Board No. 2. Members Carleton, Fisher, and Williams. (Member Williams not participating.)

MC 99455 (Sub-10), filed March 11, 1981. Applicant: M. H. HILLERY, INC., 90 Western Ave., Allston, MA 02134. Representative: Robert L. Cope, 1730 M Street NW., Washington, DC 20036, (202) 296-2900. Transporting, for or on behalf of the U.S. Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 148554 (Sub-2), filed March 19, 1981. Applicant: WALD TRANSFER & STORAGE CO., P.O. Box 344, Houston, TX 77001. Representative: Robert J. Gallagher, 1000 Connecticut Ave., N.W., Washington, DC 20036, (202) 463-6044. As a *broker* of *general commodities* (except household goods), between points in the U.S.

MC 150865 (Sub-4), filed March 17, 1981. Applicant: ATLANTIC & WESTERN TRANSPORTATION CO., INC., 3934 Thurman Rd., Forest Park, GA 30051. Representative: Ronald J. Turner (same address as applicant), (404) 363-1200. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 153615 (Sub-1), filed March 19, 1981. Applicant: SMITH TRANSFER COMPANY, INC., P.O. Box 531, Wilson, NC 27893. Representative: Kim D. Mann, 7101 Wisconsin Ave., Suite 1010, Washington, DC 20014, (301) 986-1410. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 154494 (Sub-1), filed March 18, 1981. Applicant: MIDWEST CONTINENTAL, INC., 5200 Highway 75 North, Sioux City, IA 51102. Representative: Richard D. Frank (same address as applicant), (712) 239-1613. As a *broker* of *general commodities* (except household goods), between points in the U.S.

MC 154684, filed March 3, 1981. Applicant: THOMAS E. IPOCK, 706 Barton Avenue, Kinston, NC 28501. Representative: Ralph McDonald, P.O. Box 2246, Raleigh, NC 27602, (919) 828-0731. Transporting for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 154735, filed March 10, 1981. Applicant: JAKE'S CRANE & RIGGING, INC., 6109 S. Industrial Road, Las Vegas, NV 89118. Representative: Robert G. Harrison, 4299 James Drive, Carson City, NV 89701, (702) 882-5649. Transporting for or on behalf of the United States Government *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 154744, filed March 13, 1981. Applicant: SEAWAY FORWARDING CORPORATION, 20325 Center Ridge Road, Cleveland, OH 44116. Representative: Harold E. Mesirow, 1333 New Hampshire Avenue, N.W., Washington, DC 20036, (202) 785-3288. As a *broker* of *general commodities* (except household goods), between points in the U.S.

MC 154775, filed March 16, 1981. Applicant: BUCKEYE CARRIER MANAGEMENT SERVICES, INC., P.O. Box 496, Mineral Ridge, OH 44440. Representative: Edward P. Bocko (same address as applicant), (216) 652-5181. As a *broker* of *general commodities* (except household goods), between points in the U.S.

MC 154824, filed March 17, 1981. Applicant: DOUGLAS J. LAVERY, 12200 Shirley Lane, Alsip, IL 60658. Representative: Paul J. Maton, 10 S. LaSalle St., Suite 1620, Chicago, IL 60603, (313) 332-0905. As a *broker of general commodities* (except household goods), between points in the U.S.

MC 154834, filed March 19, 1981. Applicant: GENEX TRAFFIC SERVICE, 5901 N. Cicero Ave., Chicago, IL 60646. Representative: Robert L. Cope, 1730 M St., N.W., Suite 501, Washington, DC 20036, (202) 296-2900. As a *broker of general commodities* (except household goods), between points in the U.S.

Volume No. OPY-3-030

Decided: March 31, 1981.

By the Commission, Review Board No. 2. Members Carleton, Fisher, and Williams. (Member Carleton not participating.)

MC 154845, filed March 17, 1981. Applicant: AMERICAN COURIER LIMITED, 5121 Bedford Ave., Edina, MN 55436. Representative: Joseph T. Bambrick, Jr., P.O. Box 216, Douglasville, PA 19518, (215) 385-6086. Transporting *shipments* weighting 100 pounds or less, if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-10864 Filed 4-9-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special rule 247 was published in the **Federal Register** on July 3, 1980, at 45 FR 45539. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). Applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service and to comply with the appropriate statutes and Commission regulations. A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication 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.s., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions)

we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where 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 the absence of legally sufficient interest in the form of verified statements filed on or before 45 days from date of publication (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OP1–107

Decided: April 3, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler and Taylor.

MC 153970F, filed January 29, 1981. Applicant: WILLIAM M. CARTER, 2020 D. South Amnon, San Antonio, TX 78213. Representative: William M. Carter (same address as applicant), (512) 349–8855. (1) Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S., (2) transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S., and (3) transporting *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-10952 Filed 4-9-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers, Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication 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, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where 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 the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OP1–108

Decided: April 3, 1981.

By the Commission, Review Board No. 1, members Parker, Chandler and Taylor.

MC 531 (Sub-461), filed March 23, 1981. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, P.O. Box 14048, Houston, TX 77021. Representative: Wray E. Hughes (same address as applicant), (713) 748–0100. Transporting *commodities in bulk*, between points in NC and SC, on the one hand, and, on the other, points in CA.

MC 88380 (Sub-40), filed March 19, 1981. Applicant: REB TRANSPORTATION, INC., P.O. Box 4309, Fort Worth, TX 76106. Representative: A. William Brackett, 1108 Continental Life Bldg., Fort Worth, TX 76102, (817) 332–4415. Transporting *metal products*, between points in Washington County, TX, on the one hand, and, on the other, points in the U.S.

MC 142531 (Sub-3), filed March 24, 1981. Applicant: L. PEABODY TRUCKING CORPORATION, d.b.a. L. PEABODY TRUCKING, INC., 4290 Elton St., Baldwin Park, CA 91706. Representative: Mark S. Gray, P.O. Box 872, Atlanta, GA 30301, (404) 522–2322. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under

continuing contract(s) with The Pryor-Giggey Co., of Santa Fe Springs, CA.

MC 145150 (Sub-19), filed March 27, 1981. Applicant: HAYNES TRANSPORT CO., INC., R.R. 2, Box 9, Salina, KS 67401. Representative: Clyde N. Christey, KS Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612, (913) 233–9629. Transporting *petroleum, natural gas and their products*, between points in Harper, Garfield, Caddo and Beaver Counties, OK, on the one hand, and, on the other, those points in KS west of a line beginning at the NE-KS State line and extending along U.S. Hwy 81 to junction Interstate Hwy 135, then along Interstate Hwy 135 to junction Interstate Hwy 35, then along Interstate Hwy 35 to the KS-OK State line.

MC 150821, filed March 26, 1981. Applicant: UTAH VALLEY TRANSIT, INC., 555 South 500 East, Provo, UT 84601. Representative: Harry T. Hardman (same address as applicant), (801) 373–0327. Transporting *passengers and their baggage* in the same vehicle with passengers, in charter operations, beginning and ending at points in Beaver, Carbon, Duchesne, Iron, Juab, Kane, Millard, Sanpete, Sevier, Uintah, Utah, Wasatch, Washington, Summit, Garfield, Piute and Wayne Counties, UT, Navajo and Conconi Counties, AZ, and McKinnley and San Juan Counties, NM, and extending to points in the U.S. Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. 11343(A) or submit an affidavit indicating why such approval is unnecessary to the Secretary's office. In order to expedite issuance of any authority please submit a copy of the affidavit or proof of filing the application(s) for common control to team 1, Room 6354.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-10851 Filed 4-9-81; 8:45 am]

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[Volume No. 57]

Motor Carriers; Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: April 6, 1981.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR 1137. Part 1137 was published in the **Federal Register** of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Sporn, Alspaugh, and Shaffer.

Agatha L. Mergenovich,

Secretary.

MC 921 (Sub-35)X, filed March 31, 1981. Applicant: DEAN TRUCK LINE, INC., P.O. Drawer 631, Corinth, MS 38834. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Applicant seeks to remove restrictions in its lead and Sub-Nos. 7, 8, 10, 11, 15, 16, 17, 19, 21, 22, 23, 25, 26, 28, 29, 31F, 33F, and 34F certificate to (1) remove exceptions to general commodities (except classes A and B explosives) in its lead and all the above Sub-Nos.; (2) serve all intermediate points on its regular routes (a) between Memphis, TN, and Iuka, MS, Corinth, MS, and Tupelo, MS, Memphis, TN, and Corinth, MS, and Iuka and Corinth, MS, in its lead, (b) between Selmer, TN, and Nashville, TN, in Sub-No. 7, (c) between Louisville, KY, and Selmer, TN, in Sub-No. 8, (d) between Tupelo, MS, and Hattiesburg, MS, in Sub-No. 19, (e) between Tupelo, MS, and Pensacola, FL, in Sub-No. 21, and (f) between Birmingham, AL, and Red Bay, AL, in Sub-No. 22; and (3) remove restrictions against traffic moving (a) between Nashville, TN, and TN, in Sub-No. 7, and (b) AL, and Meridian, MS, and Escambia and Santa Rosa Counties, FL, in Sub-No. 21.

MC 1745 (Sub-13)X, filed March 24, 1981. Applicant: INTERSTATE VAN LINES, INC., 5801 Rolling Road, West Springfield, VA 22152. Representative: Marshall Kragen, 1919 Pennsylvania, Ave., N.W., Suite 300, Washington, D.C. 20006. Applicant seeks to remove restrictions in its Sub-No. 12 certificate to (A) broaden the commodity descriptions from (a) household goods to "household goods and furniture and fixtures" in part (1); (b) empty household goods shipping containers to "metal products and lumber and wood products" in part (2); (c) cash registers and parts thereof, and adding and computing machines, bakery equipment, dishwashers, scales and parts therefor, and food mixing and cutting machines to "machinery and instruments and photographic goods" in parts (3) and (4); and, (d) new and used store and office furniture and fixtures, uncrated to "furniture and fixtures" in parts (5) and (6); (B) remove the restriction prohibiting service to AK, in part (1); (C) broaden the territorial description to authorize county-wide authority in place of existing city-wide service: Miami County, OH, for Troy, OH, in part (4); (D) remove the restriction requiring that service from San Francisco, CA, to points in MT, be via Portland, OR, in part (6); and (E) authorize radial authority to replace one-way service between points in various combinations of States throughout the U.S., in parts (3), (4), (5) and (6).

MC 7381 (Sub-19)X, filed April 2, 1981. Applicant: WEBB'S TRANSFER, INC., P.O. Box 1189, Suffolk, VA 23. Representative: Elliott Bunce, 1600 Wilson Blvd., Suite 1301, Arlington, VA 22209. Applicant seeks to remove restrictions in its Sub-No. 17F certificate to (1) broaden the commodity description from general commodities (with exceptions) to "general commodities (except classes A and B explosives)"; (2) delete the restriction limiting service to traffic having a prior or subsequent movement by water; (3) remove a restriction limiting transportation to traffic moving in cargo containers or trailers.

MC 41406 (Sub-173)X, filed March 30, 1981. Applicant: ARTIM TRANSPORTATION SYSTEM, INC, 8400 Westlake Drive, Merrillville, IN 46410. Representative: Ralph D. Artim (same as applicant). Applicant seeks to remove restrictions in its Sub-No. 156 certificate to replace the facilities located at or near LaPorte, IN, and Milwaukee and Port Washington, WI, with county-wide authority in LaPorte County, IN, and Milwaukee and Ozaukee Counties, WI.

MC 59457 (Sub-59)X, Filed March 30, 1981. Applicant: SORENSEN TRANSPORTATION COMPANY, INC., 6 Old Amity Road, Bethany, CT 06525. Representative: Gerald A. Joseloff, P.O.

Box 3258, Hartford, CT 06103. Applicant seeks to remove restrictions in its Sub-Nos. 14, 21, 38F, 53F, 55F, 56F, and 58F certificates to (1) broaden the commodity authority to (a) "food and related products" from grocery and packing house products in Sub-No. 14, coffee in Sub-No. 21, dairy products and frozen and refrigerated food products and materials, equipment and supplies used in the manufacture and distribution of dairy products in Sub-No. 55F; (b) "general commodities (except Classes A and B explosives)" from general commodities (with the usual exceptions) in Sub-Nos. 14 and 53F; (c) "apparel and textile mill products and equipment, materials and supplies used in the manufacture, distribution, and sale thereof" from clothing and wearing apparel and equipment, materials and supplies used in the manufacture, distribution and sale of clothing and wearing apparel in Sub-No. 56F; (2) expand the territorial description to authorize county-wide authority on its irregular-route authority: New Haven County, from New Haven, CT; and in Sub-No. 55 to Hartford and Fairfield Counties, CT, Davidson, Wilson and Shelby Counties, TN, Huntington County, IN, Peoria county, IL, Mecklenburg County, NC, Duval County, FL and Onondaga County, NY from East Windsor and Norwalk, CT, Nashville and Memphis, TN, Huntington, IN, Peoria, IL, Charlotte, NC, Jacksonville, FL and Syracuse, NY; (5) expand the territorial description in Sub-No. 14 from one-way to two-way authority between New York, NY and Hartford, CT; (6) remove the restriction in Sub-No. 38F against the transportation of "paper and paper products from Glens Falls, NY; Fitchburg, MA; Berlin, NH; and Westbrook, ME to points in CT, MA, ME, NH, NJ, NY, PA, RI, and VT; and (7) allow service at all intermediate points (a) in Sub-No. 14, between New York, NY, and Pawtucket, RI; between New Haven, CT, and Seymour, CT; between New York, NY and Hartford, CT; and (b) in Sub-No. 21, between Hoboken, NJ and Lansdowne, PA; between Hoboken, NJ and Baltimore, MD; between New York NY and Washington, D.C.

MC 64932 (Sub-619)X, Filed March 30, 1981. Applicant: ROGERS CARTAGE CO., 10735 S. Cicero Ave., Oak Lawn, IL 60453. Representative: Allan C. Zuckerman, 39 S. LaSalle St., Chicago, IL 60603. Applicant seeks to remove restrictions in its lead certificate to (1) broaden the commodity descriptions from (a) chemicals, paint and paint products, paint ingredients, phosphoric acid, liquid protective coatings, and ingredients used in the manufacture thereof, and liquid soap and waxes to "chemicals and related products", and (b) liquid petroleum gas, petroleum and petroleum products to "petroleum, natural gas and their products"; (2) remove the "in bulk, in tank vehicles" restriction; (3) expand city-wide to county-wide authority, wherever it appears, from (a) Louisville, KY to Clark and Floyd Counties, IN and Jefferson and Oldham Counties, KY; (b) Detroit, MI to Macomb, Monroe, Oakland, Washtenaw and Wayne Counties, MI; (c) Cleveland, OH to Cuyahoga, Lake, Lorain, Medina and Summit Counties, OH; (d) Chicago Heights, IL to Cook County, IL; (e) East Chicago, IN to Lake County, IN; (f) Hillsdale, Albion, and Belding, MI to Hillsdale, Calhoun and Ionia Counties, MI; (g) West Kankakee, East Peoria, and Hartford to Kankakee, Peoria, and Madison Counties, IL; and (h) St. Louis/E. St. Louis, Roxana, Wood River, and Cahokie to Monroe, Madison, and St. Clair Counties, IL, and St. Charles, St. Louis, and Jefferson Counties, MO; and (4) change one-way to radial authority between specified points throughout, KY, MI, OH, IL, IN, and MO.

MC 98571 (Sub-7)X, Filed March 27, 1981. Applicant: A & B TRANSPORTATION SERVICES, INC., 2645 Nevin Avenue, Los Angeles, CA 90011. Representative: Daniel W. Baker, 100 Pine Street, #2550, San Francisco, CA 94111. Applicant seeks to remove restrictions from its certificates which authorize service over a network of regular routes between northern and southern CA, in Nos. MC-98571 (Sub-Nos. 3 and 5), MC-99339 (Sub-Nos. 6 and 7), and MC-116877 (Sub-Nos. 5, 7, and 8F) issued pursuant to Nos. MC-F-8013, MC-F-12068, and MC-F-13243, to (1)(a) eliminate all exceptions to its general commodity authority (except classes A and B explosives), and (b) change the commodity descriptions from garments, clothing, wearing apparel, etc., to "such commodities as are dealt in by retail stores and manufacturers and distributors of garments, clothing and wearing apparel"; (2) delete restrictions limiting service at off-route points to a designated regular route to allow service at the off-route points in conection with applicant's otherwise authorized regular route operations; and (3) remove restrictions against service at intermediate points wherever they appear in each of the certificates.

MC 102285 (Sub-9)X, filed March 30, 1981. Applicant: MIAMI TRANSFER CO., INC., 10340 N.W. 37th Avenue, Miami, FL 33147. Representative: Norman J. Bolinger, Suite 225, 3100 University Blvd. So., Jacksonville, FL 32216. Applicant seeks to remove restrictions in its Sub 5F permit to (1) remove the "in bulk" restriction, (2) remove the restriction limiting transportation to traffic having a prior or subsequent movement by rail or water, and (3) broaden its territorial description to between points in the United States under a continuing contract(s) with a named shipper.

MC 105501 (Sub-53)X, filed March 23, 1981. Applicant: TERMINAL TRANSPORT, INC., 1851 Raddison Rd., N.E., Blaine, MN 55434. Representative: Anthony C. Vance, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. Applicant seeks to remove restrictions from its lead and Sub-Nos. 2, 3, 4, 11, 14, 15, 17, 19, 20, 22, 30, 31, 33, 34, 35, 36, 40, 42, 43, 46, 47, 48 certificates to (1) remove all exceptions except Class A and B explosives in its general commodities authority in the lead, Sub-Nos. 2, 4, and 46, (2) broaden the commodity description to "farm products" from livestock and agricultural commodities in Sub-No. 2; to "pulp, paper, and related products" from newsprint paper, groundwood paper, and printing paper, in rolls in Sub-No. 3; to "lumber and wood products and textile mill products" from wallboard, hardboard, insulation (except in bulk), insulation materials (except in bulk), and padding and cushioning materials (except in bulk) in Sub-No. 11; to "chemicals, and related products" from urethane products (except in bulk) in Sub-No. 15, from bleaches, and cleaning, softening, sizing, scouring, finishing, and blueing products and materials, equipment, and supplies used in the manufacture and distribution of the above commodities (except commodities in bulk) in Sub-No. 36; from fumaric and malic acid, in containers in Sub-No. 42; to "metal products" from iron and steel articles in Sub-Nos. 17, 31, and 35; to "clay, concrete, glass and stone products" from prestressed and preformed concrete products (except commodities in bulk) in Sub-No. 19; from precast and prestressed concrete products (except in bulk) in Sub-No. 20; from prestressed and precast concrete and materials, equipment and supplies used in the erection of the above commodities in Sub-No. 40; to "lumber and wood products" from particleboard and particleboard products in Sub-No. 30; and, to "food and related products" from sugar in Sub-Nos. 33 and 48, from beverages in Sub-Nos. 34 and 47, and, from canned goods in Sub-No. 22, (3) remove the "prior or subsequent rail movement" restrictions from in the lead and Sub-No. 22, (4) remove facilities limitations: in Sub-No. 3; in Sub-No. 11

and replace with county-wide authority Carlton County, MN for Cloquet, MN, in Sub-Nos. 15 and 17; in Sub-No. 31 and replace with county-wide authority Madison County, NE for Norfolk, NE; in Sub-No. 35 and 36; and in Sub-No. 40 and substitute Scott and Anoka Counties, MN for Savage and Lino Lakes, MN; (5) remove "originating at and destined to named facilities" restrictions in Sub-Nos. 15, 17, 31 and 43, (6) replace city with county-wide authority Roberts, Cass, Richland and Sargent Counties, ND, and Dakota County, MN for Rosholt, Fargo, West Fargo and Union Stock Yard, ND and South St. Paul, MN in Sub-Nos. 2 and 4; Kandiyohi and Stevens Counties, MN for Willmar and Morris, MN in Sub-No. 2; Polk County, MN for Mentor, MN, in Sub-No. 4; Carlton and Crow Wing Counties, MN for Cloquet and Brainerd, MN in Sub-No. 14; Washington County, MN for Hugo, MN in Sub-No. 17, Anoka County, MN, for Lino Lakes, MN in Sub-Nos. 19 and 20; Chippewa County, WI for Bloomer, WI in Sub-No. 22; St. Louis County, MN for Virginia, MN in Sub-No. 30; Pembina County, ND for Drayton, ND and Polk County, MN for Crookston, MN and Minneapolis-St. Paul, MN for Minneapolis and St. Paul, MN in Sub-No. 33; St. Louis County, MN for Duluth, MN and Hall, Madison and Buffalo Counties, NE for Grand Island, Norfolk, and Ravenna, NE in Sub-No. 42; Stearns County, MN for Cold Spring, MN and La Crosse County, WI for La Crosse, WI in Sub-No. 47; and, Clay, Polk, and Carver Counties, MN for Moorehead, Crookston, East Grand Fork, and Chaska, MN and Pembina County, ND for Drayton, ND, and (7) change one way to radial authority between (a) Minneapolis, MN and points in MN in the lead, (b) Roberts County, SD and points in ND and SD within 30 miles of Rosholt, and, Cass, Richland, and Sargent Counties, ND and So. St. Paul, MN, in Sub-No. 2; (c) Minneapolis, MN, and, points in MN, WI, Upper Peninsula of MI, and points in 3 IA counties in Sub-No. 3, (d) Carlton County, MN, and, points in ND, SD, NE and KS in Sub-No. 11, (3) St. Paul, MN, and, points in SD in Sub-No. 15, (f) Minneapolis and Washington County, MN, and, points in ND and SD in Sub-No. 17, (g) Coates, MN and Anoka County, MN, and, points in MT, ID, ND and Upper Peninsula of MI in Sub-No. 19, (h) Anoka County, MN, and, points in SD in Sub-No. 20, (i) Chippewa County, WI, and, Minneapolis, MN in Sub-No. 22, (j) St. Louis County, MN, and, points in 7 States in Sub-No. 30, (k) Madison County, NE, and, points in 8 States in Sub-No. 31, (l) Pembina County, ND and Polk County, MN, and, Minneapolis-St. Paul, MN in Sub-No. 33, (m) Minneapolis, MN, and, points in 5 States, (n) St. Paul, MN, and, points in 8 States in Sub-No. 35, (o) St. Paul, MN, and, points in 5 States in Sub-No. 36, (p) Scott County, MN, and, points in 7 States; Anoka County, MN, and, points in 3 States in Sub-No. 40, (q) St. Louis County, and Minneapolis, MN, and, 3 named NE counties in Sub-No. 42, (r) named facilities in MN, and, points in 14 States in Sub-No. 43, (s) Stearns County, MN, and, La Crosse County, WI in Sub-No. 47, and (t) Minneapolis, and Clay, Polk, and Carver Counties, MN and Pembina County, ND, and, points in 5 States in Sub-No. 48.

MC 105566 (Sub-247)X, filed March 27, 1981. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1120, Cape Girardeau, MO 63701. Representative: William F. King, Suite 400, Overlook Building, 6121 Lincolnia Road, Alexandria, VA 22312. Applicant seeks to remove restrictions in its Sub-No. 221F certificate to (1) broaden the commodity description from general commodities with the usual exceptions to "general commodities (except classes A and B explosives)"; (2) remove the restriction (a) prohibiting service to AK and HI, and (b) limiting service to the transportation of traffic originating at or destined to named plantsite facilities; (3) replace facilities with city-wide or county-wide authority: Beaver County, PA, for Monaca, PA, Jefferson and Harris Counties, TX, for Port Arthur and LaPorte, TX and Chicago, IL for facilities in Chicago.

MC 106961 (Sub-6)X, filed April 2, 1981. Applicant: SPEAR TRUCKING CORP., 3 Brick Kiln Rd., No. Billerica, MA 01862 Representative: Irvin Klein, Ksq., 371 Seventh Avenue, New York, NY 10001. Applicant seeks to remove restrictions in its Sub-No. 2F certificate to eliminate the restriction against serving all intermediate points in CT, and in lieu thereof, to allow service at all intermediate points on the regular routes described, in CT.

MC 107522 (Sub-5)X, filed March 27, 1981. Applicant: PEAK TRANSFER CO., INC., 57 Hathaway Street, Wallington, NJ. Representative: Ronald I. Shapss, 450 Seventh Ave., New York, NY 10123. Applicant seeks to remove restrictions in its Permit No. MC-135009 Sub-Nos. 2F, 3F, 7F, and 8F, to (1) broaden its commodity descriptions: in Sub-No. 8F, part (1), from books, paper and printed matter, to "pulp, paper, and related products, and printed matter", in part (2), from insecticides, pharmaceuticals, cleaning aids, natural foods, vitamins, beauty supplies and materials and supplies used in the packaging of the foregoing commodities, to "chemicals and related products, food and related products, and materials and supplies used in the packaging thereof", in part (3) from insulation, plastic products, home improvement supplies and materials and supplies used in the manufacture of the foregoing commodities, to "building materials, rubber and plastic products, and materials and supplies used in the manufacture thereof"; (2) broaden its territorial authority to between points in the U.S. under continuing contract(s) with a named shipper, in all of the above sub-numbers; and (3) eliminate: the commodities in bulk, in tank vehicles exceptions in Sub-Nos. 2F and 7F.

MC 107934 (Sub-44)X, filed March 26, 1981. Applicant: BYRD MOTOR LINE, INCORPORATED, P.O. Box 828, Lexington, NC 27292. Representative: John R. Sims, Jr., Suite 915 Pennsylvania Building, 425 13th Street, N.W., Washington, D.C. 20004. Applicant seeks to remove restrictions in its Sub-Nos. 1, 18, 24, 25, 27, 32, 35, 36, 37, 39, 41, 42, and 43 certificates to: (1) In Sub-No. 1, broaden the commodity description from canned citrus fruits and canned citrus juices to "food and related products" from veneer to "lumber and wood products"; in Sub-Nos. 32, 36, and 42 from pulpboard and fiberboard, paper and pulp, and mixtures of those commodities, paper forming tubes and newsprint to "pulp, paper and related products"; in Sub-No. 35, from soybean oil to "farm products"; in Sub-No. 37, from methylyne diphenyl diisocyanate to "chemicals and related products"; in Sub-No. 41 from water heaters, boiler, glass lined tanks, and solar panels to "building materials"; in Sub-Nos. 1, 18, 24, 25, and 27 from new furniture and/or returned shipments of new furniture to "furniture and fixtures"; (2) in Sub-No. 37 remove the "in drums" restriction; (3) replace specified facilities or points with county-wide authority as follows: In Sub-No. 1, Mebane with Alamance County, NC, Hillsboro with Orange Country, NC, Plant City with Hillsborough County, FL, Frostproof with Polk County, FL, Piqua with Miami County, OH, Edinburg with Johnson County, IN, Pulaski with Pulaski County, VA, Lawrenceburg, Greensburg, and Nashville with Dearborn, Decatur, and Brown Counties, IN, Lexington with Davidson County, NC; in Sub-No. 18, Lexington, a plantsite at Lexington and Thomasville with Davidson County, NC, Asheboro with Randolph County, NC, Statesville with Iredell County, NC; in Sub-No. 24, Hillsboro and Statesville

with Orange and Iredell Counties, NC; in Sub-No. 25, plantsite at Linwood with Davidson County, NC; in Sub-No. 27, Lawrenceville with Gwinnett County, GA; in Sub-No. 32F, St. Francisville with West Feliciana Parish, LA, Charlotte with Mecklenburg County, NC; in Sub-No. 35F, Lexington with Davidson County, NC; in Sub-No. 36F, Donalds with Abbeville County, Minerva with Stark County, OH, Lexington with Davidson County, NC; in Sub-No. 37F, Geismar with Ascension Parish, LA, Chatham with Pittsylvania County, VA, Charlotte with Mecklenburg County, NC; in Sub-no. 39F, Lexington with Davidson County, NC; and in Sub-No. 41F, Kankakee with Kankakee County, IL; (4) expand its one-way authority to radial authority in each of its certificates, except Sub-No. 42F, between FL, OH, IN, KY, NC, SC, GA, LA, IL, and, various combinations of points in the U.S.; (5) in Sub-No. 35F, remove the "except commodities in bulk, in tank vehicles" restriction; and (6) in Sub-No. 24, eliminate the "AK and HI" exceptions.

MC 111231 (Sub-359)X, Filed March 27, 1981. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, AR 72764. Representative: James H. Berry (same address as applicant). Applicant seeks to remove restrictions in its Sub-Nos. 157, 160 and 300F certificates to (1) broaden the commodity descriptions from (a) wooden pallets, pallet bins or boxes, blocking and skids to "lumber and wood products", in Sub-Nos. 157 and 160 (b) glassware, glass containers, caps and closures for glass containers, empty cartons and cast iron molds to "clay, concrete, glass or stone products" in Sub-No. 157 (c) dry fertilizer, dry fertilizer ingredients and pesticides to "chemicals and related products" and foodstuffs to "food and related products" in Sub-No. 160 (d) iron and steel articles, to "metal products" in Sub-No. 300F, (2) eliminate the restriction "in bulk, and in tank vehicles" in Sub-No. 160; (3) remove plantsite limitations in (a) Sub-No. 157 and replace with Creek County, OK, and (b) in Sub-No. 160 and replace with Jasper County, MO, (4) replace specific points with county-wide authority: Ada, OK with Pontotoc County, OK; Muskogee, OK with Muskogee County, OK; Sand Springs, OK with Tulsa County, OK; and, Plainfield, IL with Will County, IL in Sub-No. 157; and Poplar Bluff, MO with Butler County, MO in Sub-No. 160; (5) remove "originating at or destined to" restriction in Sub-Nos. 157 and 160; and (6) change one-way to radial authority (a) between points in Pontotoc County, OK, and points in 4 states; points in Muskogee county, OK, and, points in 3 states; points in Tulsa County, OK, and, points in 5 states; points in Creek County, OK, and, points in 5 states; points in Will County, IL, and, points in Tulsa County, OK; and points in 2 states, and, points in Tulsa, Pontotoc, and Muskogee Counties, OK in Sub-No. 157 and, (b) between points in Jasper County, MO, and, points in 2 states; points in Jasper County, MO, and, points in OK; points in 2 AR counties, and, points in 4 states and a described portien of MO; points in Butler County, MO, and, 2 named points in TN, points in 7 states, and a described portion of MI; and, Dallas, TX, and, points in a described portion of KS in Sub-No. 160.

MC 111320 (Sub-76)X, Filed March 25, 1981. Applicant: KEEN TRANSPORT, INC., P.O. Box 1417, Hudson, OH 44236. Representative: Michael Spurlock, 275 E. State St., Columbus, OH 43215. Applicant seeks to remove restrictions in its lead certificate and E-67, E-69, E-87, E-113, E-114, E-115, E-116, E-117, E-118, E-119, E-120, E-121, E-122, E-123, E-124, E-125, and E-129, letter notices to in the lead, (1) broaden the commodity descriptions from (a) trailers which, at the time of movement, are equipped with road machinery, training school and show display equipment, and are being transported for purposes other than for sale, and tractors used in the transportation of said trailers, which are not for sale, in truckaway and driveaway service, in the lead, sheet 3, and (b) used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles, (except passenger automobiles), but including self-propelled road building and contractor's vehicles or machinery, in driveaway and truckaway service, in E-67, E-69, E-87, and (c) new self-propelled road building equimpent and parts thereof, in driveaway and truckawy service, in E-113, E-114, E-115, E-116, E-117, E-118, E-119, E-120, E-121, E-122, E-123, E-124, E-125, and E-129, to "commodities which because of their size or weight require the use of special handling or equipment, machinery, machinery parts, and equipment, materials and supplies used in the manufacture, sale or distribution thereof," and (2) remove the AK and HI exception from the authority between points in the U.S. The above letter-notices will be subsumed in the resulting authority in the lead certificate.

MC 113362 (Sub-416)X, filed March 17, 1981. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, IA 50533. Representative: Milton D. Adams, P.O. Box 429, Austin, MN 55912. Applicant seeks to remove restrictions in its lead and Sub-Nos. 36, 46, 48, 51, 102, 150, 181, 197, 216, 228, 248, 251, 291, 292, 311, 317F, 320F, 324F, 326F, 328F, 330F, 331F, 333F, 348F, 377F, 380F, 386F, 388F, 394F, and 395F certificates to (A) broaden the commodity descriptions as follows: in the lead, from metal bottle caps to "metal products"; in Sub-No. 46 from shafting, pullys and sheaves to "machinery"; in Sub-No. 48 from pool and billiard tables and related equipment and supplies to "miscellaneous products of manufacturing"; in Sub-No. 102 from metal closures for bottles, glasses and jars to "metal products"; in Sub-No. 181 from metal containers and metal container closures and ends to "metal products"; in Sub-No. 36 from bowling alleys, bowling alley equipment and supplies, pool and billiard tables and allied equipment and supplies to "miscellaneous products of manufacturing"; in Sub-No. 248 from plastic pipe to "rubber and plastic products"; Sub-No. 395F from floor tile to "building materials"; in Sub-No. 150 from canoes and accessories for canoes to "transportation equipment"; in Sub-No. 386 from floor covering to "building materials; in Sub-Nos. 216, from paper and paper articles; in Sub-Nos. 228, 292, 311, 317F, 328F, and 333F, from paper and paper products; in Sub 291 from paper and paper products and commodities produced or distributed by manufacturers and converters of paper and paper products; in Sub-Nos. 326F and 330F from paper and paper products, and woodpulp; in Sub-No. 331F from paper articles and pulpboard; in Sub-No. 348F from paper and paper products and materials, equipment, and supplies; and in Sub-No. 377F from paper and pulpboard, cores and tubes, and materials, and supplies to "pulp, paper products, and related products, including printed matter;" (B) remove the in-bulk restrictions in Sub-Nos. 102, 228, 291, 320F, 324F, 330F, 334F, 348F, 377F, 386F, 388F, 394F, and 395F and the in-container restrictions in Sub-Nos. 51, 197, and 251; (C) broaden the territorial scope by (a) replacing one-way with radial authority in all of the authorities except in Sub-Nos. 380F, 388F, 394F; and (b) replacing city-wide and/or named facility with county-wide authority as follows: in Sub-No. 36, Butler with Morris County and Trenton with Mercer County, NJ; in Sub-No. 46, Oil City with Venango County, PA; in Sub-No. 48, Tipton with Moniteau County, MO; in Sub-No. 51, Maryland Heights with St. Louis County, MO; in Sub-Nos. 102 and

181, Piscataway with Middlesex County, NJ; in Sub-No. 150, Emlenton with Venango County, PA; in Sub-No. 216, Pine Bluff with Jefferson County, AR; in Sub-No. 228, Ashdown with Little River County, AR; in Sub-No. 311 Jay and Livermore Falls with Franklin, Androscoggin, Oxford and Kennebec Counties, ME; in Sub-No. 317F, Cloquet with Carlton County and Brainered with Crow Wing County, MN; in Sub-No. 324, New Kensington with Westmoreland and Allegheny Counties, PA; in Sub-No. 326F Calhoun with McMinn and Bradley Counties, TN; in Sub-No. 328F, Counce with Hardin County, TN; in Sub-No. 330F Springhill and Bastrop with Webster and Morehouse Counties, LA; Pine Bluff and Camden with Jefferson, Quachita, and Calhoun Counties, AR; Redwood and Natchez with Warren and Adams Counties, MS; and Texarkana with Bowie County, TX; in Sub-No. 333F Mobile with Mobile County, AL and Moss Point with Jackson County, MS; in Sub-No. 348F Jay with Franklin, Androscoggin, Oxford, and Kennebec Counties, ME; in Sub-No. 377F, Boone with Boone County, IA; in Sub-No. 380F, Addison with Dallas County, TX; in Sub-No. 386F (part 2), Shelbyville with Bedford County, TN in Sub-No. 388F, Bayonne and Bayway with Hudson and Union Counties, NJ and Pittsburgh with Allegheny County, PA; and in Sub-No. 394F, Willow Springs with Cook County, IL; (D) remove the restrictions limiting transportation to traffic originating at or destined to named shippers in Sub-Nos. 197, 216, 251 (also remove additional portion of restriction limiting service to transportation of empty containers between points in several States), 311, 317, 320, 326, 331, 333F, 377F, 380F, 386F, 394F and 395F; and (E) remove the named plantsite facility in Sub-No. 248 and the restrictions contained in its plastic pipe commodity authority.

MC 114718 (Sub-1)X, filed March 30, 1981. Applicant: GEORGE R. MURPHY, d.b.a. MURPHY TRUCKING & EXCAVATING CO., P.O. Box 378, Reno, OH 45773. Representative: John P. McMahon, 100 E. Broad St., Columbus, OH 43215. Applicant seeks to remove restrictions in its lead certificate to (1) broaden its commodity descriptions: from ferro alloys, and ferro chrome, in bulk, in dump vehicles, and safes, to "metal products"; from agricultural commodities, to "food and related products"; from general commodities (with exceptions), to "general commodities (except classes A and B explosives)"; from heavy machinery, and machinery, materials, supplies, and equipment, incidental to, or used in the construction, development, operation, and maintenance of facilities for discovery, development, and production of natural gas and petroleum, to "machinery, metal products, rubber and plastic products, chemicals and related products, and lumber and wood products"; from livestock, to "farm products"; and from tricalcium phosphate (bond ash), dry, in bulk, in dump vehicles, to "chemicals and related products"; (2) replace its cities with county-wide authority: Alloy, WV, with Fayette County, WV, and Marietta and Riverview, OH, with Washington County, OH; and (3) change its one-way authority to radial authority between the above-named counties, and points in several eastern cities, counties, and States.

MC 115771 (Sub-17)X, filed March 31, 1981. Applicant: SEAWHEELS, INC., 1076 Harrisburg Pk., Carlisle, PA 17103. Representative: John C. Fudesco, Suite 960, 1333 New Hampshire Ave., N.W., Washington, DC 20036. Applicant seeks to remove restrictions from its Sub-No. 14 certificate to (1) remove all exceptions from the general commodity authority except "classes A and B explosives"; and (2) remove the restriction limiting transportation to traffic "in containers or in trailers having an immediately prior or subsequent movement by water, in foreign commerce only".

MC 115826 (Sub-601)X, filed March 30, 1981. Applicant: W. J. DIGBY, INC., 6015 East 58th Avenue, Commerce City, CO 80022. Representative: Jack B. Wolfe, 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. Applicant seeks to remove restrictions from its Sub-No. 289F certificate to (1) broaden the commodity description from organic cellulose insulation, in bags, and materials, equipment and supplies used in the manufacture of organic cellulose insulation (except commodities in bulk, in tank vehicles), to "building materials"; (2) replace Arlington, TX with Tarrant County, TX; (3) remove "except AK and HI"; and (4) replace one-way with radial authority between Denver, CO and Tarrant County, TX, on the one hand, and, on the other, points in the U.S. in and west of MI, IN, KY, TN, and AL.

MC 118959 (Sub-260)X, filed March 26, 1981. Applicant: JERRY LIPPS, INC., 130 So. Frederick St., Cape Girardeau, MO 63701. Representative: Donald B. Levine, 39 South La Salle St., Chicago IL 60603. Applicant seeks to remove restrictions in its Sub-Nos. 162F, 192F, 223F, 248F, and 253F certificates to (A) broaden the general commodities authority in each certificate by removing all restrictions "except classes A and B explosives," and (B) broaden the territorial descriptions by: removing exceptions excluding service in AK and HI in Sub-Nos. 192, 223, 248, and 253; remove the restriction limiting service to traffic having a prior or subsequent movement by rail or water in Sub-No. 162; remove restrictions limiting service to traffic originating at or destined to a named shipper facility in Sub-Nos. 192 and 223; and replace the named cities and plantsite with county-wide authority on radial service: Sub-No. 162, between points in Cape Girardeau County, MO (Neely's Landing and Cape Girardeau, MO); Sub-No. 192, between points in Cape Girardeau County, MO (facilities near Cape Girardeau, MO), and points in the U.S.; Sub-No. 223, between points in Alcorn County, MS (facilities at Corinth, MS), and points in the U.S.; Sub-No. 248, between Chicago, IL (facilities at Chicago, IL), and points in the U.S.; and Sub-No. 253, between points in McHenry County, IL (Spring Grove, IL), and points in the U.S.

MC 119305 (Sub-10)X, filed March 23, 1981. Applicant: C. ROBERT NATTRESS AND DONALD NATTRESS, a partnership, d.b.a. B & D TRUCKING SERVICE, 16 South Wycombe Avenue, Lansdowne, PA 19050. Representative: Raymond A. Thistle, Jr., Five Cottman Ct., Homestead Rd. & Cottman St., Jenkintown, PA 19046. Applicant seeks to remove restrictions in its lead and Sub-Nos. 2, 3, 6, 8, 10, and 13 permits to (1) broaden the commodity description to "food and related products" from (a) doughnuts in its lead permit, (b) baking products, in Sub-Nos. 2 and 8, (c) fresh bakery products in Sub-Nos. 3 and 6, (d) pies, in Sub-No. 10, and (e) edible bakery products, in Sub-No. 13, and (2) broaden the territorial description to "between points in the U.S.", under continuing contract(s) with named shippers.

MC 119767 (Sub-368)X, filed March 26, 1981. Applicant: BEAVER TRANSPORT CO., 100 Waukegan Road, P.O. Box 1000, Lake Bluff, IL 60044. Representative: Michael V. Kaney (same as applicant). Applicant seeks to remove restrictions in its Sub-Nos. 71, 186, 245, 274, 291, 307, 309, and 349 certificates to (1) broaden its commodity descriptions from prepared foodstuffs, (except in bulk, in vehicles equipped with mechanical refrigeration), cheese products, and meats, meat products and meat by-products, grain products, edible (except in bulk, in tank vehicles), foodstuffs and frozen foodstuffs (except commodities in bulk, in tank vehicles), and animal oils, vegetable oils, animal and vegetable oil products, food seasoning compounds,

and food curing compounds (except commodities in bulk), to "food and related products", in all of the above sub-numbers; (2) replace it facilities authorities with county-wide or city-wide authority: in Sub-Nos. 71 and 186, facilities at New Albany, IN, with Clark and Floyd Counties, IN; in Sub-No. 245, Evansville, Indianapolis, and Washington, IN, and Louisville, KY, with Boone, Clark, Daviess, Floyd, Hamilton, Hancock, Hendricks, Johnson, Marion, Morgan, Shelby, Vanderburgh, and Warrick Counties, IN, and Bullitt, Henderson, Jefferson, and Oldham Counties, KY; in Sub-No. 274, Mattoon IL, and Louisville, KY, with Coles County, IL, and Bullitt, Jefferson, Meade, Oldham, Shelby, and Spencer Counties, KY; in Sub-No. 291, facilities at or near Alton, IL, with Jersey, Macoupin, and Madison Counties, IL; in Sub-No. 307, facilities at Grand Forks, ND, with Grand Forks County, ND; and in Sub-No. 309, facilities at or near Beaver Dam and Milwaukee, WI, with Dodge County, WI and Milwaukee, WI; (3) change its one-way authority with radial authority between named cities and counties, and points in several specified mid-eastern and eastern States; and (4) eliminate the originating at and destined to restrictions in all of the above sub-numbers.

MC 121496 (Sub-75)X, Filed March 25, 1981. Applicant: CANGO CORPORATION, 2727 North Loop West, Houston, TX 77008. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., N.W., Washington, DC 20001. Applicant seeks to remove restrictions in its Sub-No. 30F certificate to (A) broaden the commodity description to "chemicals and related products" from chemicals, in bulk, in tank vehicles, and (B) broaden the territorial description by removing the exception excluding service in AK and HI, substitute county-wide authority for the named city and plantsite, and change one-way service to authorize radial service between Iberville Parish, LA (facilities near Plaquemine, LA), and points in the U.S.

MC 129413 (Sub-12)X, filed March 27, 1981. Applicant: SIOUXLAND EXPRESS, INC., P.O. Box 353, LeMars, IA 51031. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Applicant seeks to remove restrictions in its lead and Sub-Nos. 1, 2, 5, 7, 8, and 10 certificates to (1) broaden the commodity descriptions (a) from chemicals and fertilizer (except liquid commodities, in bulk, in tank vehicles) in its lead, chemicals and fertilizer and fertilizer materials derived from petroleum and petroleum products, in bulk, animal and poultry health aids in Sub-No. 8, and animal and poultry health aids, in bags and in bulk (except in bulk, in tank vehicles) in Sub-No. 10, to "chemicals and related products", (b) from dried beet pulp in Sub-No. 7, animal and poultry feed and animal and poultry feed ingredients in Sub-No. 8 and dry animal and poultry fed (except urea) and dry animal and poultry fed ingredients (except urea), in bags and in bulk (except in bulk, in tank vehicles) in Sub-No. 10, to "food and related products" and (c) from anhydrous ammonia, in bulk, in tank vehicles in Sub-Nos. 2 and 5, to "petroleum, natural gas, and their products"; (2) remove facilities limitations in Woodbury County, IA and Dakota County, NE, in its lead, Lincoln, NE, in Sub-No. 2, Borger, TX, Conway, KS, Greenwood, NE, and Whiting, Early, and Garner, IA, in Sub-No. 2, Marshalltown, IA and Spencer, IA, in Sub-No. 5, and Sioux City, IA, Omaha and Grand Island, NE, Montevideo, MN, and Burlington, WI, in Sub-No. 10; (3) remove originating at or destined to restrictions in its lead and Sub-Nos. 1, 2, 5, and 10; (4) substitute Lancaster County, NE for Lincoln, NE, in Sub-No. 1, Hutchinson County, TX, for Borger, TX, McPherson County, KS, for Conway, KS, Lancaster County, NE for facility at or near Greenwood, NE, and Monona, Sac and Hancock Counties, IA for Whiting, Early and Garner, IA, in Sub-No. 2, Marshall County, IA for Marshalltown, IA and Clay County, IA for Spencer, IA, in Sub-No. 5, Carver County, MN, for Chaska, MN in Sub-No. 7, Nobles County for Worthington, MN, Cerro Gordo County, IA for Mason City, IA, and Douglas County, NE for Omaha, NE in Sub-No. 8, and Chippewa County, MN, for Montevideo, MN Racine County, WI for Burlington, WI and Woodbury County (in paragraph (2)(a)) for Sioux City, IA, in Sub-No. 10; and (5) replace one-way with radial authority between (a) Woodbury County, IA and 12 western and midwestern States in its lead, (b)(i) Lancaster County, NE, and CO, IA, KS, MO (except St. Louis), SD and WY, (ii) Hutchinson County, TX, and CO, KS, and OK, (iii) McPherson County, KS, and CO, KS, MO, and NE, (iv) Lancaster County, NE, and CO, IA, KS, MO, NE, SD and WY, and (v) Monona, Sac and Hancock Counties, IA, and IL, IA, MN, NE, ND, SD and WI in Sub-No. 2, (c)(i) Marshall County, IA and IL, IA, MO, MN, and WI, and (ii) Clay County, IA, and IA, MN, ND, NE, SD, and WI, in Sub-No. 5, (d) Carver County, MN and IA, NE and SD in Sub-No. 7, (e)(i) Nobles County and SD, 14 Iowa counties and 18 Nebraska counties, (ii) Nobles County, MN and Cerro Gordo Counties, IA and Douglas County, NE, and (iii) Nobles County, MN and 10 Iowa Counties and 14 Nebraska Counties, in Sub-No. 8, and (f)(i) Sioux City, IA and MN, NE and SD, in paragraph (1), (ii) Sioux City, IA and KS, MN, MO (except those points in the St. Louis, MO—East St. Louis, IL commercial zone), NE, ND, CO, SD, WI, WY and IL (except points in the St. Louis, MO—East St. Louis, IL commercial zone and points in named counties) in paragraphs (2) and (3) in Sub-No. 10.

MC 129923 (Sub-21)X, filed March 30, 1981. Applicant: SHIPPERS TRANSPORT, INC., 5005 Commerce St., West Memphis, AR 72301. Representative: Edward G. Grogan, First Tennessee Bldg., 20th Floor, Memphis, TN 38103. Applicant seeks to remove restrictions from its lead and Sub-Nos. 2, 4, 5, 7, 10, 12, 14F, 17F and 18F certificates to (1) change the commodity description to "food and related products" from canned goods in the lead and Sub-No. 2; from foodstuffs in containers in Sub-No. 4; from canned and bottled foodstuffs, other than frozen in Sub-No. 5; from prepared and preserved foodstuffs, in containers in Sub-No. 7; from canned and bottled foodstuffs in Sub-No. 10; from peanuts, roasted in containers (except in bulk) in Sub-No. 12; from rice (except in bulk) in Sub-No. 14F; canned foodstuffs in Sub-No. 17F; and, from peanuts and peanut products, roasted and peanuts otherwise exempt from regulation under 49 U.S.C. 10526(a)(6)(B) in mixed loads with peanuts, and peanut products, roasted in Sub-No. 18F, (2) remove "originating at and destined to" restriction in Sub-No. 5, (3) replace plantsite limitation at Edenton, NC with Chowan County, NC in Sub-No. 18F, (4) replace city with county-wide authority: Wicomico County, MD for Fruitland, MD in the lead; Northampton and Accomack Counties, VA for Cheriton and Hopeton, VA in Sub-No. 2; St. Martin and Iberia Parishes, LA for Cade and Lozes, LA in Sub-Nos. 5 and 7; St. Martin Parish, LA for St. Martinville, LA in Sub-No. 10; Worth County, GA for Sylvester, GA in Sub-No. 12; Harris County, TX for Houston, TX in Sub-No. 14F; and, Sussex County, DE for Milton, DE in Sub-No. 17F; (5) replace one-way with radial authority (a) between points in Wicomico County, MD and Sussex County, DE, and, points in 5 states in the lead, (b) between points in 2 VA counties, points in DE, and points in 7 MD counties, and, points in 2 States and DC in Sub-No. 2, (c) between points in 3 states, and, Tulsa, OK in Sub-No. 4, (d) between points in 2 LA Parishes, and,

points in 5 states, and between points in 2 LA Parishes, and, described portions of 2 states in Sub-No. 5, (e) between points in 2 LA Parishes, and, points in 4 states, in Sub-No. 7, (f) between points in St. Martins Parish, LA. and, points in 3 states in Sub-No. 10, (g) between points in Worth County, GA, and, points in the U.S. in Sub-No. 12, (h) between points in Harris County, TX, and New York, NY in Sub-No. 14F, (i) between points in Sussex County, DE, and, points in TX in Sub-No. 17F, and (j) between points in Chowan County, NC, and, points in the U.S. in Sub-No. 18F and (6) remove the AK and HI exceptions in Sub-Nos. 12 and 18F.

MC 134783 (Sub-73)X, filed March 17, 1981. Applicant: DIRECT SERVICE, INC., P.O. Box 2491, 940 East 66th Street, Lubbock, TX 79408. Representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. Applicant seeks to remove restrictions in its lead and Sub-Nos. 6, 7, 11, 12, 13, 14, 15, 16F, 18, 21, 23, 24, 27, 29, 30, 33, 37, 38, 40, 41, 42F, 46F, 47F, 49F, 51F, 54F, 55F, 59F, 61F, 62F, 63F, 65F, 66F, 68F, and 70 certificates to (1) broaden its commodity descriptions (a) to "food and related products, and materials, equipment and supplies used in the manufacture or distribution thereof," from meat, meat products, and meat by-products, and articles distributed by meat packinghouses, unfrozen bakery products and snack foods, inedible meat and inedible meat products and by-products, canned and preserved apple products and apple by-products, hides, liquid brown sugar, in containers, frozen foods, and citrus concentrates, animal feed and animal feed ingredients, additives, and supplements, foodstuffs, canned goods, in each of the above sub-numbers except Sub-Nos. 15, 27, 29, 33, 40, 41, 42F, 47F, and 70, (b) to "ores and minerals, and material, equipment and supplies used in the manufacture or distribution thereof," from refined copper and commodities of unusual value, in Sub-No. 15, (c) to "chemicals and related products," from toilet preparations, beauty aids, hair grooming, conditioning aids, cosmetics, shaving cream, washing compounds, and drugs (except commodities in bulk), in vehicle equipped with mechanical refrigeration, in Sub-No. 24, (d) to "food and related products and tannery products, and materials, equipment and supplies used in the manufacture or distribution thereof," from hides, chromes, and tannery products, in Sub-Nos. 29 and 40, (e) to "food and related proudcts, and vending machines, and materials, equipment and supplies used in the manufacture or distribution thereof," in Sub-No. 33, (f) to "metal products, and building materials, and materials, equipment and supplies used in the manufacture or distribution thereof," from bailing wire, wire, steel strapping, paper clips, and fencing materials, in Sub-No. 41, (g) to "such commodities as are dealt in by manufacturers and distributors of building and insulation materials," from building, wall and insulating boards, and materials and supplies used in the installation of the foregoing, and insultating materials, in Sub-No. 42F, (h) in Sub-No. 47F, to "chemicals and related products, rubber and plastic products, and food and related products," from drugs, cosmetics, plastic boxes, weed killing compounds, and animal and poultry feed supplements, and (i) to "chemicals and related products, and such commodities as are dealt in by manufacurers and distributors of toilet preparations," from toilet preparations, in Sub-No. 70; (2) replace its cities and facilities with county-wide or commercial zone authority: in the lead certifiate, Plainview, TX, with Hale County, TX; in Sub-No. 6, facilities at or near El Paso, TX, with El Paso, County, TX; in Sub-No. 7, facilities at or near Burlington, IA, with Des Moines County, IA; in Sub-No. 11, facilities at or near Hereford, Tulia, Friona, Stratford, Spearman, Muleshoe, and Amarillo, TX, with Deaf Smith, Swisher, Parmer, Sherman, Hansford, Bailey, Potter, and Randall Counties, TX; in Sub-No. 12, facilities at or near Clovis, NM, Plainview, Midland, and Albany, TX, Boise, ID, and Billings and Dillion, MT, with Curry County, NM, Hale, Midland, and Shackelford, Counties, TX, Ada County, ID, and Yellowstone and Dillion Counties, MT in Sub-No. 13, Gulfport, MS, with Harrison County, MS; in Sub-No. 14 facilities at or near Lubbock, TX, with Lubbock County, TX; in Sub-Nos. 15, 18, and 23, facilities at or near Amarillo, TX, with Potter and Randall Counties, TX; in Sub-No. 16, Martinsburg, WV, Lincolnton, NC, and Kent City, MI, with Berkeley County, WV, Lincoln County, NC, and Kent County, MI; in Sub-No. 21, facilities at or near Cactus, TX, with Moore County, TX; in Sub-No. 24, (a) Friona, Plainview, Lubbock, Abernathy, Pampa, and Amarillo, TX, with Parmer, Hale, Lubbock, Gray, Potter, and Randall Counties, TX, (b) in facilities at or near Friona, TX, with Parmer County, TX, (c) facilities at or near Cactus, TX, with Moore County, TX, (d) facilities at or near Abernathy, TX, with Hale County, TX, (e) Guymon, OK and Clovis, NM, with Texas County, OK, and Curry County, NM, and (f) Clovis, NM, Houston and Laredo, TX, with Curry County, NM, Houston, TX, and Webb County, TX; in Sub-No. 27, facilities at or near Cockeysville, MD and Holyoke, MA, with Cockeysville, MD, and Hampden and Hampshire Counties, MA; in Sub-No. 30, facilities at or near Friona and Plainview, TX, with Parmer and Hale Counties, TX, in Sub-No. 33, facilities at or near Akron, NY, with Erie County, NY, in Sub-No. 37, Timberville, VA, with Rockingham County, VA; in Sub-No. 38, Plainview, TX, with Hale County, TX; in Sub-No. 41, facilities at Uniontown, PA, Lansing, IL, and Pittsburgh, PA, with Fayette County, PA, Cook County, IL, and Pittsburgh, PA; in Sub-No. 42F, facilities at or near Pensacola, FL, and Beaver Falls and Marietta, PA, with Escambia County, FL, and Beaver and Lancaster Counties, PA; in Sub-No. 46F, facilities at Corpus Christi, TX, with Neuces County, TX; in Sub-No. 47F, facilities at or near Clinton, Lafayette, and Indianapolis, IN, with Vermillion, Parke, and Tippecanoe Counties, IN and Indianapolis, IN; in Sub-No. 49F, facilities at or near Columbus, OH, Mattoon, IL, and Terre Haute, IN, with Columbus, OH, Coles County, IL, and Vigo County, IN; in Sub-No. 51F, facilities at or near Wapakoneta, OH, with Auglaize County, OH; in Sub-No. 54F, facilities at or near Peach Glen, Orrtanna, and Chambersburg, PA, with Adams and Franklin Counties, PA; in Sub-No. 55F, facilities at or near Gonzales, TX, and Athens, AL, with Gonzales County, TX, and Limestone County, AL; in Sub-No. 59F, facilities at or near Montgomery, AL, with Montgomery County, AL; in Sub-No. 61F, facilities at or near Lakeland, FL, with Polk County, FL; in Sub-No. 62F, facilities at or near Shreveport, IA, with Shreveport, IA; in Sub-No. 63F, facilities at or near Plainview and Friona, TX, with Hale and Parmer Counties, TX; in Sub-No. 65F, facilities at or near Lubbock and El Paso, TX, with Lubbock and El Paso Counties, TX; in Sub-No. 66F, facilities at Winchester and Timberville, VA, Martinsburg, WV, Lincolnton, NC, and Delta, CO, with Winchester, VA, Rockingham County, VA, Berkeley County, WV, Lincoln County, NC, and Delta County, CO; in Sub-No. 68F, facilities at or near Holcomb, KS, with Finney County, KS; and in Sub-No. 70, facilities at or near Jacksonville, FL, with Jacksonville, FL; (3) change its one-way authority to radial authority between the above named cities and counties, and several States through the U.S.; (4) eliminate (a) the originaitng at and destined to restrictions in Sub-Nos. 6, 7, 11, 12, 14, 18, 21, 23, 30, 33, 37, 51F,

59F, 61F, 62F, 65F, and 70, and (b) the AK and HI exceptions in Sub-Nos. 15 and 49F.

MC 134890 (Sub-11)X, filed March 30, 1981. Applicant: MARION TRANSFER, INC., 3011 North 30th Street, Milwaukee, WI 53210. Representative: Richard C. Alexander, 710 North Plankinton Avenue, Milwaukee, WI 53203. Applicant seeks to remove restrictions in its lead and Sub-Nos. 4, 8, and 10F permits to (1) broaden the commodity descriptions from (a) suede and patent leather, and suede and patent leather products to "leather and leather products" in the lead; (b) cheese, cheese products, and cheese by-products, and cheese food products, spices and materials and supplies used in the manufacture of spices (except commodities in bulk) to "food and related products" in Sub-Nos. 4 and 8; and (c) chemicals, and tanning extracts and chemicals, (except commodities in bulk), in tank vehicles equipped with mechanical refrigeration to "chemicals and related products" in Sub-No. 10F; and (2) broaden the territorial descriptions to between points in the U.S. under continuing contract(s) with named shippers.

MC 135185 (Sub-58)X, filed March 24, 1981. Applicant: COLUMBINE CARRIERS, INC., P.O. Box 66, South Bend, IN 46624. Representative: Jack B. Wolfe, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. Applicant seeks to remove restrictions in its Sub-No. 50F permit to (1) broaden the commodity description to "food and related products", from meats, meat products, meat by-products, and articles distributed by meat packinghouses as described in the *Descriptions* case, 61 M.C.C. 209 and 766; and (2) to remove the "except hides and commodities in bulk" restriction.

MC 135746 (Sub-2)X, filed March 31, 1981. Applicant: DELCO AIR FREIGHT, INC., One Independence Court, Folcroft, PA 19032. Representative: Edward J. Kiley, 1730 M Street, NW., Washington, DC 20036. Applicant seeks to remove restrictions in its Sub-No. 1 certificate to (1) broaden the commodity description from general commodities (with exceptions) to "general commodities (except classes A and B explosives)", and (2) delete the restriction limiting transportation to traffic having a prior or subsequent movement by air.

MC 136774 (Sub-20)X, filed March 26, 1981. Applicant: MC-MOR-HAN TRUCKING CO., INC., P.O. Box 368, Shullsburg, WI 53586. Representative: Carl L. Steiner, 39 South LaSalle St., Chicago, IL 60603. Applicant seeks to remove restrictions from its lead and Sub-Nos. 4, 5, 6, 8, 10, 11F, 12F and 13F certificates to (1) change commodity descriptions to "food and related products", from foodstuffs (except in bulk), cheese, food and foodstuffs (except commodities in bulk) and frozen foods in the lead; from corn products and blends containing corn products, (in bulk) in Sub-No. 4; from products of corn (except corn oil), in bulk in Sub-No. 5; from products derived from corn and blends containing products derived from corn (in bulk) in Sub-No. 6; from meat, meat products, meat by-products, and articles distributed by meat packinghouses (except hides and commodities in bulk) in Sub-No. 8; from molasses and blends of molasses, (in bulk) in Sub-No. 10; from liquid corn products (in bulk) in Sub-No. 11F; from corn syrup and high fructose corn sweeteners (in bulk) in Sub-No. 12F; and, from corn syrup, (in bulk) in Sub-No. 13F, (2) remove "in tank vehicle" restrictions in the lead and Sub-Nos. 4, 5, 6, 10, 11F, 12F and 13F, (3) remove the plantsite limitations (a) in Sub-No. 4 and replace Lafayette, IN with Tippecanoe County, IN, (b) in Sub-No. 5 and replace Pekin, IL with Tazewell County, IL, (c) in Sub-No. 6 and replace Montezuma, NY with Cayuga County, NY (d) in Sub-No. 10, (e) in Sub-No. 11F and replace Clinton, IA with Clinton County, IA, (f) in Sub-No. 12F and replace Keokuk, IA with Lee County, IA, and (g) in Sub-No. 13F, (4) remove restriction limiting transportation to that originating at or destined to named facilities in the lead, in Sub-Nos. 4, 6, 8, and 11F, (5) replace city with county-wide authority (a) in Sub-No. 8: Spencer and Hartley, IA with Clay and O'Brien Counties, IA; (b) in the lead, paragraphs 2 and 4, Champaign, IL with Champaign County, IL, and paragraph 5, Mattoon, IL with Coles County, IL, (6) remove a restriction against traversing U.S. Hwy 12 in connection with its irregular route between named IL counties, and, Chicago, IL in paragraph 3 of the lead, (7), remove a restriction against transportation to AK and HI in Sub-Nos. 4, 5, 6 and 11F, and (8) replace one-way with radial authority (a) between Chicago, IL, and, points in 3 IL counties; points in 3 IL counties, and Chicago, IL; Champaign County, IL, and, points in 5 states, and a described portion of MO; and, Coles County, IL, and, points in 6 states in the lead, (b) between Tippecanoe County IN, and, points in the U.S. in Sub-No. 4, (c) between Chicago, IL and points in Tazewell County, IL, and, points in the U.S. (with exceptions) in Sub-No. 5; (d) between points in Cayuga County, NY, and points in the U.S. in Sub-No. 8, (e) points in Clay and O'Brien Counties, IA, and, points in IL and WI in Sub-No. 8, (f) between Chicago, IL, and, points in WI in Sub-No. 10, (g) points in Clinton County, IA, and, points in the U.S. in Sub-No. 11F, (h) between points in Lee County, IA, and, points in 28 states in Sub-No. 12F; and, (i) between Hammond, IN, and, points in 4 states in Sub-No. 13F.

MC 142592 (Sub-12)X, filed March 27, 1981. Applicant: H. L. STANSELL, INC., 1221 U.S. Alternate Highway 19, Palm Harbor, FL 33563. Representative: David C. Venable, 805 McLachlen Bank Building, 666 Eleventh Street, NW., Washington, DC 20001. Applicant seeks to remove restrictions in its Sub-No. 11 certificate to broaden the commodity descriptions to (1) "farm products and food and related products, (2) pulp, paper and related products, (3) metal products, and (4) rubber and plastic products," from foodstuffs, paper and paper products, metal articles, and plastic articles, respectively. Applicant also seeks to remove the restriction prohibiting service to AK and HI, and to replace one-way service with radial authority between points in the U.S., and, points in FL.

MC 142873 (Sub-13)X, filed March 27, 1981. Applicant: D & W TRUCK LINES, INC., P.O. Box 427, Parsons, WV 26287. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, NW., Washington, DC 20001. Applicant seeks to remove restrictions in its Sub-No. 4F certificate to (1) replace authority to serve plantsites in Cumberland, Ocean, Atlantic, Gloucester, Mercer, Salem, Camden, and Cape May Counties, NJ, with authority to serve the counties named above; (2) eliminate the restriction against serving AK and HI; and (3) remove the restriction against the transportation of "commodities in bulk".

MC 143027 (Sub-10)X, filed March 30, 1981. Applicant: CAPITAL AIR FREIGHT, INC., P.O. Box 8566, Madison, WI 53708. Representative: Michael J. Wyngaard, 150 East Gilman St., Madison, WI 53703. Applicant seeks to remove restrictions in its Sub-No. 7F certificate to (1) replace the airport located at Chicago, IL, with Chicago, IL; and (2) eliminate the restriction against the transportation of traffic having a prior or subsequent movement by air.

MC 144122 (Sub-81)X, filed March 30, 1981. Applicant: CARRETTA TRUCKING, INC., South 160, Route 17 North, Paramus, NJ 07652. Representative: Charles J. Williams, P.O. Box 186, Scotch Plains, NJ 07076. Applicant seeks to remove restrictions

in its Sub-No. 55 certificate to (1) eliminate the restriction (a) limiting service to the transportation of specified commodities in containers and (b) prohibiting service to AK and HI; (2) eliminate the facilities restrictions in part a; and (3) authorize radial authority in place of existing one-way service between points in the U.S. and Chicago, IL, Canton, OH, Atlanta, GA, Los Angeles, CA, and New York, NY, in part (b).

MC 145454 (Sub-16)X, filed March 30, 1981. Applicant: SOUTHERN REFRIGERATED TRANSPORTATION COMPANY, INC., 7336 West 15th Avenue, Gary, IN 46406. Representative: Anthony E. Young, 29 South LaSalle Street—Suite 350, Chicago, IL 60603. Applicant seeks to remove restrictions in No. MC–119792 Sub-Nos. 36 and 57 acquired in MC–F–13676 to (1) change the commodity descriptions from foodstuffs in Sub-No. 36 and foodstuffs and food ingredients (except commodities in bulk) in part of Sub-No. 57 to "food and related products" (2) remove the facilities limitation and replace named points with county-wide authority: Freeborn, Todd, Rice, Cottonwood, and Ramsey Counties, MN for Albert Lea, Browerville, Faribault, Mountain Lake and St. Paul, MN in part of Sub-No. 36, (3) change city to county-wide authority: Green County, WI for Monroe, WI in Sub-No. 57, (4) change one-way to radial authority (a) between 12 named WI points, and, points in 8 states; 5 MN counties, Minneapolis, MN and Spencer, WI, and points in 8 states; 1 MN county, and, points in 8 states in Sub-No. 36 and (b) between points in WI, (with exceptions) and, points in 8 states; Green County, WI, and, points in 8 states in Sub-No. 57, and, (5) remove the restriction requiring that commodities move in mixed loads in Sub-No. 36.

MC 145655 (Sub-6)X, filed March 30, 1981. Applicant: TYSON FOODS, INC., P.O. Drawer E, Springdale, AR 72764. Representative: Michael H. Mashburn, P.O. Box 869, Springdale, AR 72764. Applicant seeks to remove restrictions from its Sub-No. 1F permit to broaden the territorial description to "between points in the U.S. under continuing contract(s) with a named shipper."

MC 145726 (Sub-12)X, filed March 30, 1981. Applicant: G. P. THOMPSON ENTERPRISES, INC., P.O. Box 146, Midway, AL 36053. Representative: Terry P. Wilson, 428 South Lawrence St., Montgomery, AL 36104. Applicant seeks to remove restrictions in its MC–143478 and Sub-Nos. 1F, 2F, 3F, 4F, 6F, 7F, 13F and 14F permits to (1) broaden the commodity descriptions from (a) glass containers, glassware, plastic articles, and cartons, plastic containers and accessories for containers, and materials, equipment and supplies used in the manufacture and distribution thereof to "clay, concrete, glass or stone products, rubber and plastic products, and pulp, paper and related products" in the lead and Sub-Nos. 6F and 7F; (b) meats, meat products and meat byproducts, and articles distributed by meat-packinghouses, and malt beverages to "food and related products" in Sub-Nos. 1F, 4F, 13F and 14F; and (c) communication equipment and materials, equipment, and supplies used in the manufacture and installation of communication equipment to "machinery" in Sub-No. 3F; (2) remove the restrictions "except hides and commodities in bulk, in tank vehicles" in Sub-Nos. 1F, 13F and 14F, "except commodities in bulk" in Sub-Nos. 2F, 4F and 7F, and "except commodities in bulk, in tank vehicles" in Sub-No. 3F; (3) eliminate the facilities limitations in Sub-Nos. 1F, 3F, 13F and 14F; (4) broaden the territorial descriptions to between points in the U.S. under continuing contract(s) with named shippers, in all permits; and (5) remove the restriction against service to AK and HI.

MC 146421 (Sub-1)X, filed March 30, 1981. Applicant: WYATT TRANSFER, INC., P.O. Box 2–N, Richmond, VA 23205. Representative: Harry C. Ames, Jr., David C. Venable, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, DC 20001. Applicant seeks to remove restrictions in its lead certificate to (1) broaden is commodity description from general commodities (with exceptions), to "general commodities (except classes A and B explosives)"; and (2) eliminate the restriction which limits the transportation to shipments in intermodal containers, or trailers, having an immediate prior or subsequent movement by water or rail.

MC 146890 (Sub-35)X, filed March 17, 1981, previously noticed in the Federal Register of March 31, 1981, republished as corrected this issue. Applicant: C & E TRANSPORT, INC. d.b.a. C. E. ZUMSTEIN CO., P.O. Box 27, Lewisburg, OH 45338. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, NW., Washington, DC. 20001. Applicant seeks to remove restrictions in its Sub-No. 4F certificate to (a) broaden the commodity description from chemicals, chemical compounds, antifreeze, plastics, and plastic products in part (1) of the authority to "chemicals and related products and rubber and plastic products"; (b) remove the "except commodities in bulk" restrictions in parts (1) and (2) of the authority; (c) remove the facilities limitation at Chicago, IL and 5 other named points and expand city-wide to county-wide authority from Mankato to Blue Earth County, MN; Newark to Licking County, OH; Clinton to Worcester County, MA; Morris to Grundy County, IL; and Mapleton to Peoria County, IL; and (d) remove the restriction against service to AK and HI. The purpose of this republication is to replace the plantsite limitation at Chicago, with authority to serve all of Chicago, which was inadvertently omitted in the original Federal Register publication.

MC 148062 (Sub-2)X, filed March 30, 1981. Applicant: FAR WEST EXPRESS, INC., 2323 Federal Way, Boise, ID 83705. Representative: Irene Warr, 430 Judge Bldg., Salt Lake City, UT 84111. Applicant seeks to remove restrictions in its lead certificate to (1) broaden the commodity description to "general commodities (except classes A and B explosives)" from general commodities (with the usual exceptions); (2) change its one-way authority to radial authority between Ada and Canyon Counties, ID, and, points in Malheur County, OR, and Payette, Gem, Canyon, Ada, Elmore and Owyhee Counties, ID; and (3) remove the ex-rail restriction.

MC 149406 (Sub-11)X, filed March 30, 1981. Applicant: E. W. WYLIE CORPORATION, P.O. Box 1188, Fargo, ND 58107. Representative: Robert D. Gisvold, 1600 TCF Tower, Minneapolis, MN 55402. Applicant seeks to remove restrictions from its Sub-Nos. 3F and Sub-4F certificates to (1) expand iron and steel articles to "metal products" in Sub-No. 3F, and iron and steel articles and fabricated metal products in Sub-No. 4F; (2) expand the territorial authority from Sioux Falls, SD, to Minnehaha County, SD, in Sub-No. 3F, and from facilities at Willmar, MN, in Sub-No. 4F to Kandiyohi County, MN; and (3) authorize radial authority between Minnehaha County, SD, and points in MN, MT, ND, and WY, in Sub-No. 3F and between Kandiyohi County, MO, and, points in MT, ND, and SD, in Sub-No. 4F.

[FR Doc. 81–10949 Filed 4–9–81; 8:45 am]

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[Volume No. 56]

Motor Carriers; Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: April 3, 1981.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR 1137, Part 1137 was published in the **Federal Register** of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Sporn, Alspaugh, and Shaffer.

Agatha L. Mergenovich,

Secretary.

MC 1117 (Sub-36)X, filed March 23, 1981. Applicant: M.G.M. TRANSPORT CORP., 70 Maltese Drive, Totowa, NJ 07512. Representative: Morton E. Kiel, Suite 1832, Two World Trade Center, New York, NY 10048. Applicant seeks to remove restrictions in its lead and Sub-Nos. 2, 3, 4, 7, 8, 10, 11, 12, 13, 14, 15F, 16F, 17F, 18F, 19F, 21F, 22F, 23F, 25F, 27F, 29F, 30F, and 32F certificates to: (1) change general commodities (with exceptions) to "general commodities, except clases A and B explosives" in the lead; (2) broaden the commodity description to "such commodities as are dealt in or used by manufacturers and dealers of furniture" from new furniture and furniture frames in Subs 2, 15, and 17; (b) "furniture and fixtures" from new furniture in Subs 3, 8, 10, 11, 12, 13, 14, 15, 16, and 19, new furniture with exceptions in Subs 7 and 12 and new unfinished furniture in Sub-8; (c) "furniture and fixtures, machinery and instruments and photographic goods" from office furniture and equipment in Sub-27; (d) "such commodities as are used in the manufacture, sale, or distribution of containers or packaging products" from containers in Sub-18; (e) "rubber and plastic products" from plastic foam in Sub-21; (f) "pulp, paper and related products" from paper and paper products in Sub-22; (g) "textile mill products" from wearing apparel in Sub-23; (h) "machinery and clay, concrete, glass or stone products" from lighting fixtures and parts in Sub-29; and (i) "chemicals and related products" from chemical and chemical products in Sub-25; (3) expand city to county-wide authority: Bridgeport to Fairfield County, CT, in Sub-7; Passaic to Passaic County, NJ, and Perth Amboy to Middlesex County, NJ, in Sub-8, Totowa to Passaic County, NJ, in Sub-11; High Point to Guilford County, NC, Thomasville to Davidson County, NC, Lenoir to Caldwell County, NC, Mebane to Alamance County, NC, Drexel and Morganton to Burge County, NC, and Marion to McDowell County, NC, in Subs 12 and 14; Asheboro and Liberty to Randolph County, NC, Biscoe to Montgomery County, NC, Lexington to Davidson County, NC, Mt. Airy to Surry County, NC, Pleasant Garden to Guilford County, NC, Salisbury to Rowan County, NC, and Winston Salem to Forsyth County, NC, in Sub-13; Appomattox to Appomattox County, VA, Brookneal to Campbell County, VA, Waynesville to Haywood County, NC, and Kenbridge to Lunenburg County, VA, in Sub-16; Greensboro to Guilford County, NC, in Subs 18, 23, 30; Carlstadt to Bergen County, NJ, and Rockaway to Morris County, NJ, in Sub-21; Exton and Modena to Chester County, PA, Granite Falls to Caldwell County, NC, and High-Point to Guilford County, NC, in Sub-22; North Bergen to Hudson County, NJ, in Sub-23; (4) change one-way service to radial authority in the lead and Subs 2, 3, 7, 10–19, 21F, 22F, 23F, 25F, 27F, 29F, and 32F generally between the points named above and combination of points throughout the US; (5) remove "crated" and "uncrated" restrictions in Subs 2, 3, 4, and 7; (6) remove "prior movement by rail or motor carrier" restrictions in Sub-7; and (7) authorize service at all intermediate points in connection with its regular routes between New York, NY, and Elizabeth, NJ, in the lead; (8) remove equipment restrictions in Sub-18; (9) remove facilities restrictions in Sub-23; and (10) remove restrictions against commodities in bulk in Sub-25.

MC 2960 (Sub-44)X, filed March 24, 1981. Applicant: ENGLAND TRANSPORTATION COMPANY OF TEXAS, INC., P.O. Box 4362, Houston, TX 77210. Representative: Edwin M. Snyder, P.O. Box 45538, Dallas, TX 75245. Applicant seeks to remove restrictions from its Sub-Nos. 12, 17, 21F, 23F, 27F, 29F and 32F certificates to (1) change commodity descriptions (a) in Sub-No. 12 from roofing materials and accessories to "building materials" (b) in Sub-No. 17 from wooden pallets to "lumber and wood products", (c) in Sub-No. 23F from kitchen cabinets and vanities to "furniture and fixtures", (d) in Sub-No. 27F, from fertilizer, weed and tree killing compounds, insecticides, and fungicides, in Sub-No. 29F, from synthetic rubber and in Sub-No. 32F from chemicals to "chemicals and related products", (2) remove the facilities limitation in Sub-No. 12 and replace with county-wide authority; East Camden, AR with Ouachita County, AR; in Sub-No. 17 and replace East Camden and Stephens, AR with Ouachita County, AR; in Sub-No. 21F; in Sub-No. 23F and replace McKinney, TX with Collin County, TX; in Sub-No. 27F; in Sub-No. 29F and replace Lake Charles, LA with Calcasieu County, LA; in Sub-No. 32F, and replace Freeport, TX with Brazoria County, TX, (3) remove the "in bulk" restrictions in Sub-Nos. 21F and 29F, (4) remove the restrictions "in bags or packages" in Sub-No. 27F and "in cargo containers" in Sub-No. 32F, (5) remove restriction to the transportation of traffic having a subsequent movement by water, and (6) change one-way to radial authority between (a) points in Ouachita County, AR, and, points in 7 States, in Sub-No. 12, (b) between points in 7 States, and, points in Ouachita County, AR in Sub-No. 17, (c) points in 5 States, and, points in Irving, TX in Sub-No. 21, (d) points in Collen County, TX, and points in 3 States in Sub-No. 23 (e) Shreveport, LA, and, points in TX in Sub-No. 27, (f) points in Calcasieu County, LA, and, Houston, TX in Sub-No. 29 and (g) points in Brazoria County, TX, and, Houston, TX.

MC 3114 (Sub-45)X, filed March 23, 1981. Applicant: T. H. COMPTON, INC., R.F.D. #1, Berkeley Springs, WV 25411. Representative: William P. Sullivan, 818 Connecticut Avenue, NW., Washington, DC 20006. Applicants seeks to remove restrictions in its lead and Sub-Nos. 18, 20–23, 25–32, 34, 35, 37–40 certificates by (1) broadening the commodity description (a) in the lead from general commodities (with the usual exceptions) to "general commodities (except classes A and B explosives);" from kerosene and liquid petroleum products to "petroleum products", from fruits and canned goods to "food and related products," from heavy machinery and road equipment to "commodities which because of size or weight require special handling or special equipment;" (b) in Sub-Nos. 18, 21, 23, 26, 29, 30, 31, 37 and

39 from sand, iron pyrite cinders, lithium ore, and aplite to "ores and minerals;" (c) in Sub-Nos. 20 and 22 from petroleum products (except petro acids and chemicals and asphalt and asphalt products) to "petroleum products;" (d) in Sub-No. 28 from synthetic latex to "chemicals and related products;" (e) in Sub-Nos. 32 and 35 from machinery and machinery parts to "machinery;" (f) in Sub-No. 34 from composition board to "building materials;" (g) in Sub-No. 40 from cullet and scrap glass to "glass products" and (h) in Sub-Nos. 29, 32, and 35 from aluminum frames, steel doors and iron and steel articles to "metal products;" (2) expanding the territorial authority in each of the named certificates to countywide origins: Karns City to Butler Co., PA; Cumberland to Allegany Co., MD; El Dorado to Allegheny Co., PA; Pittsburgh to Allegheny Co., PA; East Freedom to Blair Co., PA; Romney to Hampshire Co., WV; Finksburg to Baltimore Co., MD; Berkeley Springs to Morgan Co., WV; Inwood and Great Cacapon to Berkeley Co., WV; LaVale to Allegany Co., MD; Martinsburg to Berkeley Co., WV in the lead; Newington to Fairfax Co., VA in Sub-No. 22; North Claymont to New Castle Co., DE and Martinsburg to Berkeley Co., WV in Sub-No. 23; Berkeley Springs to Morgan Co., WV in Sub-No. 26; Imperial, Somerset and Valley View, to Allegheny, Somerset and Schuylkill Cos., PA; Hagerstown and Williamsport to Washington Co., MD, Berkeley Springs, Charlestown, Halltown and Martinsburg to Morgan, Jefferson and Berkeley Cos., WV in Sub-No. 27; Perryville to Cecil Co., MD in Sub-No. 28; Berkeley Springs to Morgan Co., WV in Sub-No. 30; Mapleton Depot to Huntingdon Co., PA in Sub-No. 31; Youngstown to Mahoning Co., OH, Berkeley Springs to Morgan Co., WV, Hagerstown to Washington Co., MD, Canton to Stark Co., OH, Export to Westmoreland Co., PA, Pulaski to Lawrence Co., PA, Pittsburgh to Allegheny Co., PA, and Bedford Park to Cook Co., IL in Sub-No. 32F; Benton to Saline Co., AR, and Kings Mountain to Cleveland Co., NC in Sub-No. 35F; Havana and Quincy to Gadsden Co., FL, Ochlocknee to Thomas Co., GA in Sub-No. 38F; (3) replace one-way service with radial authority between the above counties and points and States throughout the U.S.; (4) removal of "in bulk" and "in bulk in tank vehicles" restrictions from the lead and Sub-Nos. 18, 20, 22, 23, 25, 27–29, 31 and 39; "in container" or "in bag" restrictions from the lead and Sub-Nos. 18, 26, and 38; shipper facility restrictions from Sub-Nos. 20, 22, 28, 32, 35 and 38; and an interline restriction from Sub-No. 28.

MC 36448 (Sub-13)X, filed March 27, 1981. Applicant: MURFREESBORO FREIGHT LINE CO., INC., P.O. Box 1113, Murfreesboro, TN 37130. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th St. NW., Washington, DC 20004. Applicant seeks to remove restrictions in its Sub-No. 9F certificate to (1) broaden the commodity description from general commodities (with exceptions) to "general commodities (except classes A and B explosives)" and (2) authorize service at all intermediate points along its regular-route operations between Memphis and Nashville, TN.

MC 41406 (Sub-172)X, filed March 30, 1981. Applicant: ARTIM TRANSPORTATION SYSTEM, INC., 8400 Westlake Drive, Merrillville, IN 46410. Representative: Ralph D. Artim (same as applicant). Applicant seeks to remove restrictions in its Sub-No. 62 certificate to (1) delete an "in bulk" commodity restriction; (2) remove the exceptions of service to AK and HI; (3) eliminate the facilities restriction; (4) remove an originating at or destined to named points except traffic moving in foreign commerce restriction; (5) broaden the territorial description from city-wide service to county-wide authority, Will and Cook Counties, IL, for Blue Island and Joliet, IL; Hamilton, Elkhart, Allen, and Howard Counties, IN, for Cicero, Elkhart, Ft. Wayne and Kokomo, IN; Appanoose County for Centerville, IA; Kent and Ingham Counties, MI, for Grand Rapids and Lansing, MI; Hinds County, MS, for Jackson, MS; Franklin and Lucas Counties, OH, for Columbus and Toledo, OH; and (6) authorize radial service in lieu of existing one-way authority between the counties named above and points in the U.S.

MC 65660 (Sub-17)X, filed March 26, 1981. Applicant: WARNER & SMITH MOTOR FREIGHT, INC., 66 Third Street, Masury, OH 44438. Representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, PA 15219. Applicant seeks to remove restrictions in its lead and Sub-Nos. 3, 4, 5, 6, 7, 10F, and 12F certificates to (1) broaden the commodity descriptions from (a) general commodities, with exceptions to "general commodities (except classes A and B explosives)" in the lead and Sub-Nos. 3, 4, 5, 6, and 7; (b) petroleum and petroleum products, in packages, to "petroleum, natural gas and their products" in Sub-No. 10F; and (c) automobile parts, in packages, to "rubber and plastic products, leather and leather products, clay, concrete, glass or stone products, metal products and machinery" in Sub-No. 12F; (2) remove the restriction against the transportation of glass containers and fiberboard boxes to or from points in Clarion County, PA in Sub-No. 7; (3) authorize service to all intermediate points between Cleveland, OH and Erie, PA; and Pittsburgh, PA and Cleveland, OH in the lead; (4) change city-wide to county-wide authority from Kerbert Park, Greenwood Township and Linesville to Crawford County, PA in Sub-Nos. 5 and 12F; Bradford and Foster Brook to McKean County, PA in Sub-No. 10F; and Sandusky to Erie County, OH in Sub-No. 12F; (5) expand one-way authority to radial authority between McKean County, PA and points in OH in Sub-No. 10F; (6) eliminate the facilities limitations in Sub-Nos. 5, 7 and 10F; and (7) remove the "originating at or destined to" restriction in Sub-Nos. 5 and 10F.

MC 65781 (Sub-8)X, filed March 30, 1981. Applicant: BARRETT MOVING & STORAGE, INC., 7100 Washington Ave. So., Eden Prairie, MN 55344. Representative: Andrew R. Clark, 1600 TCF Tower, 121 South 8th St., Minneapolis, MN 55402. Applicant seeks to remove restrictions in its Sub-No. 6F certificate to (1) broaden the commodity description from commercial and institutional fixtures and restaurant equipment and fixtures, to "furniture and fixtures and restaurant equipment"; (2) remove facilities limitations at Minneapolis, St. Paul, and Maple Plain, MN; (3) remove the exception of AK and HI; (4) remove an originating at or destined to restriction; and (5) replace one-way with radio authority between Minneapolis-St. Paul, MN, and points in the U.S.

MC 73587 (Sub-144)X, filed March 23, 1981. Applicant: ELLIOTT BROTHERS TRUCKING CO., INC., P.O. Box 719, Easton, MD 21601. Representative: Jeremy Kahn, Suite 733, Investment Bldg., 1511 K St., N.W., Washington, DC 20005. Applicant seeks to remove restrictions in its lead certificate to (A) broaden the commodity descriptions of its regular and irregular-route general commodities authority by removing all restrictions "except classes A and B explosives," and broaden commodity descriptions to "food and related products" from canned goods, dressed poultry, oysters, seafood, and fresh and frozen poultry, seafood, and fruits and vegetables, and to "farm products" from agricultural commodities; (B) boraden the territorial description of the regular-route authority to authorize service at all intermediate points (sheet no. 2, line

12) between Baltimore, MD and Philadelphia, PA; and (C) broaden the territorial descriptions of the irregular-route authority by: removing the restriction limiting service radially between Philadelphia, PA and Wilmington, DE only to transportation of machinery and parts (sheet no. 3, lines 4–7), removing the restriction against traffic originating at and destined to points in described parts of MD, DE, and PA (sheet no. 4, bottom), and the restriction that the authority may not be combined for the purpose of performing radial through service between points in part of PA, and points in parts of DE and MD (sheet no. 6), and replacing named cities with county-wide authority in the irregular-route portion to serve: Kent and Cecil Counties, MD (Betterton and Chesapeake City, MD), and New Castle County, DE (Middletown, DE) on sheet no. 3, lines 26–28; New Castle County, DE (State Roade, DE) on sheet no. 4, line 1, and Harford County, MD (Havre De Grace, MD) on lines 10, 15, and 23, and change one-way service to radial service between various combinations of points in NY, MD, PA, NJ, DE, VA, CT, DC, MA, RI, and VT.

Note.—Applicant's authority to tack will be governed by 49 CFR 1042.

MC 95876 (Sub-390)X, filed March 19, 1981. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. No., St. Cloud, MN 563101. Representative: Stephen F. Grinnell, 1600 TCF Tower, Minneapolis, MN 55402. Applicant seeks to remove restrictions in its Sub-Nos. 73, 90, 96, 135, 145 and 176 certificates to (1) broaden the commodity descriptions in (a) Sub-No. 73, from valves and cocks and related parts and accessories therefor, to "metal products", (b) Sub-No. 90, from doors, and, pallets and wooden dividers used in material handling, to "building materials and lumber and wood products" (c) Sub-No. 96, from anti-freeze and de-icing compounds, anti-freeze and de-icing pressure tanks and vaporizers, to "chemicals and related products, metal products and machinery", (d) Sub-No. 145, from gypsum and gypsum products to "building materials" and (e) Sub-No. 176, from rubber tires and tubes (except those used in motor vehicles as defined in Section 203(a)(13) of the Interstate Commerce Act), to "rubber and plastic products"; (2) replace city-wide authority with county-wide authority as follows: in Sub-No. 73, Stearns County, MN, and Warren County TN, for Sartell, MN, and McMinnville, TN; in Sub-No. 90, Waupaca County, WI, for New London, WI; in Sub-No. 96, Benton County, MN, for Sauk Rapids, MN; in Sub-No. 145, Webster County, IA, for Fort Dodge, IA; and, in Sub-No. 176, Eau Claire County, WI for Eau Claire, WI; (3) eliminate the (a) size or weight restriction, in Sub-No. 135, and (b) commodities in bulk exception, in Sub-Nos. 96, 135 and 145; (4) eliminate the restriction limiting service to the transportation of traffic originating at named plantsites, in Sub-Nos. 73, 145 and 176; (5) eliminate the restriction prohibiting service to AK and HI, in Sub-Nos. 73, 96 and 135; and (6) authorize radial authority to replace existing one-way service between points in specified counties in TN, WI, MN and IA, and, points in various combinations of States throughout the U.S., in Sub-Nos. 73, 90, 96, 145 and 176.

MC 95876 (Sub-393)X, filed March 20, 1981. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave., No., St. Cloud, MN 56301. Representative: Stephen F. Grinnell, 1600 TCF Tower, Minneapolis, MN 55402. Applicant seeks to remove restrictions in its Subs Nos. 88, 142, 157, 185, 190, 215, 221, 223, 247F, 249F, 250F, 311F, 313F, 326F, 340F, 356F, and 359F certificates in order to (1) broaden the commodity descriptions in Subs 88, 142, 157, 223, and 340F to "such commodities as are dealt in or used by manufacturers of plastic and fiberglass products", from (a) in Sub 88, fiberglass and plastic products and materials, equipment and supplies (except commodities in bulk) used in the manufacture of such commodities; (b) in Sub 142, plastic pipe and plastic molding (except commodities in bulk), and equipment, materials and supplies (except polyethylene, commodities in bulk, and commodities which require the use of special equipment; (c) in Sub 157, plastic and fiberglass siding, sheets, panels, accessories, and materials used in the installation thereof; (d) in Sub 223, reinforced acrylic pick-up truck shells; and (e) in Sub 340F, plastic articles, plastic pipe and connections, and materials, equipment and supplies; (2) broaden the commodity descriptions in Subs 185, 190, 215, 221, 247F, 249F, 250F, 311F, 313F, 340F, 356F, and 359 to "such commodities as are dealt in or used by manufacturers of pipe", from (a) in Sub 185, plastic pipe, plastic conduit, plastic and iron fittings and connections, valves, hydrants, gaskets, and materials, equipment and supplies used in the installation of such commodities (except Mercer commodities); (b) in Sub 190, plastic pipe and plastic pipe fittings; (c) in Sub 215, plastic pipe, plastic products, fittings, valves and accessories, and materials, equipment and supplies (except commodities in bulk); (d) in Sub 221, plastic pipe and fittings, accessories used in the installation thereof, and materials, supplies and accessories used in the manufacture and distribution thereof (except commodities in bulk, and Mercer commodities); (e) in Sub 247F, pipe, pipe fittings, couplings and accessories (except iron and steel articles, Mercer commodities, and commodities which because of size or weight require the use of special equipment); (f) in Sub 249F, plastic pipe, pipe fittings, valves, hydrants, and materials and supplies; (g) in Sub 250F, pipe, pipe fittings, valves, hydrants, and accessories; (h) in Subs 311F and 313F, plastic pipe and fittings; (i) in Sub 356F, pipe and pipe fittings, couplings, connections, and accessories (except iron or steel articles which because of size or weight require the use of special equipment), and (j) in Sub 359F, pipe, pipe fittings, valves, and hydrants; (3) broaden the commodity description in Sub 326F to "such commodities as are dealt in or used by manufacturers of pipe" and "building materials", from pipe, pipe fittings and couplings, building materials and materials and supplies used in the installation thereof; (4) to replace city-wide authority with county-wide authority as follows: in Sub 88, Outagamie and Waupaca Counties, WI (for New London, WI); in Sub 142, Jefferson County, IA (for Fairfield, IA); in Sub 157, Green Lake County, WI (for Berlin, WI); in Sub 185, Boone County, MO (for Columbia, MO); in Sub 190, McPherson County, KS (for McPherson, KS); in Sub 221, Pottawattamie and Mills Counties, IA, and Douglas and Sarpy Counties, NE (for Council Bluffs, IA); in Sub 223, Crow Wing County, MN (for Brainard, MN); in Sub 247F, Sangamon County, IL (for Springfield, IL); in Sub 250F, Boone County, MO (for Columbia, MO); in Sub 311F, Shelby County, TN (for Eads, TN); in Sub 326F, Hill and McLennon Counties, TX (for Hillsboro and Waco, TX); in Sub 356F, Sangamon County, IL (for Springfield, IL), and in Sub 359F, Cass County, ND (for Fargo, ND); (5) in Subs 88, 142, 157, 185, 190, 221, 223, 247F, 249F, 250F, 311F, 313F, 326F, 356F, and 359F, authorize radial operations in place of existing one-way authorities; (6) eliminate plantsite and originating at and destined to restrictions in Subs 142, 185, 190, 221, 247F, 249F, 250F, 326F, and 356F; (7) eliminate restrictions against transportation in tank vehicles in Subs 215 and 221, and (8) eliminate restrictions against service to points in AK and HI in Subs 88, 142, 157, 215, 221, 223, 313F, and 340F.

MC 102295 (Sub-45)X, filed March 26, 1981. Applicant: GUY HEAVENER, INC., 480 School Lane, Harleysville, PA 19438. Representative: Maxwell A. Howell, 1100 Investment Bldg., 1511-K Street, NW., Washington, DC 20005. Applicant seeks to remove restrictions in its Sub-No. 10 certificate to (1) remove a facilities limitation and (2) authorize radial authority in place of one-way authority between Philadelphia, PA and points in MD, DE, NJ, NY and DC.

MC 106920 (Sub-126)X, filed February 19, 1981, previously noticed in the Federal Register of March 6, 1981, republished as corrected this issue. Applicant: RIGGS FOOD EXPRESS, INC., West Monroe St., P.O. Box 26, New Bremen, OH 45869. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., N.W., Washington, DC 20001. Applicant seeks to (1) remove the restriction against the transportation of commodities in bulk, in tank vehicles, in its Sub-No. 91F certificate, and (2) substitute Chicago, IL for the named facility near Des Plaines, IL, and remove the restriction against service to AK and HI, to authorize service between Chicago, IL, and points in the U.S. The purpose of this republication is to correct part (2) from county-wide authority and Cook County, IL, to Chicago, IL.

MC 107323 (Sub-67)X, filed March 16, 1981. Applicant: GILLILAND TRANSFER CO., 7180 W. 48th St., Fremont, MI 49412. Representative: Donald B. Levine, 39 S. LaSalle St., Chicago, IL 60603. Applicant seeks to remove restrictions in its lead certificate and Sub-Nos. 33, 34, 35, 37, 39, 41, 45, 49, 51F, 52F, 53F, 55F, 56F, 58F, 60F, 62F, 63F, and 64F to (A) broaden the commodity description in (1) lead certificate, from agricultural commodities to "farm products," from feed to "food and related products," canned foods and cereals, fresh fruits and vegetables, frozen processed fruits and vegetables, butter, pickles, cucumbers, dill vinegar, malt syrup, sugar phosphate, glue, meat, eggs, dressed poultry, rice, dried prunes and apricots, raisins, onion powder, flour, baby foods, and cheese, collectively, to "food and related products;" from cannery factory machinery to "machinery;" from salt to "chemicals and related products;" from labels, fibre boxes and fibreboard to "pulp, paper and related products;" from glass food containers, glass jars, glass containers, and tin cans to "containers;" from fertilizer to "chemicals and related products;" from commodities (other than fresh fruits and vegetables, and liquid commodities, in bulk, in tank vehicles), used in the manufacture of baby foods and commodities (except glass containers) used in connection with the packing, sale or distribution of canned baby foods to "such commodities as are used in the manufacture, sale or distribution of baby foods;" (2) in Sub-No. 33, from such baby supplies (except baby foods) as are sold or distributed by manufacturers of baby foods to "such commodities as are sold or distributed by manufacturers of baby foods;" (3) in Sub-No. 34, from fertilizer in bulk and salt in bulk, to "chemicals and related products, in bulk;" (4) in Sub-No. 35, from feed to "food and related products;" (5) in Sub-No. 37 from animal, fish, and poultry feed, insecticides, fungicides, and animal medicines to "food and related products and chemicals and related products;" (6) in Sub-No. 39, from baby foods and such baby supplies (except baby foods) as are sold or distributed by manufacturers of baby foods to "such commodities as are sold or distributed by manufacturers of baby foods;" (7) in Sub-No. 41, from infant foods, infant clothing, and infant supplies to "such commodities as are sold or distributed by manufacturers of baby foods;" (8) in Sub-No. 45, from salt to "chemicals and related products;" (9) in Sub-No. 52F, from antifreeze compounds and windshield washer solvent (except in bulk) to "chemicals and related products;" (10) in Sub-No. 53F, from containers, container closures, container components, glassware, and packaging producs, scrap materials (except commodities in bulk and those requiring special equipment) and materials, equipment and supplies used in the manufacture, sale, and distribution of the above-named commodities (except commodities in bulk in tank vehicles and those requiring special equipment) to "such commodities as are used in the manufacture, sale, and distribution of the above-named commodities (except commodities in bulk in tank vehicles and those requiring special equipment) to "such commodities as are used in the manufacture, sale or distribution of containers and packaging products and scrap materials;" (11) in Sub-No. 55F, 58F from glass containers and closures, and glass containers and related equipment, materials, and supplies, respectively, to "containers;" and (12) in Sub-No. 56F, from insulation and home improvement materials to "building materials"; (B) remove the "in containers" limitation from the commodity description, petroleum and petroleum products in the lead certificate, sheet 5; (C) remove the "in tank vehicles" restriction in food authorities in lead certificate; (D) remove the "except foodstuffs" limitation in the commodity description in Sub-Nos. 49 and 51F; (E) remove the "except frozen foods, fresh meats, and commodities in bulk" limitation from the commodity description in Sub-No. 60F; (F) remove "originating at, destined to" restrictions in Sub-Nos. 49, 51F, 53F, and 62F; (G) remove limitation against the transportation of traffic originating at a named facility at Florence, KY; (H) change one-way authority to authorize radial operations and substitute specific counties and in some instances, cities, for named plantsites or cities in the involved certificates; for example, in lead certificate, under "food and related products, sheet 2, between Newaygo County, MI, (Fremont, MI) and St. Louis County, MO (St. Louis, MO), Jefferson County, KY (Louisville, KY), Milwaukee County, WI (Milwaukee, WI) and points in IL, IN, and OH; between Newaygo County, MI (Fremont) and Allegheny County, PA (Pittsburg, PA), Monroe, Erie, and Chemung Counties, NY (Rochester, Buffalo, and Horseheads, NY); between Mason and Oceana Counties, MI (Scottville, Hart, Shelby and New Era, MI) and points in Ohio; sheet 3, between Newaygo, Berrien and Muskegon Counties, MI (Fremont, Muskegon, and Benton Harbor, MI) and Monroe County, NY (Rochester, NY); between Newaygo and Gratiot Counties, MI (Fremont, Grant, St. Louis, MI) and Erie County, NY (Buffalo, NY); between Newaygo, Oceana, Kalkaska, Isabella, Barry, Kent, Ionia and Eaton Counties, MI (Fremont, Hart, Kalkaska, Mount Pleasant, Haslings, Heat Carlisle, Dutton, and Mullikin, MI) and Milwaukee County, WI (Milwaukee, WI) and Chicago, IL; between Newaygo County, MI (Fremont, MI) and Onondaga County, NY (Syracuse, NY); between Montcalm County, MI (Trufant, Edmore, and Sixlakes, MI) and points in MI in and west of U.S. Hwy 131, and points in OH, sheet 5, between Newaygo County, MI (Fremont) and Kenton, Campbell, Henderson, Fayette, Graves, Daviess, and McCracken Counties, KY (Covington, Henderson, Lexington, Mayfield, Owensboro, and Paducah, KY) and points in WV; under "containers", sheet 4 and 5, between Jay, Madison, Randolph and Delaware Counties, IN (Dunkirk, Elwood, Muncie and Winchester, IN), Franklin and Hamilton Counties, OH (Cincinnati and Norwood, OH), Fayette County, PA (Connellsville, PA), Erie County, NY (Lancaster, NY), and Cabell County, WV (Huntingtan, WV) and Newaygo County, MI (Fremont, MI); Sub-No. 33, between Newaygo County, MI (Fremont, MI) and Jefferson, Kenton, Henderson, Fayette,

Graves, Daviess, and McCracken County, KY (Louisville, Covington, Henderson, Lexington, Mayfield, Owensboro and Paducah, KY), Milwaukee County, WI (Milwaukee, WI), Allegheny County, PA, (Pittsburg, PA) and Monroe, Erie, and Chemung Counties, NY (Rochester, Buffalo, Horseheads, NY) and points in IN, IL, OH, and WV; Sub-No. 45, between Manistee County, MI (plantsite at Manistee, MI) and points in OH and KY; and Sub-No. 63, between Newaygo County, MI (plantsite at Fremont, MI) and Buncombe County, NC (plantsites at Asheville, Arden, and Skyland, NC) and Sebastian County, AR (plantsite at Fort Smith, AR).

MC 114939 (Sub-60)X, filed March 30, 1981. Applicant: NORCROS INDUSTRIES LIMITED, d.b.a. THE BULK CARRIERS COMPANY, Box 10—Cooksville Post Office, Mississauga, Ontario, Canada L5A 2W7. Representative: Robert D. Schuler, 100 West Long lake Rd., Ste. 102, Bloomfield Hills, MI 48013. Applicant seeks to remove restrictions in Sub-Nos. 25, 30, 40, 42, 43, 55F and 56F certificates to (1) broaden the commodity descriptions from dry bulk commodities, liquid chemicals, bulk commodities, fertilizer and fertilizer materials, anhydrous aluminum chloride, dry, nepheline syenite, dry, petroleum naphtha and liquid cleaning compounds, and hydrofluoric acid, in bulk to "commodities in bulk" in each certificate; (2) remove the restrictions "except cement, in dump, hopper, or tank vehicles" in Sub-No. 25, and "in tank vehicles" in Sub-Nos. 42 and 55F; (3) remove specific ports of entry at Detroit, Port Huron, and Sault Ste. Marie, MI in Sub-Nos. 25 and 30; and St. Clair and Detroit Rivers in MI, and Niagara and St. Lawrence Rivers in NY in Sub-Nos. 40, 42, and 43; and authorize radial service between (a) ports of entry on the international boundary line between the U.S.and CN located in MI, and, points in MI in Sub-Nos. 25 and 30; (b) ports of entry on the international boundary line between the U.S. and CN located in MI, and, points in IN and OH in Sub-No. 40; (c) ports of entry on the international boundary line between the U.S. and CN located in MI and NY, and points in AL, FL, LA, MD, MS, OH, TX, and WV in Sub-No. 42; (d) ports of entry on the international boundary line between the U.S. and CN located in MI and NY, and, points in AR, GA, IL, IN, IA, KS, KY, MN, MO, NE, NJ, NY, OK, OH, PA, TN, and WI (with certain exceptions) in Sub-No. 43; (e) ports of entry on the international boundary line between the U.S. and CN and those points in the U.S. in and east of ND, SD, NE, CO, OK and TX in Sub-No. 55F; and (f) ports of entry on the international boundary line between the U.S. and CN and points in the U.S. in Sub-No. 56; and (4) remove the restrictions "AK and HI" in Sub-No. 56F; "orginating at points in Ontario, CN" in Sub-No. 40, 42, and 43; and "originating in or destined to CN" in Sub-No. 30.

MC 115651 (Sub-99)X, filed March 31, 1981. Applicant: KANEY TRANSPORTATION, INC., 7222 Cunningham Road, Rockford, IL 61102. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St. N.W., Washington, D.C. 20001. Applicant seeks to remove restrictions in its Sub-No. 31 certificate, to (1) broaden the commodity description from paint and paint materials, in bulk, to "commodities in bulk"; (2) broaden the territorial description from facilities at or near Chicago to Chicago, IL, and authorize radial operations in place of one way service between Chicago, IL, and points in IN, IA, KS, MI, MN, MO, OH, and WI; and (3) remove the "originating at" and "in tank vehicles" restrictions.

MC 116133 (Sub-19)X, filed March 31, 1981. Applicant: POLLARD DELIVERY SERVICE, INC., Washington National Airport, Washington, DC 20001. Representative: Peter A. Greene, 1920 N Street, NW., Washington, DC 20036. Applicant seeks to remove restrictions in the lead and Sub-Nos. 1, 2, 3, 4, 5, 12, 14, certificates to (1) broaden the commodity descriptions from (a) general commodities (with exceptions) to "general commodities (except classes A and B explosives) " in the lead and Sub-Nos. 1, 2, 4, 5, and to "general commodities" in Sub-No. 14 which authorizes the transportation of explosives or dangerous commodities; (b) canned goods to "food and related products" in Sub-No. 3; (c) hand power tools and replacement parts and component parts of hand power tools to "metal products and machinery" in Sub-No. 12; (2) delete the restriction to the transportation of traffic having an immediately prior or subsequent movement by air in the lead and Sub-Nos. 1, 2, 4, 5, 12 and 14; (3) broaden authority to serve named airports with authority to serve the city: Baltimore, MD for Friendship International Airport or Baltimore Washington International Airport in the lead and Sub-Nos. 4 and 5; Washington, D.C. for Washington National Airport or Dulles International Airport in the lead and Sub-Nos. 1, 2, and 5; Philadelphia, PA for Philadelphia International Airport in Sub-Nos. 4 and 14; New York, NY for Kennedy International Airport or La Guardia Airport in Sub-Nos. 4, 12 and 14, Newark, NJ for Newark Airport (or Newark International Airport), in Sub-Nos. 4 and 14; (4) broaden authority to serve the city with authority to serve the county: Harford County, MD for Aberdeen, Belcamp and Edgewood, MD in Sub-No. 2; Kent and New Castle Counties, DE for Houston, Glassgow, Wyoming, Smyrna, Dover and Camden, DE in Sub-No. 3; Harford and Cecil Counties, MD for Perryville and Aberdeen, MD in Sub-No. 3; Carroll County, MD for Hampstead, MD in Sub-No. 12; Harford County MD for Aberdeen and Havre de Grace, MD in Sub-No. 14; and (5) authorize radial service in lieu of existing one-way authority between named points in MD and DC in Sub-No. 3 and between named points in MD and NY, in Sub-No. 12.

MC 119176 (Sub-35)X, filed March 27, 1981. Applicant: THE SQUAW TRANSIT COMPANY, P.O. Box 9368, Tulsa, OK 74107. Representative: Clayte Binion, 1108 Continental Life Building, Fort Worth, TX 76102. Applicants seeks to remove restrictions in its Sub 32F, to broaden the commodity description from earth drilling machinery and equipment, and machinery, equipment, materials, supplies and pipe in part (2) to "machinery and metal products".

MC 120364 (Sub-35)X, filed March 26, 1981. Applicant: A & B FREIGHT LINE, INC., 4805 Sandy Hollow Road, Rockford, IL 61109. Representative: James A. Spiegel, Olde Towne Office Park, 6425 Odana Road, Madison, WI 53719. Applicant seeks to remove restrictions in its Sub-Nos. 25 and 26 certificate to (1) broaden the commodity description from general commodities (with exceptions) to "general commodities (except classes A and B exlosives)", (2) remove the "in bulk" restrictions and (3) expand the territorial description from city-wide to county-wide authority: Freeport and Rockford, IL to Stephenson and Winnebago Counties, IL, in Sub-No. 26F.

MC 121805 (Sub-15)X, filed March 19, 1981. Applicant: ARKANSAS EXPRESS, INC., 1200 Arkansas Ave., North Little Rock, AR 72114. Representative: James M. Duckett, 411 Pyramid Life Building, Little Rock, AR 72201. Applicant seeks to remove restrictions in its Sub-Nos. 9F, 10F and 11F certificates to: (1) remove the usual exceptions, other than classes A and B explosives, from its general commodity authority in Sub-Nos. 9F, 10F and 11F; (2) remove the restrictions (a) against service to and from Calico Rock, AR, in paragraph (5), Sub-No. 9F; (b) on

service within the Fort Smith commercial zone limited to points within Arkansas and against service to intermediate points on Interstate Highway 40 between Morrilton and Fort Smith, pursuant to the Commission's superhighway rules in paragraph (1), Sub-No. 10F; and (c) against service to Brinkley, AR and serving no intermediate points on Interstate Hwy 40 in paragraph 1, against service to Hot Springs, AR, in paragraph 18, and against the handling of shipments moving (a) between Memphis, TN, and Pine Bluff, AR, and its commercial zone; (b) between Memphis, TN, and Pine Bluff, AR, and (c) between Memphis, TN and Forest City, AR in paragraph 19 of Sub-No. 11F; (3) authorize service to all intermediate points (a) between Fort Smith, AR and Harrison, AR, in paragraph 9 of Sub-No. 10F; and (b) between Little Rock and Helena, AR in paragraph 1 and between Pine Bluff and Malvern, AR, in paragraph 17 of Sub-No. 11F.

MC 123993 (Sub-95)X, filed March 31, 1981. Applicant: FOGELMAN TRUCK LINE, INC., P.O. Box 1504, Crowley, LA. 70526. Representative: Austin L. Hatchell, P.O. Box 2165, Austin, TX. 78768. Applicants seeks to remove restrictions in its Sub-No. 88F certificate to (1) remove the restriction against the transportation of household goods in its general commodity authority, and (2) remove the restriction against the transportation of traffic to or from AK and HI in its nationwide authority between the facilities of a named shipper.

MC 127303 (Sub-88)X, filed March 13, 1981. Applicant: ZELLMER TRUCK LINES, INC., P.O. Box 343, Granville, IL 61326. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street NW., Washington, DC 20001. Applicant seeks to remove restrictions in its lead certificate and Sub-Nos. 18, 19, 23, 26, 29, 32, 37, 39, 40, 47, 50, 53, 56, 67, 71, 74, 78, 79, and 82 certificates to (1) broaden the commodity descriptions fo (a) "food and related products" from malt beverages, inedible grease and tallow, animal feed, foodstuffs, non-alcoholic beverages, carbonated beverages, and beverages, in Paragraphs 3–5, 15, 16, and 19 of its lead certificate and Subs 23, 26, 29, 32, 37, 39, 40, 47, 50, 56, 67, 71, 74, 78, 79, and 82; (b) "machinery and transportation equipment" from storage cribs, mechanical loaders, and truck hoists, in Paragraph 10 of the lead certificate; (c) "machinery" from farm implements in Paragraphs 11 and 12 of the lead certificate; (d) "clay, concrete, glass or stone products; and pulp, paper and related products" from glass containers and empty corrogated boxes in Paragraph 17 of the lead certificate; (e) "clay, concrete, glass or stone products; pulp, paper and related products; and metal products" from glass containers, closures for glass containers, and fiberboard boxes, in Paragraph 18 of the lead certificate; (f) "food and related products; clay, concrete, glass or stone products; and metal products" from malt beverages, empty containers, and brewery supplies in Sub-No. 18; (g) "food and related products; and chemicals and related products" from canned goods and soap in Sub-No. 19; and (h) "food and related products; ores and minerals; and machinery" from feed, feed ingredients, minerals, premixes, animal health products, livestock feeders, and livestock equipment in Sub 53; (2) replace authority to serve named points or plant sites with authority to serve the county or city: (a) Minneapolis-St. Paul, MN for a facility at Minneapolis, and Kenosha County, WI for Kenosha, WI, in Paragraph 3 of the lead certificate; (b) Omaha, NE, for a facility at Omaha, in Paragraph 4; (c) Minneapolis-St. Paul, MN for a facility at Minneapolis in Paragraph 5; (d) La Salle County, IL, for Streator, IL, in Paragraph 10; (e) Jasper and Jones Counties, IA, for Newton and Monticello, IA, in Paragraph 11; (f) Black Hawk County, IA, for Waterloo, IA, in Paragraph 12; (g) Mason County, IL, for Mason City, IL, in Paragraph 15; (h) La Salle, Livingston, McLean, Macon, Piatt, St. Clair, Sangamon and Vermilion Counties, IL, for Belleville, Decatur, Springfield, Danville, Galesville, Bloomington, and Streator, IL, in Paragraph 16; (i) Grant County, IN, for Gas City, IN, and Cook County, IL, for Argo, IL, in Paragraph 17; (j) La Salle, IL, for Seneca, IL, in Paragraph 18; (k) Johnson and Muscatine Counties for plant sites at Iowa City and Muscatine, IA, in Paragraph 19; (l) Des Moines, IA, for a plant site at Des Moines, IA, in Sub 19; (m) La Crosse and Sheboygan Counties, WI for La Crosse and Sheboygan, WI, and Freeborn, Mower, Steele, and Olmsted Counties, MN, for Albert Lee, Austin, Owatonna, and Rochester, MN, in Sub 23; (n) Pottawattamie County, IA for Council Bluffs, IA, in Sub 26; (o) McCrackken County, KY for Paducah, KY, in Sub 29; (p) Houston County, GA for Pabst, GA, in Sub 39; (q) Coles County, IL, for a plant site at Mattoon, IL, in Sub-No. 40; (r) Milwaukee, WI, for a plant site at Milwaukee, WI, in Sub 47; (s) Columbus, OH and Reno County, KS, for plant sites at Columbus, OH and Hutchinson, KS, in Sub-No. 50; (t) Ogle County, IL, for a plant site at Rochelle, IL, in Sub-No. 56; (u) St. Clair County, IL and Ray County, MO for Belleville, IL and Richmond, MO, in Sub-No. 71; (v) Johnson County, KS, for Lenexa, KS, in Sub-No. 78; (w) La Crosse County, WI, for La Crosse, WI, in Sub-No. 79; and (x) Allen County, IN and Pottawattamie County, IA, for Fort Wayne, IN and Council Bluffs, IA, in Sub-No. 82; (3) broaden the territorial description from one-way authority to radial authority between: (a) Minneapolis-St. Paul, MN and Kenosha County, WI, in Paragraph 3 of the lead certificate; (b) Omaha, NE and IL, IN, and the lower peninsula of MI, in Paragraph 4; (c) Minneapolis-St. Paul, MN, and points in the lower peninsula of Michigan, in Paragraph 5; (d) La Salle County, IL, and points in Sixteen States, in Paragraph 10; (e) Jasper and Jones Counties, IA and points in the part of Illinois on and north of U.S. Highway 36, in Paragraph 11; (f) Black Hawk County, IA, and points in that part of Illinois on and north of U.S. Highway 36 (except six specified counties), in Paragraph 12; (g) Mason County, IL, and points in IN, MO, and IA, in Paragraph 15; (h) eight Illinois counties and Hammond, IN, St. Louis, MO, and Cincinnati, OH, in Paragraph 16; (i) Grant County, IN, and Chicago, IL, in Paragraph 17; (j) La Salle County, IL, and points in IA, MN, NE, SD, WI, and MO; (k) Johnson and Muscatine Counties, IA, and points in Illinois and points in that part of Missouri on and east of U.S. Highway 63, in Paragraph 19; (l) Minnepolis-St. Paul, MN, and MO and IL, in Sub-No. 18; (m) Des Moines, IA and points in ND, SD, WI, IL, IN, MI, OH, and MO, in Sub-No. 19; (n) Sheboygan County, WI and Freeborn, Mower, Steele, and Olmsted Counties, MN; La Crosse County, WI and Freeborn, Mower, Steele, and Olmsted Counties, MN and North Mankato, MN; and Minneapolis-St. Paul, MN, and points in Nebraska and those in that part of Iowa on and west of U.S. Highway 65, in Sub-No. 23; (o) Milwaukee, WI and Peoria, IL and Omaha, NE and Pottawattamie County, IA, in Sub-No. 26; (p) Minneapolis-St. Paul, MN and McCracken County, KY, in Sub-No. 29; (q) Minneapolis-St. Paul, MN and Kansas City, KS, in Sub-No. 32; (r) Milwaukee, WI and points in NE and MO, in Sub-No. 37; (s) Houston County, GA and points in OH, IL, IN, and MI, in Sub-No. 39; (t) Milwaukee, WI and points in fifteen States in the lower peninsula of Michigan, in Sub-No. 47; (u) Columbus, OH and Reno County, KS and points in the U.S., in Sub-No. 50; (v) Cedar Rapids, IA and points in MO, MN, and WI, in Sub-No. 53; (w) Ogle County, IL and points in IN, MN, and WI, in Sub-

No. 56; (x) Omaha, NE and Granite City, IL and points in MN, WI, ND, and SD, in Sub-No. 67; (y) St. Clair County and Peoria, IL and Evansville, IN, on the one hand, and, on the other, Ray County and Independence, MO, in Sub-No. 71; (z) Peoria, IL and points in NE and MO, in Sub-No. 74; (aa) Johnson County, KS and points in IA, IL, MO, ND, SD, and WI, in Sub-No. 78; and (bb) La Crosse County, WI and Chicago, IL, in Sub-No. 79; and (4) remove the restrictions: (a) requiring transportation to be performed in bulk, in tank vehicles, in Paragraphs 15 and 16 of the lead certificate; (b) prohibiting transportation in bulk, in Paragraph 19 of the lead certificate, and Sub-Nos. 19, 29, 40, 50, 53, and 79; (c) prohibiting transportation in tank vehicles, in Sub-No. 79; (d) limiting transportation to traffic originating at named origins (Sub-Nos. 50 and 56) or transportation of traffic originating at the named origins and destined to the indicated destinations in Paragraph 19 of the lead certificate, and Sub-Nos. 26, 37, 40, and 47; (e) prohibiting serving AK and HI, in Sub-No. 50; and (f) requiring that transportation of fibreboard boxes and closures for glass containers take place in mixed loads with glass containers, in paragraph 18 of the lead certificate.

MC 127804 (Sub-12)X, filed March 20, 1981. Applicant: WILLIAM R. WEINRICH, d.b.a. WEINRICH TRUCK LINES, P.O. Box 1037, Hinton, IA 51024. Representative: William L. Fairbank, 2400 Financial Center, Des Moines, IA 50309. Applicant seeks to remove restrictions in Sub-Nos. 1, 3, 5, 6, 7, 9F and 11F certificates to (1) broaden the commodity descriptions as follows: from fertilizer and fertilizer materials to "chemicals and related products" in Sub-No. 3; from soybean meal, soybean mill run and soybean hulls to "food and related products" in Sub-Nos. 5 and 6; from irrigation systems and pipe to "machinery and metal products" in Sub-No. 7; from urea to "chemicals and related products" in Sub-No. 9F and from bentonite clay to "clay, concrete, glass or stone products" in Sub-No. 11F; (2) to broaden the territorial scope of each certificate by replacing authority to serve named plantsite or cities with county-wide authority and change one-way authority to radial authority, as follows: between Woodbury County, IA (named facilities) and CO, IL, IN, IA, KS, MN, MO, MT, NE, ND, SD, WI, and WY in Sub-No. 1; between Plymouth County, IA (Merrill, IA) and CO, IL, IN, IA, KS, MN, MO, MT, NE, ND, SD, WI, and WY in Sub-No. 3; between Woodbury County, IA (Sergeant Bluff, IA) and CO, KS, MN, MO, NE, ND, SD, and WY in Sub-No. 5; between Woodbury County, IA, Dakota County, NE, and Union County, SD (Sioux City, IA) and CO, KS, MO, NE, and WY in Sub-No. 6; between Union County, SD (Elk Point, SD) and points in the U.S. in and east of ND, SD, NE, CO, and NM (except SD) in Sub-No. 7; between Woodbury County, IA (Sioux City, IA) and AZ, AR, CA, KY, LA, MI, MS, NV, NM, OH, OK, OR, TN, TX, UT, and WA in Sub-No. 9F; and between Butte County, SD, Crook, Weston, and Big Horn Counties, WY, and Phillips County, MT and IL, IN, IA, KS, MI, MN, MO, NE, and WI in Sub-No. 11F; and (3) delete the restrictive language limiting service to commodities which are dry, in bags and in bulk in Sub-No. 5.

MC 129467 (Sub-2)X, filed March 30, 1981. Applicant: B–N, INC., 705 North Topeka, P.O. Box 232, El Dorado, KS 67042. Representative: Randall E. Burnett (same address). Applicant seeks to remove restrictions in its lead and Sub-No. IF permit to (1) broaden the commodity description from industrial asphalt to "petroleum, natural gas and their products", (2) eliminate "in bulk, in tank vehicles" from the lead and (3) broaden the territorial description to between points in the United States, under contract(s) with named shippers.

MC 133897 (Sub-2)X, filed February 20, 1981, previously noticed in the Federal Register of March 11, 1981, republished as corrected this issue. Applicant: MILLVILLE TRUCKING COMPANY, INC., P.O. Box 181, Millville, NJ 08332. Representative: Theodore Polydoroff, Suite 301, 1307, Dolley Madison Blvd., McLean, VA 22101. Applicant seeks to remove restrictions from its lead and Sub-1 permits by (1) broadening the territorial description in each permit to read "between points in the United States", under contract(s) with a named shipper; (2) broadening the commodity description in each permit from industrial sand, gravel, and clay to "ores and minerals" (3) removing the facilities limitation at Millville, NJ; in Sub-1; and (4) removing the restriction against transportation to named facitlites at Falls Townships, Bucks County, PA, in Sub-1. The purpose of this republication is to correct the commodity description in part (2) from "clay, concrete, glass or stone products" to "ores and minerals".

MC 134262 (Sub-20)X, filed March 30, 1981. Applicant: FARMER FEED AND SUPPLY TRANSPORTATION, INC., P.O. Box 385, Boyden, IA 51234. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Applicant seeks to remove restrictions in its Sub-Nos. 2, 3, 13, 17F, and 19F permits to (1) broaden the commodity descriptions from (a) phosphate, cotton seed meal and cake to "ores and minerals" in Sub-No. 2; (b) silica sand, foundry sand to "clay, concrete, glass, or stone products" in Sub-No. 2; (c) salt, honeybee feed, honeybee feed ingredients to "food and related products" in Sub-No. 2; (d) salt, calcium chloride, fertilizer, fertilizer ingredients and feed ingredients to "chemicals and related products" in Sub-Nos. 3, 13, and 17; (e) lignin pitch to "pulp, paper, and related products" in Sub-No. 13; (2) delete the "in bulk, in tank vehicle" restriction in Sub-Nos. 2, 13, 17, and 19, and (3) authorize service between points in the U.S., under continuing contract(s) with named shippers in all reference authorities.

MC 134477 (Sub-443)X, filed March 30, 1981. 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. Applicant seeks to remove restrictions in its Sub-No. 411F certificate to (1) broaden the commodity decription from general commodities (except classes A and B explosives, commodities of unusual value, household goods as defined by the Commission and commodities in bulk) to "general commodities (except Classes A and B explosives)".

MC 135556 (Sub-11)X, filed March 30, 1981. Applicant: CARPENTER BROTHERS TRUCKING, INC., 3282 S.R. 98, Bucyrus, OH 44820. Representative: Gerald P. Wadkowski, 85 E. Gay St., Columbus, OH 43215. Applicant seeks to remove restrictions in its lead and Sub-Nos. 3, 6F, 7F, 9F and 10F permits to broaden the commodity description from dry ammonia nitrate, in bulk, in dump vehicles in its lead and Sub-No. 3 to "agricultural limestone and fertilizer, and soil conditioners,"; from animal feed in Sub-No. 3 to "animal feed and edible products and byproducts intended for animal consumption"; from cellulose insulation and scrap paper in Sub-No. 6F to "insulating material and pulp, paper and related products"; from soda ash in Sub-No. 7F to "chemicals and related products"; from glass tubing, lamps and packaging materials therefor in Sub–No. 9F, to "clay, concrete, glass or stone products and metal products"; and from plastic and rubber products and clay in Sub-No. 10 to "rubber and plastic products and clay, concrete, glass or stone products"; and broaden the territorial description to between points in the U.S., under contract(s) with named shippers in its lead and Sub-Nos. 3, 6F, 7F, and 9F.

MC 136012 (Sub-10)X, filed March 30, 1981. Applicant: UNITED STATES

TRANSPORTATION, INC., 4963 Provident Dr., Cincinnati, OH 45246. Representative: Michael Spurlock, 275 E. State St., Columbus, OH 43215. Applicant seeks to remove restrictions in its lead and Sub-No. 2 and 4F certificates to (1) broaden the commodity description from liquid fertilizer, in bulk, in tank vehicles, in its lead, liquid brewery yeast, to be used for non-human consumption, in bulk, in tank vehicles, in Sub-No. 2, and sugar and corn products, in bulk, in tank vehicles, in Sub-No. 4F, to "commodities in bulk"; (2) replace Midland, OH, with Clinton County, OH, in its lead; (3) remove the facilities limitation at Cincinnati, OH, in Sub-No. 4F; (4) remove and originating at or destined to restriction in Sub-No. 4F; and (5) replace one-way with radial authority between (a) Clinton County, OH, and KY and IN in its lead, (b) Detroit, MI, and Cincinnati, OH, in Sub-No. 2, and (c) Cincinnati, OH, and AR, IL, IN, IA, KS, KY, LA, MD, MS, MO, NY, PA, TN, VA, WV, and WI, in Sub-No. 4F.

MC 136161 (Sub-37)X, filed March 18, 1981, previously noticed in the **Federal Register** of March 31, 1981, republished as corrected this issue. Applicant: ORBIT TRANSPORT, INC., P.O. Box 163, Spring Valley, IL 61362. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, DC 20001. Applicant seeks to remove restrictions in its Sub-No. 19F certificate to (a) broaden the commodity description from chemicals, chemical compounds, antifreeze, plastics and plastic products in part (1) of the certificate to "chemicals and related products and rubber and plastic products"; (b) remove the restriction against the transportation of commodities in bulk; (c) remove the facilities limitation and expand city-wide to county-wide authorization as follows: Mankato, MN, to Blue Earth County, MN; Newark, OH, to Licking County, OH; Clinton, MA, to Worchester County, MA; Morris and Mapleton, IL, to Grundy and Peoria Counties, IL; and city-wide to Chicago, IL; (d) remove the limitations against service to AK and HI. The purpose of this republication is to remove the facilities limitation at Chicago in part (1)(c), which was omitted in the original FR publication.

MC 136774 (Sub-19)X, filed March 25, 1981. Applicant: MC-MOR-HAN TRUCKING CO., INC., P.O. Box 368, Shullsburg, WI 53586. Representative: Carl L. Steiner, 39 South La Salle Street, Chicago, IL 60603. Applicant seeks to remove restrictions in its MC 143029 Sub-Nos. 1, 2F, 3F, and 5F permits to (1) broaden the commodity descriptions from ore and ore concentrates, mine rock, mine tailings and mining supplies (in bulk, in dump vehicles) to "ores and minerals", in Sub-No. 1, from liquid sugar, liquid corn syrup, canned non-alcoholic beverages, metal cans, and cardboard containers to "food and related products", (2) remove the "in bulk" restrictions in Sub-Nos. 2F and 3F and (3) broaden the territorial description to between points in the U.S. under continuing contract(s) with named shippers, in Sub-Nos. 1, 2F and 3F.

MC 138910 (Sub-3)X, filed March 25, 1981. Applicant: GLOWATSKY PIGGYBACK SERVICE, INC., 524 Basin Street, P.O. Box 537, Allentown, PA 18105. Representative: Richard A. Carr, 3015 Lindberg Avenue, Allentown, PA 18103. Applicant seeks to remove restrictions in its lead and Sub-No. 2 certificates to (1) broaden the commodity description to "general commodities (except classes A and B explosives)" from general commodities (with exceptions), and (2) eliminate the restriction limiting service to traffic having a prior or subsequent movement by rail.

MC 140656 (Sub-7)X, filed March 31, 1981. Applicant: TROCHU TRUCKING SERVICES, LTD., Box 8, Station T, Calgary, Alberta, Canada T2H 2G7. Representative: Charles E. Johnson, P.O. Box 2578, Bismarck, ND 58502. Applicant seeks to remove restrictions in its Sub-No. 4F certificate to broaden the territorial description by (1) replacing one-way with radial authority between ports of entry on the International Boundary line between the U.S. and Canada in WA, ID, MT, and ND, and those points in the U.S. in and west of MN, IA, MO, AR, and LA, and (2) removing the exception of AK and HI.

MC 141391 (Sub-3)X, filed March 27, 1981. Applicant: V & J REFRIGERATED SERVICE, INC., 2205 Pacific Highway E., Tacoma, WA 98424. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave., Portland, OR 97210. Applicant seeks to remove restrictions in its lead and Sub-Nos. 1 and 2 certificates to (1) broaden the commodity descriptions from alcoholic beverages in its lead, non-alcoholic beverages and distilled spirits in its Sub-No. 1 and dairy products and materials and supplies used in the production and distribution of dairy products to "food and related products"; (2) remove except wine, in bulk, in tank vehicles from its lead and except in bulk, in tank vehicles from its Sub-No. 1; (3) substitute Ada County, ID, for Boise, ID, in its Sub-No. 1; and (4) replace one-way with radial authority (a) between CA and King, Pierce, and Snohomish Counties, WA, in the lead, and (b) between CA and Seattle, WA, Portland, OR, and Ada County, ID, in its Sub-No. 1.

MC 142182 (Sub-2)X, filed March 27, 1981. Applicant: B & S TRUCKING, INC., P.O. Box 151, Eureka, MO 63025. Representative: Joseph E. Rebman, 314 North Broadway, 13th Floor, St. Louis, MO 63102. Applicant seeks to remove restrictions from its Sub-No. 1 permit to (1) broaden the commodity description from household appliances, television sets, radios, stereos and stereo speakers, tape recorders, calculators, disposals, floor coverings and citizen band radios to "furniture and fixtures, appliances, kitchen equipment, and instruments and photographic goods," and (2) broaden the territorial description to "between points in the United States under continuing contract(s) with a named shipper."

MC 143683 (Sub-2)X, filed March 30, 1981. Applicant: AMERICAN CONTRACT EXPRESS, INC., P.O. Box 425, Childersburg, AL 35044. Representative: Terry P. Wilson, 428 South Lawrence St., Montgomery, AL 36104. Applicant seeks to remove restrictions in its lead and Sub-No. 1 permits to (1) broaden the commodity description from textile, textile products, and equipment, materials, and supplies used in the operation of textile mills (except commodities in bulk and in tank vehicles) to "textile mill products", in the lead and from paper and paper products, and equipment, materials, and supplies used in the operation of paper mills (except commodities in bulk and in tank vehicles) to "pulp, paper and related products" and (2) broaden the territorial description to between points in the U.S. under continuing contract(s) with named shippers.

MC 143708 (Sub-7)X, filed March 27, 1981. Applicant: DUNES TRANSPORT, INC., 3965 North Meridian Street, Indianapolis, IN 46208. Representative: Robert B. Hebert, 777 Chamber of Commerce Building, 320 North Meridian Street, Indianapolis, IN 46204. Applicant seeks to remove restrictions from its Sub-No. 5F certificate to (1) broaden the commodity description from flour to "food and related products", (2) to eliminate the commodity restriction of "in bulk", and (3) to replace city-wide service with county-wide authority: Chickasaw County for New Hampton, IA and Wicomico County for Salisbury, MD.

MC 144935 (Sub-3)X, filed March 31, 1981. Applicant: C & C TRUCKING, INC., Rural Route 9, Box 22A, Statesville, NC 28677. Representative: Theodore Polydoroff, Suite 301, 1307

Dolley Madison Blvd., McLean, VA 22101. Applicant seeks to remove restrictions in its lead and Sub-Nos. 1F and 2F permits to (1) broaden the commodity description in the lead from new furniture, and in Sub-No. 2F from upholstered chairs, uncrated, to "furniture and fixtures"; and in Sub-No. 1F, from fertilizer and fertilizer materials to "chemicals and allied products" and (2) broaden the territorial scope in those authorities by replacing one-way with radial authority to serve between points in the U.S., under continuing contract(s) with named shippers.

MC 144956 (Sub-6)X, filed March 27, 1981. Applicant: TRANS-MUTUAL TRUCK LINES, LTD., 4427A 72nd Avenue SE., Calgary, Alberta, Canada T2C 2C1. Representative: Grant J. Merritt, 4444 IDS Center, 80 South Eighth Street, Minneapolis, MN 55402. Applicant seeks to remove restrictions in its Sub-Nos. 1F, 3F and 5F certificates to (1) broaden the commodity descriptions from (a) lumber and lumbermill products to "lumber and wood products" in Sub-Nos. 1 and 5; (b) bentonite, drilling mud, and additives (except in bulk) to "ores and minerals, and clay, concrete, glass, or stone products" in Sub-No. 3; (2) delete the ports of entry located on the International Boundary line located (a) on and west of MN Hwy 313 (Sub-No. 1); (b) Sweetgrass, MT (Sub-No. 3) in order to authorize expanded ports of entry authority located in MN, MT, ND, ID and WA in Sub-No. 1; all ports of entry in MT in Sub-No. 3; (3) authorize radial service in place of existing one-way authority between the ports of entry on the international boundary line between the U.S. and CN and points in numerous western and mid-western states in the above Sub-Nos.; and (4) authorize county-wide authority for city-wide authority: Yellowstone County for Billings, MT, in Sub-No. 3.

MC 145070 (Sub-7)X, filed March 20, 1981. Applicant: PROGRESSIVE PRODUCE CO., d.b.a. PATHFINDER TRUCKING, 1206 E. 6th St., Los Angeles, CA 90021. Representative: Milton W. Flack, 8383 Wilshire Blvd., Suite 900, Beverly Hills, CA 90211. Applicant seeks to remove restrictions in its Sub-Nos. 3F, 5F, and 6F certificates to (1) broaden the commodity description from bananas and agricultural commodities exempt from regulation under title 49, section 10526(a)(6) of the U.S. Code when transported in mixed loads with bananas in Sub-No. 3F and from seafood, frozen vegetables, smoked and pickled fish, dairy products, poultry, commissary supplies, and bakery products in Sub-No. 5F to "food and related products", from textile and plastic bags, and packaging material to "textile mill products, rubber and plastic products, and pulp, paper and related products" in Sub-No. 6F; (2) broaden the territorial description by replacing authority to serve named plantsites with county-wide authority and authorize radial service in place of existing one-way authority: in Sub-No. 3F, between Ventura (Port Hueneme) County, CA, and AZ, ID, OR, UT, and WA; in Sub-No. 5F, between Los Angeles County (Los Angeles), CA, and ports of entry on the international boundary line between the United States and Canada in WA; in Sub-No. 6F, between Los Angeles County (Los Angeles), CA, and AZ, OR, NV, UT, and WA; (3) delete the restriction requiring traffic to have a prior movement by water in Sub-No. 3F; and (4) delete the restriction which requires transportation in vehicles equipped with mechanical refrigeration in Sub-No. 5F.

MC 145454 (Sub-17)X, filed March 30, 1981. Applicant: SOUTHERN REFRIGERATED TRANSPORTATION COMPANY, INC., 7336 West-15th Avenue, Gary, Indiana 46406. Representative: Anthony E. Young, 29 South LaSalle Street, Suite 350, Chicago, IL 60603. Applicant seeks to remove restrictions in MC-11972 Sub-No. 61 authority acquired in MC-F-13676 to (1) broaden the commodity description from meat, meat products, meat by-products and packing house products (except hides and commodities in bulk) to "food and related products"; (2) expand the base points of operation from St. Louis, MO, East St. Louis and National Stockyard, IL to St. Louis, MO and St. Clair County, IL; (3) delete the exception of hides and commodities in bulk; (4) authorize radial authority between St. Louis, MO and St. Clair County, IL on the hand, and, on the other, points, AL, FL, GA, MS, NC, SC, and TN; and (5) delete the restriction of traffic originating named facilities.

MC 145559 (Sub-9)X, filed March 27, 1981. Applicant: NORTH ALABAMA TRANSPORTATION, INC., Post Office Box 38, Ider, AL 35981. Representative: William P. Jackson, Jr., Post Office Box 1240, Arlington, VA 22210. Applicant seeks to remove restrictions in its Sub-No. 6F certificate to (1) broaden the commodity description to "food and related products" from frozen vegetable, and (2) change one-way to radial authority between points in WA, OR, and ID, and, points in TX, LA, AR, MS, AL, TN, GA, FL and SC.

MC 146573 (Sub-17)X, filed March 27, 1981. Applicant: LA SALLE TRUCKING, INC., P.O. Box 46, Peru, IL 61354. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, NW., Washington, DC 20001. Applicant seeks to remove restrictions in its Sub-No. 10F certificate (1) to remove the restriction against the transportation of "commodities in bulk in tank vehicle," (2) broaden the territorial description by (a) eliminating the "except AK and HI" restriction, and (b) replacing the plantsite restriction at Des Plaines, IL, with Chicago, IL.

MC 147313 (Sub-1)X, filed February 20, 1981, previously noticed in the **Federal Register** of March 10, 1981, republished as corrected this issue. Applicant: JOHN PFROMMER, INC., P.O. Box 307, Douglassville, PA 19518. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101, (703) 893-2924. Applicant seeks to remove restrictions in its MC-118745 and Sub-Nos. 2, 3, 4, 6, 7, 8, 9, 11, 12, 16F, 22F, 23F, 26F, 27F, 28F and 29F permits to (1) change the commodity description (a) from lime and crushed stone in its lead, line and limestone and masonry and mortar cement in Sub-No. 2, trap rock in Sub-No. 6, sand and stone in Sub-No. 9, and overburden and crushed stone in Sub-No. 26F, to "ores and minerals", (b) from cement, in bulk, in Sub-No. 8 to "clay, concrete, glass or stone products," (c) from stone, lime, cement, sand in bags, mixtures of the foregoing, and mineral rock wool in Sub-No. 3, lime and limestone, and mixtures and products thereof in Sub-No. 4, lime, limestone, and limestone products in Sub-Nos. 11 and 16, lime and limestone products in Sub-No. 22F, and slag, sand, gravel, lime, limestone, and limestone products in Sub-No. 29F, to "ores and minerals" and "clay, concrete, glass or stone products"; (d) from scrap metal in Sub-Nos. 12 and 28F to "Waste or scrap materials not identified by industry producing"; and (e) from petroleum coke in Sub-Nos. 7, 23F, and 27F to "coal and coal products" and "petroleum, natural gas and their products"; (2) remove restrictions (a) requiring commodities to move in specfic types of equipment or in bulk in Sub-Nos. 3, 8, 12, 16, 23F, 26F and 28F, (b) against the transportation of sand and stone between points in NJ, and the transportation of cement, in bags in Sub-No. 3 and (c) against the transportation of lime and limestone in named NY counties, and (3) change the territorial description in the lead permit and in Sub-Nos. 2, 3, 4, 6, 7, 8, 9, 11, 12, 16F, 22F, 23F, 27F, 28F, and 29F to between points in the U.S. under contract(s) with named shippers. The purpose of this republication is to insert additional commodities in the present

Sub-No. 2 permit, to add the Sub-No. 8 as a permit from which a restriction is to be removed relating to equipment used, and to insert the lead permit as one in which the territorial description is to be expanded, all of which were omitted inadvertently in the original Federal Register publication.

MC 149015 (Sub-3)X, filed March 31, 1981. Applicant: UNLIMITED SERVICE PICK-UP AND DELIVERY, INC., 500 Richard Blvd., Sacramento, CA 95810. Representative: Robert Fuller, 13215 E. Penn Street, Suite 310, Sacramento, CA 90602. Applicant seeks to remove restrictions in its Sub-No. 2F certificate to (1) broaden the commodity description from general commodities (with exceptions) to "general commodities (except classes A and B explosives)", and (2) delete the restriction limiting service to traffic interchanged with authorized carriers at Sacramento and Stockton, CA.

MC 149313 (Sub-4)X, filed March 27, 1981. Applicant: BESTWAY CARTAGE, INC., Post Office Box 2157, Memphis, Tennessee 38101. Representative: Ronald N. Cobert, 1730 M Street, N.W., Suite 501, Washington, D.C. 20036. Applicants seeks to remove restrictions in its lead and Sub-Nos. 1 and 2 certificates to (1) remove all exceptions to general commodities except classes A and B explosives; (2) delete the ex-rail restriction in each certificate; and (3) replace city-wide authority with county-wide authority: in the lead, Houston with Brazoria, Chambers, Fort Bend, Harris, Montgomery and Waller Counties, TX; in Sub-No. 1, Memphis, TN with Crittenden County, AR, DeSoto County, MS, and Fayette, Shelby and Tipton Counties, TN; and in Sub-No. 2, part (1), Dallas with Collin, Dallas, Denton, Ellis, Kaufman, Rockwall, and Tarrant Counties, TX; and part (2), San Antonio with Atascosa, Bexar, Comal, Guadalupe, Medina and Wilson Counties, TX.

MC 149579 (Sub-1)X, filed March 25, 1981. Applicant: TRANSPORT SERVICE, INC., P.O. Box 4167, East Providence, RI 02914. Representative: Jeffrey A. Vogelman, Suite 400, Overlook Building, 6121 Lincolnia Road, Alexandria, VA 22312. Applicant seeks to remove restrictions in its MC-140379 Sub-Nos. 2, 3, 5F, 8F, and 9F permits to (1) broaden the territorial descriptions to between points in the U.S. under continuing contract(s) with named shippers in all Subs and (2) broaden the commodity description to "metal products" from band steel, wire rods, wire, steel ingots and billets and materials equipment and supplies used in the manufacture of the commodities above in Sub-No. 2, from hot rolled bands, rolled steel sheets and coils, black plate in coils, and wire and rod, and, cold rolled steel strip, band steel, flat wire, and straight and cut steel lengths in Sub-No. 3, and from brass articles, bronze articles and copper articles in Sub-No. 8.

MC 152138 (Sub-2)X, filed March 27, 1981. Applicant: D & J TRANSPORTATION SPECIALISTS, INC., Truckstop 7, 107 7th North Street, Liverpool, NY 13088. Representative: Michael R. Werner, P.O. Box 1409, 167 Fairfield Road, Fairfield, NJ 07006. Applicant seeks to remove a restriction in its Sub-No. 1F certificate to broaden the commodity description from waste and hazardous waste for destruction or disposal only, to "waste and hazardous waste".

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[Docket No. AB-52 (Sub-10)]

Atchison, Topeka & Santa Fe Railway Co.; Abandonment in Gray, Wheller, and Hemphill Counties, Tex., and Roger Mills and Custer Counties, Okla.; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903, that a decision was issued to the Commission, Review Board Number 1, on March 23, 1981, stating that public convenience and necessity permit the Atchison, Topeka and Santa Fe Railway (Santa Fe) Company to abandon 136.69 miles of railroad between Pampa, TX, and Clinton, OK. The abandonment is subject to employee protective conditions in *Oregon Short Line R. Co. Abandonment—Goshen*, 360 ICC 91 (1979).

A Certificate of Abandonment will be issued to Santa Fe within 15 days after publication of this notice, unless within 15 days of the publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance, in the form of a rail service continuation payment, to enable rail service involved to be continued. The offer must be filed with the Commission and served concurrently on applicant, with copies to Ms. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, DC 20423 no later than 10 days from publication of this notice; and

(2) It is likely that such proffered assistance would—

(a) cover the difference between revenues which are attributable to the line and the avoidable cost of providing rail service on the line, together with a reasonable return on the value of the line, or

(b) cover the acquisition costs of all or any portion of the line.

If the Commission so finds, the issuance of a Certificate of Abandonment will be postponed. An offeror may request the Commission to set conditions and amount of compensation within 30 days after offer is made. If no agreement is reached within 30 days of an offer and no request is made for the Commission to set conditions or amount of compensation, a Certificate of Abandonment will be issued no later than 15 days after notice is published. When the Commission is notified that an assistance or acquisition or operating agreement is executed, it will postpone the issuance of the certificate for a period of time the agreement (including any extensions of modifications) is in effect.

The information and procedures about financial assistance for continued rail service or acquisition of the involved rail line are contained in 49 U.S.C. 10905 as amended by the Staggers Rail Act of 1980 (Pub. L. 96-448, effective October 1, 1980). All interested persons are advised to follow the instructions contained in the statute as well as instructions contained in the Commission's decision in this proceeding.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-10704 Filed 4-9-81; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-52 (Sub-No. 13F)]

Atchison, Topeka & Santa Fe Railway Co.; Abandonment Near Fallbrook Junction and Fallbrook in San Diego County, Calif.; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a decision decided March 16, 1981, a finding, which is administratively final, was made by the Commission, Review Board Number 2, stating that, the public convenience and necessity permit the abandonment by the Atchison, Topeka and Santa Fe Railway Company of the portion of a line of railroad known as the Fallbrook Division, Los Angeles District in San Diego County, CA. The line proposed for abandonment lies between milepost 0.00 at Fallbrook Junction and milepost 16.54 at Fallbrook. The total distance of this segment is 16.54 miles. Abandonment is subject to the conditions for the protection of employees discussed in *Oregon Short Line R. Co.—Abandonment Goshen*, 360 I.C.C. 91 (1979). A certificate of abandonment will

be issued to the Atchison, Topeka and Santa Fe Railway Company based on the above-described finding, 30 days after publication of this notice, unless within 15 days from the date of publication, the Commission further finds:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued. The offer must be filed with the Commission and served concurrently on the applicant, with copies to Ms. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice; and

(2) It is likely that such proffered assistance would:

(a) cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) cover the acquisition cost of all of any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed. An offer may request the Commission to set conditions and amount of compensation within 30 days after an offer is made. If no agreement is reached within 30 days of an offer, and no request is made of the Commission to set conditions or amount of compensation, a certificate of abandonment will be issued no later than 50 days after notice is published. Upon notification to the Commission of the execution of an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in 49 U.S.C. 10905 (as amended by the Staggers Rail Act of 1980, Pub. L. 96–448, effective October 1, 1980). All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced decision.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-10700 Filed 4-9-81; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-1 (Sub-112F)]

Chicago & North Western Transportation Co.; Abandonment in Kane County, Ill.; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a Certificate and Decision decided April 1, 1981, a finding, which is administratively final, was made by the Commission, Review Board Number 3, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Oregon Short Line R. Co.—Abandonment Goshen*, 360 I.C.C. 91 (1979), the present and future public convenience and necessity permit the abandonment by the Chicago and North Western Transportation Company of a line of railroad known as the Geneva-St. Charles line (St. Charles spur) extending from railroad milepost 36.5 near Geneva to railroad milepost 37.8 near St. Charles, a distance of 1.3 miles in Kane County, IL. A certificate of public convenience and necessity permitting abandonment was issued to the Chicago and North Western Transportation Company. Since no investigation was instituted, the requirement of § 1121.38(b) of the Regulations that publication of notice of abandonment decisions in the **Federal Register** be made only after such a decision becomes administratively final was waived.

Upon receipt by the carrier of an actual offer of financial assistance, the carrier shall make available to the offer or the records, accounts, appraisals, working papers, and other documents used in preparing Exhibit I (Section 1121.45 of the Regulations). Such documents shall be made available during regular business hours at a time and place mutually agreeable to the parties.

The offer must be filed with the Commission and served concurrently on C&NW, with copies to Ms. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice. The offer, as filed, shall contain information required pursuant to § 1121.38(b)(2) and (3) of the Regulations. If no such offer is received, the certificate of public convenience and necessity authorizing abandonment shall become effective 30 days from the service date of the certificate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-10701 Filed 4-9-81; 8:45 am]

BILLING CODE 1035-01-M

[Finance Docket Nos. 29431, 29432, and 29433]

Idaho Western Railway Company and Kyle Railways, Inc.; St. Maries River Railroad Co.; and Potlatch Corp.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Exemptions.

SUMMARY: In Finance Docket No. 29431, the Interstate Commerce Commission exempts from the requirements of 49 U.S.C. 11343–11347 a proposed management agreement whereby Idaho Western Railway Company (IWRC) and its parent, Kyle Railways, Inc. (Kyle), will manage the properties of St. Maries River Railroad Co. (St. Maries), which is a wholly-owned subsidiary of Potlatch Corporation (Potlatch). Approximately 71 miles of rail line, running between St. Maries and Bovill, ID and between St. Maries and Plummer, ID, are involved.

In Finance Docket No. 29432, the Commission exempts from the requirements of 49 U.S.C. 11301 the proposed issuance of 50,000 shares of stock by St. Maries to its parent, Potlatch.

In Finance Docket No. 29433, the Commission exempts from the requirements of 49 U.S.C. 11343 Potlatch's continued control of its subsidiary, St. Maries.

DATES: The exemptions will be effective 30 days from the date of publication in the **Federal Register.** Petitions for reconsideration of this action must be filed within 20 days after this publication.

ADDRESSES: Send pleadings to:
(1) Interstate Commerce Commission, Section of Finance, Room 5414, 12th & Constitution Ave. NW., Washington, D.C. 20423, and
(2) Fritz R. Kahn, Suite 1100, 1660 L Street NW., Washington, D.C. 20036.

FOR FURTHER INFORMATION CONTACT: Ellen D. Hanson, (202) 275–7245.

SUPPLEMENTARY INFORMATION: We have before us three related requests for exemption under 49 U.S.C. 10505. The first is by IWRC and Kyle, who seek to manage and operate St. Maries without obtaining prior Commission approval under 49 U.S.C. 11343.

The second is by St. Maries, asking that its issuance of 50,000 shares of common stock to its parent, Potlatch, be exempted from the requirements of 49 U.S.C. 11301.

Finally, St. Maries and Potlatch request that we exempt them from the requirement of obtaining prior approval under 49 U.S.C. 11343 for the continuing control of St. Maries by Potlatch.

The Proposals

Management and Operation. Potlatch and its subsidiary, St. Maries, acquired the 71 miles of rail line formerly operated by the bankrupt Chicago, Milwaukee, St. Paul and Pacific Railroad Co. (Milwaukee), between St. Maries and Bovill, ID and between St. Maries and Plummer, ID pursuant to an agreement dated May 1, 1980.

St. Maries is authorized to operate the lines pursuant to the Commission's Service Order No. 1472, dated May 22, 1980, as extended by Service Order No. 1474, dated June 11, 1980. It will file shortly for permanent authority as a rail common carrier.

IWRC is a newly-formed corporation organized to manage and operate the properties of St. Maries. It is a wholly-owned subsidiary of Kyle (a noncarrier corporation previously subjected to the Commission's reporting requirements), which owns or operates seven short-haul railroads operating in California, Oregon, Pennsylvania, Tennessee, and Washington.

Under a management agreement dated May 15, 1980, IWRC would manage and operate of the St. Maries rail properties, which connect at Bovill, ID with the Washington, Idaho, and Montana Railway Company and at Plummer, ID with the Union Pacific Railroad Company. The service to be rendered is substantially the same as that which was provided previously by the Milwaukee. IWRC intends to utilize former Milwaukee employees to the maximum extent possible in providing service. The agreement is for a 5-year term. However, after 1 year, either IWRC or St. Maries may cancel the operating agreement on 60 days' written notice. In consideration for its services, IWRC will receive a management fee of $8,667 per month and reimbursement for all out-of-pocket operating expenses. St. Maries will advance IWRC up to $50,000 to be used as initial working capital.

Stock Issuance. St. Maries, an Idaho corporation, is wholly-owned subsidiary of Potlatch. Its present capitalization consists of 50,000 shares of common stock (with a par value of $10) issued to its parent, Potlatch. Upon certification as a common carrier by railroad, it would require our authorization of this initial capitalization.

Control. Potlatch is a Delaware corporation with its principal offices located at San Francisco, CA. Potlatch is an integrated forest products company engaged principally in growing and harvesting timber and manufacturing and selling wood products, printing and business papers, and other pulp based products. Potlatch controls three existing shortline railroads: (1) the Duluth & Northeastern Railroad Company, a rail common carrier operating over an 11-mile segment between Cloquet and Saginaw, MN, with connections with Burlington Northern, Inc., the Milwaukee, and the Duluth, Missabe and Iron Range Railway; (2) the Prescott & Northwestern Railroad Company, which operates over a 31-mile segment between Prescott and Highland, AR, with connections with the Missouri Pacific Railroad Company (MoPac); and (3) the Warren & Saline River Railroad Company, which operates over a 19-mile segment between Warren and Hermitage, AR, with connections with the MoPac and the bankrupt Chicago, Rock Island and Pacific Railroad Company.

Upon the certification of St. Maries as a rail common carrier, Potlatch would need authority to continue to control it in common with these other carriers.

Exemption Criteria

Under 49 U.S.C. 10505, as recently amended by the Staggers Rail Act of 1980 (Public Law No. 96-448, 94 Stat. 1895, October 14, 1980), we are authorized to exempt a rail transaction where we find that (1) regulation is not necessary to effectuate the rail transportation policy set forth in 49 U.S.C. 10101a, and (2) the transaction is either of limited scope or regulation of the transaction is not needed to protect shippers from the abuse of market power.

Rail Transportation Policy. The rail transportation policy of section 10101a sets forth fifteen policy objectives of the United States Government in implementing its regulation of the railroad industry. We do not find that regulation of these proposals is necessary to achieve these objectives.

By these proposals, Potlatch and St. Maries would have the necessary authority to provide permanent service over these lines, which otherwise would be abandoned pursuant to our recommendation and the bankruptcy Court's authorization. Thus, our action here will enable the continuation of rail transportation to this area. (See subsection (4) of section 10101a.) Furthermore, Kyle and IWRC would bring experience in management of short-line rail operations, thus promoting efficient management of railroads. (See subsection (10).) Finally, by granting these exemptions, we are reducing regulatory barriers to entry into the rail industry (subsection (7)) and eliminating Federal regulatory control where it is not needed (subsection (2)).

Compilation of the data required for the applications which would otherwise be necessary would place an unreasonable and unnecessary administrative burden on the petitioners without any corresponding public benefit. Thus, these exemptions implement, rather than contravene, our rail policy objectives.

Limited scope and abuse of market power. Petitioners must also demonstrate that the transactions are either of limited scope or that regulation is not necessary to protect shippers from the abuse of market power. Although these criteria are stated in the alternative, we believe that petitioners' evidence establishes that the transaction will satisfy both requirements.

The control through management and operation of St. Maries by IWRC and Kyle is clearly of limited scope. IWRC will manage, but not acquire financial control of, a small, short-line carrier. The track segments which petitioners seek to manage and operate are only 52 and 19 miles in length. St. Maries does not connect with any other railroad under the control of Kyle. Nor is the proposal part of a series of anticipated transactions which would connect the St. Maries properties with any railroad owned or managed by Kyle.

The management agreement contemplates no significant changes in rates or service patterns. The properties will be operated in a manner similar to the service previously provided by Milwaukee, although petitioners state their intention to improve service where possible.

There will be no change in the competitive balance with carriers beyond the affected line segments, nor will there be an adverse affect on energy consumption or on the environment.

With regard to the continuing control of St. Maries by Potlatch, the transaction is clearly of limited scope, involving only the creation of a new entity within Potlatch's corporate family. The granting of an exemption will have no effect on shippers, because neither Potlatch nor St. Maries will be active in the management of pertinent railroad facilities.

The proposed stock issuance is also of limited scope. No offering of securities to the public is contemplated. The creation of St. Maries merely provides Potlatch with a convenient means of holding title to the rail properties and removes the necessity of its involvement in the routine management of the two rail segments involved.

Prior criteria. In addition to meeting the criteria of section 10505, as amended

by the Staggers Rail Act, the proposals described above also meet the criteria of former section 10505. We have already indicated that the transactions are of limited scope. Furthermore, the discussion relating to 49 U.S.C. 10101a also applies to the National Transportation Policy of 49 U.S.C. 10101. Because of the transactions' limited scope and the resources required to prepare and review formal applications under 49 U.S.C. 11343 and 11301, prior review of the proposals would be an unreasonable burden on petitioners, and would serve little or no useful public purpose.

Labor Protection. In granting an exemption under 49 U.S.C. 10505, we may not relieve a carrier of its obligation to protect the interests of employees as required by 49 U.S.C. Subtitle IV. See 49 U.S.C. 10505(g)(2). Therefore, as a condition to this exemption, we will afford the same level of labor protection as is usally required in transactions of this nature. We have determined that the labor protective conditions developed in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979), satisfy the statutory requirements for protection of employees in control transactions.

Conclusions. We conclude that the proposed control through management and operation of St. Maries by Kyle and IWRC, the continued control of St. Maries by Potlatch, and the proposed stock issuance by St. Maries meet the statutory requirements of section 10505. The power to exempt from regulation enables the Commission to effectively deregulate those areas which have no significant bearing on its overall regulatory scheme. The proposals described here are the type of limited transactions which Congress intended us to exempt.

We find:

(1) The application of the requirements of 49 U.S.C. 11343 and 49 U.S.C. 11301 to these transactions is not necessary to carry out the transportation policy of 49 U.S.C. 10101a.

(2) The transactions are of limited scope.

(3) Regulation of the transactions is not necessary to protect shippers from the abuse of market power.

(4) This decision will not relieve any rail carrier from an obligation either (a) to provide contractual terms for liability and claims which are consistent with 49 U.S.C. 11707, or (b) to protect the interests of its employees as required by Title 49, Subtitle IV.

(5) This action will not significantly affect either the quality of the human environment or energy consumption.

It is ordered:

(1) Pursuant to 49 U.S.C. 10505(a), we exempt from the requirements of 49 U.S.C. 11343 the management and operation of St. Maries River Railroad Company by Idaho Western Railway Company and Kyle Railways, Inc., and the continuing control through stock ownership of St. Maries River Railroad Co. by Potlatch Corporation, and (b) we exempt from the requirements of 49 U.S.C. 11301 the issuance of 50,000 shares of common stock, par value $10, by St. Maries River Railroad Company to Potlatch Corporation. This exemption is granted subject to the conditions for the protection of employees set forth in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

(2) If the transactions described are consummated, IWRC, Kyle, St. Maries, and Potlatch shall, within 60 days of consummation, submit 3 copies of a sworn statement showing all journal entries required to record the transactions.

(3) Notice of our action here shall be given to the general public by delivery of a copy of this decision to the Director of the Federal Register, for publication.

(4) These exemptions will continue in effect for one year from the effective date of this notice. The parties must consummate the transactions during this time in order to take advantage of the exemptions we have granted.

(5) This decision shall be effective 30 days from its date of publication in the **Federal Register.**

(6) Petitions to stay the effective date of this decision must be filed no later than 10 days following the date of publication in the **Federal Register.**

(7) Petitions to reopen this proceeding must be filed no later than 20 days following the date of publication in the **Federal Register.**

Decided: April 3, 1981.

By the Commission, Acting Chairman Alexis, Commissioners Gresham, Clapp, Trantum, and Gilliam. Acting Chairman Alexis absent and not participating.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-10861 Filed 4-9-81; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 29517]

Philadelphia Belt Line Railroad Co.; Operation in Philadelphia, Pa; Exemption

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Interstate Commerce Commission exempts certain operations by Philadelphia Belt Line Railroad Company (PBL) in Philadelphia, PA from the requirement of prior Commission approval under 49 U.S.C. 10901.

DATES: Exemption effective 30 days after the date of this publication in the **Federal Register.** Petitions for reconsideration of this action must be filed within 20 days of this publication.

ADDRESSES: Send pleadings to:

(1) Section of Finance, Room 5414, Interstate Commerce Commission, 12th St. and Constitution Ave., Washington, DC 20423; and

(2) Petitioner's representative: John D. Heffner, 2001 "I" Street NW., Suite 500, Washington, DC 20006.

Pleadings should refer to Finance Docket No. 29517.

FOR FURTHER INFORMATION CONTACT: Ellen D. Hanson, (202) 275-7245.

SUPPLEMENTARY INFORMATION: PBL was chartered on May 10, 1889, under Pennsylvania law to construct and operate a terminal railroad in the Port of Philadelphia, PA, and to maintain competitive rail services in the port and adjacent areas. Pursuant to various agreements entered into between 1891 and 1929, PBL gained property interests (by easement or fee ownership) and the right to operate over 16.3 miles of track in the port area. The Baltimore and Ohio Railroad Company (B&O) and Consolidated Rail Corporation (Conrail) share property interests and the right to operate over various portions of these tracks with PBL. (Conrail acquired its interests as successor to the Philadelphia and Reading Railroad and the Pennsylvania Railroad).

Exemption request

PBL has never operated as a railroad; therefore, its operations would not be covered by any grandfather clauses in the Interstate Commerce Act. Consequently, it must obtain authority to operate over the lines in which it has a property interest. By this petition, PBL seeks to initiate its own transportation service as a rail common carrier over the following lines:

Belt Line North—Allegheny Avenue to Bridge Street plus branches

Penn's Landing Segment—Catherine Street to Callowhill Street

Food Distribution Center—11th Street to Swanson Street

River Front Railroad—Callowhill Street to Cumberland Street; Trenton Avenue connection and branches

South Delaware Avenue—Pattison Avenue to Catherine Street.

South Philadelphia Agreement—

Thorofare Tracks—Stadium to Delaware Avenue
Delaware Extension—Stadium to Penrose.
Port Richmond Yard—Cumberland Street to Allegheny Avenue.

The port facilities are currently served by Conrail and B&O. PBL alleges that Conrail has recently failed to pay certain obligations under its agreements. PBL has initiated a civil action to recover the amounts due, terminate its agreements, and deny Conrail further use of PBL facilities.

The Delaware and Hudson Railway Company (D&H) has requested access to the port pursuant to certain charter provisions. D&H has filed a letter in support of this proposal.

PBL seeks to institute operations without obtaining a certificate of public convenience and necessity under 49 U.S.C. 10901. It asserts that the transaction is one which is appropriate for exemption from our regulatory oversight pursuant to 49 U.S.C. 10505.

The Statute

Operation by a noncarrier over an existing rail line requires our authorization under 49 U.S.C. 10901. To obtain approval, an application must be filed in compliance with procedures outlined in 49 CFR 1120 (1967). PBL requests an exemption from 49 U.S.C. 10901 so that it will not have to file a formal application under the regulations.

Under 49 U.S.C. 10505, as modified by section 213 of the Staggers Rail Act of 1980 (Pub. L. No. 96-448, 94 Stat. 1895, October 14, 1980), the Commission is authorized to exempt a transaction when it finds that (1) our regulation is not necessary to carry out the Rail Transportation Policy of 49 U.S.C. 10101a and (2) either the transaction is of limited scope, or regulation is not necessary to protect shippers from the abuse of market power.

Discussion and Conclusion

The proposed transaction satisfies the criteria of section 10505. The rail transportation policy of 49 U.S.C. 10101a enumerates 15 objectives in rail carrier regulation. The proposed exemption does not violate any of these stated principles. Our scrutiny of the transaction under a detailed application process is not necessary to carry out the goals of section 10101a.

The transaction is of limited scope because it involves a small geographical area and relatively short segment of track. Moreover, our oversight of this transaction is not necessary to protect any shipper from the abuse of market power. PBL's service proposals, in fact, will further the interest of port customers by insuring the continued existence of rail service along the waterfront and by insuring competitive rail service on PBL, B&O, Conrail (subject to satisfaction of outstanding debts) and perhaps D&H (if it pursues its request for access to the port).

In granting an exemption under section 10505, we may not relieve a carrier of its obligation to protect the interest of employees as required by 49 U.S.C., Subtitle IV. (See 49 U.S.C. 10505(g)(2)). As amended by the Staggers Act, 49 U.S.C. 10901(e) indicates that the imposition of labor protective conditions is discretionary when authority is sought to operate over a railroad line. No evidence has been presented which would indicate that the exercise of our discretionary authority is warranted in this proceeding. Therefore, no labor protective conditions have been imposed.

We find: (1) The application of the requirements of 49 U.S.C. 10901 to the described operations of Philadelphia Belt Line Railroad Company in Philadelphia, PA is not necessary to carry out the rail transportation policy of 49 U.S.C. 10101a.

(2) The transaction is limited in scope and regulation and is not necessary to protect any shipper from the abuse of market power.

(3) This decision will not operate to relieve any rail carrier from an obligation either (a) to provide contractual terms for liability and claims which are consistent with 49 U.S.C. 11707, or (b) to protect the interests of its employees as required by 49 U.S.C., Subtitle IV.

(4) This decision will not significantly affect energy consumption or the quality of the human environment.

It is ordered: (1) Pursuant to 49 U.S.C. 10505, we exempt the described operations of Philadelphia Belt Line Railroad Company from the requirements of 49 U.S.C. 10901.

(2) PBL shall have 60 days after consummation of the transaction to submit three copies of a sworn statement showing all journal entries required to record the transaction.

(3) Notice of our action shall be given to the general public by delivery of the copy of this decision to the Director, **Federal Register**, for publication.

(4) This exemption will continue in effect for one year from the effective date of this decision. The parties must consummate the transaction during that time in order to take advantage of the exemption.

(5) This decision shall be effective 30 days following the date of its publication in the **Federal Register**.

(6) Petitions to stay the effective date of this decision must be filed no later than 10 days after the date of publication in the **Federal Register**.

(7) Petitions to reopen this proceeding for reconsideration of this decision must be filed no later than 20 days after the date of publication in the **Federal Register**.

Decided: April 2, 1981.

By the Commission, Acting Chairman Alexis, Commissioners Gresham, Clapp, Trantum, and Gilliam.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-10955 Filed 4-9-81; 8:45 am]
BILLING CODE 7035-01-M

DEPARTMENT OF LABOR

Mine Safety and Health Administration

[Docket No. M-81-59-C]

Extractors, Inc.; Petition for Modification of Application of Mandatory Safety Standard

Extractors, Inc., Box 69, Keyrock Road, Pineville, West Virginia 24874 has filed a petition to modify the application of 30 CFR 75.1710 (cabs and canopies) to its No. 1 Deep Mine located in Wyoming 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. The petition concerns the requirement that cabs or canopies be installed on the mine's electric face equipment.

2. The height of the coal seam ranges from 40 to 50 inches, with uneven top and bottom conditions.

3. Petitioner states that canopies catch and tear loose the roof strap boards and roof bolts, causing weakening of the already flaky roof, which could result in a roof fall.

4. In addition, canopies hamper the equipment operator's visibility which endangers those miners working nearby.

5. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These 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. All comments must be postmarked or received in that office on or before May 11, 1981. Copies of the petition are available for inspection at that address.

Dated: April 2, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-10912 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-81-78-C]

Jones and Laughlin Steel Corp.; Petition for Modification of Application of Mandatory Safety Standard

Jones and Laughlin Steel Corporation, 3 Gateway Center, Pittsburgh, Pennsylvania 15263 has filed a petition to modify the application of 30 CFR 75.1700 (barriers around oil and gas wells) to its Vesta No. 5 Mine located in Washington County, Pennsylvania. 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. The petition concerns the requirement that barriers be established and maintained around oil and gas wells penetrating coalbeds.

2. As an alternative to establishing and maintaining barriers, petitioner proposes to:

(a) Plug the affected wells using a technique developed by the U.S. Bureau of Mines, U.S. Department of Energy, and the coal industry which involves the placing of plugs in the wellbore below the base of the Pittsburgh coalbed which will prevent any natural gas from entering the mine after the well is mined through;

(b) Perform various tests and surveys to determine the location of the wellbore in the coalbed;

(c) Plug the wells back to the base of the Pittsburgh coalbed using an expandable cement and fly-ash-gel water slurry;

(d) Mine through and remove that segment of the plug existing between the mine pavement and the roof;

(e) Instruct all personnel in the affected areas to proceed with caution when mining into and through the well support pillar, with diligent efforts made at all times to assure a gas-free atmosphere in the affected areas. The petitioner will cooperate with MSHA in sampling for gas immediately before, during and after mining through the well;

(f) Make methane examinations by qualified personnel using approved methane detection equipment at least once during each shift during development and/or retreat mining and record results on a fireboss dateboard placed in the area.

4. Petitioner's states that the proposed alternative method will guarantee at all times the miners no less than the same measure of protection as that afforded by the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These 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. All comments must be postmarked or received in that office on or before May 11, 1981. Copies of the petition are available for inspection at that address.

Dated: April 1, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-10913 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-81-13-M]

Ozark-Mahoning Co.; Petition for Modification of Application of Mandatory Safety Standard

Ozark-Mahoning Company, P.O. Box 57, Rosiclare, Illinois 62982, has filed a petition to modify the application of 30 CFR 57.19-124 (hoist ropes) to its Barnett Mine located in Pope County, Illinois. 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. The petition concerns the requirement that hoist ropes other than those on friction hoists be cut off at least six feet above the highest connection to the conveyance at time intervals not to exceed one year unless a shorter time is required by 30 CFR 57.19-126 of by conditions of use.

2. The 860-foot-deep shaft is serviced by a Rogers hoist, drum size 60 inches in diameter, length 72 inches.

3. The hoist is a single drum with balance hoisting; a one-inch hoist rope is used which has a 7.6 to 1 safety factor. The hoist speed when loaded is 785 feet per minute (f.p.m.); empty speed is 800 f.p.m.

4. Due to the shaft depth and size of the hoist drum, it is not possible to install enough hoist rope to have rope available to cut off for testing at the conveyance connection.

5. As an alternate method, petitioner proposes that:

a. Daily inspections of the hoist rope will be made and recorded; ropes will be calipered and inspected on a monthly basis for wear;

b. Ropes will be replaced every three years with a new rope;

c. Ropes will be lubricated on a regular basis and records kept;

d. Every six months rope clips will be removed; the rope will be cleaned and carefully checked for broken wires, stress and wear. Ropes will be relubricated and clips replaced;

e. Every six months rope area six feet above the highest connection to conveyances will be cleaned and thoroughly checked for broken wires, excessive wear, corrosion or stress and completely relubricated;

f. Ropes showing distortion, excessive wear and broken strands will be replaced immediately.

6. Petitioner states that the proposed alternate method will at all times provide the same degree of safety for the miners affected as that afforded by the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These 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. All comments must be postmarked or received in that office on or before May 11, 1981. Copies of the petition are available for inspection at that address.

Dated: April 2, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-10911 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-81-54-C]

Potter and Dotson Coal Co., Inc.; Petition for Modification of Application of Mandatory Safety Standard

Potter and Dotson Coal Company, Inc., Post Office Box 363, Oakwood, Virginia 24631 has filed a petition to modify the application of 30 CFR 75.1710 (cabs and canopies) to its No. 4 Mine located in Buchanan County, 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. The petition concerns the requirements that cabs or canopies be installed on the mine's equipment.

2. The height of the coal seam ranges from 35 to 54 inches, with uneven top and bottom conditions.

3. Installation of canopies on the mine's equipment causes the canopies to

tear out the roof bolts, creating the possibility of a roof fall, resulting in a diminution of safety for the miners affected.

4. For this reason, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These 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. All comments must be postmarked or received in that office on or before May 11, 1981. Copies of the petition are available for inspection at that address.

Dated: April 2, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-10914 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-81-14-M]

A. Teichert and Son, Inc.; Petition for Modification of Application of Mandatory Safety Standard

A. Teichert and Son, Inc., 3500 American River Drive, Post Office Box 15002, Sacramento, California 95813 has filed a petition to modify the application of 30 CFR 56.4-27 (fire extinguishers on self-propelled equipment) to the following locations:

(a) Cold Stream Pit in Nevada County, California;

(b) Perkins Plant and the Green Hornet Pit and Mill, both in Sacramento County, California;

(c) Tracy Plant and the Clements Plant, both in San Joaquin County, California;

(d) Woodland Pit and Mill in Yolo County, California;

(e) Hallwood Pit and Mill in Yuba County, California. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statement follows:

1. The petition concerns the requirement that self-propelled mobile equipment be provided with a suitable fire extinguisher readily accessible to the equipment operator.

2. Petitioner states that hand-held fire extinguishers in most cases are insufficient to combat a hydraulic or tire fire on the equipment.

3. Petitioner proposes that in the event of an equipment fire, the operator will abandon the equipment and notify the fire department and the mine's mobile equipment division.

4. Petitioner states that this proposed alternate method will at all times provide the same degree of safety to the miners affected as that afforded by the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These 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. All comments must be postmarked or received in that office on or before May 11, 1981. Copies of the petition are available for inspection at that address.

Dated: April 1, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-10915 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-43-M

Office of Pension and Welfare Benefit Programs

[Prohibited Transaction Exemption 81-30; Exemption Application No. D-1863]

Reliable Liquors, Inc.; Employee's Profit Sharing and Retirement Trust; Exemption for Certain Transactions

AGENCY: Department of Labor.

ACTION: Grant of Individual Exemption.

SUMMARY: This exemption permits the sale for cash of a trademark (the Trademark) by Reliable Liquors, Inc. Employee's Profit Sharing and Retirement Trust (the Plan) to Reliable Liquors, Inc. of Baltimore, Maryland (the Employer), a party in interest with respect to the Plan.

FOR FURTHER INFORMATION CONTACT: Mr. Horace C. Green 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. 20016, (202) 523-8196. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On February 10, 1981, notice was published in the **Federal Register** (46 FR 11732) 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 (b)(2) of the Employee Retirement Income Security Act of 1974 (the Act) and from the sanctions resulting from the application of section 4975 of the Internal Revenue Code of 1954 (the Code), by reason of section 4975(c)(2) of the Code, for the transaction described in an application filed on behalf of 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 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 (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply to the sale by the Plan of the Trademark to the Employer for $1,000, provided that amount is not less than the fair market value of the Trademark at the date 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 6th day of April 1981.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, U.S. Department of Labor.

[FR Doc. 81-10930 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-29-M

[Application No. D-1891]

Rochester Internal Medicine Professional Association; Employees Retirement Plan; Proposed Exemption for Certain Transactions

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 the Internal Revenue Code of 1954 (the Code). The proposed exemption would exempt the sale of a parcel of unimproved real property (the Property) from the Rochester Internal Medicine Professional Association Retirement Plan of Rochester, New Hampshire (the Plan) to Peter M. Ejarque (Ejarque), a party in interest with respect to the Plan. The proposed exemption, if granted, would affect the participants and beneficiaries of the Plan.

DATES: Written comments and requests for a public hearing must be received by the Department on or before May 20, 1981.

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–1891. 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: Mr. David Stander, of the Department, telephone (202) 523–8882. (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 (b)(2) of the Act and from the sanctions resulting from the application of section 4975 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 Ejarque, 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 47713, 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 defined benefit pension plan with approximately seven participants. Ejarque is the sole shareholder of the Rochester Internal Medicine Professional Association (the Employer) and is a trustee of the Plan. Mr. C. Russell Shillaber, the attorney for Ejarque and the Employer, is the other trustee of the Plan. As of December 31, 1979, the Plan had net assets of approximately $159,258.

2. On May 27, 1975, the Plan, having a substantial amount of uninvested cash, purchased the Property for investment purposes from an unrelated third party for $15,000. The Property consists of 8.1 acres of undeveloped land and is located in the residential area of the town of Durham, New Hampshire. The Property has generated no income to the Plan. The Plan has paid real estate taxes on the Property since the date of acquisition totalling approximately $2,463.00. The Property represents approximately 12% of Plan assets. The Property is adjacent to the homestead of Ejarque.

3. Since December 31, 1976, the Bankers Life Insurance Company of Des Moines, Iowa (Bankers), a party independent of the Employer and Ejarque, has maintained investment authority and control with respect to all of the Plan's assets with the exception of the Property. The Property has remained subject to the control of the trustees because Bankers has declined to administer an asset over which it does not maintain physical possession. Bankers represents that a sale of the Property by the Plan would result in more efficient Plan administration.

4. The Plan seeks to sell the Property to Ejarque. A MLS realtor-appraiser, Daniel M. Ninde (Ninde) determined that the Property, as of February 22, 1980, had a market value of $20,100. Ninde represents that the value of the Property to Ejarque is not greater than its appraised market value. The sale will be for cash and no sales commission will be involved in the transaction. Bankers represents that the sale of the Property to Ejarque is in the best interests of the Plan because the Plan will not have to pay a real estate commission on the sale. The trustees intend to transfer the proceeds of the sale to Bankers for investment.

5. In summary, the applicant represents that the proposed transaction satisfies the statutory criteria of section 408(a) of the Act because: (a) the sale of the Property will enable the Plan to

divest itself of a non-income producing asset at a gain; (b) the sale and transfer of proceeds to Bankers will enable all of the Plan's assets to be subject to the control and discretion of an independent fiduciary, Bankers; (c) the Plan will receive the fair market value of the Property as determined by an independent appraiser; (d) the Plan will receive cash for the Property and will not pay any sales commission; and (e) the trustees and Bankers represent that the proposed transaction is in the best interests of the Plan.

Notice to Interested Persons

Notice of the pending exemption will be provided by personal delivery and posting on the Employer's bulletin board to all interested persons, including participants and trustees of the Plan and employees of the Employer. The notice will include a copy of the Notice of proposed exemption as published in the Federal Register, will inform each recipient of his right to comment on or request a hearing regarding the pending exemption and will be provided on or before April 20, 1981.

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), 406(b)(1) and 406(b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply to the sale of the Property by the Plan to Ejarque for the higher of $20,100.00 or the fair market value of the Property as of the date of sale.

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 6th day of April 1981.

Ian D. Lanoff,

Administrator for Pension and Welfare Benefit Programs, Labor-Management Services Administration, U.S. Department of Labor.

[FR Doc. 81-10927 Filed 4-9-81; 8:45 am]

BILING CODE 4510-29-M

[Prohibited Transaction Exemption 81-29; Exemption Application No. D-1687]

Spiegel, Inc.; Group Health Insurance Programs, Exemption From Prohibitions for Certain Transactions

AGENCY: Department of Labor.

ACTION: Grant of individual exemption.

SUMMARY: This exemption exempts, under certain conditions, the reinsurance by the Guaranteed Equity Life Insurance Company (GELIC) of group health insurance contracts sold to Spiegel, Inc. of Chicago, Illinois (the Employer) on behalf of the group health insurance programs (the Plans) maintained by the Employer. GELIC is a party in interest with respect to the Plans.

EFFECTIVE DATE: This exemption is effective January 1, 1979.

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 February 10, 1981, notice was published in the Federal Register (46 FR 11737) 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 (b) of the Employee Retirement Income Security Act of 1974 (the Act), for transactions described in an application filed on behalf 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 it 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.

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 does not relieve a fiduciary or other party in interest with respect to a plan to which the exemption is applicable from certain other provisions of the Act. 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.

(2) This exemption is supplemental to, and not in derogation of, any other provisions of the Act, 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 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, effective January 1, 1979, the restrictions of section 406(a) and (b) of the Act shall not apply to the reinsurance of risks and the receipt of premiums therefrom by GELIC from the group health insurance contracts sold by the Prudential Insurance Company of America to the Employer to provide benefits to the Plans, subject to the conditions set forth in the notice of proposed exemption.

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 transactions which are the subject of this exemption.

Signed At Washington, D.C., this 7th day of April 1981.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, U.S. Department of Labor.

[FR Doc. 81-10938 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-29-M

Office of the Secretary

Alpo Coat Co., Inc., et al.; Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to Section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision.

Petitioners meeting these eligibility requirements will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than April 20, 1981.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than April 20, 1981.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 6th day of April, 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

Appendix

Petitioner: union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
Alpo Coat Co., Inc. (ILGWU)	Hoboken, N.J.	3/30/81	3/26/81	TA-W-12,560	Ladies' coats.
American Pillow Co., Inc. (company)	Lowell, Mass.	3/30/81	3/24/81	TA-W-12,561	Down filled outerwear jackets, vests, parkas.
Baros Coat & Suit Corp. (workers)	Brooklyn, N.Y.	3/27/81	3/21/81	TA-W-12,562	Ladies' jackets & coats for spring & winter coats.
Calvert Knit Corp. (ILGWU)	Secaucus, N.J.	3/30/81	3/25/81	TA-W-12,563	Knit goods.
Carole Curtis Corp. (ILGWU)	New York, N.Y.	3/30/81	3/24/81	TA-W-12,564	Ladies' sportswear.
Penchansky Bros., Inc. (United Food & Commercial Workers).	Jersey City, N.J.	3/17/81	3/9/81	TA-W-12,565	Dressed meats.
Quatro Knits (workers)	Newburgh, N.Y.	3/30/81	3/21/81	TA-W-12,566	Ladies' knit pants, skirts, blouses.
Sjoblom Shake (workers)	Winlock, Wash.	3/30/81	3/20/81	TA-W-12,567	Cedar shakes.
Uniroyal, Inc., Naugatuck Footwear Plant (URW)	Naugatuck, Conn.	3/17/81	3/12/81	TA-W-12,568	Rubber canvas footwear.
Arvin Outerwear, Inc. (ILGWU)	Jersey City, N.J.	3/9/81	3/27/81	TA-W-12,569	Ladies' coats.
Deltrol Controls (IAMAW)	Milwaukee, Wis.	3/31/81	3/27/81	TA-W-12,570	Relays, timers and solenoids.
Favorite Footwear, Inc. (ACIWU)	Long Island City, N.Y.	3/31/81	3/25/81	TA-W-12,571	Men's, ladies' and children's slippers.
Fox Shoe Manufacturing Corp. (ACIWU)	New York, N.Y.	3/31/81	3/24/81	TA-W-12,572	Ladies' all leather shoes.
Fur Modes, Inc. (ILGWU)	Jersey City, N.J.	3/9/81	3/27/81	TA-W-12,573	Ladies' coats.
H. W. Gossard Co. (ILGWU)	Poplar Bluff, Mo.	3/31/81	3/27/81	TA-W-12,574	Ladies' lingerie.
Hawaii Footwear Manufacturing Corp. (ACIWU)	Brooklyn, N.Y.	3/31/81	3/25/81	TA-W-12,575	Ladies' slippers and casual shoes.
Jones & Laughlin Steel Corp. (workers)	Pittsburgh, Pa.	3/30/81	3/22/81	TA-W-12,576	Steel.
Mercer Dress (ILGWU)	Burgin, Ky.	3/18/81	3/15/81	TA-W-12,577	Ladies' suits, dresses, dresses and jackets, skirts, pants and blouses.
Milwaukee Tool & Equipment Co. (workers)	Milwaukee, Wis.	3/31/81	3/24/81	TA-W-12,578	Vises.
Underwood Electric (company)	Casey, Ill.	3/31/81	3/24/81	TA-W-12,579	Compression mica trimmer capacitors.

Appendix—Continued

Petitioner: union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
A. C. Williams Co., Delaware Castings Division (workers).	Delaware, Ohio	4/2/81	3/31/81	TA-W-12,580	Castings of gray iron and ductile iron.
Burlington Industries, Kernersville Finishing Plant (workers).	Kernersville, N.C.	4/2/81	3/30/81	TA-W-12,581	Chafer fabrics.
D & E Components (workers)	Coloma, Mich.	4/2/81	3/14/81	TA-W-12,582	Rotars, coils, plastic parts.
Fulton Shirt Co. (ACIWU)	Elizabeth, N.J. (Fulton St.)	4/1/81	3/27/81	TA-W-12,583	Men's and boy's knit shirts.
Fulton Shirt Co. (ACIWU)	Elizabeth, N.J. (Division St.)	4/1/81	3/27/81	TA-W-12,584	Men's and boy's knit shirts.
G. C. Fashions, Inc. (workers)	Glen Cove, N.Y.	4/1/81	3/27/81	TA-W-12,585	Ladies' coats and sportswear.
Lane Cedar (workers)	Springfield, Oreg.	4/1/81	3/27/81	TA-W-12,586	Shakes.
M S M Coat Co., Inc. (workers)	Oceanside, N.Y.	4/1/81	3/23/81	TA-W-12,587	Outerwear.
Magic Marker Corp. (IBT)	Cherry Hill, N.J.	4/2/81	3/31/81	TA-W-12,588	Writing instruments.
R & K Originals (workers)	New York, N.Y.	4/1/81	3/30/81	TA-W-12,589	Ladies' 1 and 2-piece dresses.
Sprague Electric Co. (workers)	Grafton, Wis.	4/2/81	3/30/81	TA-W-12,590	Ceramic capacitors.

[FR Doc. 81-10920 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-11,759]

Amalfi Sportswear, Inc.; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Act must be met. It is determined in this case that all of the requirements have been met.

The investigation was initiated on November 24, 1980 in response to a petition which was filed on behalf of workers at Amalfi Sportswear, Incorporated, Fort Lauderdale, Florida. The workers produced women's pants, skirts, blouses and dresses.

U.S. imports of women's, misses' and children's slacks and shorts and women's, misses' and children's dresses decreased absolutely and relative to domestic production in 1979 compared with 1978 and increased absolutely in the first six months of 1980 compared with the same period of 1979.

U.S. imports of women's, misses' and children's skirts increased absolutely and relative to domestic production in 1979 compared with 1978 and increased absolutely in the first six months of 1980 compared with the same period of 1979.

U.S. imports of women's, misses' and children's blouses and shirts decreased absolutely and relative to domestic production in 1979 compared with 1978 and decreased absolutely in the first six months of 1980 compared with the same period of 1979.

Amalfi Sportswear was a contract producer of women's sportswear for apparel manufacturers. These manufacturers reduced the amount of work contracted to Amalfi Sportswear due to declines in their own sales. A Department survey of the manufacturers' customers revealed that customers' imports of women's sportswear increased absolutely and satisfied a larger percentage of total customer demand in the first eleven months of 1979 compared with the same period of 1978.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with women's sportswear, including women's pants, skirts, blouses and dresses, produced at Amalfi Sportswear, Incorporated, Fort Lauderdale, Florida contributed importantly to the decline in sales or production and to the total or partial separation of workers of that firm. In accordance with the provisions of the Act, I make the following certification:

All workers of Amalfi Sportswear, Incorporated, Fort Lauderdale, Florida who became totally or partially separated from employment on or after November 12, 1979 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C., this 2nd day of April 1981.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 81-10921 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-10,888]

Autlan Manganese Corp.; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance each of the group eligibility requirements of Section 222 of the Act must be met.

(1) that a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated.

(2) that sales or production, or both, of the firm or subdivision have decreased absolutely.

(3) that increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

The investigation was initiated on September 15, 1980 in response to a petition which was filed by the United Steelworkers of America on behalf of workers at the Theodore, Alabama plant of Autlan Manganese Corporation. Workers at the plant produce silico manganese.

The investigation revealed that criterion (3) has not been met.

U.S. imports of silico manganese decreased absolutely and relative to domestic production during the first three quarters of 1980 compared with the same period in 1979.

Autlan Manganese began producing silico manganese at the Theodore plant in April 1979. Sales, production and average employment of production workers increased during the period April through November 1980 compared with the same period in 1979. The plant was closed while the furnace was rebuilt from December 1980 to March 1981.

Company imports of silico manganese decreased in 1980 compared with 1979.

Conclusion

After careful review, I determine that all workers of Autlan Manganese Corporation, Theodore, Alabama are denied eligibility to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 3rd day of April 1981.

Harry J. Gilman,

Supervisory International Economist, Office of Foreign Economic Research.

[FR Doc. 81-10922 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-11,203]

Chrysler Corp., Cape Canaveral Wire Products Plant; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Act must be met. It is determined in this case that all of the requirements have been met.

The investigation was initiated on October 6, 1980 in response to a petition which was filed on behalf of workers at the Cape Canaveral Wire Products Plant of Chrysler Corporation, Cape Canaveral, Florida. The workers produced primarily wire harnesses for automobiles and trucks.

U.S. imports of wire harness assembiles for automobiles and light trucks increased absolutely and relative to domestic produciton from 1976 through 1979. U.S. imports of this product increased in absolute terms in the first six months of 1980 compared to the same period of 1979.

Chrysler Corporation increased imports of wire harnesses for automobiles and trucks relative to its total domestic production and sales of this product from MY 1979 to MY 1980. Company imports of automotive wire harnesses are expected to increase further during MY 1981 since production of this component has been transferred from the Cape Canaveral Wire Products Plant to another Chrysler facility in Juarez, Mexico. The Cape Canaveral Wire Products Plant closed in February 1981.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with wire harnesses for automobiles and trucks produced by the Cape Canaveral Wire Products Plant of Chrysler Corporation, Cape Canaveral, Florida contributed importantly to the decline in sales or production and to the total or partial separation of workers of that firm. In accordance with the provisions of the Act, I make the following certification:

"All workers of the Cape Canaveral Wire Products Plant of Chrysler Corporation, Cape Canaveral, Florida, who became totally or partially separated from employment on or after April 1, 1980 and before March 7, 1981 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974."

Signed at Washington, D.C. this 1st day of April 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-10923 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-10,664]

The Exolon Co.; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) that a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated.

(2) that sales or production, or both, of the firm or subdivision have decreased absolutely.

(3) that increased of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sale or production.

The investigation was initiated on September 8, 1980 in response to a petition which was filed by the United Steelworkers of America on behalf of workers at the Tonawanda, New York plant of the Exolon Company. Workers at the Tonawanda plant produce abrasive and refractory materials, primarily aluminum oxide and silicon carbide.

The investigation revealed that criterion (3) has not been met.

The Exolon Company sells its abrasive and refractory materials (aluminum oxide and silicon carbide) to a variety of markets, including the automotive industry. Petitioners allege that increased imports of automobiles contributed importantly to the decline in sales, production and employment at the Tonawanda, New York plant of the Exolon Company. Although abrasive and refractory materials are utilized in the production of imported automobiles, imports of automobiles are not like or directly competitive with abrasive and refractory materials. Imports of abrasive and refractory materials must be considered in determining import injury to workers producing such products at the Tonawanda, New York plant of the Exolon Company.

U.S. imports of silicon carbide decreased in quantity absolutely and relative to domestic production in 1979 from 1978. Imports remained relatively stable in the January-September period of 1980 compared to the same period of 1979. U.S. exports exceeded imports of silicon carbide during this period.

U.S. imports of aluminum oxide decreased in quantity in the January-September period of 1980 compared to the same period of 1979. U.S. exports significantly exceeded imports of aluminum oxide in 1979 and the January-September period of 1980.

U.S. imports of silicon carbide and aluminum oxide amounted to a relatively small proportion of total domestic production of each product during the period under investigations.

Conclusion

After careful review, I determine that all workers of the Tonawanda New York plant of the Exolon Company are denied eligibility to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 3rd day of March 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-10924 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-11,156]

H. H. Robertson Co., Connersville Division; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely.

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the absolute decline in sales or production.

The investigation was initiated on October 6, 1980 in response to a petition which was filed by the Sheet Metal Workers on behalf of workers at the H. H. Robertson Company, Connersville Division, Connersville, Indiana. The workers produce metal wall panels and roof and floor deck.

The investigation revealed that criterion (3) has not been met.

The petition alleges that increased imports of oil contributed importantly to declines in sales and to the total or partial separation of workers at the firm.

Under the Trade Act of 1974, imports of articles like or directly competitive with the article produced by the domestic firm must be considered in determining import injury to domestic workers. Imported oil is not like or directly competitive with metal wall panels, roof deck or floor deck within the meaning of the Trade Act of 1974. Thus, such imports cannot be considered in determining import injury to workers engaged in employment related to the production of metal wall panels and roof and floor deck at the Connersville Division of the H. H. Robertson Company.

Total sales at the Connersville Division of the H. H. Robertson Company increased in 1979 compared with 1978 and then decreased in 1980 compared with 1979; however, domestic sales increased in 1980 compared with 1979 while export sales decreased. Since the decline in sales was due to a decrease in exports, increased imports of metal wall panels, roof deck or floor deck into the United States could not have affected sales, production and employment levels at the Connersville Division of the H. H. Robertson Company.

Conclusion

After careful review, I determine that all workers of the H. H. Robertson Company, Connersville Division, Connersville, Indiana are denied eligibility to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C., this 6th day of April 1981.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 81-10929 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-10,036 and TA-W-10,036A]

Inmont Corp., Auto Trim—Plant No. 2; Auto Trim—Plant No. 1; Certifications Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Act must be met. It is determined in this case that all of the requirements have been met.

The investigation was initiated on August 18, 1980 in response to a petition which was filed on behalf of workers at the Auto Trim—Plant #2, Port Huron, Michigan of Inmont Corporation, (TA-W-10,036). The investigation was expanded to include the Auto Trim—Plant #1, Port Huron, Michigan of Inmont Corporation, (TA-W-10,036A). The workers at both plants produce primarily automotive headliners.

Preliminary data indicates that imports of headliners increased from model year (MY) 1979 to (MY) 1980.

The Department conducted a survey of major customers which purchased automotive headliners from Auto Trim—Plants #1 and #2 of Inmont Corporation. The survey revealed that customers accounting for the majority of sales of Auto Trim—Plants #1 and #2 increased purchases of imported automotive headliners and decreased purchases from Auto Trim—Plants #1 and #2 during the period under investigation.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with automotive headliners produced at Auto Trim—Plants #1 and #2, Port Huron, Michigan of Inmont Corporation contributed importantly to the decline in sales or production and to the total or partial separation of workers of those plants. In accordance with the provisions of the Act, I make the following certification:

All workers of Auto Trim—Plant #2, Port Huron, Michigan of Inmont Corporation who became totally or partially separated from employment on or after December 14, 1979; and all workers at the Auto Trim—Plant #1, Port Huron, Michigan of Inmont Corporation who became totally or partially separated on or after July 24, 1979 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C., this 2d day of April 1981.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 81-10925 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-10,399]

Interlake, Inc., Newport Works; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely.

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have

contributed importantly to the absolute decline in sales or production.

The investigation was initiated on August 25, 1980 in response to a petition which was filed by the International Union of Bricklayers & Allied Craftsmen on behalf of workers of Interlake, Inc., Newport Works, Newport and Wilder, Kentucky. The workers produced steel tubular products, carbon and alloy steel sheet and strip, and carbon and alloy steel plate.

The investigation revealed that criterion (3) has not been met.

Total sales and production at the Newport Works increased in both quantity and value in 1979 compared with 1978 and in the first seven months of 1980 compared with the same period of 1979. The closure of the Newport Works in July 1980 resulted from Labor/Management discussions regarding issues in renewal of the collective bargaining agreement.

Workers at the Newport Works are not separately identifiable by product line. Steel plate accounted for a relatively small percentage of total production. Any import influence in this product line could not have contributed importantly to overall employment declines at the Newport Works.

A. Tubular Products

Sales and production of tubular products at the Newport Works increased in both quantity and value in 1979 compared with 1978 and in the first seven months of 1980 compared with the same period of 1979. Sales and production of tubular products increased in each quarter of 1979 and in each of the first two quarters of 1980 compared with the same quarter of the previous year.

B. Carbon and Alloy Steel Sheet and Strip

U.S. imports of carbon steel sheet and strip decreased absolutely and relative to domestic shipments in 1979 compared with 1978 and decreased absolutely in the first nine months of 1980 compared with the same period of 1979. The ratio of imports to domestic shipments was approximately thirteen percent in the first nine months of both 1979 and 1980.

U.S. imports of alloy steel sheet and strip are insignificant. The ratio of imports to domestic production of alloy steel sheet and strip did not exceed one percent at any time during the period 1976 through the first nine months of 1980.

Conclusion

After careful review, I determine that all workers of Interlake, Inc., Newport Works, Newport and Wilder, Kentucky are denied eligibility to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C., this 3d day of April 1981.

Harry J. Gilman,

Supervisory International Economist, Office of Foreign Economic Research.

[FR Doc. 81-10926 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-9682]

Metal Craft, Inc.; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely.

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

The investigation was initiated on August 4, 1980 in response to a petition which was filed on behalf of workers at Metal Craft, Incorporated, Tazewell, Virginia. Workers at Metal Craft produce conveyor equipment.

The investigation revealed that criterion (3) has not been met.

Petitioners allege that imports of coal and coke have contributed importantly to declines in sales, production and employment at Metal Craft, Incorporated. Although conveyor equipment might be used in the production of imported coal and coke, imports of the finished product are not like or directly competitive with the machinery used in its manufacture. Imports of conveyor equipment must be considered in determining import injury to workers producing conveyor equipment.

U.S. imports of conveyors and conveying equipment were negligible in 1978 and 1979. The ratio of imports to domestic shipments did not exceed 2 percent during either 1978 or 1979.

Company sales of conveyor equipment increased in January to July, 1980 compared to the like period in 1979.

Company employment increased in January to July, 1980 compared to the like period in 1979.

Conclusion

After careful review, I determine that all workers of Metal Craft, Incorporated, Tazewell, Virginia are denied eligibility to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C., this 3d day of April 1981.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 81-10927 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-8310]

Microdot, Incorp., Elicon Corbin Division; Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance each of the group eligibility requirements of Section 222 of the Act must be met.

The investigation was initiated on May 27, 1980 in response to a petition which was filed by the International Association of Machinists and Aerospace Workers on behalf of workers at Microdot, Incorporated, Elicon Corbin Division, Corbin, Kentucky. Workers produce electrical switches, wire harnesses, junction blocks, speciality plastics and non-automotive products.

In the following determination, without regard to whether any of the other criteria have been met, with respect to workers producing switches, the following criterion has not been met:

That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

U.S. Department of Labor surveyed customers of Microdot, Incorporated, Elicon Corbin Division. The survey results revealed that most of the responding customers did not reduce purchases from Microdot, Incorporated, Elicon Corbin Division and increase purchases of imported switches during the surveyed period. Those customers who increased purchases of imported switches and decreased purchases from Microdot, relied on imports for only a small percentage of their total supply.

Workers at Microdot, Incorporated, Elicon Corbin Division, Corbin, Kentucky are not separately identifiable by product line. Junction blocks, speciality plastics and non-automotive products each account for a relatively small percentage of total production. Any import influence in these product lines could not have contributed importantly to overall employment declines at the firm.

With respect to workers producing wire harnesses, all of the criteria have been met.

U.S. imports of wire harness assemblies for automobiles and light trucks increased in 1979 compared 1978 and increased in the January through September period of 1980 compared to the same period in 1979.

U.S. Department of Labor surveyed customers of Microdot, Incorporated, Elicon Corbin Division. The survey results revealed that customers representing a substantial proportion of Elicon Corbin's sales reduced purchases from the Elicon Corbin Division and increased their purchases of imported wire harnesses during the surveyed period.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with wire harnesses produced at Microdot Incorporated, Elicon Corbin Division, Corbin, Kentucky contributed importantly to the decline in sales or production and to the total or partial separation of workers of that firm. In accordance with the provisions of the Act, I make the following certification:

"All workers engaged in employment related to the production of wire harnesses at Microdot, Incorporated, Elicon Corbin Division, Corbin, Kentucky who became totally or partially separated from employment on or after January 31, 1980 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974."

Signed at Washington, D.C. this 1st day of April 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-10928 Filed 4-8-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-8412]

Uniroyal, Inc., Textile Division; Hogansville, GA.; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance each of the group eligibility requirements of Section 222 of the Act must be met:

(1) that a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;

(2) that sales or production, or both, of the firm or subdivision have decreased absolutely; and

(3) that increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

The investigation was initiated on June 2, 1980 in response to a petition which was filed on behalf of workers at the Hogansville, Georgia plant of Uniroyal, Incorporated, Textile Division. The workers produce industrial textiles including primarily hose yarns and belt fabrics.

The petitioner alleges that increased imports of rubber hose and belting have contributed importantly to declines in production and employment at the Hogansville, Georgia plant of Uniroyal Textile Division. Although imported rubber hose and belting incorporate hose yarns and belt fabric, imports of the whole product are not like or directly competitive with their component parts. Therefore, unless substantial corporate integration with the production of the whole product can be established, imports of hose yarn and belt fabric must be considered in determining import injury to workers producing such articles at the Hogansville, Georgia plant of Uniroyal Textile Division.

With respect to the production of those years, without regard to whether any of the other criteria have been met, criterion (3) has not been met.

In order to determine if increased imports contributed importantly to declines in hose yarn production and employment at the Hogansville, Georgia plant of Uniroyal Texitle Division, the Department sought to determine the degree to which the plant was integrated into the production of Uniroyal rubber hose products which may have been subject to import injury. The department determined that substantial integration was not established since a relatively small proportion of total Division production of hose yarn was shipped to Uniroyal affiliates for the production of rubber hose. The Department therefore considered imports of articles like or directly competitive with hose yarns in determining import injury to workers producing hose yarns at the Hogansville, Georgia plant of Uniroyal Textile Division.

A survey was conducted by the Department of Labor of customers of Uniroyal Textile Division who were major purchasers of hose yarns. The survey revealed that most surveyed customers did not purchase imported hose yarn in 1978, 1979 or the first nine months of 1980. Customers which indicated import purchases either decreased such import purchases or increased purchases of hose yarns from other domestic sources during 1978, 1979 and the first nine months of 1980.

Shipments of hose yarns to other Uniroyal affiliates increased in 1979 compared to 1978 and increased in the first six months of 1980 compared to the same period in 1979.

With respect to the production of belt fabric, without regard to whether any of the other criteria have been met, criterion (2) has not been met.

Total Uniroyal Textile Division sales of belt fabric increased in both quantity and value in 1979 compared to 1978, and increased in quantity and value in 1980 compared to 1979.

Total Division production of belt fabric increased in 1979 compared to 1978 and increased in 1980 compared to 1979. From the first quarter of 1979 through the fourth quarter of 1980, total Division production of belt fabric increased absolutely in each consecutive quarter compared to the same quarter of the previous year.

Production of belt fabric at the Hogansville, Georgia plant increased absolutely in 1979 compared to 1978, and increased absolutely in 1980

compared to 1979. From the first quarter of 1979 through the fourth quarter of 1980, Hogansville production of belt fabric increased absolutely in each consecutive quarter compared to the same quarter of the previous year.

Conclusion

After careful review, I determine that all workers of the Hogansville, Georgia plant of Uniroyal, Incorporated, Textile Division are denied eligibility to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 1st day of April 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-10930 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-8413]

Uniroyal, Inc., Textile Division, Scottsville, Va.; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Act must be met. It is determined in this case that all of the requirements have been met.

The investigation was initiated on June 2, 1980 in response to a petition which was filed on behalf of workers at the Scottsville, Virginia plant of Uniroyal, Incorporated, Textile Division. The workers produce tire cord.

In order to determine if increased imports contributed importantly to production and employment declines at the Scottsville, Virginia plant of Uniroyal Textile Division, the Department sought to determine the degree to which the facility was integrated into the production of Uniroyal passenger car and truck tires which have been subject to import injury. Shipments of tire cord from Uniroyal Textile Division to Uniroyal Tire Company accounted for most of the Division's total production of tire cord in 1978 and 1979; and the decline in shipments to Uniroyal Tire Company accounted for almost all of the Division's total decline in sales in 1979 compared to 1978, and the entire sales decline in the first half of 1980 compared to the same period in 1979. The declines in Scottsville plant production of tire cord coincided with total Division production declines and the decreased shipments to Uniroyal Tire Company. The Department therefore determined that substantial integration between the Scottsville plant of Uniroyal Textile Division and Uniroyal Tire Company was established, and considered imports of articles like or directly competitive with Uniroyal passenger car and truck tires in determining import unjury to workers producing tire cord at the Scottsville plant of Uniroyal Textile Division.

Workers at five of Uniroyal Tire Company's six tire production facilities have been certified by the Department as eligible to apply for trade adjustment assistance. Those five plants together accounted for the majority of the company's production of passenger car tires and all of the company's production of truck tires in 1978, 1979 and 1980.

In those determinations it was revealed that increased imports of passenger car and/or truck tires contributed importantly to sales and production declines and to total or partial separations at those five Uniroyal Tire Company plants. Surveys conducted by the Department revealed that several customers increased purchases of imported passenger car and truck tires while decreasing purchases of the same from Uniroyal in 1979 compared to 1978.

Total Uniroyal imports of passenger car tires increased in 1979 compared to 1978.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with passenger car and truck tires produced at Uniroyal Tire Company contributed importantly to the decline in sales or production and to the total or partial separation of workers engaged in employment related to the production of tire cord at the Scottsville, Virginia plant of Uniroyal Textile Division. In accordance with the provisions of the Act, I make the following certification:

All workers of the Scottsville, Virginia plant of Uniroyal, Incorporated, Textile Division who became totally or partially separated from employment on or after May 20, 1979 and before July 6, 1980 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 1st day of April 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-10933 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-8414]

Uniroyal, Inc., Textile Division, Winnsboro, S.C.; Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance each of the group eligibility requirements of Section 222 of the Act must be met:

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely; and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

The investigation was initiated on June 2, 1980 in response to a petition which was filed on behalf of workers at the Winnsboro, South Carolina plant of Uniroyal, Incorporated, Textile Division. The workers produce industrial textiles including primarily tire cord, hose yarns, finished knitted fabric and synthetic hosiery yarn.

The petitioner alleges that increased imports of automobiles, rubber hose, tires, coated fabric, hosiery and apparel have contributed importantly to declines in production and employment at the Winnsboro, South Carolina plant of Uniroyal Textile Division. Although imported automobiles, rubber hose, tires, coated fabric, hosiery and apparel incorporate various yarns and industrial fabrics, imports of the whole product are not like or directly competitive with their component parts. Therefore, unless substantial corporate integration with the production of the whole product can be established, imports of tire cord, hose

yarns, finished knitted fabric and hosiery yarn must be considered in determining import injury to workers producing such articles at the Winnsboro, South Carolina plant of Uniroyal Textile Division.

In order to determine if increased imports contributed importantly to production and employment declines at the Winnsboro, South Carolina plant of Uniroyal Textile Division, the Department sought to determine the degree to which each product line at the Winnsboro plant was integrated as a component into the production of other Uniroyal finished products which may have been subject to import injury. Where substantial integration was established, the Department considered imports of articles like or directly competitive with the finished products in determining import injury to workers producing components of those finished products at the Winnsboro plant.

With respect to the production of hose yarns, without regard to whether any of the other criteria have been met, criterion (3) has not been met.

The Department determined that substantial integration between the production of hose yarns at Winnsboro and the further production of rubber hose at other Uniroyal plants was not established, since a relatively small proportion of total Division production of hose yarns was shipped to Uniroyal affiliates. The Department therefore considered imports of articles like or directly competitive with hose yarns in determining import injury to workers producing hose yarns at the Winnsboro, South Carolina plant of Uniroyal Textile Division.

A survey was conducted by the Department of Labor of customers of Uniroyal Textile Division who were major purchasers of hose yarns. The survey revealed that most surveyed customers did not purchase imported hose yarns in 1978, 1979 or the first nine months of 1980. Customers which indicated import purchases either decreased such import purchases or increased purchases of hose yarns from other domestic sources during 1978, 1979 and the first nine months of 1980.

Shipments of hose yarns to other Uniroyal affiliates increased in 1979 compared to 1978 and increased in the first six months of 1980 compared to the same period in 1979.

With respect to the production of synthetic hosiery yarn, without regard to whether any of the other criteria have been met, criterion (3) has not been met.

The Department determined that substantial integration was not established between the production of synthetic hosiery yarn at Winnsboro and the further production of articles at other Uniroyal facilities, since the synthetic hosiery yarn is produced exclusively for sale to independent hosiery and apparel manufacturers. The Department therefore considered imports of articles like or directly competitive with synthetic hosiery yarn in determining import injury to workers producing synthetic hosiery yarn at the Winnsboro, South Carolina plant of Uniroyal Textile Division.

U.S. imports of yarns declined both absolutely and relative to domestic production in 1979 compared to 1978 and declined absolutely in the first nine months of 1980 compared to the same period in 1979.

A survey was conducted by the Department of Labor of customers of Uniroyal Textile Division who were major purchasers of synthetic hosiery yarn. The survey revealed that none of the surveyed customers purchased imported synthetic hosiery yarn in 1978, 1979 or in the first nine months of 1980.

With respect to the production of finished knitted fabric, without regard to whether any of the other criteria have been met, criterion (3) has not been met.

The Department determined that substantial integration was established between the production of finished knitted fabric at the Winnsboro, South Carolina plant of Uniroyal Textile Division and other Uniroyal facilities producing rubber and vinyl coated fabric. Nearly all of the finished knitted fabric produced at Winnsboro was shipped to Uniroyal coated fabric production facilities. Therefore, the Department considered imports of articles like or directly competitive with coated fabric in determining import injury to workers producing finished knitted fabric at the Winnsboro, South Carolina plant of Uniroyal Textile Division.

U.S. imports of coated fabrics are not significant compared with domestic production, with the ratio of imports to domestic production not exceeding 1.9 percent in 1975 through 1979. Preliminary estimates indicate that the imports to domestic production ratio for coated fabric will remain below 2.0 percent in 1980.

U.S. imports of industrial fabrics declined both absolutely and relative to domestic production in 1979 compared to 1978.

Workers at the Port Clinton, Ohio (TA-W-8326) and Stoughton, Wisconsin (TA-W-8401) plants of Uniroyal Plastic Products Division engaged in employment related to the production of coated fabrics were denied eligibility to apply for adjustment assistance on February 25, 1981. Workers at the Plastic Products Division's plant in Mishawaka, Indiana (TA-W-8403) engaged in employment related to the production of coated fabric were denied eligibility to apply for adjustment assistance on February 27, 1981.

With respect to the production of tire cord, all of the requirements have been met.

The Department determined that substantial integration was established between the production of tire cord at the Winnsboro, South Carolina plant of Uniroyal Textile Division and the production of tires at Uniroyal Tire Company plants. Most of the tire cord produced by the Textile Division was shipped to Uniroyal Tire Company, and declines in both total Division production and Winnsboro production of tire cord coincided with decreased shipments to Uniroyal Tire Company. The Department therefore considered imports of articles like or directly competitive with passenger car and truck tires in determining import injury to workers producing tire cord at the Winnsboro, South Carolina plant of Uniroyal Textile Division.

Workers at five of Uniroyal Tire Company's six tire production facilities have been certified by the Department as eligible to apply for trade adjustment assistance. Those five plants together accounted for the majority of the company's production of passenger car tires and all of the company's production of truck tires in 1978, 1979 and 1980.

In those determinations it was revealed that increased imports of passenger car and/or truck tires contributed importantly to sales and production declines and to total or partial separations at the those five Uniroyal Tire Company plants. Surveys conducted by the Department revealed that several customers increased purchases of imported passenger car and truck tires while decreasing purchases of the same from Uniroyal in 1979 compared to 1978.

Total Uniroyal imports of passenger car tires increased in 1979 compared to 1978.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with passenger car and truck tires produced at Uniroyal Tire Company contributed importantly to the decline in sales or production and to the total or partial separation of workers engaged in employment related to the production of tire cord at the Winnsboro, South Carolina plant of

Uniroyal Textile Division. In accordance with the provisions of the Act, I make the following certification:

All workers of the Winnsboro, South Carolina plant of Uniroyal, Incorporated, Textile Division, engaged in employment related to the production of tire cord who became totally or partially separated from employment on or after May 20, 1979 and before July 6, 1980 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

I further determine that all workers of the Winnsboro, South Carolina plant of Uniroyal, Incorporated, Textile Division engaged in employment related to the production of hose yarns, synthetic hosiery yarn and finished knitted fabric are denied eligibility to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 1st day of April 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-10932 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-8414A]

Uniroyal, Inc., Textile Division Headquarters; Winnsboro, S.C.; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Act must be met. It is determined in this case that all of the requirements have been met.

The investigation was initiated on June 2, 1980 in response to a petition which was filed on behalf of workers at the Winnsboro, South Carolina plant of Uniroyal, Incorporated, Textile Division. The investigation was expanded to include the Winnsboro, South Carolina Headquarters of Uniroyal, Incorporated, Textile Division.

The Department's investigation revealed that the Winnsboro Headquarters performs support functions such as management, marketing, accounting and other services for the production facilities of Uniroyal Textile Division. These support functions are integral to the production of industrial textiles, primarily tire cord, by the four manufacturing facilities of Uniroyal Textile Division.

In order to determine if increased imports contributed importantly to production declines at Uniroyal Textile Division and employment declines at its Winnsboro, South Carolina headquarters, the Department sought to determine the degree to which the Division was integrated into the production to Uniroyal passenger car and truck tires which have been subject to import injury. Shipments of tire cord from Uniroyal Textile Division to Uniroyal Tire Company accounted for most of the Division's total production of tire cord in 1978 and 1979. The Department therefore determined that substantial integration was established and considered imports of articles like or directly competitive with Uniroyal passenger car and truck tires in determining import injury to workers producing tire cord at the Winnsboro, South Carolina Headquarters of Uniroyal Textile Division.

Workers at five of Uniroyal Tire Company's six tire production facilities have been certified by the Department as eligible to apply for trade adjustment assistance. Those five plants together accounted for the majority of the company's production of passenger car tires and all of the company's production of truck tires in 1978, 1979 and 1980.

In those determinations it was revealed that increased imports of passenger car and/or truck tires contributed importantly to sales and production declines and to total or partial separations at those five Uniroyal Tire Company plants. Surveys conducted by the Department revealed that several customers increased purchases of imported passenger car and truck tires while decreasing purchases of the same from Uniroyal in 1979 compared to 1978.

Total Uniroyal imports of passenger car tires increased in 1979 compared to 1978.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with passenger car and truck tires produced at Uniroyal tire Company contributed importantly to the decline in sales or production and to the total or partial separation of workers of the Winnsboro, South Carolina Headquarters of Uniroyal Textile Division. In accordance with the provisions of the Act, I make the following certification:

All workers of the Winnsboro, South Carolina Headquarters of Uniroyal, Incorporated, Textile Division who became totally or partially separated from employment on or after May 20, 1979 and before July 6, 1980 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C., this 1st day of April 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-10931 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-11, 605]

Yorktowne Manufacturing Co.Ephrata, Pa.; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Act must be met. It is determined in this case that all of the requirements have been met.

The investigation was initiated on October 31, 1980 in response to a petition which was filed on behalf of workers at Yorktowne Manufacturing Company, Ephrata, Pennsylvania. The workers produce women's blouses.

U.S. imports of women's, misses' and children's blouses and shirts increased absolutely in each year from 1976 through 1978 compared to each preceding year and increased relative to domestic production in 1978 compared to 1977. Imports increased absolutely in 1979 compared to the average level of imports for the period 1975–1978.

Yorktowne Manufacturing Company produced women's blouses unitl production ceased in February 1980. In June 1980, Yorktowne was merged into Shorenson Company.

The Department of Commerce conducted a survey of manufacturers who accounted for almost all of the combined sales of Yorktowne, Shorenson Company and My-Lisa, Incorporated during the year ending September 30, 1979 and 1980. The survey revealed that manufacturers representing a substantial portion of the sales decline over that period increased their purchases of imported women's blouses. The Department of Commece

on December 17, 1980 certified Shorenson Company (previously Yorktowne) as eligible to apply for firm adjustment assistance (F-PA-1378).

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with women's blouses produced at Yorktowne Manufacturing Company, Ephrata, Pennsylvania contributed importantly to the decline in sales or production and to the total or partial separation of workers of that firm. In accordance with the provisions of the Act, I make the following certifications:

All workers of Yorktowne Manufacturing Company, Ephrata, Pennsylvania who became totally or partially separated from employment on or after October 27, 1979 and before July 31, 1980 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 1st day of April 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-10934 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-28-M

Wage and Hour Division

Certificates Authorizing the Employment of Learners at Special Minimum Wages

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act (52 Stat. 1062, as amended; U.S.C. 214), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and Administrative Order No. 1-76 (41 FR 18949), the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. For each certificate, the effective and expiration dates, number or proportion of learners and the principal product manufactured by the establishment are as indicated. Conditions on occupations, wage rates, and learning periods which are provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

The following certificates were issued under the apparel industry learner regulations (29 CFR 522.1 to 522.9, as amended and 522.25, as amended). The following normal labor turnover certificates authorize 10 percent of the total number of factory production workers except as otherwise indicated.

Corbin, Ltd., Huntington, WV; 01-22-81 to 01-21-82. (Men's pants)

Flushing Shirt Mfg. Co., Grantsville, MD; 01-18-81 to 01-17-82. (Men's shirts)

Wyoming Valley Garment Co., Wilkes-Barre, PA; 01-13-81 to 01-12-82; 5 learners for normal labor turnover purposes. (Men's pants)

The following certificate was issued in Puerto Rico:

Amertex Enterprises, San Lorenzo, PR; 01-22-81 to 01-21-82; 50 learners for normal labor turnover purposes in the occupation of sewing machine operator for a learning period of 320 hours at the rate of $3.04 an hour. (Men's coveralls)

Each learner certificate has been issed upon the representations of the employer which, among other things were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available.

The certificate may be annulled or withdrawn as indicated therein, in the manner provided in 29 CFR, Part 528. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof on or before April 27, 1981.

Signed at Washington, D.C., this 7th day of April 1981.

Arthur H. Korn,

Authorized Representative of the Administrator.

[FR Doc. 81-10916 Filed 4-9-81; 8:45 am]

BILLING CODE 4510-27-M

NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE

Changed Meeting Date

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) has changed the June 23 and 24 meeting (Tuesday and Wednesday) to June 29 and 30 (Monday and Tuesday).

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 Public Law 95-63, on July 5, 1977. Its duties are to (1) under take 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 Secreary 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 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 public is welcome at the sessions and will be admitted to the extent that seating is avilable. 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.

Additional information concerning these meetings 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, D.C. 20235. The telephone number is 202/653-7818.

Steven N. Anastasion,

Executive Director.

[FR Doc. 81-10855 Filed 4-9-81; 8:45 am]

BILLING CODE 3510-12-M

Marine Transportation Subgroup of the Independent Areas Task Force; Meeting

Pursuant to Sec. 10(a)(2), of the Federal Advisory Committee Act, 5 U.S.C. App. (1976), notice is hereby given that the Marine Transportation Subgroup of the Independent Areas Task Force (IATF) of the National Advisory Committee on Oceans and Atmosphere (NACOA) will meet Thursday and Friday, May 14-15, 1981. The Subgroup will meet in the B-100 conference room of Page Building #1, 2001 Wisconsin Avenue, NW., Washington, D.C.

The May meeting is the final meeting of the IATF on Marine Transportation and will focus on cross-cutting issues impacting the various segments of the marine transportation industry. The session which will be open to the public, will convene at 9:00 a.m. and adjourn at 4:00 p.m. each day. The tentative agenda for this meeting includes presentations by the U.S. Coast Guard, Maritime Labor, the Department of State, the Lake Carriers Association, the National Maritime Council, Crowley Marine, and the Department of Energy.

NACOA has initiated a study to formulate national goals and objectives for the oceans in the decade of the

1980's and beyond. To support the conduct of this study, the Secretary of Commerce has established the IATF for NACOA. The IATF will be responsible for the preparation of preliminary recommendations in the areas of energy, fisheries, marine transportation, ocean minerals, ocean operations and services, pollution, and waste management.

Persons desiring to attend will be admitted to the extent seating is available. Persons wishing to make formal statements should notify the Chairperson of the Subgroup on Marine Transportation, Dr. Don Walsh, in advance of the meeting. The Chairperson retains the prerogative to impose limits on the duration of oral statements and discussion. Written statements may be submitted before or after each session.

Additional information concerning this meeting may be obtained through the NACOA Executive Director, Mr. Steven N. Anastasion, or Richard C. Wigger, the Staff Member for the Marine Transportation Subgroup. The mailing address is: NACOA, 3300 Whitehaven Street, NW. (Suite 438, Page Building #1), Washington, D.C. 20235.

Steven N. Anastasion,

Executive Director.

[FR Doc. 81-10656 Filed 4-9-81; 8:45 am]

BILLING CODE 3510-12-M

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-387 and 50-388]

Pennsylvania Power & Light Co. (Susquehanna Steam Electric Station, Units 1 and 2); Availability of Supplement 2 to Draft Environmental Statement

Notice is hereby given that Supplement 2 to the Draft Environmental Statement (NUREG-0564) related to the operation of the Susquehanna Steam Electric Station, Units 1 and 2, by Pennsylvania Power and Light Company has been prepared by the Commission's Office of Nuclear Reactor Regulation. The Susquehanna Steam Electric Station is located on a site in Salem Township, Luzerne County, Pennsylvania.

This second supplement to NUREG-0564 addresses the environmental impacts of postulated accidents (including those formerly referred to as Class 9 accidents).

This supplement to NUREG-0564 is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. 20555, and in the Osterhout Free Library, Reference Department, 71 South Franklin Street, Wilkes-Barre, Pennsylvania 18701. This supplement is also being made available at the Pennsylvania State Clearinghouse, Governor's Budget Office, Intergovernmental Relations Division, P.O. Box 1322, Harrisburg, Pennsylvania 17120, at the Luzerne County Planning Commission, Court House, Wilkes-Barre, Pennsylvania 18711, and at the Economic Development Council of Northeast Pennsylvania, P.O. Box 777, Avoca, Pennsylvania 18641. Requests for copies of supplement 2 to NUREG-0564 should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Attention: Director, Technical Information and Document Control.

Interested persons may submit comments on this supplement to the Draft Environmental Statement for the Commission's consideration. Federal, State and specified local agencies are being provided with copies of this supplement (local agencies may obtain these documents upon request).

Comments by Federal, State and local official, or other members of the public received by the Commission will be made available for public inspection at the Commission's Public Document Room in Washington, D.C. and in the Osterhout Free Library, Wilkes-Barre, Pennsylvania. Upon completion of comments submitted with respect to Supplement 2 to NUREG-0564, the Commission's staff will prepare a Final Environmental Statement, the availability of which will be published in the **Federal Register**. Comments are due by May 26, 1981.

Comments on Supplement 2 to NUREG-0564 from interested members of the public should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Attention: Director, Division of Licensing.

For the Nuclear Regulatory Commission.

Dated at Bethesda, Md., this 30th day of March 1981.

B. J. Youngblood,

Chief, Licensing Branch No. 1, Division of Licensing.

[FR Doc. 81-10762 Filed 4-9-81; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF PERSONNEL MANAGEMENT

Privacy Act of 1974; Proposed New Routine Use for an Existing System of Records

AGENCY: Office of Personnel Management.

ACTION: Notice; Proposed new routine use for an existing system of records.

SUMMARY: The purpose of this document is to propose a new routine use for the Office's General Personnel Records system (OPM/GOVT-1). This routine use, once in effect, will permit the disclosure of data from the Office's Central Personnel Data File (CPDF) to the U.S. Department of Agriculture (USDA) for purposes of a matching program.

COMMENT DATE: Any interested party may submit written comments regarding this proposal. To be considered, comments must be received on or before May 11, 1981.

ADDRESS: Address comments to: Deputy Assistant Director for Work Force Information, Office of Personnel Management (Room 6429), 1900 E Street, N.W., Washington, D.C. 20415. Comments received will be available for public inspection at the above address from 9 a.m. to 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION, CONTACT: John Sanet, Work Force Records Management Branch (202) 254-9790.

SUPPLEMENTARY INFORMATION: Pursuant to the Office of Management and Budget's (OMB) Supplemental Guidance for Matching Programs (44 FR 23138; April 18, 1979), the Office is proposing a time-limited routine use to permit disclosure of individual data from the Central Personnel Data File (CPDF) to the U.S. Department of Agriculture (USDA) for the purpose of conducting a matching program. The CPDF is part of the OPM/GOVT-1 system of records. Under the authority of Public Law 95-452, the USDA will be conducting a match between record systems to detect and identify Federal employees who might be fraudulently obtaining food stamp assistance or abusing the Food Stamp Program.

The most efficient way of comparing individuals who are receiving food stamp assistance, a major criterion of which is the applicant's income, with those who are Federal civilian employees is for the USDA to provide a tape with the Social Security Numbers of those individuals receiving food stamp assistance. The Office then "matches" that tape with the CPDF file and provides the name, date of birth, salary, work schedule (full time, part time, or intermittent), geographic location (duty station), and the agency identification and reporting office codes of Federal employees from CPDF to USDA. The Office will disclose information to the USDA only when the USDA provides the Social Security Number, thereby enabling the Office to locate the data cited from the CPDF. In providing that information to the USDA, the Office's magnetic tape also includes the individual's Social Security Number.

While the Office does not consider this to be a release of the SSN from its system, it recognizes that the process is tacit verification of those SSN's that USDA provided to it.

This list of matches will be compared by USDA against benefit recipient files. For each match, the USDA will conduct a more thorough review of the recipient's eligibility for assistance. Under Office regulations (5 CFR 294.702), the disclosure of name, agency, salary, and duty station location is permitted without the data subject's prior approval. Thus, this routine use is necessary only to permit disclosure of the employee's date of birth and work schedule to the USDA.

Although the date of birth and the work schedule of an individual are not considered to be public information, anticipated benefits to the public justify disclosure of this information for matching with USDA records under safeguards established by USDA to protect against unauthorized disclosure to respect individual rights. Disclosure under the proposed routine use will permit USDA to assure greater integrity of its Food Stamp Programs and is compatible with the Federal personnel management responsibility for oversight of Federal employee's conduct, particularly with regard to the requirement that employees conduct themselves in a proper manner and not obtain financial benefits in a fraudulent manner.

An important limitation to the Office's supplying of the data is that USDA will not retain the data the Office furnishes beyond six months. USDA will return the source tapes to OPM after they are no longer needed. This will limit the possibility of unauthorized use of the data. In addition, since access is pursuant to a Privacy Act routine use, an accounting of disclosure is made as required by 5 U.S.C. 552a(c).

USDA will operate this matching project in full compliance with the OMB's supplemental guidance for matching programs (44 FR 23138). The USDA system notice describing the repository of the data from matching records was published at 44 FR 69694. This routine use is for a limited duration and is not lettered as with permanent routine uses. It will expire on November 11, 1981.

PROPOSED ROUTINE USE: The following routine use will be added to the Office of Personnel Management's government-wide system of records (OPM/GOVT–1). The current notice of this system is published at 45 FR 78415 et seq (November 25, 1980).

OPM/GOVT–1

SYSTEM NAME:

General Personnel Records.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To disclose the name, date of birth, annual salary, work schedule (full time, part time, or intermittent), geographic location (duty station location), agency subelement code (employing agency), and service office locatin of all Federal employees to the U.S. Department of Agriculture in connection with that agency's matching program, conducted under authority of Public Law 95–452, to help eliminate fraud and improper payment in the Food Stamp Program administered by that agency and to collect debts or overpayment owed to the Federal government. This routine use will be operative for a limited period of six months from May 11, 1981 (November 11, 1981).

* * * * *

Office of Personnel Management.

Beverly McLain Jones,

Issuance System Manager.

[FR Doc. 81-10892 Filed 4-9-81; 8:45 am]

BILLING CODE 6325-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 21993 (70-6580)]

The Columbia Gas System, Inc., et al.; Proposed Intrasystem Financing; Issuance and Sale of Short-Term Notes to Banks and Commercial Paper to Dealers; Exception From Competitive Bidding

April 6, 1981.

In the matter of The Columbia Gas System, Inc., Columbia Gas System Service Corporation, Columbia LNG Corporation, 20 Montchanin Road, Wilmington, Delaware 19807; Columbia Gas Transmission Corporation, 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 26314; Columbia Gas of Ohio, Inc., Columbia Gas of West Virginia, Inc., Columbia Gas of Kentucky, Inc., Columbia Gas of Virginia, Inc., Columbia Gas of Pennsylvania, Inc., Columbia Gas of New York, Inc., Columbia Gas of Maryland, Inc., 99 North Front Street, Columbus, Ohio 43215; Columbia Hydrocarbon Corporation, The Inland Gas Company, Inc., Columbia Coal Gasification Corporation, 340 17th Street, Ashland, Kentucky 41101; Columbia Gulf Transmission Company, 3805 West Alabama Avenue, Houston, Texas 77027; Columbia Gas Development of Canada Ltd., 639 5th Avenue, S.W., Calgary, Alberta, Canada T2POM9; and Columbia Gas Development Corporation, 1700 West Loop, South, Houston, Texas 77027.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its subsidiaries named above ("Subsidiaries"), have filed an application-declaration, and an amendment thereto, with this Commission under Sections 6(b), 9, 10, 12(b) and 12(f) of the Public Utility Holding Company Act of 1935 ("Act") and Rules 43, 45, 50(a)(3) and 50(a)(5) thereunder.

It is proposed that the Subsidiaries listed below issue and sell to Columbia prior to December 31, 1981, Common Stock ("Common Stock") and Installment Promissory Notes ("Notes") up to the amount indicated:

	Equity			Installment notes aggregate amount	Total
	Number of shares	Par value	Aggregate amount		
Columbia of Kentucky				$2,800,000	$2,800,000
Columbia of Ohio				28,700,000	28,700,000
Columbia of Maryland				1,600,000	1,600,000
Columbia of New York				1,300,000	1,300,000
Columbia of Pennsylvania				15,200,000	15,200,000
Columbia of Virginia				2,300,000	2,300,000
Columbia of West Virginia			$6,000,000		6,000,000
Columbia Gulf				45,000,000	45,000,000
Development U.S.				25,000,000	25,000,000
Hydrocarbon				7,000,000	7,000,000
Inland				1,200,000	1,200,000
Coal Gasification	120,000	$25	3,000,000	1,000,000	4,000,000
Columbia Transmission				160,000,000	160,000,000
Development Canada				21,000,000	21,000,000
Total			9,000,000	312,100,000	321,000,000

The Notes will be unsecured, and dated the date of their issue. The principal amount will be due in Twenty equal annual installments on January 31st of each of the years 1983 to 2002, inclusive. Interest on all Notes will accrue from the date of issuance and is to be paid semi-annually on the unpaid principal thereof until fully paid. The interest rate will be the actual cost of money to Columbia with respect to its last sale of debentures prior to the issuance of the Notes, decreased by an amount necessary in order that the interest rate be a multiple of ⅛ of 1%. Columbia sold $100,000,000 principal amount of debentures on August 13, 1980, as authorized by Commission order dated August 5, 1980 (HCAR No. 21671), at a cost of money of 12.941%, and may sell additional long-term securities during the financing period. The Notes to be issued initially will, therefore, bear an interest rate of 12.9% and Notes to be issued subsequent to Columbia's future financings will carry an interest rate related to the last sale of debentures prior to the issuance of said Notes. However, should Columbia issue any notes under its Revolving Credit and Term Loan Agreement dated as of April 1, 1980 ("Term Agreement"), among Columbia and certain banks named therein, then notes issued by the subsidiaries subsequent to such financing may be Floating Rate Term Notes due March 31, 1987. Interest on the Floating Rate Term Notes will be paid on a calendar quarterly basis on the unpaid principal amount of said Notes at a floating rate which will be equal to the effective cost of money to Columbia under the Term Agreement. None of the Installment Notes will be purchased by Columbia subsequent to December 31, 1981.

Installment Notes and/or Floating Rate Term Notes issued by Development Canada would have the same provisions as Installment Notes and/or Floating Rate Term Notes as mentioned above except the payment of both interest and current maturities would only be made to the extent that Development Canada had U.S. taxable earnings from operations and therefore a corresponding tax liability on a year-to-year basis. Any unpaid interest and current maturities, resulting because of the aforementioned provision, would be accrued and carried forward to future years and would be paid at such time as Development Canada had sufficient U.S. taxable earnings.

It is stated that the proceeds from the issuance and sale of the Common Stock and Notes, together with funds generated from internal sources, will be used to finance these Subsidiaries' capital expenditure programs and other corporate needs. Columbia LNG Corporation ("LNG") and Columbia Gas System Service Corporation ("Service") plan to finance their entire capital expenditure programs from internally generated funds. The projected aggregate of net capital expenditures for the Subsidiaries is estimated at $513,168,000.

Columbia proposes to advance on open account to certain of the Subsidiaries, and have outstanding from time to time, up to an aggregate amount of $576,500,000 to finance the purchase by such Subsidiaries of underground storage gas and liquid hydrocarbon inventories and to satisfy other short-term needs. All of such advances are to be taken down by December 31, 1981, and repaid on or before May 31, 1982. The open account advances will initially bear interest at the rate in effect from time to time at the agent bank for Columbia's short-term loan line of credit. Interest charges to these Subsidiaries will be adjusted, after the storage financing period, to the effective cost of money Columbia achieves on its short-term borrowing for this purpose.

Columbia's proposed advances to the Subsidiaries will be limited to the amount of each Subsidiary's estimated short-term financing requirements as shown below:

Columbia of Kentucky	$17,300,000
Columbia of Ohio	122,200,000
Columbia of Maryland	2,100,000
Columbia of New York	3,800,000
Columbia of Pennsylvania	15,700,000
Columbia of Virginia	4,300,000
Columbia of West Virginia	36,100,000
Columbia Transmission	250,000,000
Columbia Gulf	36,000,000
Development U.S.	20,000,000
Development Canada	5,000,000
Columbia LNG	60,000,000
Hydrocarbon	1,000,000
Inland	1,000,000
Coal Gasification	1,000,000
Service	1,000,000
Total	576,500,000

Columbia proposes to issue promissory notes to banks and to issue and sell commercial paper to dealers up to an aggregate outstanding principal amount for notes and commercial paper together of $350,000,000 at any one time through May 31, 1982. Virtually all of the proceeds will be related to gas inventory requirements and in no event will the financing of other short-term requirements exceed the limitations of Columbia's Certificate of Incorporation with regard to unsecured debt.

Columbia may sell commercial paper to one or more commercial paper dealers if the effective interest rate on such commercial paper is less than the effective interest cost for an equivalent amount of bank borrowings on the borrowing date. However, in order to obtain greater flexibility, Columbia might issue commercial paper with an effective interest cost in excess of the effective interest cost on equivalent bank borrowings, if the paper has a maturity of not more than 60 days from the date of issue.

Commercial paper will be issued by Columbia in denominations of not less than $50,000 nor more than $5,000,000 and will be reoffered by the dealer or dealers. Such commercial paper will be sold by Columbia to the dealer or dealers at a discount rate which will not be in excess of the discount rate per annum prevailing at the date of issuance for commercial paper of that particular maturity and rating, sold by issuers thereof to commercial paper dealers. No commission or fee will be payable by Columbia in connection with the issuance and sale of such commercial paper. The purchasing dealer, however, will reoffer such notes at a discount rate of ⅛ of 1% per annum less than such discount rate to the issuer. The commercial paper will be reoffered by the commercial paper dealer or dealers to not more than 200 of their customers (a total of 200 customers if more than one dealer) identified and designated in non-public lists of institutional investors prepared in advance by each of them for this purpose. It is expected that Columbia's commercial paper will be held by customers to maturity, but if they wish to resell prior thereto, the commercial paper dealer, pursuant to repurchase agreement, will repurchase the notes and reoffer the same to others on this designated list of customers. The commercial paper shall be in the form of promissory notes with maturities to be determined by market conditions, effective interest cost to Columbia and Columbia's anticipated cash requirements at the time of issuance. The commercial paper to be issued by Columbia would not be payable prior to maturity.

For short-term purposes, Columbia intends to secure credit lines from banks in an aggregate amount of up to $350,000,000. Borrowings under these lines of credit would be repaid by May 31, 1982. Columbia would also have the right to prepay any or all of such notes, in whole or in part, without penalty. It is anticipated that the negotiations will result in a maximum effective interest cost not greaer than the prime rate, in effect from time to time, adjusted for the effect of compensating balances or fees in lieu thereof. Assuming a 10% compensating balance requirement and a prime rate of 17%, the effective cost would be 18.89%. Assuming a fee in lieu of balances of ¼% and a prime rate of 17%, the effective interest cost would be 17.25%.

An exception from the competitive bidding requirements of Rule 50 pursuant to subparagraph (a)(5) thereof is requested for the issuance of commercial paper by Columbia, because the commercial paper matures in nine months or less, it is impractical to obtain competitive bids for commercial paper, and current commercial paper rates of prime borrowers are published in daily financial publications.

The application-declaration and any amendments thereto are available for public inspection through the Office of Public Reference. Any interested person wishing to comment or request a hearing should submit views in writing by April 29, 1981 to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicants-declarants at the addresses specified above and proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date the application-declaration, as filed or as it may be amended, may be permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-10878 Filed 4-9-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 11718; (812-4827)]

The Vanguard Group, Inc., et al.; Filing of Application for an Order Permitting Certain Proposed Transactions

April 6, 1981.

In the matter of The Vanguard Group, Inc., Wellington Fund, Inc., Windsor Fund, Inc., Ivest Fund, Inc., Gemini Fund, Inc., Explorer Fund, Inc., W. L. Morgan Growth Fund, Inc., Wellesley Income Fund, Inc., Vanguard Fixed Income Securities Fund, Inc., Vanguard Money Market Trust, Qualified Dividend Portfolio I, Inc., Qualified Dividend Portfolio II, Inc., Vanguard Index Trust, Vanguard Municipal Bond Fund, Inc., Trustees' Commingled Equity Fund, Inc., and Wellington Management Company/Thorndike, Doran, Paine & Lewis), P.O. Box 876, Valley Forge, Pennsylvania 19482.

Notice is hereby given that Wellington Fund, Inc., Windsor Fund, Inc., Ivest Fund, Inc., Explorer Fund, Inc., W. L. Morgan Growth Fund, Inc., Wellesley Income Fund, Inc., Vanguard Fixed Income Securities Fund, Inc., Vanguard Money Market Trust, Qualified Dividend Portfolio I, Inc., Qualified Dividend Portfolio II, Inc., Vanguard Index Trust, Vanguard Municipal Bond Fund, Inc., and Trustees' Commingled Equity Fund, Inc., all open-end, diversified management investment companies, and Gemini Fund, Inc., a closed-end, diversified management investment company ("Funds"), all of which are registered under the Investment Company Act of 1940 ("Act"); The Vanguard Group, Inc. ("Vanguard"), a Pennsylvania corporation; and Wellington Management Company/Thorndike, Doran, Paine & Lewis ("WMC") (collectively "Applicants"), filed an application on February 23, 1981, pursuant to Section 17(b) of the Act and Rule 17d-1 thereunder for an order of the Commission permitting Applicants to engage in certain transactions. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

According to the application, in 1975 eleven of the then existing Funds "internalized" their corporate management and administrative functions through their affiliate Vanguard, a newly organized, non-profit service company. Until such time, WMC was the "external" investment adviser, manager and distributor for the Funds. WMC continued to serve, however, as the Funds external investment adviser and principal underwriter. Applicants state that the partial internalization was effected pursuant to the terms of a Funds Service Agreement ("Agreement") dated May 1, 1975, which provided that the Funds capitalize Vanguard by purchasing shares of its common stock (or other securities) in proportion to the Funds' relative net assets on the last business day of the month preceding the date on which shares were to be purchased, and that the initial capitalization of Vanguard was $300,000. On February 18, 1975, the Commission issued an order (Investment Company Act Release No. 8676) permitting the purchase of shares of Vanguard by the Funds. Applicants further state that on July 16, 1976, the Funds "internalized" most aspects of their shareholder service function through Vanguard and increased its capitalization to $500,000. Applicants state that on October 1, 1977, the fifteen then existing Funds internalized their distribution function and that the Commission issued an order (Investment Company Act Release No. 11645) on February 25, 1981, permitting the joint arrangement.

Applicants state that the Agreement limits the aggregate cash investment of the Funds in shares of Vanguard to $500,000 and the cash investment of each Fund to 0.05% of its current net assets, in both cases determined at the time of the most recent investment. According to the application, the amount invested by each Fund will be adjusted periodically by purchases and sales of Vanguard shares among the Funds to reflect changing net assets. The Agreement further provides that in the event a Fund terminates its relationship with Vanguard, it will be entitled to receive the fair value of its shares of Vanguard.

Applicants state that the current authorized capital of Vanguard is inadequate to accomplish its primary purpose of serving as working capital to be used to pay the ongoing expenses of Vanguard. According to the application, since the commencement of internalization on May 1, 1975, the Funds have grown in number from eleven with total assets of $1.83 billion, to fourteen (having an aggregate of 20 separate series) with total assets of approximately $3.026 billion as of December 31, 1980. Furthermore, Applicants state that during this same period the number of employees of Vanguard increased from 60 to 174 and Vanguard's average monthly expenses increased from approximately $119,000 ($1,419,000 annually) to $670,000 ($8,035,000 annually). In addition, Applicants state that Vanguard, acting as a disbursing agent for the Funds, pays

some $175,000 per month for direct Fund expenses. Applicants state that because Vanguard is capitalized with only $500,000, the frequency of reimbursement to Vanguard by the Funds required to maintain its capitalization has increased from a monthly reimbursement in 1975 to at least a weekly reimbursement in 1981, resulting in a high level of bookkeeping activities. Applicants contend that this growth in the operations of Vanguard is attributable principally to (i) the 1976 internalization of the transfer agency function and the 1977 internalization of the distribution function; (ii) the introduction of three additional Funds and several new series to existing Funds; and (iii) with respect to average monthly expenses, the inflationary conditions of the past six years. Applicants represent that notwithstanding the growth in absolute dollar expenditures, the aggregate expense ratio of the Funds as a group has been reduced from 0.69% in 1975 to 0.59% in 1980.

Applicants state that, subject to obtaining the exemptive order requested herein, the Funds propose to submit to each Fund's shareholders for their approval an amendment to the Agreement which would increase the authorized capital of Vanguard to $2,500,000. The Agreement would be amended to provide that the obligation of each Fund to contribute to the capital of Vanguard will be limited to an amount not to exceed 0.15% of its current net assets. According to the application, if Vanguard's working capital was increased immediately to the $2,500,000 maximum, each Fund's contribution to Vanguard would be 0.082% of its net assets based on the Funds' assets of $3.026 billion as of December 31, 1980. Applicants state that if the proposed amendment to the Agreement is approved, the boards of directors (trustees) propose to cause the Funds to increase their aggregate contribution to Vanguard to $1,500,000, an amount equal to approximately two months average expenses, plus the amount Vanguard will have invested in fixed assets. Applicants represent that as of the date of the application the boards of directors of the Funds have made no specific determination to cause the Funds to make any additional capital contributions to Vanguard and have made no specific commitments to have Vanguard undertake any action which would require an additional capital contribution.

Applicants contemplate the purchase by Vanguard of various tangible assets such as office furniture and art prints from WMC at a negotiated purchase price not to exceed $51,972.

Section 17(a) of the Act provides, in part, that it shall be unlawful for any affiliated person of a registered investment company, acting as principal, knowingly to sell any security or other property to such registered investment company or to any company controlled by such registered investment company or, knowingly to purchase from such registered investment company any security, with certain exceptions not relevant to the application. Section 17(b) of the Act provides, however, that the Commission, upon application, may exempt a transaction from the provisions of Section 17(a) if evidence establishes that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, and that the proposed transaction is consistent with the policy of each registered investment company concerned and with the general purposes of the Act. Vanguard is an affiliated person of those Funds which own more than 5 percent of its voting securities. Further, since there are common directors and the Funds own and will own all of Vanguard's voting securities, Vanguard may be deemed to be directly or indirectly controlled by, or under common control with one, or more of the Funds. Vanguard may be deemed to be an affiliated person of the Funds, and the Funds may be deemed to be affiliated persons of each other. WMC is an affiliated person of each of the Funds. Thus, Applicants state, the proposed purchases and sales of Vanguard shares between the Funds and Vanguard and the sale of tangibles by WMC to Vanguard may be deemed subject to the provisions of Section 17(a).

Section 17(d) of the Act and Rule 17d-1 thereunder, in pertinent parts, prohibit an affiliated person of a registered investment company, acting as principal, to participate in, or effect any transaction in connection with any joint enterprise or arrangement in which any such registered investment company or a company controlled by such registered company is a participant with the affiliated person unless an application regarding such transaction is filed and an order is granted by the Commission approving such joint enterprise or arrangement prior to its submission to security holders for approval; and provided that, in passing upon such application, the Commission will consider whether the participation of such registered or controlled company in such arrangement is consistent with the provisions, policies and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

Applicants state that by virtue of the affiliations described above, one or more or all of the Funds, WMC and Vanguard may be deemed to be engaged in such a joint transaction and prohibited from participating in the proposed transaction unless the Commission issues an order allowing the implementation of the proposal.

Applicants, therefore, request an order pursuant to Section 17(b) of the Act and Rule 17d-1 thereunder permitting (1) the amendment of the Agreement to allow Vanguard to increase its capitalization to $2,500,000; (2) WMC to sell office furnishings to Vanguard; and (3) the Funds, Vanguard and/or WMC to enter into and implement the proposed joint transaction as described herein.

Applicants represent that all the proposed arrangements and transactions described in the application comport with the applicable statutory standards.

The Funds state that, as business organizations, they must have the financial resources available to bear current expenses, to acquire the office space, furnishings and equipment necessary to conduct their business activities, and to make financial commitments which the Funds' board of directors determine are necessary or appropriate to serve the interests of the Funds' shareholders by maintaining or enhancing a viable, dynamic and competitive Fund complex. Applicants state that the boards of directors of the Funds have concluded that it is in the best interests of the Funds' shareholders to have available through Vanguard adequate resources to make necessary financial commitments without having to obtain a Commission exemptive order and shareholder approval each time a need for additional capital arises. Applicants contend that the proposed increase in authorized capital is consistent with the provisions, policies and purposes of the Act because the capital increase will minimize the administrative burdens and expenses resulting from the frequent need to reimburse Vanguard on at least a weekly basis, and will enhance the boards of directors' ability to take those actions which they, in the exercise of informed, independent and good faith

business judgment, believe will serve the interests of the Funds' shareholders. The Applicants further state that the proposed capitalization of Vanguard is reasonable in view of the anticipated working capital needs of Vanguard and the *de minimis* portion of each Fund's assets to be invested, and the proposal is fair since each Fund will contribute capital in proportion to its current net assets with the capital contribution being adjusted periodically so that no Fund will have a disproportionate investment. Finally, Applicants state that the consideration to be paid to WMC for the office furnishing is reasonable and fair and involves no overreaching on the part of any person involved. Applicants further note that the proposed arrangement will be submitted for approval to each Fund's shareholders.

Notice is further given that any interested person may, not later than May 1, 1981, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81–10879 Filed 4–9–81; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–17667; File No. SR–BSE–81–3]

Self-Regulatory Organizations; Proposed Change by Boston Stock Exchange, Inc.

In the matter of a Boston Stock Exchange, Inc., Rule relating to Interest Equalization Tax.

Comments requested on or before May 1, 1981.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on March 17, 1981, the Boston Stock Exchange, Inc., filed with the Securities and Exchange Commission the proposed change as described in Items I, II, and III below, which Items have been prepared by the Self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Boston Stock Exchange, Inc., proposes to delete the provisions of Chapter XXIX of the Rules which deals with trading in securities subject to the Interest Equalization Tax Act and Extensions, under the Internal Revenue Code, Section 4918(c).

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(A) *Self-Regulatory Organization's Statement of, and Statutory Basis for, the Proposed Rule Change.*

(1) *Self-Regulatory Organization's Statement of, and Statutory Basis for, the Proposed Rule Change.*

(a) The purpose of the proposed Rule change is to eliminate an obsolete requirement concerning trading in securities subject to the Interest Equalization Tax Act and Extensions.

(b) The provision of the Internal Revenue Code, Section 4918(c) was repealed on October 4, 1976, thereby rendering Chapter XXIX obsolete.

(B) *Self-Regulatory Organization's Statement on Burden on Competition.*

No burden on competition is perceived by the elimination of the proposed Rule.

(C) *Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, Or Others.*

Comments have neither been solicited nor received.

III. Date of Effectiveness of the Proposed Changed and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934 and subparagraph (e) of Securities Exchange Act Rule 19b–4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed change that are filed with the Commission, and all written communications relating to the proposed change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 1100 L Street, NW, Washington, D.C.

Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before May 1, 1981.

For the Commission by the Division of Market Regulation, purusant to delegated authority.

George A. Fitzsimmons,

Secretary.

March 27, 1981.

[FR Doc. 81–10880 Filed 4–9–81; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–17683; File No. SR–PCC–81–1]

Self-Regulatory Organizations; Proposed Rule Change by Pacific Clearing Corp.

In the matter of Discount in Fees.

Comments requested on or before May 1, 1981.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15

U.S.C. 78s(b)(1), notice is hereby given that on March 27, 1981, the Pacific Clearing Corporation filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change is a 55% discount from the fees currently charged by Pacific Clearing Corporation for the clearance and settlement of transactions. The discount will be effective with the April trade month and will be in effect on a quarterly basis until the completion of a study of fees of Pacific Clearing Corporation later in 1981.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) *Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change.* The purpose of the proposed rule change is to enable Pacific Clearing Corporation to be an effective competitor for the clearing and settlement business of the securities industry. Several competing clearing agencies currently have discount or rebate policies and the proposed rule change will better enable Pacific Clearing Corporation effectively to seek new business while maintaining its existing participant base. The rule change will uniformly benefit all participants of Pacific Clearing Corporation.

The proposed rule change is consistent with the requirements of the Securities Exchange Act of 1934 in that it provides for the equitable allocation of reasonable fees and other charges among participants of Pacific Clearing Corporation and fosters cooperation and coordination with persons engaged in the clearance and settlement of securities transactions. It may be implemented consistently with the safeguarding of securities and funds within the custody or control of Pacific Clearing Corporation or for which it is responsible because the fee reduction will be given without affecting Pacific Clearing Corporation's services or security.

(B) *Self-Regulatory Organization's Statement on Burden on Competition.* The proposed rule change will not impose any burden on competition, but will, in fact, have a favorable impact on competition by providing lower costs to participants of Pacific Clearing Corporation.

(C) *Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others.* Written comments were neither solicited nor received on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934 and subparagraph (e) of Securities Exchange Act Rule 19b-4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before May 1, 1981.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: April 2, 1981.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-10662 Filed 4-9-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-17686; File No. SR-PHLX 81-6]

Self-Regulatory Organizations; Proposed Rule Change by Philadelphia Stock Exchange, Inc.

In the matter of the Termination of its Division in Coral Gables, Florida, known as the Southeastern Stock Exchange.

Comments requested on or before May 1, 1981.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78(s)(b)(1), notice is hereby given that on March 9, 1981, the Philadelphia Stock Exchange, Inc., filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Philadelphia Stock Exchange, Inc., (PHLX) has taken action to terminate on March 31, 1981, the operation of its Division in Coral Gables, Florida, known as the Southeastern Stock Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The self-regulatory organization has prepared summaries, set forth in sections (A), (B) and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of and Statutory Basis for the Proposed Rule Change.

The Southeastern Stock Exchange Division was organized in 1974 and operated as a Division of the PHLX in order to encourage listing of regional companies for exchange trading, attract capital for investment, attract order flow from offices of PHLX member organizations and their customers, and to induce PHLX members to locate on the Division and develop specialist and market-making activities and floor brokerage business from members in the region.

In almost seven years of operations the Division has not lived up to expectations in the realization of its intended objectives. Daily average volume attributable to it from 1975 through 1980 has been as low as 6,000 shares and as high as 9,000 shares. From two to eight PHLX members at one time have been participants on the Division.

No listings have been obtained and no executions of trades or market-making have occurred on the Division which, in consequence, has not developed as a trading floor. The Division participants have been registered in a comparatively few number of stocks, as regular specialists or as alternate specialists in dually-traded issues but the executions have occurred on the Philadelphia floor through the services of another member acting as their representative. Floor brokerage business has been directed in the same manner to the Philadelphia floor.

The Division operated at a loss to the PHLX and in 1978 the Exchange entered into agreements with the Division participants which provided, as a condition of the Division's continued operation, that the participants would be responsible for net losses attributable to the cost of communications equipment, rent and depreciation of office equipment. The agreements set forth formulae relating to the allocation and sharing of income and expense items to the end that the Division should be self-supporting and operated at no loss to the PHLX.

The participants are PHLX members who can conduct the same activities as other members and have the same access to services offered by the PHLX, regardless of whether they function on the Division or in their own personal offices.

The action of the PHLX Board of Governors to terminate the Division is a business decision. In the Board's opinion, the activities of the participants can more appropriately be conducted under their own respective names as broker-dealers pursuing their private business interests rather than under the blanket name of a stock exchange division.

The termination of the Division is consistent with the requirements of the Act in that it does not unfairly discriminate between brokers or dealers (Section 6(b)(5) and does not prohibit or limit any person with respect to access to services offered by the Exchange or a member thereof (Section 6(b)(7)). The existence of an Exchange Division is not necessary in order for them to continue their present activities as PHLX members.

B. Self-Regulatory Organization's Statement on Burden on Competition.

The termination of the Division will have no impact on competition. No trading markets are being made on the Division's "floor". The participants remain PHLX members who can continue their activities in the same manner and at approximately the same cost whether or not they operate under the blanket name of the Southeastern Stock Exchange Division of the PHLX.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others.

Communications between the PHLX and the Division participants indicate that the participants believe that as long as they pay their way under agreements with the Exchange the division should be continued since they have made contractual commitments and incurred obligations on the basis of such an interpretation. They also suggested they wanted more time to work out alternate lease arrangements and contractual adjustments.

The PHLX believes that although the duration of the contracts involving the operation of the Division is not expressly fixed, they may be terminated at the will of either party upon reasonable notice. Considering the obligations of a national securities exchange as a market place, regulator and membership organization, it would be an unreasonable construction to hold that the PHLX is obligated to operate the Division for so long as members located thereon paid its expenses, regardless of other factors in the operation.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934 and subparagraph (e) of Securities Exchange Act Rule 19b-4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before May 1, 1981.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

April 3, 1981.

[FR Doc. 81-10881 Filed 4-9-81; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[Proposal No. 05/05-0157]

Shared Ventures, Inc.; Application for a License as a Small Business Investment Company

Notice is hereby given of the filing of an application with the Small Business Administration pursuant to Section 107.102 of the SBA Regulations (13 CFR 107.102 (1980)) by Shared Ventures, Inc. (Applicant), 4601 Excelsior Boulevard, St. Louis Park, Minnesota, 55416, for a license to operate as a small business investment company (SBIC) under the provisions of the Small Business

Investment Act of 1958 (The Act), as amended (15 U.S.C. *et seq.*).

The proposed officers, directors and shareholders are:

Name and Address, Title and Relationship, and Percent of Ownership

Howard W. Weiner, 5224 Schaefer Road, Edina, Minnesota 55436—President, Treasurer and Director—40.24
Frederick L. Weiner, 3339 5th Avenue South, Minneapolis, Minnesota 55436—Vice President, Secretary and Director
Joanne W. Weiner, 5224 Schaefer Road, Edina, Minnesota 55436—Director
Howard Weiner, Trustee for Frederick L. Weiner—19.92
Howard Weiner, Trustee for Susan Weiner—19.92
Howard Weiner, Trustee for Janet Weiner—19.92

The Applicant proposes to begin operations with a capitalization of $500,000 and will provide financing primarily in the form of equity to qualified small business concerns.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed owners and management, and the probability of successful operations of the new company under their management, including adequate profitability and financial soundness, in accordance with the act and regulations.

Notice is further given that any person may, not later than April 27, 1981, submit written comments on the proposed SBIC to the Acting Associate Administrator for Investment, Small Business Administration, 1441 L Street, N.W., Washington, D.C. 20416.

A copy of the Notice will be published in a newspaper of general circulation in St. Louis Park, Minnesota.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: April 7, 1981.

Peter F. McNeish,

Acting Associate Administrator for Investment.

[FR Doc. 81-10783 Filed 4-9-81; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area #1984]

Territory of American Samoa; Declaration of Disaster Loan Area

As a result of the President's declaration, I find that the following areas of the Territory of American Samoa, Swains Island and Manua Islands constitute a disaster area because of damage resulting from Typhoon Esau which occurred on March 2, 1981. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on May 26, 1981, and for economic injury until the close of business on December 24, 1981, at: Small Business Administration, District Office, P.O. Box 50207, 300 Alamoana, Honolulu, Hawaii 96850, or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: April 2, 1981.

Michael Cardenas,

Administrator.

[FR Doc. 81-10009 Filed 4-9-81; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF STATE

[CM-8/392]

Study Group 1 of the U.S. Organization for the International Radio Consultative Committee (CCIR); Meeting

The Department of State announces that Study Group 1 of the U.S. Organization for the International Radio Consultative Committee (CCIR) will meet on April 23 and 24 and, if needed, May 13, 1981 at 9:30 a.m. in room B841, Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C.

Study Group 1 deals with matters relating to efficient use of the radio frequency spectrum, and in particular, with problems of frequency sharing, taking into account the attainable characteristics of radio equipment and systems; principles for classifying emissions; and the measurement of emission characteristics and spectrum occupancy. The purpose of the meetings will be a review looking to adoption of documents for submission to the State Department as proposed contributions to the international meeting of Study Group 1 in October 1981. U.S. contributions to Interim Working Parties of Study Group 1 will also be considered.

Members of the general public may attend the meeting and join in the discussions subject to instructions of the Chairman. Requests for further information should be directed to Mr. Gordon Huffcutt, State Department, Washington, D.C. 20520; telephone (202) 632-2592.

Gordon L. Huffcutt,

Chairman, U.S. CCIR National Committee.

March 26, 1981.

[FR Doc. 81-10901 Filed 4-9-81; 8:45 am]

BILLING CODE 4710-07-M

[CM-8/393]

Study Group 4 of the U.S. Organization for the International Radio Consultative Committee (CCIR); Meeting

The Department of State announces that Study Group 4 of the U.S. Organization for the International Radio Consultative Committee (CCIR) will meet on April 29, 1981 at 10:00 a.m. in the 7th Floor Training Room, Communications Satellite Corporation Building, 950 L'Enfant Plaza, SW., Washington, D.C.

Study Group 4 deals with matters relating to systems of radio-communications for the fixed service using satellites. The purpose of the meeting is to consider the documents proposed for submission to the international meeting of Study Group 4 in October 1981.

Members of the general public may attend the meeting and join in the discussions subject to instructions of the Chairman. Requests for further information should be directed to Mr. Gordon Huffcutt, State Department, Washington, D.C. 20520, telephone (202) 632-2592.

Dated: March 31, 1981.

Gordon L. Huffcutt,

Chairman, U.S. CCIR National Committee.

[FR Doc. 81-10902 Filed 4-9-81; 8:45 am]

BILLING CODE 4710-07-M

Sunshine Act Meetings

Federal Register
Vol. 46, No. 69
Friday, April 10, 1981

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

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

TIME AND DATE: 9:30 a.m. (eastern time), Tuesday, April 14, 1981.

PLACE: Commission Conference Room 5240, fifth floor, Columbia Plaza Office Building, 2401 E Street NW., Washington, D.C. 20506.

STATUS: Part will be open to the public and part will be closed to the public.

MATTERS TO BE DISCUSSED:

1. Freedom of Information Appeal No. 81-2-FOIA-33-CH, concerning a request for access to part of a closed age discrimination file.
2. Freedom of Information Act Appeal No. 80-12-FOIA-021-NY, concerning a request for a complete charge file.
3. Freedom of Information Act Appeal No. 80-10-FOIA-533, concerning a request for lists of potential Title VII respondents and defendant employers.
4. Freedom of Information Act Appeal No. 81-1-FOIA-2-NO, concerning material in a Title VII charge file.
5. Freedom of Information Act appeal No. 81-2-FOIA-009-NY, concerning access to procedures for processing age charges and access to an open age file.
6. Freedom of Information Act Appeal No. 81-FOIA-1-1-NO, concerning a request for a draft of a proposed Commissioner charge.
7. Proposed Contract for Computer Programming Services.
8. 14th Annual Report for Fiscal Year 1979.
9. A report on Commission operations by the Executive Director.

Closed to the Public:

1. Litigation authorization: General Counsel Recommendations.
2. Proposed Pre-determination Settlement, Charge No. 091792554.

Note.—Any matter not discussed or concluded may be carried over to a later meeting.

CONTACT PERSON FOR MORE INFORMATION: Eva I. McCall, Executive Officer, Executive Secretariat, at (202) 634-6748.

This Notice Issued April 7, 1981.

[S-576-81 Filed 4-8-81; 10:32 am]

BILLING CODE 6570-06-M

2

FEDERAL ELECTION COMMISSION.

FEDERAL REGISTER NO. 530.

PREVIOUSLY ANNOUNCED DATE AND TIME: Thursday, April 9, 1981 at 10 a.m.

CHANGE IN MEETING: An executive session will be held at the close of the open meeting in order to continue the agenda of April 7, 1981.

PERSON TO CONTACT FOR INFORMATION: Mr. Fred S. Eiland, Public Information Officer; Telephone: 202-523-4065.

Marjorie W. Emmons

Secretary of the Commission.

[S-579-81 Filed 4-8-81 1:09 pm]

BILLING CODE 6715-01-M

3

FEDERAL HOME LOAN BANK BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: To be published.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m., Wednesday, April 14, 1981.

PLACE: 1700 G Street N.W., board room, sixth floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Marshall (202-377-6679).

CHANGES IN THE MEETING: The Bank Board meeting scheduled for Wednesday, April 14, 1981, has been rescheduled for Thursday, April 23, 1981. The following item will appear on the Thursday, April 23, 1981 Board meeting.

Proposed Merger—Franklin Federal Savings & Loan Association, Lavonia, Georgia *into* Athens Federal Savings & Loan Association, Athens, Georgia

April 8, 1981.

[S-577-81 Filed 4-8-81; 12:03 pm]

BILLING CODE 6720-01-M

4

FEDERAL MARITIME COMMISSION.

TIME AND DATE: 9 a.m., April 15, 1981.

PLACE: Hearing Room One, 1100 L Street, N.W., Washington, D.C. 20573.

STATUS: Parts of the meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Portions open to the public:

1. Maurice C. Perry d.b.a. U.S. Miami International Freight Forwarders, FMC License No. 1401—Proposed Investigation.
2. Suarez Shipping Services, Inc. (FMC License No. 1199)—Proposed Investigation.
3. Dolphin Freight Forwarders, Inc.—FMC Independent Ocean Freight Forwarder License No. 1577—Proposed Investigation.
4. Imex International, Inc.—FMC Independent Ocean Freight Forwarders License No. 1436—Proposed Investigation.
5. Basa Cargo Services, Inc., FMC License No. 1641—Proposed Investigation.
6. Savir Inc. (FMC 2089) and B.I.L. International Corp. (FMC 1726)—Proposed Investigation.
7. Marina Shipping Co., Inc., FMC License No. 1304—Proposed Investigation.
8. Tariff Limitations On the Time for Filing Overcharge Claims.
9. Docket No. 80-74—In Re: Agreement No. 5850 DR (W&S); North Atlantic Westbound Freight Association Wines and Spirits Dual Rate Contract—Discussion of the Record.

Portion closed to the public:

1. Docket No. 76-34—Tariff FMC 6, Rule 22 of the Continental North Atlantic Westbound Freight Conference and Docket No. 76-36—Tariff Rules Concertedly Published Defining Practices of Conferences and Rate Agreement Members Regarding the Acceptance and Responsibility for Shipper-Owned or Shipper-Leased Trailers or Containers—Future Course of Proceedings.

CONTACT PERSON FOR MORE INFORMATION: Joseph C. Polking, Acting Secretry (202) 523-5725.

[S-578-81 Filed 4-8-81; 12:06 pm]

BILLING CODE 6730-01-M

5

FEDERAL RESERVE SYSTEM.

Board of Governors

TIME AND DATE: 10 a.m., Wednesday, April 15, 1981.

PLACE: 20th Street and Constitution Avenue, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
2. Any 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: April 7, 1981.

James McAfee,

Assistant Secretary of the Board.

[S-575-81 Filed 4-8-81; 9:55 am]

BILLING CODE 6210-01-M

6

FEDERAL TRADE COMMISSION.

TIME AND DATE: 2 p.m., Tuesday, April 14, 1981.

PLACE: Room 432, Federal Trade Commission Building, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

STATUS: Open.

MATTERS TO BE CONSIDERED:
Consideration of Used Car Trade Regulation Rule.

CONTACT PERSON FOR MORE INFORMATION:
Susan B. Ticknor, Office of Public Information: (202) 523–1892; Recorded Message: (202) 523–3806.

Dated: April 8, 1981.

[S-574-81 Filed 4-8-81; 9:39 am]

BILLING CODE 6750-01-M

7

SECURITIES AND EXCHANGE COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 46 FR 20026, April 2, 1981.

STATUS: Closed/open meeting.

PLACE: Room 824, 500 North Capitol Street, Washington, D.C.

DATE PREVIOUSLY ANNOUNCED:
Monday, March 30, 1981
Monday, April 6, 1981

CHANGES IN THE MEETING: Deletion/additional items. The following item will not be considered at a closed meeting scheduled for Thursday, April 9, 1981, following the 10:00 a.m. open meetings.

Regulatory matter bearing enforcement implication.

The following items will be considered at a closed meeting scheduled for Thursday, April 9, 1981, following the 10:00 a.m. open meeting:

Trading suspension.
Freedom of Information Act appeal.
Access to investigative files by Federal, State, or Self-Regulatory authorities.
Litigation.

The following item will not be considered at an open meeting scheduled for Thursday, April 16, 1981, at 10:00 a.m.

Consideration of whether to propose amendments to Regulations S–X which would significantly change the circumstances under which separate financial statements of the parent company only, of unconsolidated subsidiaries and 50 percent or less owned persons, and of consolidated subsidiaries engaged in diverse financial activities are required to be filed. The proposed amendments would reduce the number of instances where separate financial statements are required and are designed to, among other things, place greater reliance on summarized and condensed financial information. For further information, please contact Lawrence C. Best at (202) 272–2130.

Acting Chairman Loomis and Commissioners Evans, Friedman, and Thomas determined that Commission business required the above changes 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: Bruce Mendelsohn at (202) 272–2091.

April 8, 1981.

[S-580-81 Filed 4-8-81; 2:30 pm]

BILLING CODE 8010-01-M

federal register

Friday
April 10, 1981

Part II

Department of Labor

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and Supersedeas Decisions to General Wage Determination Decisions

Modifications and supersedeas decisions to general wage determination decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the modifications and supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing general wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and supersedeas decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Office of Government Contract Wage Standards, Division of Government Contract Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Determination Decision.

New General Wage Determination Decisions

None.

Modifications to General Wage Determination Decisions

The numbers of the decisions being modified and their dates of publication in the **Federal Register** are listed with each State.

Arkansas:	
AR80-4079	Nov. 7, 1980.
AR80-4080	Oct. 31, 1980.
AR80-4082	Nov. 7, 1980.
AR80-4083	Oct. 31, 1980.
Maryland:	
MD81-3020	Mar. 20, 1981.
Pennsylvania:	
PA79-3020	July 20, 1979.
PA80-3027	Apr. 18, 1980.
PA80-3028	Apr. 11, 1980.
PA80-3030	May 30, 1980.
PA80-3031	Aug. 29, 1980.
PA80-3043	July 7, 1980.
PA80-3044	July 25, 1980.
PA80-3056	Sept. 12, 1980.
PA80-3060	Oct. 10, 1980.
PA80-3055	Oct. 3, 1980.
PA80-3075	Dec. 5, 1980.
Texas:	
TX80-4077	Oct. 10, 1980.
TX81-4005	Jan. 6, 1981.
TX81-4001	Jan. 6, 1981.
Wisconsin:	
WI80-2081	Sept. 5, 1980.

Supersedeas Decisions to General Wage Determination Decisions

The numbers of the decisions being superseded and their dates of publication in the **Federal Register** are listed with each State. Supersedeas decision numbers are in parentheses following the numbers of the decisions being superseded.

Alaska:	
AK80-5130 (AK81-5110)	Sept. 26, 1980.
California:	
CA80-5110 (CA81-5109)	Mar. 14, 1980.

Illinois:
IL79-2079 (IL81-2007) ..... Sept. 14, 1979.
Iowa:
IA80-4016 (IA81-4021) ..... Feb. 15, 1980.
Kansas:
KS78-4045 (KS81-4019) ..... Apr. 28, 1978.
KS78-4049 (KS81-4018) ..... May 12, 1978.
KS78-4050 (KS81-4017) ..... May 12, 1978.
KS79-4066 (KS81-4022) ..... June 15, 1979.
New Mexico:
NM80-4090 (NM81-4023) ..... Nov. 28, 1980.
Ohio:
OH77-2061 (OH81-2015) ..... Apr. 15, 1977.
OH77-2062 (OH81-2016) ..... Apr. 15, 1977.
OH77-2087 (OH81-2018) ..... May 20, 1977.
OH77-2088 (OH81-2012) ..... May 20, 1977.
OH77-2090 (OH 81-2011) ..... May 20, 1977.
OH77-2091 (OH81-2017) ..... May 20, 1977.
OH78-2063 (OH81-2013) ..... June 16, 1978.
OH78-2167 (OH81-2019) ..... Dec. 29, 1978.
OH78-2069 (OH81-2014) ..... Aug. 11, 1978.

Cancellation of General Wage Determination Decisions

None.

Signed at Washington, D.C. this 3rd of April 1981.

Dorothy P. Come

Assistant Administrator Wage and Hour Division.

BILLING CODE 4510-27-M

Modification Page 1

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #AR80-4079-Mod. #5					
45FR74344-November 7, 1980					
Garland, Hot Springs and Clark Counties, Arkansas					
CHANGE:					
BRICKLAYERS-STONEMASONS:					
Hot Springs County	$11.75		.55		.04
DECISION #AR80-4080-Mod. #7					
45FR72439-October 31, 1980					
Jefferson County, Arkansas					
CHANGE:					
PAINTERS:					
Painters, paperhangers and steam cleaners, sheet rock finishers and wall cover hangers	9.85		.50		.03
Spray gun operators and sand blasterers	10.45		.50		.03
All skeleton steel & all work on stages, structural steel over 30 feet high	10.10		.50		.03
DECISION #AR80-4082-Mod.#5					
45FR74345-November 7, 1980					
Union & Ouachita Counties, Arkansas					
CHANGE:					
Bricklayers	11.50		.75		
DECISION #AR80-4083-Mod.#6					
45FR72438-October 31, 1980					
Pulaski County, Arkansas					
CHANGE:					
PAINTERS:					
Painters, paperhangers & steam cleaners, sheet rock finishers and wall covers hangers	9.85		.50		.03
Spray gun operator and sand blasterers	10.45		.50		.03
All skelton steel and all work on stages structural steel over 30 feet high	10.10		.50		.03

Modification Page 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. MD81-3020 - MOD. #1					
(46 FR 17988 - March 20, 1981)					
Baltimore County, Maryland					
CHANGE:					
POWER EQUIPMENT OPERATORS:					
Cranes, Derricks, Dragline	6.51				
Motor Patrol-Graders	8.82				
DELETE:					
POWER EQUIPMENT OPERATORS:					
Grader	10.55				
Hammer Operator	8.00				

DECISION NO. PA79-3020 - MOD. #4 (44 FR 42880 - July 20, 1979) Carbon, Monroe County, including Tobyhanna Army Depot, and Pike County, Pennsylvania	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
PLUMBERS:					
Zone 2	13.83	.85	1.40		.14
LINE CONSTRUCTION:					
Lineman, dynamite man, heavy equipment operator	13.37	.55	3%		3/8%
Winch truck operator	9.38	.55	3%		3/8%
Groundman	8.97	.55	3%		3/8%

DECISION NO. PA80-3027 - MOD. #7 (45 FR 26654 - April 18, 1980) Schuylkill County, Pennsylvania	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
ELECTRICIANS:					
Tremont and Pinegrove Twps	11.59	.65	3%+.67		½%
LATHERS	11.86	.60	.70		.05
LINE CONSTRUCTION:					
Lineman, heavy equipment operator	13.37	.55	3%		3/8%
Winch truck operator	9.38	.55	3%		3/8%
Groundman	8.97	.55	3%		3/8%

DECISION NO. PA80-3028 - MOD. #6 (45 FR 25019 - April 11, 1980) Berks County, Pennsylvania	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
BRICKLAYERS	11.15	.90	1.00		
CARPENTERS	11.08	.82	.75		
ELECTRICIANS:					
Marion, Tulpehocken and Bethel Twps.	11.59	.65	3%+.67		½%
MILLWRIGHTS	11.60	.82	.75		
PLUMBERS	13.83	.85	1.40		.14
STEAMFITTERS	13.86	.80	1.45		.11
SOFT FLOOR LAYERS	11.08	.82	.75		
STONEMASONS	11.15	.90	1.00		

DECISION NO. PA80-3030 - MOD. #5 (45 FR 36764 - May 30, 1980) Luzerne County, Pennsylvania	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
ASBESTOS WORKERS	12.225	.80	.90		.01
MARBLE SETTERS:					
Remainder of County	11.25		.75		
LINE CONSTRUCTION:					
Linemen, dynamite men, heavy equipment operator	13.37	.55	3%		3/8%
Groundman	8.97	.55	3%		3/8%
Winch truck driver	9.38	.55	3%		3/8%

Modification Page 5

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. PA80-3031 - MOD. #4 (45 FR 59747 - August 29, 1980) Bradford, Tioga, Union Counties, Pennsylvania					
ADD:					
LATHERS	11.86	.60	.70		.05
CHANGE:					
LINE CONSTRUCTION:					
Lineman, dynamite man, heavy equipment operator	13.37	.55	3%		3/8%
Winch truck driver	9.38	.55	3%		3/8%
Groundman	8.97	.55	3%		3/8%
DECISION NO. PA80-3043 - MOD. #6 (45 FR 45849 - July 7, 1980) Cumberland, Dauphin, Perry, Juniata, New Cumberland Depot in York County, Pennsylvania					
CHANGE:					
PAINTERS:					
Brush	10.27	.45	.38		.02
Structural Steel	10.72	.45	.38		.02
Spray	11.02	.45	.38		.02
Tank, bridges, stack	11.52	.45	.38		.02
LATHERS	11.86	.60	.70		.05

Modification Page 6

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. PA80-3044 - MOD. #4 (45 FR 49839 - July 25, 1980) Northumberland County, Pennsylvania					
CHANGE:					
LATHERS	11.86	.60	.70		.05
LINE CONSTRUCTION:					
Linemen, dynamite man, heavy equipment operators	13.37	.55	3%		3/8%
Winch truck operators	9.38	.55	3%		3/8%
Groundman	8.97	.55	3%		3/8%
DECISION NO. PA80-3056 - MOD. #3 (45 FR 60748 - September 12, 1980) Lackawanna, Susquehanna, Wayne and Wyoming Counties, Pennsylvania					
CHANGE:					
LINE CONSTRUCTION:					
Linemen, dynamite man	13.37	.55	3%		3/8%
Winch truck op.	9.38	.55	3%		3/8%
Groundman	8.97	.55	3%		3/8%
DECISION NO. PA80-3060 - MOD. #3 (45 FR 67531 - October 10, 1980) Lycoming County, Pennsylvania					
CHANGE:					
LATHERS	11.86	.60	.70		.05
LINE CONSTRUCTION:					
Linemen & cable splicers	13.37	.55	3%		3/8%
Winch truck op.	9.38	.55	3%		3/8%
Groundmen	8.97	.55	3%		3/8%

DECISION NO. PA80-3055 MOD. NO. 5 (45 FR - 65902 - October 3, 1980) Bucks, Chester, Delaware, Montgomery & Philadelphia Counties, Pennsylvania	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE: ROOFERS: Rehabilitation work to include demolition, repair and alteration, on any existing structure not more than (4) stories which is intended for predominently residential use: ZONE 1 Composition, damp and waterproofers	$10.92	.85	.70		

DECISION NO. PA80-3075 - MOD. #2 (45 FR 80638 - December 5, 1980) Northampton County, Pennsylvania	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
BRICKLAYERS & STONEMASONS	12.44	.60	.66		.01
CEMENT MASONS	12.34	.60	.66		.01
PLASTERERS	12.23	.60	.66		.01
SOFT FLOOR LAYERS	10.55	.64	.72	.65	
STEAMFITTERS	13.86	.80	1.45		.11
TERRAZZO WORKERS	11.34	.60	.66		.01

DECISION NO. TX80-4077 - MOD. #6 (45 FR 67538 - October 10, 1980) Galveston & Harris Cos., Texas	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE: Painters: East Harris Cos.:					
Group 1	$14.98				
Group 2	15.335				
Group 3	15.075				
Group 4	15.23				
Group 5	15.375				
Group 6	15.64				

DECISION NO. TX81-4005 - MOD. #4 (46 FR 1545 - January 6, 1981) Bexar County, Texas	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE: Carpenters:					
Carpenters	11.64	.48	.80	.40	.05
Millwrights	11.94	.48	.80	.40	.05

DECISION NO. TX81-4001 - MOD. #2
(46 FR 1535 - January 6, 1981)
Statewide Texas

CHANGE AREA COVERED BY VARIOUS ZONES TO READ AS FOLLOWS:
ZONE 11 - Collin, Dallas, Ellis, Grayson & Rockwall Cos.
DESCRIPTION OF WORK: Water & sewer lines & Highway construction projects (does not include tunnels, building structures in rest area projects & railroad construction; bascule, suspension & spandrel arch bridges; bridges designed for commercial navigation; bridges involving marine construction & other major bridges

ZONE 15 - Brazoria, Fort Bend, Galveston, Harris, Matagorda, Montgomery, Waller & Wharton Cos.
DESCRIPTION OF WORK: Highway construction projects (does not include tunnels, building structures in rest area projects & railroad construction; bascule, suspension & spandrel arch bridges; bridges designed for commercial navigation; bridges involving marine construction & other major bridges

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DECISION NO. WI80-2081 - MOD. #1 (45 FR 59114, Sept. 5, 1980)

Langlade, Lincoln and Marathon Counties, Wisconsin	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
POWER EQUIPMENT OPERATORS:					
GROUP I	$12.92	1.15	.90		.05
GROUP II	12.67	1.15	.90		.05
GROUP III	12.37	1.15	.90		.05
GROUP IV	12.27	1.15	.90		.05
GROUP V	11.81	1.15	.90		.05
GROUP VI	11.42	1.15	.90		.05

GROUP I - Cranes, Shovels, Draglines, Backhoes; Chamshells; Derricks; Caisson Rigs; Pile Driver; Skid Rigs; Dredge Operator and Traveling Crane (Bridge Type); Concrete Paver (Over 27E); Concrete Spreader and Distributor.

GROUP II - Material Hoist; Stack Hoists; Tractor or Truck Mounted Hydraulic Backhoe; Tractor or Truck Mounted Hydraulic Crane (5 Tons or Under); Manhoist; Tractor, Bulldozer, Endloader (over 40 H.P.); Forklift (25' and Over); Motor Patrol; Scraper Operator; Sideboom; Straddle Carrier; Mechanic and Welder; Bituminous Plant and Paver; Roller (Over 5 Tons); Percussion Drill; Concrete Pumps; Rotary Drill and Blaster; Trencher (Wheel Type or Chain Type Having Over 8-inch Bucket); Elevator.

GROUP III - Backfiller; Concrete Auto Breaker (Larger); Concrete Finishing Machines (Road Type); Roller (Rubber Tire); Concrete Batch Hopper; Concrete Conveyor Systems; Concrete Mixers (14 S or over); Screw Type, Gypsum and Grout Pumps; Tractor, Bulldozer, Endloader (Under 40 H.P.); Pumps (Well Points); Trencher (Chain Type Having Bucket 8-inch and Under); Industrial Locomotives; Roller (Under 5 Tons) and Firemen (Pile Driver and Derricks).

GROUP IV - Hoist (Automatic); Forklift (12' to 25'); Tampers-Compactors (Riding Type); Assistant Engineer; "A" Frames and Winch Trucks; Concrete Auto Breaker; Hydrohammers (Small); Brooms and Sweepers; Hoists (Tuggers); Stump Chipper (Large); Boats (Tug, Safety, Work Barges and Launch).

GROUP V - Shouldering Machine Operator; Screed Operator; Farm or Industrial Tractor; Post Hole Digger; Stone Crushers and Screening Plants; Fireman (Asphalt Plants); Air Compressor (400 CFM or over); Augers (Vertical and Horizontal); Generator (150 KW and Over); Air, Electric, Hydraulic Jacks (Slip Form); Prestress Machines; Bobcats; Boiler Operators (Temporary Heat); Forklift (12' and Under).

GROUP IV - Generators (Under 150 KW); Combination Small Equipment Operator; Compressors (Under 400 CFM); Welding Machines; Heaters (Mechanical); Pumps; Winches (Small Electric); Oiler and Greaser; Rotary Drill Helper; Conveyor.

SUPERSEDEAS DECISION

STATE: Alaska COUNTIES: Statewide
DECISION NUMBER: AK81-5110 DATE: Date of Publication
Supersedes Decision No. AK80-5130 dated September 26, 1980, in 45 FR 64040
DESCRIPTION OF WORK: Building Projects (including residential project consisting of single family homes and apartments up to and including 4 stories), Heavy and Highway Projects and Dredging

AREA 1 (North of the 63rd Parallel) AREA 2 (South of the 63rd Parallel and west of the 141st Meridian) AREA 3 (East of the 141st Meridian)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$25.17	.78	$1.45		.10
BOILERMAKERS	21.47	1.30	1.25	1.00	.04
BRICKLAYERS; Blocklayers; Stonemasons	18.93	.90	2.95		.09
CARPENTERS:					
Area 1:					
Carpenters	19.10	.90	2.75		.10
Power actuated tool operator; Dewalt or similar type saw operator; Marlite and acoustical; Fire or floor repair work applicators; Nailing machine operator; Saw filer	19.50	.90	2.75		.10
Millwrights	19.65	.90	2.75		.10
Piledrivermen	17.99	.90	3.00		.10
Areas 2 and 3:					
Journeyman Carpenters	18.91	.90	2.00		.25
Acoustical and marlite applicators; Floor workers; Radial arm saw operators; Fire and floor workers	17.89	.90	2.00		.25
Millwrights	19.44	.90	2.00		.25
Piledrivermen	17.99	.90	3.00		.20
CEMENT MASONS:					
Area 1	17.38	1.10	3.00		.15
Area 2	17.13	1.10	3.00		.15
CULINARY WORKERS:					
Working camp manager; Head cook; Baker; Cook-baker	16.31	.50	2.75		.04
Cook	15.95	.50	2.75		.04
DIVERS:					
Wet Pay Diver	41.94	.90	3.00		.20
Standby Diver	20.97	.90	3.00		.20
Tender	19.97	.90	3.00		.20

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS:					
Electricians; Technicians	$21.15	$1.65	3%+3.00		.25
Cable Splicers	22.90	1.65	3%+3.00		.25
Residential Electricians:					
Wireman	12.00	1.20	3%		.10
ELEVATOR CONSTRUCTORS	22.445	1.195	.95	a	.035
ELEVATOR CONSTRUCTORS'					
HELPERS	70%JR	1.195	.95	a	.035
ELEVATOR CONSTRUCTORS'					
HELPERS (PROB.)	50%JR				
GLAZIERS:					
Area 1	16.80	.90	1.00		.20
Areas 2 and 3	19.07	.90	1.00		.20
IRONWORKERS:					
Bender operator; Bridge; Fence erector; Machinery mover; Ornamental; Reinforcing; Sheeter; Structural	20.25	1.35	3.00		.30
LATHERS	21.14	1.10			.04
LINE CONSTRUCTION:					
Groundmen	19.15	1.65	3%+3.00		.25
Equipment operators; Linemen; Technicians	21.15	1.65	3%+3.00		.25
Cable Splicers	22.90	1.65	3%+3.00		.25
Powderman	19.15	1.65	3%+3.00		.25
MARBLE SETTERS; Terrazzo					
Workers	18.93	.90	2.95		.09
PAINTERS:					
Area 1:					
Zone 1: Within a 10 mile radius of the Fairbanks Post Office including Ft. Wainwright					
Zone 2: Beyond 10 miles and up to 40 miles radius of the Fairbanks Post Office including Eielson Air Force Base and all the Sites within this territory					
Zone 3: Beyond 40 miles radius of the Fairbanks Post Office					

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Zones 1 and 3:					
Brush; Roller; Paper; Vinyl	$20.24	$1.35	$2.00		.21
Utilidor; Swing; Sign; Bosun	20.51	1.35	2.00		.21
Structural steel; Pot tender; Sandblaster	20.77	1.35	2.00		.21
Epoxy; Tar; Finish metal spray	21.29	1.35	2.00		.21
Spray painter	21.24	1.35	2.00		.21
Tapers, hand	20.53	1.35	2.00		.21
Tapers, machine	21.58	1.35	2.00		.21
Buffer operator	20.80	1.35	2.00		.21
Hardwood finishers	21.03	1.35	2.00		.21
Zone 2:					
Brush; Roller; Paper and vinly hangers	21.14	1.35	2.00		.21
Utilidor; Swing; Bosun; Sign	21.40	1.35	2.00		.21
Structural Steel, Pot Tender, Sand Blast	21.66	1.35	2.00		.21
Epoxy; Tar; Finish metal spray	22.14	1.35	2.00		.21
Spray painter	22.14	1.35	2.00		.21
Tapers, hand	21.42	1.35	2.00		.21
Tapers, machine	22.47	1.35	2.00		.21
Buffer Operators	21.69	1.35	2.00		.21
Hardwood Finishers	21.92	1.35	2.00		.21
Zone 1, 2 and 3:					
Height Pay; All work on any form of scaffolding or staging over 40 ft. will be paid $.25 more per hour and for every additional 20 ft. $.25 more per hour will be paid to the employee. The height of work shall be determined from the ground to the point of hookup.					

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Areas 2 and 3:					
Brush; Roller; Sign Paper and vinyl; Swing Stage; Taper/Drywall; Structural steel	$19.95	$1.10	$2.00		.25
Spray; Sandblast; Pot Tender	20.35	1.10	2.00		.25
Epoxy and tar applicator	20.55	1.10	2.00		.25
Steel jack and tower	20.95	1.10	2.00		.25
Residential Painters	21.75	1.10	2.00		.25
Height Pay: all classifications, with the exception of steeple jacks and tower painters, a $.25 hourly premium shall be paid for swing stage work on a structure with height in excess of 40 ft. an additional $.25 per hourly height pay shall be paid for each additional 50 ft. thereafter. Height pay on all towers and steeplejack work shall start at the 150 ft. level. $.50 per hour above the scale shall be paid for each additional 100 ft.	12.21	.90	2.00		.25
PLASTERERS:					
Area 1	18.50	1.10	3.00		.15
Area 2	18.25	1.10	3.00		.15
PLUMBERS; Steamfitters:					
Area 1	21.12	1.35	2.90		.35
Area 2	20.60	1.00	2.90		.28
Residential Plumbers	16.48	1.00	2.90		.28
Area 3	19.54	1.20	3.20		.20
ROOFERS:					
Area 1	19.00	1.40	3.30		.05
Areas 2 and 3	18.70	1.40	3.30		.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SHEET METAL WORKERS:					
Area 1	$21.53	.73	$2.38		.19
Areas 2 and 3	21.60	.86	2.10		.22
Residential construction:					
Areas 2 and 3	14.08	.86	1.49		.22
SOFT FLOOR LAYERS:					
Area 1:					
Zones 1 and 3	20.33	1.35	2.00		.21
Zone 2	21.16	1.35	2.00		.21
Areas 2 and 3	20.30	.85	1.00	4%	.20
SPRINKLER FITTERS	20.96	.85	1.20		.08
SURVEY CREWS:					
Party Chief	17.59	1.99	3.00		.20
Instrumentman	16.35	1.99	3.00		.20
Head Chainman	15.80	1.99	3.00		.20
Stakehop	15.80	1.99	3.00		.20
Rear Chainman	15.12	1.99	3.00		.20
TERRAZZO WORKERS	18.93	.90	2.95		.09
TILE SETTERS	18.26	.90	2.95		.09
RIGGERS; WELDERS: Receive rates for craft performing operation to which rigging or welding incidental.					

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Employer contributes 8% of the basic hourly rate for over 5 years' service and 6% of the basic hourly rate for 6 months' to 5 years' of service as Vacation Pay Credit. Six Paid Holidays: A through F.

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$15.87	$1.10	$3.00		.20
Group 2	16.12	1.10	3.00		.20
Group 3	16.42	1.10	3.00		.20
Group 4	16.62	1.10	3.00		.20
Group 5	16.82	1.10	3.00		.20
Group 6	17.04	1.10	3.00		.20

Group 1: Window Cleaner; Building Laborers; Carpenter Tender; Material Handlers; Hook Tenders; Signal Man/Dumpman; Flagman; Sandblast, Pot Tender; Saw Tenders; Pitman; Utiliwalk and Utilidor; Ditch Diggers; Monolithic Workers (sewers); Dryer Man (bridges, dams); Topman and Bull Gang (tunnel and shaft); Brakeman (tunnel or shafts); General Laborer; Sandblaster; Oil Spill Clean Up: Camp Maintenance Labor

Group 2: Base and Floor Machine Man; Pneumatic or Power Tools; Compactor; Rigger; Hydroseeder Nozzleman; Choke Setter; Tank Cleaners; Stake Hopper; Grademen; Concrete Labor (including Vibratorman, Power Buggy and Concrete Power Saw, Curb and Gutter Man); Asphalt Worker (including plant crew); Tar Rubber- add $.25 per hour to scale; Steam Point or Water Jet Operator; Mucker and Laborers (tunnel and shaft); Nippers (tunnel or shafts); Monolithic Workers

Group 3: Jackhammer or Pavement Breakers; Catylist; Epoxie (tank cleaning); Chuck Tender (Wagon and Track Drills); Mason Tender and Mud Mixer (sewers); Insulators (foam gun operator)

Group 4: Bricklayers; Cement Finishers; Gunnite Operator; Burning and Cutting Torch; Pipelayer (culvert and multiplate); Plasterers Tenders; High Scaler; Sloper (over 20 ft.); Chain Saw and Power Saws (brush cutter); Rakers (asphalt crew); Tar Rubber - add $.25 per hour to scale; Cement or Lime Dumper or Handler (sack or bulk); Pipelayers (sewer or water mains); Sewer Caulkers; Timberman (sewer); Pipe Builder (stove pipe crews); Sandblaster (bridges and dams); Monolithic Workers; Powderman Tender

Group 5: Timber Faller; Wagon Driller; Air Trac Wagon Driller; Chain Saw Filer; Miners, tunnels or shafts; Retimberman (tunnels or shafts)

Group 6: High Rigger and Tree Topper; Powderman (tunnels or shafts - add $.30 per hour); Miners, Shafts and Raises (tunnel or shafts); Toxic Pay, add $.35 per hour; Scaffold Pay, add $.15 per hour over 10 ft., $.30 per hour over 40 ft. based on free-fall distance

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$18.30	$1.20	$3.00		.15
Group 1-A	19.43	1.20	3.00		.15
Group 2	17.81	1.20	3.00		.15
Group 3	17.35	1.20	3.00		.15
Group 4	16.33	1.20	3.00		.15

Group 1: "A" Frame Trucks; Helicopters; Transporters; Deck Winches: Double power Drum; Backfiller; Batch Plant Operator: Batch and Mixer, over 200 yds. per hour; Belcrete with power pack and similar Conveyors; Bending Machine; Bulldozer, Quad or HD 41 or similar; Cableways and Highlines, 3 yds. and under; Cleaning Machine; Coating Machine; Cranes: Shovels, Backhoes, Draglines, Clamshells (Crawler, truck type, Rubber-tired, Creter, Floating Locomotive, Whirley, either 3 yds. or under or 150" boom, including jibs and under, or 45 tons and under - Hydralifts or Transporters, all track or truck type - Hyster Cat Cranes and attachments, Sidebooms, under 45 tons); Derricks; Ditching or Trenching Machine (16" aor over); Drilling Machines, Core, Cable, Rotary and Exploration; Hydro Ax and similsr; Loaders (Forklifts with power boom and swing attachment; Overhead and Front End, 2½ yds. through 4 yds.; Loaders with Forks or Pipe Clamps); Mechanics, Welders, Bodyman; Mixers (mobile type with hoist combination); Motor Patrol Grader (over Model 14 or similar types); Mucking Machines (Mole, Tunnel Drill and/or Shield); Operator on Dredges; Piledriver Engineers, L.B. Foster, Puller or similar, Paving Breaker; Power Plant, Turbin Operator, 300 K.W. and over (power plants or combination of power units over 300 K.W. on highway or airfield construction or Quarry operations); Sauerman-Bagley; Scrapers, Tournapulls, Caterpillar, Euclid and similar type equipment over 25 yds. through 40 yds.; Shot Blast Machine; Sub Grader (Gurries, C.M.I. and C.M.I. Roto Mills and similar types); Tack Tractor; Truck mounted Concrete Pump; Wate Kote Machine; Hover Craft, Flex Craft, Loadmaster, Air Cushion, Terrain Vehicle, Helicopter Transporter, Cableways, Rollingon, Dredge Barge-cable, Highline or Cable Car, Camp Maintenance Engineer, Boat Coxswains; Asphalt Roller; Bulldozers; Crusher; Finishing Machine Operator, concrete paving, sidewalk, curb and gutter machine; Loaders, elevating Belt type, Euclid and similar types; Motor Patrol Grader, 14 and under; Scrapers, 25 yds. and under; Spreaders; Blaw Know, Cedarapids, Barber Greene, Screed, Slurry Machine; Nodwell Sno Cat

POWER EQUIPMENT OPERATORS (Cont'd)

Group 1-A: Cableways and Highlines, over 4 yds.; Cranes: Shovels, Backhoes, Draglines, Clamshells (Crawler, truck type, Floating Locomotive, Whirley, either over 3 yds. or over 150' boom, including jibs or over 45 tons); Tower Cranes, Pecco, Lorain, Bucyrus and similar types; Hyster Cat Cranes and attachments, Sidebooms, 45 tons and over; Loader, over 4 yds.; Motor Patrol Grader (finish: when finishing to final grade, red, blue or similar hubs); Power Plants (1000 k.w. and over); Slip Form Paver, C.M.I. and similar types; Tournapulls, Caterpillar, Euclid Scrapers and similar type equipment, over 40 yds.

Group 2: Batch Plant Operator: Batch and Mixer, 200 yds. per hour and under; Cement Hogs and Concrete Pump Operators; Compressors: Steel Erection, including Sandblasting, painting of same; Pile-driving; Conveyors (except as listed in Group 1); Hoists on Steel Erection, Towermobiles and Air Tuggers; Loaders, Elevating Grader, Dumor and similar; Locomotives: Rod and Geared Engines; Mixers Screening, washing plant; Sideboom (cradling rock drill); Skidder; Trenching Machine, under 16"; Service Oiler, Journeyman; Boiler-Fireman

Group 3: "A" Frame Trucks, Deck Winches; Single Power Drum; Bombardier (tack or tow rig); Boring Machine; Brooms, power Wayne, Saginaw and similar types; Bump Cutter (Concut, Christenson or similar types; Compressors, excavating; Farm Tractor; Forklift, industrial type; Gin Truck or Winch Truck with poles when used for hoisting; Hoists, Air Tuggers, Elevators; Loaders (Elevating-Athey, Barber Greene and similar types; Forklifts or Lumber Carrier (on construction job sites); Forklifts with tower; Overhead and Front End, under 2½ yds.); Locomotives: Dinkey (air, steam, gas and electric) Speeders; Mechanics, light duty; Mixers: Concrete Mixers and Batch, 200 yds. per hour and under; Oil, Blower Distributors; Pipeline Dream; Posthole Diggers, mechanical; Pot Fireman (power agitated); Power Plant, Turbine Operator, under 300 k.w.; Pumps: Fuller Kenyon, water; Rollers, Tampers, Vibrators, all except Asphalt Saws, concrete; Straightening Machine; Tow Tractor; Grade Checker, Stake Hopper; Rig Oiler, over 45 ton, over 3 yds. or over 150' boom; Drill Tender

Group 4: Rig Oiler (advances to Group 3, if over 45 tons or 3 yards or 150' boom); Parts and equipment Coordinator; Swamper (on Trenching Machines or Shovel type equipment); Spotter; Steam Cleaner

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$16.36	$1.99	$3.10		.20
Group 2	16.42	1.99	3.10		.20
Group 3	15.89	1.99	3.10		.20
Group 4	16.74	1.99	3.10		.20
Group 5	17.14	1.99	3.10		.20
Group 6	17.45	1.99	3.10		.20
Group 7	17.74	1.99	3.10		.20
Group 8	18.05	1.99	3.10		.20
Group 9	18.36	1.99	3.10		.20
Group 10	18.67	1.99	3.10		.20
Group 11	18.98	1.99	3.10		.20
Group 12	19.29	1.99	3.10		.20
Group 13	19.59	1.99	3.10		.20
Group 14	16.88	1.99	3.10		.20
Group 15	15.61	1.99	3.10		.20
Group 16	16.04	1.99	3.10		.20
Group 17	16.72	1.99	3.10		.20
Group 18	16.98	1.99	3.10		.20
Group 19	17.25	1.99	3.10		.20
Group 20	17.52	1.99	3.10		.20
Group 21	17.69	1.99	3.10		.20
Group 22	16.66	1.99	3.10		.20
Group 23	15.78	1.99	3.10		.20

TRUCK DRIVERS

Group 1: Buggymobile; Hyster Operators (handling bulk aggregate); Lumber Carrier

Group 2: Semi or Truck and Trailer; Dumpsters; Batch Trucks, over 5 yards; Dump Trucks, over 5 yards up to and including 10 yards; Fuel Truck; Greasers of Grease Trucks; Flat Beds, dual rear axle; Ready Mix: over 3 yards up to and including 5 yards; Water Wagon, semi; Water Wagon, dual axle Winch Trucks; Flat Bed including "A" Frame, manfactures rating over 5 tons; Bull Lift and Fork Lifts, over 5 tons; Front End Loader with Forks; Partsman and Outside Expeditor; Bus Operator, over 30 passengers, Track Truck Equipment; (all Terrain vehicles, Form Distributor Truck, double axle; Loadmaster (air and water operations); Air Cushion or similar type vehicle; Fire Trucks - double axle; Vacuum Truck; Vacuum Truck Sweepers - dual axle; Riggers; Combination Truck, fuel and grease; Greaser; Hydro Seeders, dual axle

Group 3: Batch Truck up to and including 5 yards; Dump Truck (including Rockbuggy and Trucks with pumps) up to and including 5 yards; Flat Beds, single rear axle; Water Wagon, single axle Winch Truck, Flat Bed, including "A" Frame manufactured rating 5 tons and under; Bull Lifts and Fork Lifts up to and including 5 tons; Bus Operator, up to 30 passengers; Form Distributor Truck, single axle, Hydro Seeder, single axle, team drivers (horses, mules and similar equipment); Vacuum Trucks and Truck Sweepers, single axle; Fire Trucks, single axle; Ambulance

Group 4: Dump Trucks, over 10 yards up to and including 20 yards; Tire Service Man; Lowbed Heavy-duty Trailer; Oiler Distributor Drivers; Ready Mix: Compactor (when pulled by rubber-tired equipment); Lowboys, including attached trailer and jeeps

Group 5: Dump Trucks, over 20 yards up to and including 30 yards

Group 6: Dump Trucks, over 30 yards up to and including 40 yards

Group 7: Dump Trucks, over 40 yards up to and including 50 yards

Group 8: Dump Trucks, over 50 yards up to and including 60 yards

TRUCK DRIVERS (Cont'd)

Group 9: Dump Trucks, over 60 yards up to and including 70 yards

Group 10: Dump Trucks, over 70 yards up to and including 80 yards

Group 11: Dump Trucks, over 80 yards up to and including 90 yards

Group 12: Dump Trucks, over 90 yards up to and including 100 yards

Group 13: Dump Trucks, over 100 yards (above scale to be paid on actual water level measurements)

Group 14: Turn-O-Wagoner, DW-10 when not self-loading

Group 15: Gravel Spreader Box Operator on Truck; Pickup (pilot cars, all light-duty vehicles); Warehouseman, Class 2: Farm type rubber-tired tractor (material hauling or pulling wagons); Swampers

Group 16: Ready Mix: Up to and including 3 yards

Group 17: Ready Mix: Over 5 yards up to and including 7 yards

Group 18: Ready Mix: Over 7 yards up to and including 9 yards

Group 19: Ready Mix: Over 9 yards up to and including 12 yards

Group 20: Ready Mix: 13 yards and over

Group 21: Ready Mix, semi with double bowl mixer

Group 22: Water Wagon, when pulled by Euclid or similar type equipment

Group 23: Warehouse - Class 1

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: California

COUNTIES: Alameda, Alpine, Amador Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo and Yuba

DECISION NUMBER: CA81-5109

DATE: Date of Publication

Supersedes Decision No. CA80-5110 dated March 14, 1980, in 45 FR 16796

DESCRIPTION OF WORK: Building Projects (does not include single family homes and apartments up to and including 4 stories), Heavy and Highway Projects and Dredging

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$20.11	$1.25	$1.45		.11
BOILERMAKERS	17.11	1.30	1.25	1.00	.04
BRICKLAYERS; Stonemasons:*					
Area 1	14.42	1.50	2.13	1.18	.05
Area 2	17.05	1.50	1.40		
Area 3	16.70	1.75	1.30		
Area 4	16.11	1.30	1.71		.25
Area 5	15.18	1.82	1.45		
Area 6	14.45	1.65	1.25		.05
Area 7	15.79	1.41	2.10		.05
Area 8	15.74	1.15	2.21		.10
BRICK TENDERS:*					
Area 1	12.14	1.15	1.90		
Area 2	12.13	1.15	1.90		
Area 3	13.43	1.30	1.75		
Area 4	13.73	1.30	1.75		
CARPENTERS:*					
Carpenters	15.35	1.605	1.95	1.35	.09
Hardwood Floor Layers; Power Saw Operators; Saw Filers; Shinglers; Steel Scaffold Erectors and/or Steel Shoring Erectors	15.50	1.605	1.95	1.35	.09
Millwrights	15.85	1.605	1.95	1.35	.09
Piledrivermen, bridge, wharf, and dock builders	15.60	1.605	1.95	1.60	.12

*See AREA Descriptions - Page 3

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CEMENT MASONS:					
Cement Masons	$13.70	$1.65	$1.75	$1.90	.08
Mastic; Magnesite; All Composition Masons	13.95	1.65	1.75	1.90	.08
Men working from swinging or slip form scaffolds	13.95	1.65	1.75	1.90	.08
DRYWALL INSTALLERS	15.88	1.605	1.95	1.35	.09
ELECTRICIANS:					
Area 1:					
Electricians	19.46	1.30	3%+2.90		.082
Cable Splicers	21.89	1.30	3%+2.90		.082
Area 2:					
Electricians	18.60	1.25	3%+3.50		.10
Cable Splicers	20.46	1.25	3%+3.50		.10
Area 3:					
Electricians	17.43	.99	3%+1.37		.08
Cable Splicers	19.07	.99	3%+1.37		.08
Area 4:					
Electricians	16.28	1.40	3%+1.60		.06
Cable Splicers	17.91	1.40	3%+1.60		.06
Area 5:					
Electricians; Technicians	18.06	1.34	3%+2.40		1/4%
Cable Splicers	20.12	1.34	3%+2.40		1/4%
Area 6:					
Electricians	18.61	1.40	3%+2.50		.10
Cable Splicers	20.61	1.40	3%+2.50		.10
Area 7:					
Electricians	15.16	1.10	3%+3.33		.04
Cable Splicers	16.37	1.10	3%+3.33		.04
Area 8:					
Electricians	16.55	1.01	3%+1.90		.05
cable Splicers	18.20	1.01	3%+1.90		.05
Area 9:					
Electricians	17.85	1.26	3%+1.50		.04
Cable Splicers	19.64	1.26	3%+1.50		.04
Area 10:					
Electricians	17.57	1.15	3%+2.00		1/4%
Cable Splicers	19.33	1.15	3%+2.00		1/4%
Area 11:					
Electricians	17.51	1.15	3%+4.38		.15
Cable Splicers	19.70	1.15	3%+4.38		.15

*See AREA Descriptions - following Page

AREA DESCRIPTIONS

BRICKLAYERS; Stonemasons:
Area 1: Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, Siskiyou, Solano, Sonoma, and Trinity Counties
Area 2: Alameda and Contra Costa Counties
Area 3: Fresno, Kings, Madera, Mariposa, and Merced Counties
Area 4: Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo, and Yuba Counties
Area 5: Monterey and Santa Cruz Counties
Area 6: San Benito and Santa Clara Counties
Area 7: Alpine, Amador, Calaveras, San Joaquin, Stanislaus, and Tuolumne Counties
Area 8: Tulare County

BRICK TENDERS:
Area 1: Amador, El Dorado, Nevada, Placer, Sacramento, and Yolo Counties
Area 2: San Francisco and San Mateo Counties
Area 3: Fresno, Kings, Madera, and Tulare Counties
Area 4: Remaining Counties

ELECTRICIANS:
Area 1: Alameda County
Area 2: Amador, Colusa, Sacramento, Sutter, Yolo, and Yuba Counties; Alpine, El Dorado, Nevada, Placer, and Sierra Counties (those portions west of the Sierra Mountain Watershed)
Area 3: Lake Tahoe Area
Area 4: Butte, Glenn, Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama, and Trinity Counties
Area 5: Calaveras and San Joaquin Counties
Area 6: Contra Costa County
Area 7: Del Norte and Humboldt Counties
Area 8: Fresno, Kings, Madera, and Tulare Counties
Area 9: Lake, Marin, Mendocino, and Sonoma Counties
Area 10: Mariposa, Merced, Stanislaus, and Tuolumne Counties
Area 11: Monterey County

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS:* (Cont'd)					
Area 12:					
Electricians	$17.57	$1.47	3%+2.10		.05
Cable Splicers	19.77	1.47	3%+2.10		.05
Area 13:					
Electricians	18.90	1.62	3%+3.00		.13
Cable Splicers	21.26	1.62	3%+3.00		.13
Area 14:					
Electricians	17.51	1.15	3%+4.38		.15
Cable Splicers	17.70	1.15	3%+4389		.15
Area 15:					
Electricians	20.77	1.42	3%+1.935		.10
Cable Splicers	23.36	1.42	3%+1.935		.10
Area 16:					
Electricians	19.35	1.32	3%+2.75		.05
ELEVATOR CONSTRUCTORS	19.99	1.195	.95	a	.035
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	1.195	.95	a	.035
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS:*					
Area 1	17.72	1.13	2.71		.10
Area 2	15.111	1.40	2.10	1.854	
Area 3	12.90	1.00	1.38	1.47	.05
Area 4	12.54	1.00	.95		
IRONWORKERS:					
Fence Erectors	13.46	1.39	3.11	2.15	.07
Reinforcing	14.35	1.39	3.11	2.15	.07
Ornamental; Structural	14.35	1.39	3.11	2.15	.07
LATHERS:*					
Area 1	14.51	1.31	2.00		.10
Area 2	12.35	.86	1.30		.01
Area 3	13.70	.93	.55		.01
Area 4	15.71	1.02	1.35		.01
Area 5	11.30	.68	.55		.01
Area 6	15.93	1.36	2.50	1.00	.035
Area 7	15.27	1.20	1.30		.05
Area 8	14.20	.70	.70		
Area 9	11.85				.01
Area 10	11.92	.82	2.50	1.50	.02

*See AREA Descriptions - Page 6

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION:*					
Area 1:					
Groundmen	$13.96	$1.40	3%+2.50		.10
Line Equipment Operators	16.75	1.40	3%+2.50		.10
Linemen	18.61	1.40	3%+2.50		.10
Cable Splicers	20.61	1.40	3%+2.50		.10
Area 2:					
Groundmen	10.32	.45	3%+1.10	.10	1/2%
Headgroundman (Chipper); Powdermen; Jackhammermen	10.99	.45	3%+1.10	.10	1/2%
Line Equipment Man	12.57	.45	3%+1.10	.10	1/2%
Linemen Polesprayer; Heavy Line Equipment men	14.59	.45	3%+1.70	.10	1/2%
Tree Trimmer	13.17	.45	3%+1.70	.10	1/2%
Cable Splicers	16.15	.45	3%+1.70	.10	1/2%
Area 3:					
Groundmen	15.73	1.01	3%+1.90		.05
Linemen; Line Equipment Operators	16.55	1.01	3%+1.90		.05
Area 4:					
Groundmen	13.55	1.13	3%+2.61		
Line Equipment Operators	16.25	1.12	3%+2.61		
Linemen	18.06	1.12	3%+2.61		
Area 5:					
Linemen	15.47	1.00	3%+1.75		1/4%
Cable Splicers	17.02	1.00	3%+1.75		1/4%
Area 6:					
Linemen; Technicians	17.66	1.15	3%+4.38		
Cable Splicers	19.87	1.15	3%+4.38		
Area 7:					
Linemen	17.57	1.47	3%+2.10		.05
Cable Splicers	19.77	1.47	3%+2.10		.05
Area 8:					
Groundmen	13.02	1.40	3%+1.60		.06
Linemen; Equipment Operators	16.28	1.40	3%+1.60		.06
Cable Splicers	17.91	1.40	3%+1.60		.06
Area 9:					
Groundmen	13.19	1.05	3%+1.15		.03
Linemen	16.49	1.05	3%+1.15		.03
Line Equipment Operators	14.84	1.05	3%+1.15		.03

*See AREA Descriptions - following Page

AREA DESCRIPTIONS

ELECTRICIANS: (Cont'd)
Area 12: Napa and Solano Counties
Area 13: Santa Clara County
Area 14: San Benito and Santa Cruz Counties
Area 15: San Francisco County
Area 16: San Mateo County

GLAZIERS:
Area 1: Alameda, Contra Costa, Napa, and Solano Counties; Mendocino County (southern half from north of Ft. Bragg); Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, and Santa Cruz Counties; Solano County (S.W. from east of Fairfield); and Sonoma County
Area 2: Alpine, Amador, Butte, Calaveras, El Dorado, and Mariposa Counties; Merced County (north of the City of Livingston); Modoc, Nevada, Placer, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Tuolumne, Yolo, and Yuba Counties
Area 3: Fresno, Kings, Madera, and Tulare Counties; Merced County (remaining portions)
Area 4: Del Norte and Humboldt Counties

LATHERS:
Area 1: Alameda and Contra Costa Counties
Area 2: Butte, Colusa, Glenn, and Humboldt Counties; Lake County (that portion from Lakeport up to the Lake County Line); Nevada, Placer, Plumas, Shasta, Sierra, Tehama, and Trinity Counties
Area 3: Calaveras and San Joaquin Counties
Area 4: Lake County (from City of Lakeport down to the Lake County Line); Marin, Mendocino, and Sonoma Counties
Area 5: Monterey, and Santa Cruz Counties
Area 6: San Francisco and San Mateo Counties
Area 7: Santa Clara County
Area 8: Fresno, Kings, Madera, and Tulare Counties
Area 9: Mariposa, Merced, Stanislaus, and Tuolumne Counties
Area 10: Amador, El Dorado, Sacramento, and Yolo Counties

LINE CONSTRUCTION:
Area 1: Contra Costa County
Area 2: Del Norte, Modoc, and Siskiyou Counties
Area 3: Fresno, Kings, Madera, and Tulare Counties
Area 4: Calaveras and San Joaquin Counties
Area 5: Mariposa, Merced, Stanislaus, and Tuolumne Counties
Area 6: Monterey County
Area 7: Napa and Solano Counties
Area 8: Butte, Glenn, Lassen, Plumas, Shasta, Tehama, and Trinity Counties
Area 9: Alameda County

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION:* (Cont'd)					
Area 10:					
Groundmen	$14.88	$1.25	3%+3.50		1/2%
Equipment Operators	16.74	1.25	3%+3.50		1/2%
Linemen	18.60	1.25	3%+3.50		1/2%
Cable Splicers	20.46	1.25	3%+3.50		1/2%
Area 11:					
Groundmen	13.21	1.25	3%+1.75		.03
Line Equipment Operators	13.99	1.25	3%+1.75		.03
Linemen	15.54	1.25	3%+1.75		.03
Cable Splicers	17.48	1.25	3%+1.75		.03
Area 12:					
Groundmen	12.13	1.10	3%+3.33		.04
Linemen	15.16	1.10	3%+3.33		.04
Cable Splicers	16.37	1.10	3%+3.33		.04
Area 13:					
Groundmen	17.65	1.42	3%+1.935		.10
Linemen; Technicians	20.77	1.42	3%+1.935		.10
Cable Splicers	23.36	1.42	3%+1.935		.10
Area 14:					
Linemen	17.66	1.15	3%+4.38		
Cable Splicers	19.87	1.15	3%+4.38		
Area 15:					
Groundmen	16.07	1.62	3%+3.00		.13
Linemen; Line Equipment Operators	18.90	1.62	3%+3.00		.13
Cable Splicers	21.26	1.62	3%+3.00		.13
MARBLE SETTERS	14.42	1.50	2.13	1.61	
PAINTERS:*					
Area 1:					
Brush	12.49	1.10	2.34	1.11	
Sprayl Sheetrock Taper; Swing Stage; Scaffold; Sandblaster Structural Steel	12.89	1.10	2.34	1.11	
Area 2:					
Brush; Tapers	11.61	.81	.20		
Spray; Structural Steel	12.11	.81	.20		

*See AREA DESCRIPTIONS - Page 10

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:* (Cont'd)					
Area 3:					
Brush	$12.51	$1.55	$1.00	$1.00	.02
Swing Stage; Paperhangers; Bosun Chair; Steam Cleaning; Water Blasting	14.51	1.55	1.00	1.00	.02
Spray; Sandblasting	14.01	1.55	1.00	1.00	.02
Area 4:					
Brush	18.34	1.50	2.00		
Spray	18.84	1.50	2.00		
Tapers	19.14	1.50	2.00		
Area 5:					
Brush	14.43	.70	.75		.02
Spray; Paperhanger; Tapers	14.93	.70	.75		.02
Area 6:					
Brush	17.40	1.50	2.00	1.00	.06
Spray; Sandblasting; Steam Cleaning	17.54	1.50	2.00	1.00	.06
Drywall Finisher	17.84	1.50	2.00	1.00	.06
Brush (exterior stage) 5, 6, and 7 story buildings; Erected Steel over 50 ft.	18.11	1.50	2.00	1.00	.06
Area 7:					
Brush; Pot Tenders; Rollers	9.35	.65	.70		
Spray; Sandblaster; Structural Steel; Swing Stage; Tapers	9.60	.65	.70		
Area 8:					
Brush	14.43	.70	.75		.02
Spray; Paperhanger; Tapers	14.93	.70	.75		.02
Area 9:					
Brush	17.89	1.50	2.00	1.00	.04
Spray	17.59	1.50	2.00	1.00	.04
Tapers (paint)	17.89	1.50	2.00	1.00	.04
Area 10:					
Brush	10.10	1.00	.50		
Spray; Sandblasters; Structural Steel; Swing Stage; Tapers; Paperhangers	10.35	1.00	.50		

*See AREA DESCRIPTIONS - Page 10

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:* (Cont'd)					
Parking Lot Striping Work and/or Highway Markers:					
Area 11:					
Traffic Delineating Device Applicator	$10.72	.55	.40	b	
Wheel Stop Installer; Traffic Surface Sandblaster; Striper	10.33	.55	.40	b	
Slurry Seal Operation:					
Mixer Operator	10.33	.85	.50	b	
Squeegee Man	9.14	.85	.50	b	
Applicator Operator	9.14	.85	.50	b	
Shuttleman	9.14	.85	.50	b	
Top Man	7.60	.85	.50	b	
Area 12:					
Traffic Delineating Device Applicator; Wheel Stop Installer; Traffic Surface Sandblaster	10.72	.85	.50	b	
Striper	11.82	.85	.50	b	
Slurry Seal Operation:					
Mixer Operator	10.72	.85	.50	b	
Squeegee Man	9.14	.85	.50	b	
Applicator Operator	9.14	.85	.50	b	
Shuttleman	9.14	.85	.50	b	
Top Man	7.60	.85	.50	b	
PLASTERERS:*					
Area 1	14.32	1.20	2.80		.03
Area 2	16.08	1.15	3.90		.06
Area 3	9.79	.56	1.00		
Area 4	14.51	1.00	1.35		.01
Area 5	12.40	1.45	1.75	1.75	
Area 6	13.21	1.21	2.15		.03
Area 7	16.08	1.15	2.90		.06
Area 8	11.60	1.13	.95	1.25	.01
Area 9	12.75	1.20	2.75	2.00	

*See AREA Descriptions - following Page

AREA DESCRIPTIONS

LINE CONSTRUCTION: (Cont'd)
Area 10: Amador, Colusa, Sacramento, Sutter, Yolo, and Yuba Counties; Alpine, El Dorado, Nevada, Placer, and Sierra Counties (those portions west of the Main Sierra Mountain Watershed)
Area 11: San Mateo County
Area 12: Humboldt County
Area 13: San Francisco County
Area 14: San Benito and Santa Cruz Counties
Area 15: Santa Clara County

PAINTERS:
Area 1: Alpine, Amador, Calaveras, and San Joaquin Counties
Area 2: Fresno, Kings, Madera, and Tulare Counties
Area 3: Mariposa, Merced, Stanislaus, and Tuolumne Counties
Area 4: Monterey, San Benito, San Mateo, Santa Clara, and Santa Cruz Counties (excluding portions of Counties in the Lake Tahoe Area)
Area 5: Lake Tahoe Area
Area 6: Lake, Marin, Mendocino, San Francisco, and Sonoma Counties
Area 7: Butte, Colusa, and Glenn Counties; Lassen County (excluding the extreme SE corner); Modoc, Plumas, Shasta, Siskiyou, Sutter, Tehama, Trinity, and Yuba Counties
Area 8: Lassen County (that portion that lies eastward of Highway #395, northward to and including Honey Lake)
Area 9: Alameda, Contra Costa, El Dorado, Napa, Nevada, Solano, Sacramento, Sierra, Placer, and Yolo Counties (excluding portions of Counties in the Lake Tahoe Area)
Area 10: Del Norte and Humboldt Counties
Area 11: Fresno, Kings, and Tulare Counties
Area 12: Remaining Counties

PLASTERERS:
Area 1: Alameda and Contra Costa Counties
Area 2: San Mateo County
Area 3: Butte, Colusa, and Glenn Counties; Lassen County (southeastern half); Plumas, Sierra, Sutter, and Yuba Counties
Area 4: Monterey County
Area 5: Fresno, Kings, Madera, and Tulare Counties
Area 6: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, and Glenn Counties; Lassen County (southwestern half); Nevada, Placer, Plumas, Sacramento, San Joaquin, Sierra, Sutter, Yolo, and Yuba Counties
Area 7: San Francisco County
Area 8: Del Norte and Humboldt Counties; Lassen County (northwestern half); Marin, Modoc, Napa, Shasta, Siskiyou, Solano, Sonoma, Tehama, and Trinity Counties
Area 9: Mariposa, Merced, Stanislaus, and Tuolumne Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLASTERERS' TENDERS:*					
Area 1	$11.09	$1.30	$2.75		
Area 2	12.91	1.30	1.75	1.40	
Area 3	12.67	1.15	2.00	1.70	.05
Area 4	11.26	1.30	1.75	1.10	
Area 5	11.91	1.30	1.75	1.10	
Area 6	12.32	1.30	1.75	1.40	
Area 7	13.65	1.30	1.75	1.00	
Area 8	12.65	1.30	1.70	1.25	
Area 9	13.00	1.30	1.70	1.40	
Area 10	14.95	1.40		1.40	
PLUMBERS:*					
Area 1	18.85	1.65	2.74		.16
Area 2	19.92	1.65	2.84		.26
PLUMBERS; Steamfitters:*					
Area 1	17.69	1.56	2.10		.14
Area 2	16.09	1.13	1.00		.10
Area 3	21.21	2.76	2.58		.20
Area 4	17.50	1.88	2.42		.10
Area 5	20.74	1.65	2.39		.22
Area 6	15.35	1.27	3.15		.10
Area 7	19.99	1.30	2.39		.16
Area 8	18.01	1.44	2.75		.25
ROOFERS:*					
Area 1:					
Roofers	13.82	1.27	2.10	1.50	.10
Mastic Workers; Kettlemen (2 kettles w/o pumps)	14.07	1.27	2.10	1.50	.10
Bitumastic; Enamelers; Pipewrappers; Coal Tar Built up	15.82	1.27	2.10	1.50	.10
Area 2:					
Roofers (slate, tile composition and built up)	15.35	1.34	1.25		
Area 3:					
Roofers	14.51	1.32	1.00		.10
Area 4:					
Roofers	14.35	1.20	1.30		

*See AREA Descriptions - Page 13

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS:* (Cont'd)					
Area 5:					
Roofers	$13.44	$1.10	$1.65	$2.43	.10
Mastic Workers; Kettlemen (2 kettles w/o pumps)	13.69	1.10	1.65	2.43	.10
Bitumastic; Enamelers; Pipewrappers; Coal Tar Pitch	15.44	1.10	1.65	2.43	.10
Area 6:					
Roofers	10.32	.40	.75	.35	
Area 7:					
Roofers	13.30	1.40	1.15		
Area 8:					
Roofers	13.54	1.06	1.70	2.45	.10
Mastic Workers; Kettlemen (2 kettles w/o pumps)	13.79	1.06	1.70	2.45	.10
Bitumastic; Enamelers; Pipewrappers; Coal Tar	15.54	1.06	1.70	2.45	.10
Area 9:					
Roofers (slate, tile and composition)	13.80	1.19	1.70	2.00	.10
Enameler and Pitch	15.80	1.19	1.70	2.00	.10
Area 10:					
Roofers; Kettle (1 Kettle)	12.88	.99	1.68		
SHEET METAL WORKERS:*					
Area 1	13.10	1.23	2.52	12%	.05
Area 2	14.23	1.23	2.00		.01
Area 3	13.68	1.23	2.21		.13
Area 4	15.71	1.23	2.33		.04
Area 5	16.06	1.30	3%+2.46		.16
Area 6	14.78	1.38	2.00		.16
Area 7	19.51	1.23	2.47		.20
Area 8	13.715	.71	.61		.045
Area 9	13.74	1.23	1.38		.17
SOFT FLOOR LAYERS:*					
Area 1	14.76	.89	1.60	1.25	.10
Area 2	16.16	1.00	1.75	1.55	.17
Area 3	14.99	.70	.20	.33	.06
Area 4	11.18	1.00	1.15	8%	

*See AREA Descriptions - Pages 13 and 14

AREA DESCRIPTIONS

PLASTERERS' TENDERS:
Area 1: Alameda and Contra Costa Counties
Area 2: Fresno, Kings, Madera, and Tulare Counties
Area 3: San Francisco and San Mateo Counties
Area 4: Alpine, Amador, El Dorado, Nevada, Placer, Sacramento, Sierra, and Yolo Counties
Area 5: Calaveras and San Joaquin Counties
Area 6: Marin County
Area 7: Monterey County
Area 8: San Benito, Santa Clara and Santa Cruz Counties
Area 9: Solano County
Area 10: Napa County

PLUMBERS:
Area 1: Alameda County
Area 2: Contra Costa County

PLUMBERS: Steamfitters:
Area 1: Amador County (northern half); Sacramento, Yolo, El Dorado, Nevada, Placer, and Sierra Counties (excluding Lake Tahoe Area)
Area 2: Lake Tahoe Area
Area 3: Marin, Mendocino, San Francisco, and Sonoma Counties
Area 4: Alpine County; Amador County (southern portion); Butte, Calaveras, Colusa, Fresno, Glenn, Kings, Lassen, Madera, Mariposa, Merced, Modoc, Monterey, Plumas, San Joaquin, Santa Cruz, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, and Yuba Counties
Area 5: Lake, Napa, and Solano Counties
Area 6: Del Norte and Humboldt Counties
Area 7: San Benito and Santa Clara Counties
Area 8: San Mateo County

ROOFERS:
Area 1: Alameda and Contra Costa Counties
Area 2: Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus, and Tuolumne Counties
Area 3: Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Placer, Plumas, Shasta, Sierra, Siskiyou, Suttee, Tehama, Trinity, and Yuba Counties
Area 4: Fresno, Kings, Madera, and Tulare Counties
Area 5: Lake, Marin, Mendocino, Napa, Solano, and Sonoma Counties
Area 6: Del Norte and Humboldt Counties
Area 7: Monterey and Santa Cruz Counties
Area 8: San Francisco and San Mateo Counties
Area 9: Amador, Sacramento, and Yolo Counties
Area 10: San Benito and Santa Clara Counties

AREA DESCRIPTIONS (CONT'D)

SHEET METAL WORKERS:
Area 1: Alameda, Contra Costa, Napa, and Solano Counties
Area 2: Alpine, Calaveras, and San Joaquin Counties
Area 3: Amador, Butte, Colusa, El Dorado, Glenn, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo, and Yuba Counties
Area 4: Mariposa, Merced, Stanislaus, and Tuolumne Counties
Area 5: Monterey, San Benito, Santa Clara, and Santa Cruz Counties
Area 6: Del Norte, Humboldt, Lake, Marin, Mendocino, San Francisco, Sonoma, and Trinity Counties
Area 7: San Mateo County
Area 8: Modoc and Siskiyou Counties
Area 9: Fresno, Kings, Madera, and Tulare Counties

SOFT FLOOR LAYERS:
Area 1: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, and Lassen Counties (excluding Honey Lake Area); Merced County (east of San Joaquin River); Plumas, San Joaquin, Shasta, Sacramento, Stanislaus, Sutter, Tehama, Trinity, Tuolumne, Yolo, and Yuba Counties; El Dorado, Nevada, Placer, and Sierra Counties (those portions excluding Lake Tahoe Area)
Area 2: Honey Lake Area and Lake Tahoe Area
Area 2: Lake, Marin, Mendocino, Merced, Monterey, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, and Sonoma Counties
Area 4: Del Norte and Humboldt Counties
Area 5: Alameda, Contra Costa, Napa, and Solano Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SPRINKLER FITTERS:*					
Area 1	$20.73	1.65	$2.60		.14
Area 3	18.67	.85	1.20		.08
STEAMFITTERS:*					
Area 1	15.68	1.51	2.60	1.95	.02
Area 2	12.75	1.12	2.65		.10
TERRAZZO WORKERS:*					
Area 1	17.05	1.50	1.40		.05
Area 2	11.80	.80	.90		.25
Area 3	14.45	1.65	1.25		.05
TILE SETTERS:*					
Area 1	15.25	1.19	1.62	2.00	.115
Area 2	16.64	1.41	1.35		.04
Area 3	14.75	1.50	1.00		.05
Area 4	16.73	1.64	1.79		
MARBLE AND TILE FINISHERS:*					
Area 1	13.10	1.25	.89	1.31	.03
Area 2	8.00	.80	1.20		
*See AREA Descriptions - following page					

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:
a. Employer contributes 8% of basic hourly rate for over 5 years' service, and 6% of basic hourly rate for 6 months' to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A thru F

b. Employer contributes $.32 per hour to Holiday Fund plus $.22 per hour to Vacation Fund for the first year of employment; 1 year but less than 5 years $.42 per hour to Vacation Fund; 5 years but less than 10 years $.60 per hour to Vacation Fund; over 10 years $.80 per hour to Vacation Fund.

AREA DESCRIPTIONS

SPRINKLER FITTERS:
Area 1: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties
Area 2: Remaining Counties

STEAMFITTERS:
Area 1: Alameda and Contra Costa Counties
Area 2: Del Norte and Humboldt Counties

TERRAZZO WORKERS:
Area 1: Alameda and Contra Costa Counties
Area 2: Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo, and Yuba Counties
Area 3: San Benito and Santa Clara Counties

TILE SETTERS:
Area 1: Alameda, Butte, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Marin, Mendocino, Modoc, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Mateo, Santa Clara, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Yolo, and Yuba Counties
Area 2: Alpine, Amador, Calaveras, San Joaquin, Stanislaus, and Tuolumne Counties
Area 3: Fresno, Kings, Madera, Mariposa, Merced, and Tulare Counties
Area 4: Monterey and Santa Cruz Counties

MARBLE and TILE FINISHERS:
Area 1: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Siskiyou, Sonoma, Solano, and Trinity Counties
Area 2: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Stanislaus, Sutter, Tehama, Yolo, and Yuba Counties

LABORERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$12.19	$1.30	$ 1.75	$1.40	.10
Group 1(a)	12.415	1.30	1.75	1.40	.10
Group 1(b)	12.69	1.30	1.75	1.40	.10
Group 1(c)	12.24	1.30	1.75	1.40	.10
Group 1(d)	12.44	1.30	1.75	1.40	.10
Group 1(e)	12.74	1.30	1.75	1.40	.10
Group 1(f)	12.775	1.30	1.75	1.40	.10
Group 1(g)	12.39	1.30	1.75	1.40	.10
Group 2	12.04	1.30	1.75	1.40	.10
Group 3	11.94	1.30	1.75	1.40	.10
(GUNNITE)					
Group 1	12.65	1.30	1.75	1.40	.10
Group 2	12.06	1.30	1.75	1.40	.10
Group 3	11.94	1.30	1.75	1.40	.10
(TUNNEL and SHAFT WORK)					
Group 1	14.63	1.30	1.75	1.40	.10
Group 2	14.26	1.30	1.75	1.40	.10
Group 3	14.05	1.30	1.75	1.40	.10
Group 4	13.91	1.30	1.75	1.40	.10
(WRECKING WORK)					
Group 1	12.19	1.30	1.75	1.40	.10
Group 2	12.04	1.30	1.75	1.40	.10
Group 3	11.94	1.30	1.75	1.40	.10
(HOUSEMOVING)					
Group 1	12.19	1.30	1.75	1.40	.10

LABORERS

Group 1: Asphalt Ironers and Rakers; Asphalt Spreader Boxes (all types); Barko, Wacker and similar type Tampers; Buggy-mobile; Chainsaw, Faller, Logloader and Bucker; Compactors or all types; Concrete and Magnesite Mixer, 1/2 yd. and under; Concrete Pan Work; Concrete Saw; Concrete Sander; Cribber and/or Shoring; Cut Granite Curb Setter; Form Raisers; Slip Forms; Green Cutters, Headerboardmen, Hubsetters, Aligners; Jackhammer Operators; Jacking of pipe over 12 inches; Jackson and similar type Compactors; Kettlemen, Potmen and Men applying asphalt, lay-kold, creosote, lime, caustic and similar type materials; Lagging, Sheeting, Whaling, Bracing, Trenchjacking, hand-guided Lagging Hammer; Magnesite, Epoxyresin, Fiberglass, Mastic Workers (wet or dry); Perma Curbs; Precast-manhole Setters; Cast-in-place Manhole Form Setters; Pressure Pipe Tester; Pavement Breakers and Spaders, including Tool Grinder; Pipelayers, Caulkers, Banders, Pipewrappers, Conduit Layers, Pladtic Pipelayers; Post Hole Diggers, air, gas, and electric; Power Broom Sweepers; Power Tampers of all types (except as shown in Group 2); Ram Set Gun and Stud Gun; Riprap-stonepaver and Rock-slinger, including placing of sacked concrete and/or sand (wet or dry); Rotary Scarifier, multiple Head Concrete Chipper; Davis Trencher, 300 or similar type (and all small Trenchers); Roto and Ditch Witch; Roto-tiller; Sandblasters, Potman, Gunman, Nozzleman; Signalling and Rigging; Tank Cleaners; Tree Climbers; Vibra-screed, Bull Float in connection with Laborers' work; Vibrators; Dri-pak-it Machine; High Pressure Blow Pipe (1½" or over, 100 lbs. pressure and over); Hydro Seeder and similar type; Laser Beam in connection with Laborers' work

Group 1(a): Joy Drill Model TWM-2A; Gardener-Denver Model DH143 and similar type drills; Track Drillers; Jack Leg Drillers; Diamond Drillers; Wagon Drillers; Mechanical Drillers, all types regardless of type or method of power; Multiple Unit Drills; Blasters and Powdermen; all work of loading, placing and blasting of all power and explosives of whatever type regardless of method used for such loading and placing; High Scalers (including drilling of same); Tree Topper; Bit Grinder

Group 1(b); Sewer Cleaners receive an additional $4.00 per day, $5.00 per day on recently active large diameter sewers or sewer manholes

Group 1(c): Burning and Welding in connection with Laborers' work

Group 1(d): Repair Trackmen and Road Beds (cut and cover work of subway after the temporary cover has been placed)

Group 1(e): Laborers on general construction work on or in Bell Hole Footings and Shaft

Group 1(f): Wire Winding Machine in Connection with Guniting or Shotcrete - Aligner

LABORERS (Cont'd)

Group 1(g): Contra Costa County Only: Pipelayers, Caulkers, Banders, Pipewrappers, Conduit Layers and Plastic Pipelayers; Pressure Pipe Tester, no joint pipe and stripping of same, including repair of Voids, Precast Manhole Setters, Cast-in-place Manhole Form Setters

Group 2: Asphalt Shovelers; Cement Dumpers and handling dry cement or gypsum; Shoke-setter and Digger (clearing work); Concrete Bucket Dumper and Chuteman; Concrete Chipping and Grinding; Concrete Laborers (wet or dry); Chuck Tender; High Pressure Nozzleman, Adductors; Groutcrew; Hydraulic Monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh Chipper and similar type Brush Shredders; Sloper; Singlefoot, hand held, Pneumatic Tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1(f); Jacking of Pipe under 12 inches

Group 3: All Cleanup work of debris, grounds and buildings including but not limited to street cleaners; Cleaning and washing windows; Construction Laborers including bridge and general Laborers; Dumpman; Load Spotter; Fire Watcher; Street Cleaners; Gardeners, Horticultural and Landscape Laborers; Jetting; Limbers Brush Loaders; Pilers, Maintenance Landscape Laborers on new construction; Maintenance, Repair Trackmen and Road beds; Streetcar and Railroad Construction Track Laborers; Temporary air and water lines, Victaulic or similar; Tool Room Attendent; Pence Erectors; Guardrail Erectors; Pavement Markers (button setters)

(GUNNITE)

Group 1: Nozzleman (including Gunman, Potman); Rodmen; Groundman

Group 2: Reboundman

Group 3: General Laborers

LABORERS (Cont'd)

(TUNNEL and SHAFT WORK)

Group 1: Diamond Driller; Groundman; Gunite and Shotcrete Nozzlemen; Rodmen; Shaft Work and raise (below actual or excavated ground level)

Group 2: Bit Grinder; Blaster; Drillers, Powderman-heading; Cherry Pickermen - where car is lifted; Concrete Finisher in Tunnel; Concrete Screed Man; Grout Pumpman and Potman; Gunite and Shotcrete Gunmen and Potmen; Headermen; High Pressure Nozzleman; Miners - Tunnel, including Top and Bottom Man on Shaft and Raise work; Nipper Nozzleman on slick line; Sandblaster-potman (work assignment interchangeable) Steel Form Raisers and Setters; Timberman, Retimberman - wood or steel or substitute materials therefore; Tugger

Group 3: Cabletender; Chucktender; Powderman - Primer House; Vibratormen, Pavement Breakers

Group 4: Bull Gang - Muckers, Trackmen; Concrete Crew - includes rodding and spreading; Dumpmen (any method); Grout Crew Reboundmen; Swamper

(WRECKING WORK)

Group 1: Skilled Wrecker (removing and salvaging of sash, windows, doors, plumbing and electric fixtures)

Group 2: Semi-skilled Wrecker (salvaging or other building materials)

Group 3: General Laborer (includes all cleanup work, loading, lumber, loading and burning of debris)

(HOUSEMOVING)

Group 1: Skilled Housemover

POWER EQUIPMENT OPERATORS: DREDGING SCHEDULE I	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLAMSHELL & DIPPER DREDGING (New Construction)					
Group 1: Bargeman; Deckhand; Fireman; Oiler:					
Area 1	$ 9.67	$1.07*	$ 1.78	.80	.14
Area 2	10.64	1.07*	1.78	.80	.14
Area 3	10.92	1.07*	1.78	.80	.14
Area 4	11.20	1.07*	1.78	.80	.14
Group 2: Deck Engineers; Deck Mate:					
Area 1	11.41	1.07*	1.78	.80	.14
Area 2	12.45	1.07*	1.78	.80	.14
Area 3	12.74	1.07*	1.78	.80	.14
Area 4	13.04	1.07*	1.78	.80	.14
Group 3: Welder; Mechanic Welder; Watch Engineer:					
Area 1	11.88	1.07*	1.78	.80	.14
Area 2	12.91	1.07*	1.78	.80	.14
Area 3	13.21	1.07*	1.78	.80	.14
Area 4	13.50	1.07*	1.78	.80	.14
Group 4: Clamshell Operator (up to and including 7 cu. yds. M.R.C.)(Long Boom Pay):					
Area 1	12.68	1.07*	1.78	.80	.14
Area 2	13.72	1.07*	1.78	.80	.14
Area 3	14.01	1.07*	1.78	.80	.14
Area 4	14.30	1.07*	1.78	.80	.14

POWER EQUIPMENT OPERATORS: (CONT'D) DREDGING -- SCHEDULE I (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 4-A: Clamshell Operator (over 7 cu. yds. M.R.C.)(Long Boom Pay):					
Area 1	$13.91	$1.07*	1.78	.80	.14
Area 2	14.97	1.07*	1.78	.80	.14
Area 3	15.29	1.07*	1.78	.80	.14
Area 4	15.59	1.07*	1.78	.80	.14
SCHEDULE II HYDRAULIC SUCTION DREDGING AND ALL OTHER CLAMSHELL AND DIPPER DREDGING					
Group A-1: Bargeman; Deckhand; Levee-hand; foreman; Oiler:					
Area 1	9.65	1.07*	1.78	.80	.14
Area 2	10.62	1.07*	1.78	.80	.14
Area 3	10.90	1.07*	1.78	.80	.14
Area 4	11.18	1.07*	1.78	.80	.14
Group A-2: Winchman (stern winch on dredge); Deckmate; Deck Engineer:					
Area 1	10.70	1.07*	1.78	.80	.14
Area 2	11.70	1.07*	1.78	.80	.14
Area 3	12.00	1.07*	1.78	.80	.14
Area 4	12.28	1.07*	1.78	.80	.14
Group A-3: Watch Engineer; Welder; Welder Mechanic:					
Area 1	11.39	1.07*	1.78	.80	.14
Area 2	12.43	1.07*	1.78	.80	.14
Area 3	12.73	1.07*	1.78	.80	.14
Area 4	13.02	1.07*	1.78	.80	.14

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS: (CONT'D) SCHEDULE II - (CONT'D)					
Group A-4: Leverman; Clamshell Operator:					
Area 1	$12.34	$1.07*	$ 1.78	.80	.14
Area 2	13.38	1.07*	1.78	.80	.14
Area 3	13.67	1.07*	1.78	.80	.14
Area 4	13.96	1.07*	1.78	.80	.14

AREA DEFINITIONS FOR DREDGING, SCHEDULES I and II

Four Centers designated: City Halls of Oakland, San Francisco, Sacramento and Stockton, California

Area 1: Up to 20 road miles from said Centers
Area 2: More than 20 road miles to and including 80 road miles from said Centers
Area 3: Outside of 30 road miles from said Centers
Area 4: An area extending 25 road miles from shoreline of Lake Tahoe.

TOW BOATS (Dredging): Work on self-propelled vessesl (except skiffs powered by outboard motors) engaged in towing and shifting of barges, vessels and water borne craft or in the transportation by water of personnel, materials, equipment and supplies:					
Deckhand/Mechanics	10.86	.84	1.35	1.18	
Operator Mechanic/Watch Engineer	12.17	1.23	1.45	1.18	
TOW BOATS: Work on self-propelled Vessels):					
Boat Operators	12.17	1.23	1.45	1.18	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS: PILEDRIVING					
Group 1	$12.13	$2.09*	$ 3.00	$1.55	.34
Group 1A	12.54	2.09*	3.00	1.55	.34
Group 1B	12.79	2.09*	3.00	1.55	.34
Group 2A	12.79	2.09*	3.00	1.55	.34
Group 2B	13.44	2.09*	3.00	1.55	.34
Group 2C	13.69	2.09*	3.00	1.55	.34
Group 2D	13.87	2.09*	3.00	1.55	.34
Group 3	14.05	2.09*	3.00	1.55	.34
Group 3A	14.57	2.09*	3.00	1.55	.34
Group 4	15.23	2.09*	3.00	1.55	.34
Group 5	15.44	2.09*	3.00	1.55	.34
Group 6	16.81	2.09*	3.00	1.55	.34

*Includes $0.44 per hour pensioned Health and Welfare

POWER EQUIPMENT OPERATORS
PILEDRIVING

Group 1: Assistant to Engineer (Fireman, Oiler, Deckhand)

Group 1A: Compressor Operator

Group 1B: Assistant to Engineer (Truck Crane Oiler)

Group 2A: Tugger Hoist Operator (hoisting material only)

Group 2B: Forklift Operator

Group 2C: Compressor Operator (over 2); Generators; Pumps (over 4); Welding Machines (powered by other than electricity)

Group 2D: A-Frames

Group 3: Deck Engineer (Deck Engineer Operator required when deck engine is used); Self-propelled Boom-type lifting device (center mount) (10 ton capacity or less M.R.C.)

Group 3A: Heavy Duty Repairman and/or Welder

Group 4: Operating Engineer in lieu of Assistant to Engineer tending boiler or compressor attached to Crane Piledriver; Operator of Piledriving Rigs, Skid or Floating and Derrick Barges (Assistant to Engineer required); Operator of diesel or gasoline power Crane Piledriver (without boiler) up to and including 1 cu. yd. rating (Assistant to Engineer required); Self-propelled Boom-type lifting device (center mount)(over 10 tons up to and including 25 tons); Truck Crane Operator (up to and including 25 tons)(hoisting material only) (Assistant to Engineer required)

Group 5: Operator of diesel or gasoline powered Crane Piledriver (without boiler) over 1 cu. yd. rating (Assistant to Engineer required); Operator of Crane (with steam, flash boiler, pump or compressor attached)(Group (4) Engineer required); Operator of steam powered Crawler or Universal type. Driver (Raymond or similar)(Assistant to Engineer required) Truck Crane Operator (over 25 tons)(hoisting material or performing Piledriving work)(Assistant to Engineer required); Self-propelled Boom-type lifting device (center mount)(over 25 tons)(Assistant to Engineer required)

Group 6: Cranes (over 125 tons)(Assistant to Engineer required)

POWER EQUIPMENT OPERATORS: STEEL ERECTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$12.70	$2.09*	$3.00	$1.55	.34
Group 2	13.15	2.09*	3.00	1.55	.34
Group 3	14.38	2.09*	3.00	1.55	.34
Group 4	14.55	2.09*	3.00	1.55	.34
Group 4A	14.92	2.09*	3.00	1.55	.34
Group 5	15.52	2.09*	3.00	1.55	.34
Group 6	16.04	2.09*	3.00	1.55	.34
Group 7	16.40	2.09*	3.00	1.55	.34
Group 8	16.75	2.09*	3.00	1.55	.34
Group 9	18.01	2.09*	3.00	1.55	.34

*Includes $0.44 per hour pensioned Health and Welfare

POWER EQUIPMENT OPERATORS (Cont'd)
STEEL ERECTION

Group 1: Assistant to Engineer (Oiler)

Group 2: Compressor Operator, Generator, gasoline or diesel driven (100 K.W. or over) (structural steel or tank construction only)

Group 3: Compressors, Generators and/or Welding Machines or combination (2 to 6) (over 6 additional Engineers required) (structural steel or tank erection only)

Group 4: Heavy Duty Repairman, Tractor Operator

Group 4A: Combination Heavy Duty Repairman and/or Welder

Group 5: Boom Truck or Dual Purpose A-Frame Truck; Boom Cat; Chicago Boom; Crawler Cranes and Truck Cranes (15 tons M.R.C. or less) (Assistant to Engineer required); Self-propelled Boom-type lifting device (center mount) (10 ton capacity or less M.R.C.); Single Drum Hoist; Tugger Hoist

Group 6: Cary Lift, Campbell or similar; Crawler Cranes and Truck Cranes (over 15 tons M.R.C.) (Assistant to Engineer required); Derricks (2 Operators when swing engine remote from hoist); Gantry Rider (or similar equipment); Highline Cableway (Signalman required); Self-propelled Boom-type lifting device (center mount) (over 10 tons up to and including 25 tons); Tower Cranes Mobile including rail mounted (Assistant to Engineer required); Tower Cranes, Universal Liebher and similar types (in the erection, dismantling and moving of equipment there shall be an additional Operating Engineer)

Group 7: Self-propelled Boom-type lifting device (center mount) (over 25 tons) (Assistant to Engineer required)

Group 8: Cranes (over 125 tons) (Assistant to Engineer required)

Group 9: Helicopter Operator

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates AREA 1	Basic Hourly Rates AREA 2	Fringe Benefits Payments H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$12.08	$14.08	$2.09*	$3.00	$1.55	.34
Group 2	12.49	14.49	2.09*	3.00	1.55	.34
Group 3	12.74	14.74	2.09*	3.00	1.55	.34
Group 4	13.39	15.39	2.09*	3.00	1.55	.34
Group 5	13.64	15.64	2.09*	3.00	1.55	.34
Group 6	13.82	15.82	2.09*	3.00	1.55	.34
Group 7	14.00	16.00	2/09*	3.00	1.55	.34
Group 8	14.52	16.52	2.09*	3.00	1.55	.34
Group 9	14.78	16.78	2.09*	3.00	1.55	.34
Group 10	15.04	17.04	2.09*	3.00	1.55	.34
Group 10-A	15.18	17.18	2.09*	3.00	1.55	.34
Group 11	15.39	17.39	2.09*	3.00	1.55	.34
Group 11-A	16.75	18.75	2.09*	3.00	1.55	.34
Group 11-B	17.09	19.09	2.09*	3.00	1.55	.34
Group 11-C	17.46	19.46	2.09*	3.00	1.55	.34

*Includes $0. 44 per hour to pensioned Health and Welfare Fund.

POWER EQUIPMENT OPERATORS (Cont'd)
Areas I and II (Cont'd)

Group 1: Assistants to Engineers (Brakeman; Fireman; Heavy Duty Repairman Tender; Oiler; Deckhand; Signalman; Switchman; Tar Pot Fireman); Partsman (heavy duty repair shop parts room)

Group 2: Compressor Operator; Concrete Mixer (up to and including 1 yard); Conveyor Belt Operator (tunnel); Fireman Hot Plant; Hydraulic; Monitor; Mechanical Conveyor (handling building materials); Mixer Box Operator (concrete plant); Pump Operator; Spreader Boxman (with screeds); Tar Pot Fireman (power agitated)

Group 3: Box Operator (bunker); Helicopter Radioman (Signalman); Motorman; Locomotive (30 tons or under); Oiler; Ross Carrier (construction job site); Rotomist Operator; Screedman (except asphaltic concrete paving); Self-propelled, automatically applied concrete curing machine (on streets, highways, airports and canals); Trenching Machine (maximum digging capacity 5 ft. depth); Tugger Hoist, single drum; Truck Crane Oiler; Boiler Tender

Group 4: Ballast Jack Tamper; Ballast Regulation; Ballast Tamper Multi-purpose; Boxman (asphalt plant); Elevator Operator (inside); Fork Lift or Lumber Stacker (construction job site); Line Master; Material Hoist (1 drum); Shuttlecar; Tie Spacer; Towermobile

Group 5: Compressor Operator (over 2); Concrete Mixers (over 1 yard); Concrete Pumps of Pumpcrete Guns; Generators; Grouting Machine; Press-weld (air operated); Pumps (over 1); Welding Machines (powered other than by electricity)

Group 6: BLH Lima Road Pactor or similar; Boom Truck or Dual Purpose A-Frame Truck; Concrete Batch Plants (wet or dry); Concrete Saws (self-propelled unit) on streets, highways, airports and canals; Drilling and Boring Machinery, vertical and horizontal (not to apply to Waterliners, Wagon Drills or Jackhammers); Gradesetter, Grade Checker (mechanical or other-wise); Highline Cableway Signalman; Locomotives (steam of over 30 tons); Maginnis Internal Full Slab Vibrator (on airports, highways, canals and warehouses); Mechanical Finishers (concrete) (Clary, Johnson, Bidwell Bridge Deck or similar types); Mechanical Burm, Curb and/or Curb and Gutter Machine, concrete or asphalt; Portable Crusher; Post Driver (M-1500 and similar); Power Jumbo Operator (setting slip forms, etc. in tunnels); Roller (except Asphalt); Screedman (Barber-Greene and similar)(asphaltic concrete paving); Self-propelled Compactor (single engine); Self-propelled Pipeline Wrapping Machine, Perault, CRC, or similar types); Slip Forms Pumps (lifting device for concrete forms); Small Rubber Tired Tractor; Surface Heater; Self-propelled Power Sweeper; Self-propelled Tape Machine; Auger-type drilling equipment, up to and including 30 ft. depth digging capacity M.R.C.

POWER EQUIPMENT OPERATORS (Cont'd)
AREAS I and II (Cont'd)

Group 7: Concrete Conveyor or Concrete Pump, Truck or equipment mounted (boom length to apply); Concrete Conveyor, building site; Deck Engineers; Dual Drum Mixer; Fuller Kenyon Pump and similar types; Gantry Rider (or similar); Hydra-hammer (or similar); Material Hoist (2 or more drums); Mechanical Finishers or Spreader Machine (asphalt, Barber-Greene and similar); Mine or Shaft Hoist Mixermobile; Pavement Breaker with or without Compressor Combination; Pipe Bending Machine (pipelines only); Pipe Cleaning Machine (tractor propelled and supported); Pipe Wrapping Machine (tractor propelled and supported); Refrigeration Plant; Roller Operator (finish asphalt); Self-propelled boom type lifting device (center mount) (10 tons or less M.R.C.); Self-propelled Elevating Grader Plane; Slusher Operator; Small Tractor (with boom) Soil Tester; Truck type Loader; Welding Machines (Gasoline or diesel)

Group 8: Armor-Coater (or similar); Asphalt Plant Engineer; Cast-in-place Pipe Layign Machine; Combination Slusher and Motor Operator; Concrete Batch Plant (multiple units); Dozer; Heading Shie Operator; Heavy Duty Repairman and/or Welder; Ken Seal Machine (c similar); Kolman Loader; Loader (up to 2 yards); Mecahnical Trenc Shield; Portable Crushing and Screening Plants; Push Cat; Rubber Tired Earth-moving Equipment (up to and including 45 cu. yards "struck" M.R.C.) Euclids, T-Pulls, DW-10, 20, 21, and similar; Ru ber Tired Dozer; Self-propelled Compactor with Dozer; Sheepfoot; Timber Skidder (rubber tired or similar equipment); Tractor drawn Scraper; Tractor Trenching Machine; Tri-batch Paver; Tunnel Mole Boring Machine; Welder; Woods-mixer (and other similar Pugmill equipment)

Group 9: Canal Finger Drain Digger; Chicago Boom; Combination Mixer and Compressor (Gunite); Combination Slurry Mixer and/or Cleaner; Highline Cableway (5 tons and under); Lull Hi-lift or similar (20 ft. or over); Mucking Machine (rubber tired, rail or track type); Tractor (with boom) (D-6 or larger and similar)

POWER EQUIPMENT OPERATORS (Cont'd)
AREAS I and II (Cont'd)

Group 10: Boom-type Backfilling Machine; Bridge Crane; Cary-lift (or similar); Chemical Grouting Machine, truck mounted); Combination Backhoe and Loader (up to and including 1/2 cu. yd. M.R.C.); Derrick (2 Operators required when swing engine remote from Hoist); Derrick Barges (except excavation work); Do-Mor Loader; Adams Elegrader; Elevating Grader; Heavy Duty Rotary Drill Rig (including Caisson Foundation work and Euclid Loader and similar type; Robbins type drills); Koehring Skooper (or similar); Lift Slab Machine; (Vagtborg and similar types); Loader (2 yds. up to and including 4 yds.); Locomotive, 100 tons (single or multiple units); Multiple Engine Earthmoving Machine (Euclids, Dozers, etc.)(no Tandem Scraper); Pres-stress Wire Wrapping Machine; Reservoir-Debris Tug (self-propelled floating); Rubber-tired Scraper, self-loading (paddle wheels, etc.); Shuttle Cat (reclaim station); Single engine Scraper over 45 yds.; Soil Stabilizer (P & H or equal); Sub-grader (Gurrier or other automatic type); Tractor, Compressor Drill Combination; Track Laying type Earth Moving Machine (single engine with Tandem Scrapers); Train loading station; Trenching Machine, multi-engine with sliping attachment, Jeffco or similar; Vacuum Cooling Plant; Whirley Crane (up to and including 25 tons)

Group 10A: Backhoe (hydraulic) (up to and including 1 cu. yd. M.R.C.); Backhoe (cable) (up to and including 1 cu. yd. M.R.C.); Combination Backhoe and Loader (over 3/4 cu. yd. M.R.C.); Continuous Flight Tie Back Auger (crane attached/separate controls); Cranes not over 25 tons, Hammerhead and Gantry; Gradalls (up to and including 1 cu. yd.); Power Blade Operator (single engine); Power Shovels, Clamshells, Draglines (up to and including 1 cu. yd. M.R.C.) (Long boom pay); Rubber-tired Scraper, self-loading (Paddle Wheel, twin engine); Self-propelled Boom-type lifting device (center mount) (over 10 tons up to and including 25 tons); CMI Dual Lane Auto Grader SP-30 or similar

POWER EQUIPMENT OPERATORS (Cont'd)
Areas I and II (Cont'd)

Group 11: Automatic Concrete Slip-form Paver (Gradesetter, Screedman); Automatic Railroad Car Dumper; Canal Trimmer with ditching attachments; Cary Lift, Campbell or similar, Continuous Flight Tie Back Auger (Crane attached, single controls); Cranes (over 25 tons up to and including 125 tons); Drott Travelift 650-A-1 or similar (45 ton or over); Euclid Loader when controlled from the Pullcat; Highline Cableway (over 5 tons); Loader (over 4 cu. yds., up to and including 12 cu. yds.); Miller Formless M-900 Slope Paver or similar (grade Setter required); Multiple Engine Scraper (when used as Push Pull); Power Blade Operator (multi-engine); Power Shovels, Clamshells, Draglines, Backhoes, Gradalls (over 1 cu. yd. and up to and including 7 cu. yds. M.R.C., Long Boom Pay); Rubber-tired Earthmoving Machines (multiple propulsion power units and two or more Scrapers)(up to and including 75 cu. yds. struck M.R.C.); Self-propelled Compactor (with multiple propulsion power unit); Blob or similar; Self-propelled Boom-type lifting device (center mount) (over 25 tons M.R.C.); Single engine Rubber-tired Earthmoving Machines (with Tandem Scrapers); Slip-form Paver (concrete or asphalt) (Screedman required); Tandem Cats; Tower Cranes Mobile (including rail mounted); Trencher (pulling attached shield); Tower Cranes, Universal Liebher and similar types (in the erection, dismantling and moving of equipment); Wheel Excavator (up to and including 750 cu. yds. per hour); Whirley Crane (over 25 tons); Multi-earthmoving Equipment (up to and including seventy-five (75) cu. yds. "struck" M.R.C.); Truck mounted Hydraulic Crane when remote control equipped (over 10 tons up to and including 25 tons)

Group 11A: Band Wagons (in conjunction with Wheel Excavator); Cranes (over 125 tons); Loader (over 12 cu. yds., up to and including 18 cu. yds.); Power Shovels, Clamshells, Backhoes, Gradalls, and Draglines (over 7 cu. yds. M.R.C.); Rubber-tired Multi-purpose Earth Moving Machines (2 units over 75 cu. yds. "struck" M.R.C.); Wheel Excavator (over 750 cu. yds. per hour)

Group 11B: Loader (over 18 yds.)

Group 11C: Operator of Helicopter (when used in erection work); Remote controlled earthmoving equipment

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BULK CEMENT SPREADER (w/wo Auger, under 4 yds. water level); Bus or Manhaul Driver; Concrete Pump Machine; Concrete Pump Truck (when Flat Rack Truck is used appropriate Flat Rack rate shall apply); Dump (under 4 yds. water level); Dumpcrete Truck (under 4 yds. water level); Dumpster (under 4 yds. water level); Escort or Pilot Car Driver; Nipper Truck (when Flat Rack Truck is used appropriate Flat Rack rate shall apply); Pickups; Skids (Debris Box, under 4 yds. water level); Team Drivers; Trucks (Dry Per-batch Concrete Mix, under 4 yds. water level); Warehousemen	$10.725	$1.395	.74	$1.00	
TEAMSTER Oiler and/or Greaser and/or Service Man	10.80	1.395	.75	1.00	
BULK CEMENT SPREADER (w/wo Auger, 4 yds. and under 6 yds. water level); Dump (4 yds. and under 6 yds. water level); Dumpcrete (4 yds. and under 6 yds. water level); Dumpster (4 yds. and under 6 yds. water level); Skids (Debris Box, 4 yds. and under 6 yds. water level); Single Unit Flat Rack (2 axle unit); Industrial Lift Truck (Mechanical Tailgate); Trucks (Dry Pre-batch Concrete Mix, 4 yds. and under 6 yds. water level)	10.82	1.395	.75	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Educatio and/or Appr. Tr
JETTING TRUCK and WATER TRUCK (under 2,500 gallons)	$10.825	$1.395	.75	$1.00	
ROAD OIL TRUCKS OR BOOT MAN	10.845	1.395	.75	1.00	
LIFT JITNEYS, Fork Lift	10.855	1.395	.75	1.00	
TRANSIT MIX, AGITATOR (under 6 yards)	10.875	1.395	.75	1.00	
FUEL and/or GREASE TRUCK Driver or Fuelman	10.89	1.395	.75	1.00	
TRUCK REPAIRMAN HELPER	10.895	1.395	.75	1.00	
VACUUM TRUCK, under 3,500 gallons	10.905	1.395	.75	1.00	
SCISSOR TRUCK; Single Unit Flat Rack (2 axle unit); Industrial Lift Truck (Mechanical Tailgate); Small Rubber Tired Tractor (when used within Teamsters' jurisdiction)	10.92	1.395	.75	1.00	
JETTING TRUCK and WATER TRUCKS, 2,500 gallons, under 4,000 gallons	10.935	1.395	.75	1.00	
COMBINATION WINCH TRUCK with HOIST; Transit Mix Agitator (6 yards and under 8 yards)	10.975	1.395	.75	1.00	
VACUUM TRUCK, 3,500 gallons and under 5,500 gallons	10.985	1.395	.75	1.00	
RUBBER-TIRED MUCK CAR (not self-loaded)	10.995	1.395	.75	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BULK CEMENT SPREADER (w/wo Auger, 6 yds. and under 8 yds. water level); Dump (6 yds. and under 8 yds. water level); Dumpcrete (6 yds. and under 8 yds. water level); Dumpster (6 yds. and under 8 yds. water level); Skids (Debris Box, 6 yds. and under 8 yds. water level); Trucks (Dry Pre-batch Concrete Mix, 6 yds. and under 8 yds. water level)	$11.02	$1.395	.75	$1.00	
A-FRAME, WINCH TRUCK; Buggymobile; Jetting and Water Truck (4,000 gallons and under 5,000 gallons); Rubber Tired Jumbo	11.035	1.395	.75	1.00	
HEAVY DUTY TRANSPORT (high bed)	11.04	1.935	.75	1.00	
ROSS HYSTER and SIMILAR STRADDLE CARRIER	11.065	1.395	.75	1.00	
TRANSIT MIX AGITATOR (8 yds. through 10 yds.)	11.075	1.395	.75	1.00	
VACUUM TRUCK (5,500 gallons and under 7,500 gallons)	11.085	1.395	.75	1.00	
JETTING TRUCK and WATER TRUCK (5,000 gallons and under 7,000 gallons)	11.135	1.395	.75	1.00	
COMBINATION BOOTMAN and ROAD OILER	11.165	1.395	.75	1.00	
TRANSIT MIX AGITATOR (over 10 yds. through 12 yds.)	11.175	1.395	.75	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BULK CEMENT SPREADER (w/wo Auger, 8 yds. and including 12 yds. water level); Dump (8 yds. and including 12 yds. water level); Dumpcrete (8 yds. and including 12 yds. water level); Self-propelled Street Sweeper with self-contained refuse bin; Skids (Debris Box, 8 yds. and including 12 yds. water level); Snow Go and/or Snow Plow; Truck (Dry Pre-batch Concrete Mix, 8 yds. and including 12 yds. water level); Dumpster (8 yds. and including 12 yds. water level)	$11.26	$1.395	.75	$1.00	
HEAVY DUTY TRANSPORT (Gooseneck Lowbed)	11.27	1.395	.75	1.00	
TRANSIT MIX AGITATOR (over 12 yds. through 17 yds.)	11.275	1.395	.75	1.00	
AMMONIA NITRATE DISTRIBUTOR DRIVER and MIXER; Bulk Cement Spreader (w/wo Auger, over 12 yds. and including 18 yds. water level); Dump (over 12 yds. and including 18 yds. water level); Dumpcrete (over 12 yds. and including 18 yds. water level); Dumpster (over 12 yds. and including 18 yds. water level); Trucks (Dry Pre-batch Concrete Mix, over 12 yds. and including 18 yds. water level)	11.30	1.395	.75	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DOUBLE GOOSENECK (7 or more axles); Heavy Duty Transport Tiller Man	$11.32	$1.395	.75	$1.00	
P.B. or SIMILAR TYPE SELF-LOADING TRUCK	11.36	1.395	.75	1.00	
TRANSIT MIX AGITATOR (over 14 yds. through 16 yds.)	11.375	1.395	.75	1.00	
BULK CEMENT SPREADER (w/wo Auger, over 18 yds. and including 24 yds. water level); Combination Dump and Dump Trialer; Dump (over 18 yds. and including 24 yds. water level); Dumpcrete (over 18 yds. and including 24 yds. water level); Dumpster (over 18 yds. and including 24 yds. water level); Skid (Debris Box, over 18 yds. and including 24 yds. water level); Transit Mix Agitator (over 12 yds. through 16 yds.); Trucks (Dry Prebatch Concrete Mix, over 18 yds. and including 24 yds. water level)	11.405	1.395	.75	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BULK CEMENT SPREADER (w/wo Auger, over 24 yds. and including 35 yds. water level); Dump (over 24 yds. and including 35 yds. water level); Dumpcrete (over 24 yds. and including 35 yds. water level); Dumpster (over 24 yds. and including 35 yds. water level); DW 10's, 20's, 21's and other similar Cat type, Terra Cobra, LeTournapulls, Tournarocker, Euclid and similar type equipment when pulling Fuel and/or Grease Tank Trailers or other misc. Trailers; Skids (Debris Box, over 24 yds. and including 35 yds. water level); Trucks (Dry Prebatch Concrete Mix, over 24 yds. and including 35 yds. water level)	$11.46	$1.395	.75	$1.00	
TRUCK REPAIRMAN	11.395	1.395	.75	1.00	
BULK CEMENT SPREADER (w/wo Auger, over 35 yds. and including 50 yds. water level); Dump (over 35 yds. and inlcuidng 50 yds. water level); Dumpcrete (over 35 yds. and including 50 yds. water level); Dumpster (over 35 yds. and including 50 yds. water level); Skids (Debris Box, over 35 yds. and including 50 yds. water level); Trucks (Dry Pre-batch Concrete Mix, over 35 yds. and including 50 yds. water level)	11.61	1.395	.75	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DW 10's, 20's, 21's and other similar Cat type, Terra Cobra, LeTourna Pulls, Tournarocker, Euclid and similar type equipment while pulling Aqua/Pak or water Tank Trailers	$11.71	$1.395	.75	$1.00	
BULK CEMENT SPREADER (w/wo Auger, over 50 yds. and under 65 yds. water level); Dump (over 50 yds. and under 65 yds. water level); Dumpcrete (over 50 yds. and under 65 yds. water level); Dumpster (over 50 yds. and under 65 yds. water level); Helicopter Pilot (when transporting men or materials); Skids (Debris Box, over 50 yds. and under 65 yds. water level); Trucks (Dry Pre-batch Concrete Mix, over 50 yds. and under 65 yds. water level)	11.76	1.395	.75	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BULK CEMENT SPREADER (w/wo Auger, over 65 yds. and including 80 yds. water level); Dump (65 yds. and including 80 yds. water level); Dumpcrete (over 65 yds. and including 80 yds. water level); Dumpster (65 yds. and including 80 yds. water level); Skids (Debris Box, 65 yds. and including 80 yds. water level); Trucks (Dry Pre-batch Concrete Mix, 65 yds. and including 80 yds. water level)	$11.91	$1.395	.75	$1.00	
BULK CEMENT SPREADER (w/wo Auger, over 80 yds. and including 95 yds. water level); Dump (over 80 yds. and including 95 yds. water level); Dumpcrete (over 80 yds. and including 95 yds. water level); Dumpster (over 80 yds. and including 95 yds. water level); Skids (Debris Box, over 80 yds. and including 95 yds. water level); Trucks (Dry Pre-batch Concrete Mix, over 80 yds. and including 95 yds. water level)	12.06	1.395	.75	1.00	

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

AREA DESCRIPTIONS
FOR
POWER EQUIPMENT OPERATORS
AREAS I and II

**AREA I: All areas included in the description defined below which is based upon Township and Range Lines of Areas I and II.

Commencing in the Pacific Ocean on the extension of the Southerly line of Township 19S.
Thence Easterly along the Southerly line of Township 19S, crossing the Mt. Diablo Meridian to the S.W. corner of township 19S, range 6E, Mt. Diablo Base Line and Meridian,
Thence Southerly to the S.W. corner of township 20S, range 6E,
Thence Easterly to the S.W. corner of township 20S, range 13E,
Thence Southerly to the S.W. corner of township 21S, range 13E,
Thence Easterly to the S.W. corner of township 21S, range 17E,
Thence Southerly to the S.W. corner of township 22S, range 17E,
Thence Easterly to the S.E. corner of township 22S, range 17E,
Thence Southerly to the S.W. corner of township 23S, range 18E,
Thence Easterly to the S.E. corner of township 23S, range 18E,
Thence Southerly to the S.W. corner of township 24S, range 19E, falling on the Southerly Line of Kings County, thence Easterly along the Southerly Boundary of Kings County and the Southerly Boundary of Tulare County, to the S.E. corner of township 24S, range 29E,
Thence Northerly to the N.E. corner of township 21S, range 29E,
Thence Westerly to the N.W. corner of township 21S, range 29E,
Thence Northerly to the N.E. corner of township 13S, range 28E,
Thence Westerly to the N.W. corner of township 13S, range 28E,
Thence Northerly to the N.E. corner of township 11S, range 27E,
Thence Westerly to the N.W. corner of township 11S, range 27E,
Thence Northerly to the N.E. corner of township 10S, range 26E,
Thence Westerly to the N.W. corner of township 10S, range 26E,
Thence Northerly to the N.E. corner of township 9S, range 25E,
Thence Westerly to the N.W. corner of township 9S, range 25E,
Thence Northerly to the N.E. corner of township 8S, range 24E,
Thence Westerly to the N.W. corner of township 8S, range 24E,
Thence Northerly to the N.E. corner of township 6S, range 23E,
Thence Westerly to the S.E. corner of township 5S, range 19E,
Thence Northerly to the S.E. corner of township 5S, range 19E,
Thence Westerly to the N.W. corner of township 5S, range 19E,
Thence Northerly to the N.E. corner of township 3S, range 18E,
Thence Westerly to the N.W. corner of township 3S, range 18E,
Thence Northerly to the N.E. corner of township 2S, range 17E,
Thence Westerly to the N.W. corner of township 2S, range 17E,

AREA DESCRIPTIONS (Cont'd)
For
POWER EQUIPMENT OPERATORS
AREAS I and II

AREA I: (Cont'd)

Thence Northerly crossing the Mt. Diablo Baseline to the N.E. corner of township 2N, range 16E,
Thence Westerly to the N.W. corner of township 2N, range 16E,
Thence Northerly to the N.E. corner of township 3N, range 15E,
Thence Westerly to the N.E. corner of township 3N, range 15E,
Thence Northerly to the N.E. corner of township 4N, range 14E,
Thence Westerly to the N.W. corner of township 4N, range 14E,
Thence Northerly to the N.E. corner of township 5N, range 13E,
Thence Westerly to the N.E. corner of township 5N, range 13E,
Thence Northerly to the N.E. corner of township 10N, range 12E,
Thence Easterly to the S.E. corner of township 11N, range 14E,
Thence Northerly to the N.E. corner of township 11N, range 14E,
Thence Westerly to the N.E. corner of township 11N, range 10E,
Thence Northerly to the N.E. corner of township 15N, range 10E,
Thence Easterly to the S.E. corner of township 16N, range 11E,
Thence Northerly to the N.E. corner of township 16N, range 11E,
Thence Easterly to the S.E. corner of township 17N, range 14E,
Thence Southerly to the S.W. corner of township 14N, range 14E,
Thence Easterly to the S.E. corner of township 14N, range 15E,
Thence Southerly to the S.W. corner of township 13N, range 16E,
Thence Easterly to the S.E. corner of township 13N, range 16E,
Thence Southerly to the S.W. corner of township 12N, range 17E,
Thence Easterly along the Southern Line to township 12N to the Eastern Boundary of the State of California, to the State of California to the N.E. corner of township 17N, range 18E,
Thence Westerly to the N.W. corner of township 17N, range 11E,
Thence Northerly to the N.E. corner of township 20N, range 10E,
Thence Westerly to the N.W. corner of township 20N, range 20E,
Thence Northerly to the N.E. corner of township 21N, range 9E,
Thence Westerly to the N.W. corner of township 21N, range 9E,
Thence Northerly to the N.E. corner of township 22N, range 8E,
Thence Westerly to the N.W. corner of township 27N, range 8E,
Thence Northerly to the S.W. corner of township 27N, range 8E,
Thence Easterly to the S.E. corner of township 27N, range 8E,
Thence Northerly to the N.E. corner of township 28N, range 8E,
Thence Westerly to the N.W. corner of township 28N, range 7E,
Thence Northerly to the N.E. corner of township 30N, range 6E,
Thence Westerly to the N.W. corner of township 30N, range 1E,
Thence Northerly along the Mt. Diablo Meridian to the N.E. corner of township 34N, range 1W,
Thence Westerly to the N.W. corner of township 34N, range 6W,
Thence Southerly to the N.E. corner of township 32N, range 7W,
Thenece Westerly to the N.W. corner of township 32N, range 7W,
Thence Southerly to the S.W. corner of township 30N, range 7W,
Thence Easterly to the S.E. corner of township 30N, range 7W,

AREA DESCRIPTIONS (Cont'd)
For
POWER EQUIPMENT OPERATORS
AREAS I and II

AREA 1: (Cont'd)

Thence Southerly to the S.W. corner of township 16N, range 6W,
Thence Easterly to the S.E. corner of township 16N, range 6W,
Thence Southerly to the S.W. corner of township 14N, range 5W,
Thence Westerly to the S.E. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 14N, range 7W,
Thence Westerly to the N.W. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 15N, range 8W,
Thence Westerly to the S.E. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 16N, range 12W,
Thence Westerly to the N.W. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 18N, range 12W,
Thence Westerly to the N.W. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 18N, range 14W,
Thence Easterly to the S.E. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 16N, range 13W,
Thence Westerly to the N.W. corner of township 15N, range 14W,
Thence Southerly to the S.W. corner of township 14N, range 14W,
Thence Easterly to the S.E. corner of township 14N, range 14W,
Thence Southerly to the S.W. corner of township 13N, range 13W,
Thence Easterly to the S.E. corner of township 13N, range 13W,
Thence Southerly to the S.W. corner of township 11N, range 12W,
Thence Easterly to the S.E. corner of township 11N, range 12W,
Thence Southerly along the Eastern line to range 12W, to the Pacific Ocean excluding that portion of Northern California within Santa Clara County included within the folloiwng line:
Commencing at the N.W. corner of township 6S, range 3E, Mt. Diablo Baseline and Meridian:
Thence in a Southerly direction to the S.W. corner of township 7S, range 3E,
Thence in a Easterly direction to the S.E. corner of township 7S, range 4E,
Thence in a Northerly direction to the N.E. corner of township 6S, range 4E,
Thence in a Westerly direction to the N.W. corner of township 6S, range 3E, to the point of beginnin gwhich portion is a part of Area 2.

AREA 1: also includes that portion of Northern California within the following lines:
Commencing in the Pacific Ocean on an extension of the Southerly line to township 2N; Humboldt Baseline and Meridian:
Thence Easterly along the Southerly line of township 2N, to the S.W. corner of township 2N, range 1W,
Thence Southerly to the S.W. corner of township 1N, range 1W,

AREA DESCRIPTIONS
For
POWER EQUIPMENT OPERATORS
AREAS I and II

AREA 1: (Cont'd)

Thence Easterly along the Humboldt Baseline to the S.W. corner of township 1N, range 2E,
Thence Southerly to the S.W. corner of township 2S, range 2E,
Thence Easterly to the S.E. corner of township 2S, range 2E,
Thence Southerly to the S.W. corner of township 4S, range 3E,
Thence Easterly to the S.E. corner of township 4S, range 3E,
Thence Northerly to the N.E. corner of township 2S, range 3E,
Tehnce Westerly to the N.W. corner of township 2S, range 3E,
Thence Northerly crossing the Humboldt Baseline to the S.W. corner of township 1N, range 3E,
Thence Easterly along the Humboldt Baseline to the S.E. corner of township 1N, range 3E,
Thence Northerly to the N.E. corner of township 9N, range 3E,
Thence Westerly to the N.W. corner of township 9N, range 2E,
Thence Northerly to the N.E. corner of township 10N, range 1E,
Thence Westerly along the Northerly line to township 10N, into the Pacific Ocean.

AREA I; Also includes that portion of Northern California included within the following lines:
Commencing at the Northerly boundary of the State of California at the N.W. corner of township 48N, range 7W, Mt. Diablo Baseline and Meridian:
Thence Southerly to the S.W. corner of township 44N, range 7W,
Thence Easterly to the S.E. corner of township 44N, range 7W,
Thence Southerly to the S.W. corner of township 43N, range 6W,
Thence Easterly to the S.E. corner of township 43N, range 5W,
Thence Northerly to the N.E. corner of township 48N, range 5W, on the Northerly boundary of the State of California,
Thence Westerly along the Northerly boundary of the State of California to the point of beginning.

AREA II: All areas not included within AREA I as defined.

SUPERSEDEAS DECISION

STATE: Illinois COUNTIES: *See Below
DECISION NUMBER: IL81-2007 DATE: Date of Publication
Supersedes Decision No. IL79-2079, dated September 14, 1979 in 44 FR 53647
DESCRIPTION OF WORK: Heavy & Highway Construction Projects

*COUNTIES: Bond, Calhoun, Clinton, Greene, Jersey, Macoupin, Madison, Monroe, Montgomery, St. Clair & Washington

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS & PILEDRIVERMEN:					
Bond, Calhoun, Greene (S. of Apple Creek), Jersey, Macoupin (S 2/3), Madison, & Montgomery (S 2/3) Cos.	$13.835	.80	1.00		
Clinton, Monroe, St. Clair, & Washington Cos.	13.435	.75	1.00		
Greene (except S. of Apple Creek) Co.:					
Carpenters	12.05	.75	.25		.08
Piledrivermen	12.55	.75	.25		.08
Macoupin (N 1/3), & Montgomery (N 1/3, inclu. Waggoner, Standard City, & North thereof) Cos.:					
Carpenters	13.32	.55	.75		.08
Piledrivermen	13.82	.55	.75		.08
CEMENT MASONS:					
Bond, Calhoun, Clinton (W. ½, East to but not incl. Carlyle), Greene, Jersey, Macoupin, Madison, Monroe, Montgomery, & St. Clair Counties	13.255	1.00	.77		
Clinton (E ½ incl. Carlyle), & Washington Counties	15.025				
ELECTRICIANS:					
Bond (E ½), Clinton (Huey, Hoffmen & Vic.), & Washington (except Venedy Twp.) Cos.	15.21	.55	13%		1%
Bond (W ½), Clinton (Rem. of Co.), Macoupin (except Brighton, Athensville, Scottville, Girard & areas N. thereof), Madison (except Alton & Vic.), Monroe, Montgomery (except Portion E. of Butler Grove, Grisham, Hillsboro & Raymond Twp.), St. Clair, & Washington (Venedy Twp.) Cos.	14.80	.59	3%+1.04	.89	½%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Calhoun, Greene, Jersey, Macoupin (Brighton Twp.), & Madison (Alton & Vic.) Cos.	$15.66	.55	3%+1.00		.3%
Macoupin (Athensville, Scottville, Girard & areas N. thereof), & Montgomery (NW part incl. Bois D' Arc, Harvel & Pittman Twps.) Cos.	14.62	.55	3%+.70		.1%
Montgomery (E. of Butler Grove, Grisham, Hillsboro & Raymond Twps.) Co.	14.95	.55	3%+.55		.35%
IRONWORKERS:					
Bond, Calhoun, Clinton, Greene (S ½), Jersey, Macoupin (Summerville & S. thereof), Madison, Monroe, Montgomery (Litchfield, Hillsboro, & S. thereof), St. Clair, & Washington Cos.	13.85	.55	1.05		.05
Greene (N ½), Macoupin (N. of Summerville), & Montgomery (N. of Litchfield & Hillsboro) Cos.	13.70	.55	1.05		.08
LINE CONSTRUCTION:					
Bond (E ½) & Washington (Okawville & Venedy Twps.) Cos.:					
Linemen & Digging Operator	14.63	.45	11%		½%
Groundman Equipment Operator:					
Class I	12.51	.45	11%		½%
Class II	11.20	.45	11%		½%
Groundman	9.34	.45	11%		½%
Bond (W ½), Clinton, Macoupin (except N 1/3 & SW Corner), Madison (except E. Alton, Alton, Wood River & Hartford), Monroe, Montgomery (E. of Roundtree, Irving & E. Fork Twps.), St. Clair, & Washington (Okawville & Venedy Twps.) Cos.:					
Linemen	15.60	4%	3%		½%
Groundman Equipment Operator	13.55	4%	3%		½%
Groundman Truck Drivers:					
W/Winch & WO/Winch	11.02	4%	3%		½%
Groundman	10.20	4%	3%		½%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Calhoun, Greene, Jersey, Macoupin (SW Corner), & Madison (E. Alton, Alton, Wood River & Hartford) Cos.:					
Linemen	$13.69	.55	3%+1.00		.3%
Groundman Truck Driver W/Winch	9.22	.55	3%+1.00		.3%
Groundman	8.36	.55	3%+1.00		.3%
Macoupin (N 1/3) & Montgomery (Rem. of Co.) Cos.:					
Linemen	15.80	.45	3%		.5%
Groundman Equipment Operator	14.74	.45	3%		.5%
Groundman Truck Driver W/Winch	11.20	.45	3%		.5%
Groundman Truck Driver WO/Winch	10.54	.45	3%		.5%
Groundman	10.05	.45	3%		.5%
PAINTERS:					
Brush	13.64	.60	.35		
Industrial & Tapers	13.89	.60	.35		
Bridges	14.14	.60	.35		
LABORERS (HEAVY CONSTRUCTION):					
St. Clair Co.: New Athens & Freeburg; Clinton Co.: Trenton; Randolph Co.: Sparta; & Montgomery Co.: Hillsboro					
Laborers	12.40	.50	.60		.035
Brick & Plaster Mason Tenders	12.90	.50	.60		.035
Workmen Cutting & Burning w/a Torch & Working on the Bottom of Sewers, etc.	12.65	.50	.60		.035
Dynamite Men	14.00	.50	.60		.035
Bond Co.: Pochontas; Macoupin Co.: Gillespie; & Washington Co.: Ashley					
Laborers	13.10		.40		.035
Brick & Plaster Mason Tenders	13.60		.40		.035
Workmen Cutting & Burning w/a Torch & Working on the Bottom of Sewers, etc.	13.35		.40		.035
Dynamite Men	14.70		.40		.035

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Madison Co.: Livingston					
Laborers	13.00		.50		.035
Brick & Plaster Mason Tenders	13.50		.50		.035
Workmen Cutting & Burning w/a Torch & Working on the Bottom of Sewer, etc.	13.25		.50		.035
Dynamite Men	13.75		.50		.035
Madison Co.: Glen Carbon					
Laborer	12.60		1.00		.035
Brick & Plaster Mason Tenders	13.10		1.00		.035
Workmen Cutting & Burning w/a Torch & Working on the Bottom of Sewer, etc.	12.85		1.00		.035
Dynamite Men	14.20		1.00		.035
Macoupin Co.: Carlinville; Calhoun Co.: Hardin; Madison Co.: Marine					
Laborers	13.30		.20		.035
Brick & Plaster Mason Tenders	13.80		.20		.035
Workmen Cutting & Burning w/a Torch & Working on the Bottom of Sewer, etc.	13.55		.20		.035
Dynamite Men	14.90		.20		.035
Clinton Co.: Carlyle					
Laborers	12.30	.60	.60		.035
Brick & Plaster Mason Tenders	12.80	.60	.60		.035
Workmen Cutting & Burning w/a Torch & Working on the Bottom of Sewer, etc.	12.55	.60	.60		.035
Dynamite Men	13.90	.60	.60		.035
Washington Co.: Nashville					
Laborers	13.00		.50		.035
Brick & Plaster Mason Tenders	13.50		.50		.035
Workmen Cutting & Burning w/a Torch & Working on the Bottom of Sewer, etc.	13.25		.50		.035
Dynamite Men	14.60		.50		.035
Bond Co.: Greenville; Macoupin Co.: Mt. Olive					
Laborers	13.20		.30		.035
Workmen Cutting & Burning w/a Torch & Working on the Bottom of Sewer, etc.	13.45		.30		.035
Brick & Plaster Mason Tenders	13.70		.30		.035
Dynamite Men	14.80		.30		.035

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Madison Co.: Troy					
Laborers	$12.50		1.00		.035
Brick & Plaster Mason Tenders	13.00		1.00		.035
Workmen Cutting & Burning w/a Torch & Working on the Bottom of Sewer, etc.	12.75		1.00		.035
Dynamite Men	14.10		1.00		.035
Monroe Co.: Columbia					
Laborers	12.70	.55	.35		.035
Brick & Plaster Mason Tenders	12.95	.55	.35		.035
Workmen Cutting & Burning w/a Torch & Working on the Bottom of Sewer, etc.	13.20	.55	.35		.035
Dynamite Men	14.30	.55	.35		.035
Macoupin Co.: Staunton; Madison Co.: St. Jacob, & Highlands; Greene Co.: Roodhouse; Washington Co.: Okawville; & Montgomery Co.: Litchfield					
Laborers	12.90		.60		.035
Brick & Plaster Mason Tenders	13.40		.60		.035
Workmen Cutting & Burning w/a Torch & Working on the Bottom of Sewer, etc.	13.15		.60		.035
Dynamite Men	14.50		.60		.035
Randolph Co.: Chester					
Laborers	11.90	.60	1.00		.035
Brick & Plaster Mason Tenders	12.40	.60	1.00		.035
Workmen Cutting & Burning w/a Torch & Working on the Bottom of Sewer, etc.	12.15	.60	1.00		.035
Dynamite Men	13.50	.60	1.00		.035
Madison Co.: Alton					
All Labor Work	12.20	.80	.60		.035
All Sewer Work	12.30	.80	.60		.035
Well Digging Machine & Nozzle Operator	12.45	.80	.60		.035
Open Well Work	12.35	.80	.60		.035

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Madison Co.: Wood River					
All Labor Work	$12.60		1.00		.035
All Sewer Work	12.70		1.00		.035
Well Digging Machine & Nozzle Operator	12.85		1.00		.035
Open Well Work	12.75		1.00		.035
Hooker on Hand Rock Work	13.10		1.00		.035
Madison Co.: Granite City & Vic					
Laborers	11.95	.55	1.10		.035
Brick & Plaster Mason Tenders	12.45	.55	1.10		.035
Cutting, Burning & Welding	12.255	.55	1.10		.035
Oxygen Lancing	12.475	.55	1.10		.035
Dynamite Men	13.475	.55	1.10		.035
Madison Co.: Collinsville					
Laborers	12.20	.65	.75		.035
Brick & Plaster Mason Tenders	12.70	.65	.75		.035
Dynamite Men	13.80	.65	.75		.035
Bond Co.: Sorento; Jersey Co.: Jerseyville					
Laborers	13.25		.25		.035
Brick & Plaster Mason Tenders	13.75		.25		.035
Workmen Cutting & Burning w/a Torch & Working on the Bottom of Sewer, etc.	13.50		.25		.035
Dynamite Men	14.85		.25		.035
Macoupin Co.: Shipman					
Laborers	13.05		.45		.035
Brick & Plaster Mason Tenders	13.55		.45		.035
Workmen Cutting & Burning w/a Torch & Working on the Bottom of Sewer, etc.	13.30		.45		.035
Dynamite Men	14.65		.45		.035
Madison Co.: Edwardsville					
Laborers	13.35		.25		.035
Sewer Work from Building to Main Sewer	13.45		.25		.035
Men Working in Main Sewer Ditch	13.60		.25		.035
Dynamite & Power Men	14.875		.25		.035

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LABORERS (HIGHWAY CONSTRUCTION):	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE I					
Area 1-Madison Co.: Alton					
Laborers	12.20	.80	.60		.035
Asphalt Raker, etc.	12.30	.80	.60		.035
Brick Mason Tenders	12.70	.80	.60		.035
Men Working on the Bottom, etc.	12.45	.80	.60		.035
Dynamite Men	13.625	.80	.60		.035
Area 2-St. Clair Co.: New Athens & Freeburg					
Laborers	12.45	.55	.60		.035
Asphalt Raker, etc.	12.55	.55	.60		.035
Brick Mason Tenders	12.95	.55	.60		.035
Men Working on the Bottom, etc.	12.70	.55	.60		.035
Dynamite Men	13.875	.55	.60		.035
Area 3-St. Clair Co.: E. St. Louis; & Madison Co.: Granite City					
Laborers	12.25	.55	.80		.035
Asphalt Raker, etc.	12.50	.55	.80		.035
Brick Mason Tenders	12.75	.55	.80		.035
Men Working on the Bottom, etc.	12.50	.55	.80		.035
Dynamite Men	13.675	.55	.80		.035
Area 4-Bond Co.: Sorento; & Jersey Co.: Jerseyville					
Laborers	13.35		.25		.035
Asphalt Raker, etc.	13.45		.25		.035
Brick Mason Tenders	13.85		.25		.035
Men Working on the Bottom, etc.	13.60		.25		.035
Dynamite Men	14.775		.25		.035
Area 4-Madison Co.: Edwardsville					
Laborers	13.30		.25		.035
Asphalt Raker	13.90		.25		.035
Brick Mason Tenders	13.00		.25		.035
Men Working on Bottom, etc.	13.55		.25		.035
Dynamite Men	14.325		.25		.035
Area 5-St. Clair Co.: Collinsville					
Laborers	12.20	.65	.75		.035
Asphalt Raker, etc.	12.30	.65	.75		.035
Brick Mason Tenders	12.75	.65	.75		.035
Men Working on the Bottom, etc.	12.45	.65	.75		.035
Dynamite Men	13.625	.65	.75		.035

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Area 5-Madison Co.: Livingston; & Washington Co.: Nashville					
Laborers	$13.10		.50		.035
Asphalt Raker	13.20		.50		.035
Brick Mason Tenders	13.60		.50		.035
Men Working on Bottom, etc.	13.35		.50		.035
Dynamite Men	14.625		.50		.035
ZONE II					
Area 1-Macoupin Co.: Carlinville; Madison Co.: Marine; & Calhoun Co.: Hardin					
Laborers	13.40		.20		.035
Asphalt Raker, etc.	13.50		.20		.035
Brick Mason Tenders	13.90		.20		.035
Men Working on the Bottom, etc.	13.90		.20		.035
Dynamite Men	14.825		.20		.035
Area 2-Bond Co.: Greenville; & Macoupin Co.: Mt. Olive					
Laborers	13.20		.30		.035
Asphalt Raker, etc.	13.30		.30		.035
Brick Mason Tenders	13.70		.30		.035
Men Working on the Bottom, etc.	13.45		.30		.035
Dynamite Men	14.625		.30		.035
Area 3-St. Clair Co.: Belleville					
Laborers	12.25	.55	.80		.035
Asphalt Raker, etc.	12.35	.55	.80		.035
Brick Mason Tenders	12.75	.55	.80		.035
Men Working on the Bottom, etc.	12.45	.55	.80		.035
Dynamite Men	13.675	.55	.80		.035
Area 4-Montgomery Co.: Hillsboro					
Laborers	12.05	.55	1.00		.035
Asphalt Raker	12.15	.55	1.00		.035
Brick Mason Tenders	12.55	.55	1.00		.035
Dynamite Men	13.475	.55	1.00		.035
Area 4-St. Clair Co.: Mascoutah & O'Fallon					
Laborers	12.35	.65	.60		.035
Asphalt Raker	12.45	.65	.60		.035
Brick Mason Tenders	12.85	.65	.60		.035
Dynamite Men	13.775	.65	.60		.035

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Area 4-Clinton Co.: Trenton					
Laborers	$12.45	.55	.60		.035
Asphalt Raker, etc.	12.55	.55	.60		.035
Brick Mason Tenders	12.95	.55	.60		.035
Men Working on the Bottom, etc.	12.70	.55	.60		.035
Dynamite Men	13.875	.55	.60		.035
Area 4-Madison Co.: Glen Carbon, Wood River, & Troy					
Laborers	12.60		1.00		.035
Asphalt Raker	12.70		1.00		.035
Brick Mason Tenders	13.10		1.00		.035
Men Working at Bottom of Sewer, etc.	12.85		1.00		.035
Dynamite Men	14.025		1.00		.035
Area 4-Madison Co.: Highland, & St. Jacob; Montgomery Co.: Litchfield; Washington Co.: Okawville; Greene Co.: Roodhouse; & Macoupin Co.: Staunton					
Laborers	13.00		.60		.035
Asphalt Raker	13.10		.60		.035
Brick Mason Tenders	13.50		.60		.035
Men Working at the Bottom of Sewer, etc.	13.25		.60		.035
Dynamite Men	14.425		.60		.035
Area 4-Clinton Co.: Carlyle					
Laborers	12.35	.65	.60		.035
Asphalt Raker	12.45	.65	.60		.035
Brick Mason Tenders	12.85	.65	.60		.035
Men Working at Bottom of Sewer, etc.	12.85	.65	.60		.035
Dynamite Men	13.775	.65	.60		.035
Area 4-Randolph Co.: Chester					
Laborers	11.95	.65	1.00		.035
Asphalt Raker	12.05	.65	1.00		.035
Brick Mason Tender	12.45	.65	1.00		.035
Men Working on the Bottom of Sewer, etc.	12.20	.65	1.00		.035
Dynamite Men	13.375	.65	1.00		.035

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Area 5-Bond Co.: Pocahantas; Washington Co.: Ashley; & Macoupin Co.: Gillespie					
Laborers	$13.20		.40		.035
Asphalt Rakers	13.30		.40		.035
Brick Mason Tenders	13.70		.40		.035
Men Working on the Bottom of Sewers, etc.	13.45		.40		.035
Dynamite Men	14.625		.40		.035
Area 5-Macoupin Co.: Shipman					
Laborers	13.15		.45		.035
Asphalt Raker	13.25		.45		.035
Brick Mason Tenders	13.65		.45		.035
Men Working on the Bottom of Sewer, etc.	13.40		.45		.035
Dynamite Men	14.575		.45		.035
Area 6-Monroe Co.: Columbia					
Laborers	12.70	.55	.35		.035
Asphalt Raker	12.80	.55	.35		.035
Brick Mason Tenders	13.20	.55	.35		.035
Men Working on the Bottom of Sewers, etc.	12.95	.55	.35		.035
Dynamite Men	14.125	.55	.35		.035

POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP I	$13.42	.87	1.51		.05
GROUP II	11.14	.87	1.51		.05
GROUP III	10.49	.87	1.51		.05
GROUP IV	10.39	.87	1.51		.05
GROUP V	10.14	.87	1.51		.05
GROUP VI:					
a	15.62	.87	1.51		.05
b	15.92	.87	1.51		.05
c	12.29	.87	1.51		.05
d	12.79	.87	1.51		.05

POWER EQUIPMENT OPERATORS

GROUP I -Cranes, Draglines, Shovels, Skimmer Scoops, Clamshells or Derrick Boats, Pile Drivers,Crane-Type Backhoes,Asphalt Plant Opers. Plant Opers., Ditching Machines or Backfillers (requiring oilers), Dredges, Asphalt Spreading Machines, Heavy Duty Mechanic, Ass't.Master Mechanic, All Locomotives, Cableways or Tower Machines, Hoists 2 drum or more (where oiler or fireman is required), Hoists-2 drum or more (where oiler or fireman is not required) Hydraulic Backhoes, Ditching Machines or Backfiller (not requiring oilers), Cherry Pickers, Overnead Cranes, Roller (Steam or Gas) Concrete Pavers, Excavators, Concrete Breakers, Concrete Pumps,Bulk Cement Plants, Cement Pumps, Derrick-Type Drills, Mixers (over 3 bags) and Boat Oprs.,(25' & over), Motor Graders or Pushcats, Scoops or Tournapulls, Bulldozers, Endloaders or Fork-Lifts, Power Blade or Elevating Graders, Winch Cats, Boom Tractors, and Pipe Wrapping or painting Machines, Drills (other than derrick type) 1-drum-hoists, Mud Jacks, Mixers (2 or 3 bags), Conveyors (2), Air Compressors (2),Water Pumps regardless of size (2), Welding Machines (2) Siphons or Jets (2), Winch Heads or Apparatus (2) and light Plants (2), Mixers (under 2 bags), all Tractors regardless of size (Straight Tractor Only), Firemen on Stationary Boilers, Automatic Elevators, Form Grading Machines, Finishing Machines, Power-Sub-Grader or Ribbon Machine, Longitudinal Floats, Boat Oprs., (Under 25 ft.), Conveyors (1), Distribution Oprs., On Trucks, Siphons or Jets (1) Winch Heads or Apparatuses (1), Light Plant (1) Mixers (under 2 bags)

GROUP II - Air Compressor (1), Water Pumps regardless of size (1) Welding Machines (1)

GROUP III - Firemen and Asphalt Spreader Oilers

GROUP IV - Heavy Equipment Oilers (truck cranes, dredges, monigans, large cranes, etc.)

GROUP V - Oilers

GROUP VI

a. Engineers Operating under air pressure
b. Engineers Operating in air over 10 lbs. pressure
c. Oilers operating under air pressure
d. Oilers operating in air over 10 lbs. pressure

DECISION NO. IL81-2007

TRUCK DRIVERS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP I	$12.275	.85	$41.00a		
GROUP II	12.675	.85	41.00a		
GROUP III	12.875	.85	41.00a		
GROUP IV	13.125	.85	41.00a		

GROUP I: Drivers on 2 Axles hauling less than 9 tons; Air Compressor & Welding Machine incl. those pulled by separate units; Fork Lifts up to 6,000 lbs. cap.; Mechanic Tenders; Pick-ups when hauling materials, tools, or men to and from and on the job site; & Truck Driver Tenders

GROUP II: 2 or 3 Axles hauling more than 9 tons, but hauling less than 16 tons; A-Frame Winches; Fork Lifts over 6,000 lbs. cap.: 4-Axle Combination units; Hydrolifts or similar equipment when used for transportation purposes; & Winches

GROUP III: 2, 3 or 4 Axles hauling 16 tons or more; Dispatcher; 5-Axles or more combination units; Mechanics & Working Foreman; & Water Pulls

GROUP IV: Drivers on Oil Distributors; & Drivers on Semi-Lowboys when moving equipment

FOOTNOTE:
a. Per Week Per Employee

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

SUPERSEDEAS DECISION

STATE: Iowa COUNTIES: Statewide (except Scott County)

DECISION NUMBER: IA81-4021 DATE: Date of Publication

Supersedes Decision No. IA80-4016 dated February 15, 1980, in 45 FR 10579

DESCRIPTION OF WORK: Heavy and Highway Projects (does not include building structures in rest area projects and work on or pertaining to the Mississippi or Missouri Rivers)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CITY Of COUNCIL BLUFFS:					
CARPENTERS:					
Carpenters and Pile-drivermen	$10.71	.50	.50	.60	.05
CEMENT MASONS	10.30	.67	.60		
LABORERS:					
Group 1	9.64	.80	.75		
Group 2	9.76	.80	.75		
Group 3	9.87	.80	.75		
Group 4	9.93	.80	.75		
Group 5	9.99	.80	.75		
Group 6	10.22	.80	.75		
Group 7	10.37	.80	.75		
POWER EQUIPMENT OPERATORS:					
Group 1	11.66	.90	.90		.10
Group 2	11.16	.90	.90		.10
Group 3	10.56	.90	.90		.10
TRUCK DRIVERS:					
Single axle	7.73	.50	.50		
Tandem axle; Euclids; Power Lift Form Trucks	7.79	.50	.50		
Three axle Tandem	7.84	.50	.50		
Lowboys; Tractor Trailers; Water Pulls	7.92	.50	.50		
Tandem Dump with Auxiliary End Dump Trailer	7.97	.50	.50		
Lumber Carrier	8.09	.50	.50		
BLACK HAWK, LINN, And POLK COUNTIES; and the Cities of AMES, DUBUQUE and IOWA CITY:					
CARPENTERS:					
Carpenters and Pile-drivermen	11.12	.50	.40		
CEMENT MASONS	11.12	.50	.40		
LABORERS:					
Group 1	9.76	.40	.50		.05
Group 2	9.46	.40	.50		.05
Group 3	9.26	.40	.50		.05
POWER EQUIPMENT OPERATORS:					
Group 1	11.66	.90	.90		.10
Group 2	11.16	.90	.90		.10
Group 3	10.56	.90	.90		.10
TRUCK DRIVERS	10.18	.75			

DECISION NO. IA81-4021 Page 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CITIES OF BURLINGTON and CLINTON; and BURLINGTON ORDNANCE PLANT:					
CARPENTERS:					
Carpenters and Pile-drivermen	$11.12	.50	.40		
CEMENT MASONS	11.12	.50	.40		
LABORERS:					
Group 1	9.76	.40	.50		.05
Group 2	9.46	.40	.50		.05
Group 3	9.26	.40	.50		.05
POWER EQUIPMENT OPERATORS:					
Group 1	11.40	1.25	.80		.08
Group 2	9.79	1.25	.80		.08
Group 3	8.94	1.25	.80		.08
TRUCK DRIVERS	10.18	.75			
CITIES Of FORT DODGE and MASON CITY:					
CARPENTERS:					
Carpenters and Pile-drivermen	9.98	.50	.40		
CEMENT MASONS	9.98	.50	.40		
LABORERS:					
Group 1	9.11	.40	.50		.05
Group 2	8.81	.40	.50		.05
Group 3	8.61	.40	.50		.05
POWER EQUIPMENT OPERATORS:					
Group 1	11.66	.90	.90		.10
Group 2	11.66	.90	.90		.10
Group 3	11.16	.90	.90		.10
Group 4	10.56	.90	.90		.10
TRUCK DRIVERS	8.75	.75			
ZONE 1:					
CARPENTERS:					
Carpenters and Pile-drivermen	8.78	.50	.40		
CEMENT MASONS	8.78	.50	.40		

*See ZONE DESCRIPTIONS - Page 5

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 1: (Cont'd)					
LABORERS:					
Group 1	$7.00	.40	.50		.05
Group 2	6.70	.40	.50		.05
Group 3	6.50	.40	.50		.05
Group 4	6.40	.40	.50		.05
POWER EQUIPMENT OPERATORS:					
Group 1	9.64	.50	.50		.10
Group 2	9.64	.50	.50		.10
Group 3	9.25	.50	.50		.10
Group 4	8.84	.50	.50		.10
TRUCK DRIVERS	8.35	.65			
ZONE 2:					
CARPENTERS:					
Carpenters and Pile-drivermen	8.53				
CEMENT MASONS	8.53				
LABORERS:					
Group 1	7.00	.40	.42		
Group 2	6.35	.30	.10		
Group 3	5.90	.30	.10		
Group 4	5.80	.30	.10		
POWER EQUIPMENT OPERATORS:					
Group 1	9.03	.50	.20		
Group 2	8.54	.50	.20		
Group 3	8.11	.50	.20		
Group 4	7.31	.50	.20		
TRUCK DRIVERS	7.02	.35			
ZONE 3:					
CARPENTERS:					
Carpenters and Pile-drivermen	7.92				
CEMENT MASONS	7.92				
LABORERS:					
Group 1	6.05	.40	.50		.05
Group 2	5.75	.40	.50		.05
Group 3	5.55	.40	.50		.05
Group 4	5.45	.40	.50		.05

*See ZONE DESCRIPTIONS - Page 5

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 3: (Cont'd)					
POWER EQUIPMENT OPERATORS:					
Group 1	$8.35	.50	.20		
Group 2	7.93	.50	.20		
Group 3	7.31	.50	.20		
Group 4	6.57	.50	.20		
TRUCK DRIVERS	6.15	.35			
ZONE 4:					
CARPENTERS:					
Carpenters and Pile-drivermen	7.92				
CEMENT MASONS	7.78				
LABORERS:					
Group 1	6.05	.40	.50		.05
Group 2	5.75	.40	.50		.05
Group 3	5.55	.40	.50		.05
Group 4	5.45	.40	.50		.05
POWER EQUIPMENT OPERATORS:					
Group 1	7.95	.50	.20		
Group 2	7.52	.50	.20		
Group 3	6.90	.50	.20		
Group 4	6.16	.50	.20		
TRUCK DRIVERS	6.27	.30			
ZONE 5:					
CARPENTERS:					
Carpenters and Pile-drivermen	7.66				
CEMENT MASONS	7.66				
LABORERS:					
Group 1	6.05	.40	.50		.05
Group 2	5.75	.40	.50		.05
Group 3	5.55	.40	.50		.05
Group 4	5.45	.40	.50		.05
POWER EQUIPMENT OPERATORS:					
Group 1	7.69	.50	.20		
Group 2	7.25	.50	.20		
Group 3	6.64	.50	.20		
Group 4	5.90	.50	.20		
TRUCK DRIVERS	6.00	.30			

*SEE ZONE DESCRIPTIONS - Page - 5

ZONE DESCRIPTIONS

Zone 1: Pottawattamie County (area west of the eastern boundaries of Minden, York, Washington, and Silver Creek Townships); Benton, Boone, Buchanan, Cedar, Clinton, Dallas, Delaware, Dubuque, Jackson, Jasper, Johnson, Jones, Madison, Marion, Marshall, Story, Warren, and Webster Counties, the Cities of Fort Madison, Keokuk, Muscatine, and their abutting Municipalities (excluding the Cities of Ames, Clinton, Council Bluffs, Dubuque, Fort Dodge, and Iowa City and their abutting municipalities)

Zone 2: Des Moines, Louisa, andMuscatine Counties (excluding City of Burlington, Muscatine and abutting municipalities) and the Burlington Ordnance Plant)

Zone 3: Allamakee, Appanoose, Bremer, Butler, Cerro Gordo, Chickasaw, Clayton, Davis, Fayette, Floyd, Franklin, Grundy, Hamilton, Hancock, Hardin, Henry, Howard, Iowa, Jefferson, Keokuk, Lee, Mahaska, Mitchell, Monroe, Poweshiek, Tama, Van Buren, Wapello, Washington, Winnebago, Winneshiek, Worth, and Wright Counties (excluding City of Mason City, Keokuk, Fort Madison and abutting municipalities

Zone 4: Adair, Adams, Audubon, Calhoun, Carroll, Cass, Clarke, Crawford, Decatur, Fremont, Greene, Guthrie, Harrison, Ida, Lucas, Mills, Monona, Montgomery, Page, Ringgold, Sac, Shelby, Taylor, union, Wayne, and Woodbury Counties, and Pottawattamie County (east of Minden, York, Washington, and Silver Creek Townships)

Zone 5: Buena Vista, Cherokee, Clay, Dickinson, Emmet, Humboldt, Kossuth, Lyon, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, and Sioux Counties

LABORERS
City of Council Bluffs

Group 1: Common Laborer

Group 2: Towboat and Dredge Deckhands

Group 3: Form Setter Helper

Group 4: Pipelayer; Concrete Saw Operator

Group 5: Chain Saw Operator; Raker and Screedman on asphalt; Mortar Mixer

Group 6: Tunnelers, free air

Group 7: Form Setter and Precast Manhole Setter; Inlet Builders and Manhole Setter

Black Hawk, Linn, and Polk Counties, and the Cities of Ames, Dubuque, and Iowa City; Cities of Burlington and Clinton, and Burlington Ordnance Plant; Cities of Fort Dodge and Mason City

Group 1: Sandblasters; Powderman and Blaster; Powderman Helper; Pipe Layer, sewer, water, telephone conduits, etc.; Sewer Utility Topman and Laser Operator; Gunnite Nozzleman; Diamond and Core Drills, powered by air; All work performed by Laborers working from a Bos'n Chair, Swinging Stage, Tag Line, or Block and Tackle; Drill Operators of Air Tracs, Wagon Drills, and similar drillings (coming under Laborers' jurisdiction per agreement between Laborers and Engineers International Union of February 3, 1954); Tree Climber; Form Setters; Rakers; Automatic Asphalt and Concrete Power Curbing Machines; Potmen, not mechanical; Timbermen; Underpinning and Shoring; Caissons over 12' depth; Grade Checker and Cutting Torches on demolition work; Trencher Operator; Self-propelled Vibrating Compactors; and Safety Boat Operators

LABORERS: (Cont'd)
Black Hawk, Linn, and Polk Counties, and the Cities of Ames, Dubuque, and Iowa City; Cities of Burlington and Clinton, and Burlington Ordnance Plant; Cities of Fort Dodge and Mason City (Cont'd)

Group 2: Power Buggymen; Concrete and Paving Sawmen; Form Liner; Expansion Joint Assembler; Bottom Man; Caulker; Jointer and Painter; Timber and Chair-Sawman; Mechanical Grouters; Stresser or Stretcherman on Post Tension or Pre-stressed concrete on or off the job; Form Tamper; Air, gas, and electric tool Operators; Vibrators; Barco Hammer; Paving Breakers; Spaders; Tampers; Electric Drills; Hammer and Jack Hammers; Tree Groundman; Chuck Tenders; Drill Helpers; Tool Room Men and Checkers; Sandblaster Helpers; Concrete Processing material and Monitors; Cement Finishers' Helpers; Stringman on paving work; and Power Broom Operator

Group 3: Flagman; Fence Erectors, handling and placing of metal mesh, Dowel Bars, Reinforcing Bars and Chairs; Dumpmen and Spotters, carrying Reinforcing Rods, corrugated; Stake Chaser; Seeding or mulching and planting of trees, shrubs, and flowers; Waterboy; Watchman; Mechanic Helper; Group Greaser Helper; Water Pumps; Compressors; Common Labor; Rodmen; Carpenters Tender and Hot Asphalt Labor

Pertaining to ZONES 1, 2, 3, 4, and 5

Group 1: Sandblasters; Powderman and Blaster; Powderman Helper; Pipe Layer, sewer, water, telephone conduits, etc.; Sewer Utility Topman and Laser Operator; Gunnite Nozzleman; Diamond and Core Drills, powered by air; All work performed by Laborers working from a Bos'n Chair, Swinging Stage, Tag Line, on Block and Tackle; Drill Operators of Air Tracs, Wagon Drills and similar drillings (coming under Laborers' jurisdiction per agreement between Laborers' and Engineers' International Union of February 3, 1954); Tree Climber; Form Setters; Rakers; Automatic Asphalt and Concrete Power Curbing Machines; Potmen, not mechanical; Timbermen; Underpinning and Shoring; Caissons over 12' in depth; Grade Checker and Cutting Torches on demolition work; Trencher Operator; Self-propelled Vibrating Compactors; and Safety Boat Operators

LABORERS (Cont'd)
Pertains to ZONES 1, 2, 3, 4, and 5 (Cont'd)

Group 2: Power Buggymen; Concrete and Paving Sawmen; Form Liner; Expansion Joint Assembler; Bottom Man; Caulker; Jointer and Painter; Timber and Chair-Sawman; Mechanical Grouters; Stresser or Stretcherman on Post Tension or Pre-stressed concrete on or off the job; Form Tamper; Air, Gas, and electric tool Operators; Vibrators; Barco Hammer; Paving Breakers; Spaders; Tampers; Electric Drills; Hammers and Jack Hammers; Tree Groundman; Chuck Tenders; Drill Helpers; Tool Room Men and Checkers; Sandblaster Helpers; Concrete processing material and Monitors; Cement Finishers Helpers; Stringman on paving work; and Power Broom Operator

Group 3: Fence Erectors, handling and placing of Metal Mesh, Dowel Bars, Reinforcing Bars and Chairs; Dumpmen and Spotters, carrying reinforcing rods, corrugated; Stake Chaser; Seeding or mulching and planting of trees, shrubs, and flowers; Waterboy; Mechanic Helper; Group Greaser Helper; Water Pumps; Compressors; Common Laborer; Rodmen; Carpenters Tender and Hot Asphalt Labor

Group 4: Flagman and Watchman

POWER EQUIPMENT OPERATORS
City of Council Bluffs; Black Hawk, Linn, and Polk Counties, and the Cities of Ames, Dubuque, and Iowa City; Cities of Burlington and Clinton, and Burlington Ordnance Plant

Group 1: Power Shovel; Crane; Backhoe and Dragline; Central Mix Plant Operator; Dredge Engineer; Dredge Leverman; Paver or Spreader Operator; Hoisting Engineer (steel erection); Motor Patrol; Piledriver Machine Operator; Concrete Mixer; Tow or Push Boat Operator; Master Mechanic; C.M.I. Paver; C.M.I. Subgrader (or equivalent); Asphalt Plant Operator; Front Endloader Operator; Scraper Operator; Bulldozer; Push Cat; Tractor pulling Scraper; Sideboom Tractor; Churn or Rotary Drill; Trenching Machine (Cleveland 80 or similar capacity); Asphalt Laydown Operator; Asphalt Heater-Planer Unit; Asphalt Roller Operator; Self-propelled Elevating Grader or similar Machine; Spreader Operator (concrete); Horizontal Boring Machine Operator; Mechanics-Welders; Group equipment Greaser; Concrete Pump; Self-propelled Curb Machine

Group 2: Concrete Curb Breaking Machine; Concrete Widening Machine Operator; Paving Breaker Operator; Barber Greene, Haiss Loader or similar Machine; Tractor, pulling Ripper, Disc, Sheepsfoot or Flat Roller; Self-propelled Roller Operator (other than asphalt); Distributor Operator; Screening and Washing Plant Operator; Self-propelled Vibrating Compactor; Trenching Machine Operator (other than above); Steel Placing Machine Operator; Conveyor Operator; Finishing Machine Operator (on concrete); Flexplane Operator; Bull Float Operator; Form Grader Operator; Water Wagon on Compaction

Group 3: Boiler Operator; Mechanical Broom Operator; Oiler or Mechanics Helper or Group Greaser Helper; Farm-type Tractor (pulling disc, harrow or roller); Welding Machine Operator; Pump Operator (other than dredge); Boom and Winch Truck Operator; Compressor Operator; Tank Car Heater (combination Boiler and Booster); Pumps on Well Points and Deep Wells for dewatering; Truck Crane Combination Driver-Oiler; Concrete Curbing Machine Operator; Safety Boat Operator; Batch Plant Operator, dry; Apprentice Engineer; Light Plants; Compressors; Mechanical Heaters; Pumps; Welding Machines; Conveyors

POWER EQUIPMENT OPERATORS (Cont'd)
Cities of Fort Dodge and Mason City; and Pertains to ZONES 1, 2, 3, 4, and 5

Group 1: Power Shovel; Crane; Backhoe (3/4 cu. yd. or larger); Dragline; Dredge Engineer and Leverman; Hoisting Engineer (steel erection); Motor Patrol (finish); Pile Driver; Master Mechanic; Sideboom Tractor; Horizontal Boring Machine

Group 2: Central Mix Plant; Paver or Self-propelled Spreader; Tow or Push Boat; CMI Paver, Subgrader or equivalent; Asphalt Plant; Scraper (over 12 cu. yd.); Bulldozer (finish); Push Cat; Mechanics-Welders; Churn or Rotary Drill; Trenching Machine (Cleveland 80 or similar capacity); Asphalt Laydown; Asphalt Screed; Asphalt Heater-Planer; Concrete Pump; Self-propelled Curb Machine

Group 3: Motor Patrol (rough); Front End Loader (3 cu. yd. or over); Scraper (12 cu. yd. and under); Bulldozer (rough); Backhoe (under 3/4 cu. yd.); Asphalt Roller; Group Equipment Greaser; Concrete Curb Breaking Machine; Concrete Widening Machine; Paving Breaker; Barber Greene, Haiss Loader or similar Machine; Crawler Tractor (pulling disc, Sheeps-foot, Ripper of Flat Roller); Self-propelled Sheeps-foot Roller; Self-propelled Roller; Distributor; Screening and Washing Plant; Self-propelled Vibrating Compactor; Trenching Machine (other than above); Steel Placing Machine; Conveyor; Finishing Machine (on concrete); Flex Plane; Bull Float; Form Grader

Group 4: Boiler; Mechanical Boom; Oiler or Mechanics Helper or Group Greasers Helper; Farm type Tractor (pulling disc, harrow or roller); Welding Machine; Pump Operator (other than dredge); Boom and Winch Trucks; Compressor; Tank Car Heater (combination boiler and booster); Pumps on Well Points and Deep Wells for dewatering; Truck Crane Combination Driver-Oiler; Concrete Curbing Machine; Safety Boat; Batch Plant, dry; Spreader attachments; Utility Tractor with attachments

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: Kansas

COUNTIES: Allen, Anderson, Atchinson, Bourbon, Brown, Butler, Chase, Chautauqua, Cherokee, Clay, Cloud, Coffey, Cowley, Crawford, Dickinson, Doniphan, Elk, Franklin, Geary, Greenwood, Harper, Harvey, Jackson, Kingman, Labette, Linn, Lyon, Marion, Marshall, McPherson, Montgomery, Morris, Nemaha, Neosho, Osage, Ottawa, Pottawatomie, Reno, Republic, Riley, Saline, Sumner, Wabaunsee, Washington, Wilson, and Woodson;

Geary and Riley Counties-HIGHWAY CONSTRUCTION ONLY

DECISION NUMBER: KS81-4019 DATE: Date of Publication

Supersedes Decison No. KS78-4045 dated April 28, 1978, in 43 FR 18447

DESCRIPTION OF WORK: Highway Projects (does not include bridges over navigable waters, tunnels; Building structures in rest area projects; Railroad construction) and Water and Sewer Line Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asphalt Paver Screed Operator	$ 5.65				
Asphalt Paving Machine Operator	5.99				
Asphalt Plant Operator	5.78				
Asphalt Raker	4.88				
Back Hoe Operator	6.36				
Batching Plant Scaleman	3.80				
Blowing Mechanism or Mulch Seeder Operator	4.50				
Brick, Block and Stone-setter	6.28				
Bulldozer Operator (Push Cat)	6.21				
Carpenter	5.95				
Carpenter (rough)	5.34				
Concrete Central Mix Plant Operator	5.73				
Concrete Finisher	6.40				
Concrete Saw Operator	4.94				
Crane or any Machine power Swing	6.49				
Crusher and Screening Plant Operator	4.10				
Distributor Operator	5.99				
Electrician	8.27				
Form Liner and Setter	5.26				
Front End Loader Operator	5.96				
Laborer (Construction and General)	4.54				
Mechanic	7.05				
Mechanic Helper	5.25				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Motor Grader Operator (finish)	$ 6.95				
Motor Grader Operator (rough)	6.26				
Motor Scraper Operator	6.14				
Paving Equipment Operator	7.04				
Piledriverman	6.87				
Post Driver and/or Auger Operator	6.00				
Reinforcing Steel Setter	4.65				
Roller/Compactor Operator (self-propelled)	5.70				
Rotary Broom Operator	4.55				
Serviceman (equipment)	6.32				
Spreader Box Operator (self-propelled)	5.50				
Steelworker (structural)	4.90				
Tractor Operator (80 HP or less)	5.03				
Tractor Operator (80 HP or more)	5.79				
Trenching Machine Operator	5.35				
Truck Driver (single axle)	4.90				
Truck driver (tandem axle)	5.26				
Truck Driver (triple axle and Semi)	6.51				
Welder	4.15				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: Kansas
DECISION NUMBER: KS81-4018
COUNTY: Sedgwick
DATE: Date of Publication
Supersedes Decision No. KS78-4049 dated May 12, 1978, in 43 FR 20658
DESCRIPTION OF WORK: Highway Projects (does not include bridges over navigable waters, tunnels; Building structures in rest area projects; Railroad construction) and Water and Sewer Line Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asphalt Paver Screed Operator	$ 6.00				
Asphalt Paving Machine Operator	6.41				
Asphalt Plant Operator	5.70				
Asphalt Raker	5.85				
Back Hoe Operator	6.50				
Bulldozer Operator (Push Cat)	5.84				
Carpenter	5.83				
Carpenter (rough)	5.73				
Concrete Central Mix Plant Operator	6.50				
Concrete Finisher	5.53				
Concrete Saw Operator	5.26				
Crane or any Machine power Swing	6.78				
Distributor Operator	5.53				
Electrician	11.50				
Form Liner and Setter	5.11				
Front End Loader Operator	6.06				
Laborer (Construction and General)	4.43				
Mechanic	6.00				
Mechanic Helper	5.75				
Motor Grader Operator (finish)	6.44				
Motor Grader Operator (rough)	4.75				
Motor Scraper Operator	5.91				
Paving Equipment Operator	5.59				
Pavement Breaker Tamper Operator (self-propelled)	4.85				
Reinforcing Steel Setter	5.23				
Roller/Compactor Operator (self-propelled)	5.68				
Serviceman (equipment)	6.24				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Tractor Operator (80 HP or less)	$ 5.50				
Tractor Operator (80 HP or more)	5.67				
Truck Driver (single axle)	4.30				
Truck Driver (tandem axle)	4.87				
Truck Driver (triple axle and Semi)	5.13				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: Kansas

COUNTIES: Barber, Barton, Cheyenne, Clark, Comanche, Decatur, Edwards, Ellis, Ellsworth, Finney, Ford, Gove, Graham, Grant, Gray, Greely, Hamilton, Haskell, Hodgeman, Jewell, Kearny, Kiowa, Lane, Lincoln, Logan, Meade, Mitchell, Morton, Ness, Norton, Osborne, Pawnee, Phillips, Pratt, Rawlings, Rice, Rooks, Rush, Russell, Scott, Seward, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Thomas, Trego, Wallace, and Wichita

DECISION NUMBER: KS81-4017 DATE: Date of Publication

Supersedes Decision No. KS78-4050 dated May 12, 1978, in 43 FR 20658

DESCRIPTION OF WORK: Highway Projects (does not include bridges over navigable waters, tunnels; Building structures in rest area projects; Railroad construction) and Water and Sewer Line Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asphalt Paver Screed Operator	$ 5.74				
Asphalt Paving Machine Operator	5.53				
Asphalt Plant Operator	6.00				
Asphalt Raker	4.94				
Back Hoe Operator	6.46				
Batching Plant Scaleman	5.32				
Brick, Block and Stone-setter	8.20				
Bulldozer Operator (Push Cat)	6.54				
Carpenter	6.34				
Carpenter (rough)	5.30				
Concrete Finisher	6.74				
Crane or any Machine power Swing	6.40				
Crusher and Screening Plant Operator	4.60				
Distributor Operator	5.98				
Electrician	5.75				
Form Liner and Setter	5.00				
Front End Loader Operator	5.48				
Laborer (Construction and General)	4.00				
Mechanic	6.00				
Mechanic Helper	5.50				
Mixer, Concrete Portable Operator	4.50				
Motor Grader Operator (finish)	6.00				
Motor Grader Operator (rough)	5.54				
Motor Scraper Operator	5.40				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Painters (structural steel and bridge)	$ 4.50				
Paving Equipment Operator	5.25				
Post Driver and/or Auger Operators	4.30				
Reinforcing Steel Setter	5.43				
Roller/Compactor Operator (self-propelled)	4.87				
Rotary Broom Operator	4.85				
Serviceman (equipment)	4.40				
Spreader Box Operator (self-propelled)	4.50				
Tank Heater Attendant	4.25				
Tractor Operator (80 HP or less)	4.00				
Tractor Operator (80 HP or more)	4.67				
Trenching Machine Operator	5.00				
Truck Driver (single axle)	4.15				
Truck Driver (tandem axle)	4.68				
Truck Driver (triple axle, and Semi)	5.00				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: Kansas COUNTY: Leavenworth
DECISION NUMBER: KS81-4022 DATE: Date of Publication
Supersedes Decision No. KS79-4066 dated June 15, 1979, in 44 FR 34746
DESCRIPTION OF WORK: Building Construction Projects (does not include single family homes and apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$13.17	.80	$1.55		.05
BOILERMAKERS	13.87	1.375	1.10		.05
BRICKLAYERS; Stonemasons	14.09	.90	.35		
CARPENTERS:					
Carpenters, Millwrights, and Piledrivermen	12.80	.60	.50		.07
CEMENT MASONS	14.075	.80	.70		
ELECTRICIANS:					
Zone 1:					
Delaware, Kickapoo, High Prairie and Leavenworth Townships	14.68	.69	3%+.70	7%	.12
Zone 2:					
Remainder of County	14.50	.75	3%+.70		.10
ELEVATOR CONSTRUCTORS	13.235	1.045	.69	a	.03
ELEVATOR CONSTRUCTORS' HELPERS	9.26	1.045	.69	a	.03
GLAZIERS	11.15	.61	1.04	19.7%	.04
IRONWORKERS	13.35	.80	1.50		.05
LATHERS	12.55	.40			
LINE CONSTRUCTION:					
Zone 1:					
Southwest 2/3 of Leavenworth County:					
Lineman	13.17	.45	3%		1/2%
Cable Splicers	13.83	.45	3%		1/2%
Groundman	8.19	.45	3%		1/2%
Powderman	10.91	.45	3%		1/2%
Line Truck and Equipment Operators	10.91	.45	3%		1/2%
Zone 2:					
Remainder of Leavenworth County:					
Lineman	14.32	.45	3%+.25		1/2%
Lineman Operator	13.33	.45	3%+.25		1/2%
Groundman Powderman	9.94	.45	3%+.25		1/2%
Groundman	9.44	.45	3%+.25		1/2%
MARBLE and TILE SETTERS	13.90	5%	5%		
PAINTERS:					
Brush, Roller, Tapers	12.19	.55	.70		.08

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Spray	$13.19	.55	.70		.08
Paperhangers	12.69	.55	.70		.08
PLASTERERS	15.80				
PIPEFITTERS	14.54	.72	1.60		.10
PLUMBERS	14.52	1.12	1.20		.12
ROOFERS	13.05	.75	.75		.14
SHEET METAL WORKERS	12.83	.75	1.10		.08
SPRINKLER FITTERS	14.10	.85	1.20		.08
TERRAZZO WORKERS	12.31	5%	4.25%		
WELDERS: Receive rate prescribed for craft performing operation to which welding is incidental.					

FOOTNOTE:
a. Employer contributes 8% of basic hourly rate for over 5 years' service and 6% of basic hourly rate for 6 months' to 5 years' service as Vacation Pay Credit. Also 7 Paid Holidays, A thru G

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Day after Thanksgiving; G-Christmas Day.

LABORERS:					
Building Construction:					
General Laborers	7.75	.50	.50	.50	.05
Power Tool Operators; Compactors; Concrete Breakers; Chipping Tools; Drilling Tools; Concrete Saws; Mechanically operated Georgia Buggy	7.95	.50	.50	.50	.05
Mason Tenders; Plaster Tenders; Mortar Mixers for Plasterers, Masons and Cement Finishers; All stocking Scaffold; Clean up for Masons (building and wrecking)	8.05	.50	.50	.50	.05
Sand and Concrete Gun Nozzleman Powderman	8.15	.50	.50	.50	.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS: (Cont'd) (Site Preparation and Grading):					
Group 1	$7.20	.60	.50	.50	.05
Group 2	7.35	.60	.50	.50	.05
Group 3	7.45	.60	.50	.50	.05
Group 4	7.60	.60	.50	.50	.05

Group 1: Board Mat Weavers and Cable Tiers; Georgia Buggy, manually operated; Mixerman - no Skip Lift; Nailers; Salamander Tenders; Track Man; Tractor Swamper; Truck Dumper; Wire Mesh Setter; Water Pump up to 4 inches; and all other General Laborer including Flagman

Group 2: Air Tool Operators; Cement Handlers (bulk); Chain Saw; Georgia Buggy (mechanically operated); Grade Man; Hot Mastic Kettlemen; Crusher Feeder; Joint Man; Jute Man; Mason Tender; Material Batch Hopper and Scale Man; Mixer Man; Pier Hole Man working 10 ft. deep; Pipelayer - drainage (concrete and/or corrugated metal); Signal Man (Crane); Truck Dumper - Dry Batch; Vibrator Operator; Wagon and Churn Drill Operator

Group 3: Asphalt Raker; Barco Tamper (concrete saw, creosote material - handling and applying); Nozzle Burner (cutting torch and burning bar)

Group 4: Conduit Pipe; Tile and Duct Line Setter; Form setter and Liner on concrete paving; Powderman; Sandblasting and Gunnite Nozzleman; Sanitary Sewer Pipe Layer; Steel Plate structure Erectors; Water and gas distribution lines

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS: Building Construction:					
Group 1	$15.16	$1.00	$1.40		.20
Group 2	14.81	1.00	1.40		.20
Group 3	12.41	1.00	1.40		.20
Group 4	12.91	1.00	1.40		.20
Group 5	13.16	1.00	1.40		.20
Group 6	15.06	1.00	1.40		.20
Group 7	15.41	1.00	1.40		.20
Group 8	14.91	1.00	1.40		.20
Group 9	14.66	1.00	1.40		.20
Group 10	12.66	1.00	1.40		.20
Group 11	15.66	1.00	1.40		.20
Group 12	16.16	1.00	1.40		.20

Group 1: Asphalt Paver and Spreader; Asphalt Plant Mixer Operator; Plant Operator; Backfillers; Backhoe, all types; Barber-Green Loader (similar type); Blade - power, all types; Boats - power; Boilers (2); Boring Machines (all types); Cable Ways; Cherry Pickers (all types); Chip Spreader; Clamshells; Concrete Ready-mixed Plant, portable (job site); Concrete Mixer Paver; Crane - Overhead; Crane or Rigs (all types); Crusher, rock; Derricks and Derrick Cars (power operated); Ditching Machines; Dozers; Draglines; Dredges - any type, power; Gradeall - similar type; Hoist; Endless Chain Power Operator with power travel; Forklift, (all types and sizes except Masonry); Loaders, all types; Mechanic and Welders; Mucking Machines; Orange Peels; Pile Drivers (all types); Pumps - material - all types; Push Cats; Scoops (all types); Self-propelled Rotary Drill; Shovel, power; Side Boom; Skimmer Scoop; Testhole Machine; Throttle Man

POWER EQUIPMENT OPERATORS (Cont'd)
(Building Construction) (Cont'd)

Group 2: Boilers (1); Brooms, power operated (all types); Chip Spreader (Front Man); Clef Plane Operator; Compressor (1) 105' or over; Compressors (2) 105 ft. or over, not more than 20' apart; Compressors, Tandem (any sizes); Compressor, single, truck mounted; Concrete Saws, self-propelled; Crab power Operator; Curb Finishing Machine; Elevator; Finishing Machine; Fireman on Rigs; Flex Plane; Floating Machine; Form Grader; Greaser; Hoist, Endless Chain, power operated; Hopper, power operated; Hydra Hammer (all types); Lad-a-vator, similar type; Roller, all types; Siphons, Jets and Jennies; Sub-grader; Tractors over 50 HP

Group 3: Oiler

Group 4: Fork Lift, Masonary; Oiler Driver, all types

Group 5: "A" Frame Trucks; Mixers (with side loaders); Pumps (with well points dewatering systems, test and pressure pumps); Tractors (except when hauling material) less than 50 HP

Group 6: Hoists, each additional drum over 1 drum

Group 7: Clamshells, 80 ft. of boom or over (including jib); Crane or Rigs, 80 ft. of boom or over (including jib) and over 200 feet; Draglines, 80 ft. of boom or over (including jib); Pile Drivers, 80 ft. of boom or over (including jib)

Group 8: Crane Operator

Group 9: Loader Operator; Plant Man

Group 10: Conveyor Operator

Group 11: Crane, tower or climbing

Group 12: Master Mechanic

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Site Preparation and Grading:					
Group 1	$13.10	$1.00	$1.25	$1.05	.20
Group 2	12.85	1.00	1.25	1.05	.20
Group 3	12.15	1.00	1.25	1.05	.20
Group 4	10.65	1.00	1.25	1.05	.20
Group 5	11.15	1.00	1.25	1.05	.20
Group 6	13.35	1.00	1.25	1.05	.20
Group 7	9.03	1.00	1.25	1.05	.20
Group 8	13.10	1.00	1.25	1.05	.20

Group 1: Asphalt Paver and Spreader; Asphalt Plant Console Operator; Auto Grader; Backhoe; Blade Operator, all types; Boilers (2); Booster Pump on Dredge; Boring Machine (truck or crane mounted); Bulldozer Operator; Clamshell Operator; Compressor Maintenance Operator, 2; Concrete Plant Operator; Central Mix; Concrete Mixer; Paver Crane Operator; Derrick or Derrick Trucks; Ditching Machine; Dragline Operator; Dredge Engineman; Dredge Operator; Drill Cat with Compressor mounted on Cat; Drilling or Boring Machine; Rotary self-propelled; High Loader-Fork Lift, hoisting engine, 2 active drums; Locomotive Operators, standard gauge; Mechanics and Welders, field or shop; Maintenance Operator Mucking Machine; Piledriver Operator; Pitman Crane Operator; Pump, 2; Quad-trac; Scoop Operator, all types; Scoops in Tandem; Self-propelled Rotary Drill (Leroy or equal, not air trac); Shovel Operator; Side Discharge Spreader; Sideboom Cats; Skimmer Scoop Operator; Slip-form Paver (CMI, or equal); Throttle Man; Truck Crane Welding Machine Maintenance Operator (2)

POWER EQUIPMENT OPERATORS (Cont'd)
Site Preparation and Grading (Cont'd)

Group 2: A-Frame Truck Asphalt Hot Mix Silo; Asphalt Plant Fireman, Drum or Boiler; Asphalt Plant Mixer Operator; Asphalt Plant Man; Asphalt Roller Operator; Backfiller Operator; Chip Spreader; Concrete Batch Plant; Dry Power Operator; Concrete Mixer Operator; Skiploader; Concrete Pump Operator; Crusher Operator; Elevating Grader Operator; Greaser, hoisting engine, 1 drum; LaTourneau Rooter; Multiple Compactor; Pavement Breaker; Self-propelled of the Hydra-hammer or similar type; Power Shield; Pug Mill Operator; Stump Cutting Machine; Bowboat Operator; Tractor Operator over 50 HP

Group 3: Boilers, 1 Chip Spreader (Front Man); Churn Drill Operator; Compressor Maintenance Operator, 1; Concrete Saws, self-propelled; Conveyor Operator; Distributor Operator; Finishing Machine Operator; Fireman; Rig; Float Operator; Form Grader Operator; Pump; Pump Maintenance Operator, other than Dredge; Roller Operator, other than high type asphalt; Screening and Washing Plant Operator; Self-propelled Street Broom or Sweeper; Siphons and Jets; Sub-grading Machine Operator; Tank Car Heater Operator; Operators - combination Boiler and Booster; Tractor, 50 HP or less, without attachments; Vibrating Machine Operator, not hand; Welding Machine Maintenance Operator, 1

Group 4: Mechanics' Helpers

Group 5: Oiler Driver, all types

Group 6: Clamshell, 3 yards capacity or over; Crane or Rigs, 80 ft. of boom or over (including jib); Draglines, 3 yards capacity or over; Piledriver, 80 ft. of boom or over (including jib); Shovels, 3 yards capacity or over

Group 7: Oiler

Group 8: Hoists (each additional drum over 1 drum)

Men working in tunnels or shafts (not Air Shafts or Coffer Dams) of 25 feet or more in length or depth will be paid $0.50 per hour above the regular classification

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS:					
Building Construction:					
Single Axle Trucks	$ 6.55	.75	$1.00		
Warehousemen - supply	9.925	.75	1.00		
Fork Lift - Supply	10.175	.75	1.00		
Tandem Axle Trucks	10.84	.75	1.00		
Warehousemen and Stock Men	10.925	.75	1.00		
Flat Bed Trucks; Pick-up Trucks; Dump Trucks (under 10 yards capacity)	10.975	.75	1.00		
Dump Trucks (10 yards capacity and over); Semi-truck; Steel Truck	11.05	.75	1.00		
Transit Mix (under 5 yards)	11.025	.75	1.00		
Oiler, Greaser and Mechanic Helpers; Distributor Driver and Operator	11.075	.75	1.00		
Transit Mix (5 yards and over)	11.125	.75	1.00		
Straddle Trucks; Wheel Tractors (when used for towing); Heavy hauling, A-frame and Winch Trucks; Fork Lift Trucks; Hydro Lift Trucks; Hydraulically operated Aerial Lift, heavy excavating; Double bottom units (20 ton capacity and over)	11.175	.75	1.00		
Transit Mix Tractor Trailer; Mechanics	11.275	.75	1.00		
Truck Driver Pusher	11.55	.75	1.00		

TRUCK DRIVERS: (Cont'd) Site Preparation and Grading:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$11.41	$1.00	$ 1.25		
Group 2	11.61	1.00	1.25		
Group 3	11.92	1.00	1.25		
Group 4	12.07	1.00	1.25		
Group 5	11.19	1.00	1.25		

Group 1: One Team; Station Wagons; Pickup Trucks; Material trucks, single axle; Tank Wagon Drivers, single axle

Group 2: Material Trucks; Tandem, two teams; Semi-trailer; Winch Truck, Fork Trucks; Distributors Drivers and Operators; Agitator and Transit Mix, Tank Wagon Drivers, single axle; Tank Wagon Drivers, Tandem or Semi-trailers; Insley Wagon; Dump Trucks, excavating, 5 cu. yds. and over; Dumpsters, half-tracks; Speedace; Euclids and other similar excavating equipment

Group 3: A-Frame, Lowboy, and Boom Truck Drivers

Group 4: Mechanics and Welders

Group 5: Mechanics' Helpers; Oilers and Greasers

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: NEW MEXICO COUNTY: Statewide
DECISION NO.: NM81-4023 DATE: Date of Publication
Supersedes Decision No. NM80-4090 dated November 28, 1980
45 FR 79286
DESCRIPTION OF WORK: General Building and Heavy Engineering construction shall include the construction, alteration, repair and demolition of buildings, including residential buildings, office buildings, warehouses, industrial and commercial buildings, institutional and public buildings, and all air conditioning, conduit, heating and other mechanical and electrical works and site preparation for building or heavy engineering projects under this classification, stadia; and shall include electrical, gas, water, sewer lines, and other such utility construction which are part of projects under this classification and included within the property line or less than five (5) feet from the building or heavy engineering structure, whichever is closer, provided, however, regard to electrical utilities such construction shall include construction from the first attachment of incoming power source without regard to the property line or proximity to the building or the heavy engineering structure; and include construction, alteration, repair and demolition of heavy engineering work such as power generating plants, pump stations, natural gas compressing stations; covered reservoirs and covered sewage and water treatment facilities; concrete linings for canals, ditches and channels; concrete dams; earth dams of one million (1,000,000) cubic yards or over; radio towers, ovens, furnaces, kilns, silos, shafts and tunnels (other than highway shafts and tunnels), hydroelectric projects; and well drilling, telephone and electrical transmission lines which are part of general bulding and heavy engineering projects; mining appurtenances such as tipples, washeries and loading and discharging chutes, and specialized structures for testing, launching and recovering space and other rocket-type missiles, (ALSO INCLUDING RESIDENTIAL PROJECTS IN SANTA FE, BERNALILLO, RIO ARRIBA, TAOS, SANDOVAL AND VALENCIA COUNTIES).

BUILDING & HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS: (Statewide, except Union, Lea, Harding, Curry, Roosevelt and Quay Cos.)	$14.41	.50	1.45		.06
Union, Harding, Lea, Roosevelt, Curry and Quay Cos.	12.50	.80	1.35		.02
BOILERMAKERS	12.95	1.30	1.25	.75	.04
BRICKLAYERS - STONEMASONS:					
Zone I-A	12.71	.77	.60		.10
Zone I-B	14.21	.77	.60		.10
Zone I-C	14.96	.77	.60		.10
Zone II	12.80	.77	.50		.10
Zone III	14.30	.77	.50		.10
Zone IV	12.91	.77	.40		.10
Zone V	14.41	.77	.40		.10
Zone VIA	12.51	.77	.40		.10
Zone VIB	14.01	.77	.40		.10
Zone VII	14.13	.77	.30		.10
Zone VIII	14.13	.77	.30		.10
Zone IX	12.39	.77	.30		.10

BRICKLAYERS' ZONE DEFINITIONS

ZONE I - Union, Harding, Santa Fe, Valencia, Torrence, Taos, Socorro, Mora, McKinley, Colfax, Catron, San Miguel, San Juan, Sandova, Rio Arriba, Bernalillo and Los Alamos Counties

From basing point of Albuquerque Main Post Office:

Zone I-A - 0 to 25 road miles
Zone I-B - 25 to 50 road miles
Zone I-C - Over 50 road miles

ZONE II - Curry and Roosevelt Counties
ZONE III - DeBaca, Guadalupe and Quay Counties
ZONE IV - Chaves County
ZONE V - Lincoln County
ZONE VIA - Lee and Eddy Counties (Except at Mine and Refinery sites outside Municipal Limits)
ZONE VIB - Lee and Eddy Counties (Employees at Mine and Refinery sites outside Municipal Limits)
ZONE VII - Otero Counties
ZONE VIII - Luna and Grant Counties, communites of siver City, Bayard, Central, Hurley and new town site of Tyrone; Hidalgo and Sierra Counties
ZONE IX - Dona Ana County

BUILDING & HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS:					
Dwelling houses & apartments not to exceed two stories in height:					
Zone I-A	$ 8.15	1.10	1.40		.20
Zone I-B	9.65	1.10	1.40		.20
Zone I-C	10.40	1.10	1.40		.20
General Building, Heavy & Residential Construction (Dwelling houses and apartments over two stories in height);					
Zone 2-A	12.35	1.10	1.40		.20
Zone 2-B	13.85	1.10	1.40		.20
Zone 2-C	14.60	1.10	1.40		.20

CARPENTERS' ZONE DEFINITIONS

CARPENTER (STATEWIDE) - From nearest basing points of the following cities of Towns; Alamogordo, Albuquerque, Artesia, Bayard, Belen, Carlsbad, Clovis, Deming, Espanola, Eunice, Farmington, Gallup, Grants, Hobbs, Las Cruces, Las Vegas, Lordsburg, Lovington, Portales, Raton, Roswell, Ruidoso, Santa Fe, Santa Rosa, Silver, City, Socorro, Taos, and Tucumcari:

ZONE I - Dwelling houses & apartments not to exceed two stories in height:
Zone I-A - 0-15 road miles from nearest basing point
Zone I-B - 15 to 35 road miles from nearest basing point
Zone I-C - Over 35 road miles from nearest basing point

ZONE II _ General Building & Heavy Construction & Residential Construction (Dwelling houses & apartments over two stories in height:
Zone 2-A - 0 - 15 road miles from nearest basing point
Zone 2-B - 15 to 35 road miles from nearest basing point
Zone 2-C - Over 35 road miles from nearest basing point

CARPENTERS - San Juan COUNTY ONLY					
Zone I	12.35	1.10	1.40		.20
Zone II	14.60	1.10	1.40		.20
Zone III	14.60	1.10	1.40		.20

SAN JUAN COUNTY ZONE DEFINITIONS FOR CARPENTERS

ZONE I _ Within 15 road miles of the City of Farmington
ZONE II _ More than 15 miles, but less than 35 miles from Farmington
ZONE III - 35 miles or more from the City of Farmington

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CEMENT MASON:					
Area I	$10.77	.77	.70		.20
Area II:					
Zone 1	10.77	.77	.70		.20
Zone 2	12.22	.77	.70		.20
Zone 3	12.47	.77	.70		.20
CEMENT MASONS (Residential)					
Sandoval, Bernalillo and Valencia	8.67	.77	.70		.20
Rio Arriba, Santa Fe and Taos	10.07	.77	.70		.20
Cement Masons (Heavy)	10.87	.77	.70		.20
CEMENT MASONS:					
Composition & Machine Oprs.					
Area I	11.02	.77	.70		.20
Area II:					
Zone 1	11.02	.77	.70		.20
Zone 2	12.52	.77	.70		.20
Zone 3	12.77	.77	.70		.20

CEMENT MASONS AREA DEFINITIONS

AREA I - Statewide except Farmington, San Juan County

AREA II - Farmington, San Juan County
Zone I - 0 - 15 miles from Farmington City Hall
Zone II - 15 - 35 miles from Farmington City Hall
Zone III - 35 miles and over from Farmington City Hall

ELECTRICIANS:					
Zone I					
1-A	$13.45	.60	3%+.70		3/4%
1-B	14.53	.60	3%+.70		3/4%
1-C	15.33	.60	3%+.70		3/4%
1-D	16.81	.60	3%+.70		3/4%
Zone II	15.33	.60	3%+.70		3/4%
Zone III					
3-A	11.90	.60	3%		1/10%
3-B	13.35	.60	3%		1/10%
Zone IV					
4-A	13.45	.60	3%		.01
4-B	13.90	.60	3%		.01
4-C	14.05	.60	3%		.01
4-D	14.30	.60	3%		.01

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CABLE SPLICERS:					
Zone I					
1-A	$14.80	.60	3%+.70		3/4%
1-B	15.88	.60	3%+.70		3/4%
1-C	16.68	.60	3%+.70		3/4%
1-D	18.16	.60	3%+.70		3/4%
Zone II	16.68	.60	3%+.70		3/4%
Zone III					
3-A	12.15	.60	3%		1/10%
3-B	13.60	.60	3%		1/10%
Zone IV					
4-A	13.80	.60	3%		.01
4-B	14.25	.60	3%		.01
4-C	14.40	.60	3%		.01
4-D	14.65	.60	3%		.01

ELECTRICIANS-CABLE SPLICERS ZONE DEFINITIONS

ZONE I
Area 1 - Bernalillo, Santa fe, Torrance, DeBaca, Guadalupe, Quay, San Miguel, Mora, Harding, Union, Colfax, Taos, Rio Arriba, Grant, Sandoval, Valencia, Socorro, Catron, McKinley, Sierra, San Juan, Chaves, Curry, Lincoln and Roosevelt Counties

Area 1-A - From nearest basing point cities, towns and mileage from main post office in the following towns:
Albuquerque - 15 miles from main post office
Santa Fe - 15 miles from main post office
Las Vegas - 8 miles from main post offie
Farmington - 8 miles from main post office
Raton - 6 miles from main post office
Tucumari - 6 miles from main post office
Aztec - 6 miles from main post office
Roswell - 12 miles from main post office
Ruidoso - 12 miles from main post office
Portales - 12 miles from main post office
Carrizozo - 12 miles from main post office
Clovis - 12 miles from main post office
Gallup - 10 miles from main post office
*Pojoaque - 2 miles from main post office
*All areas adjacent to Pojoaque that are over two (2) miles distant from the main post office in that town will be zoned out of Santa Fe.

ZONE I CONTD:
Area 1-B - extending up to 20 miles beyond Area 1-A

Area 1-C - extending up to 30 miles from Area 1-A

Area 1-D - anything beyond 30 miles from Area 1-A
ZONE II _ Los Alamos County
ZONE III _ Dona Ana, Otero, Luna, Hidalgo Counties
Zone 3-A - Within 10 miles radious from the post office in Las Cruces and within a 5 mile radius from the post office in Alamogordo
Zone 3-B - Dona Ana, Otero, Luna, and Hidalgo Counties (except that area specified in Zone 3-A)
ZONE IV _ Eddy and Lea Counties - the following zones shall be designated from the main post office in Artesia, Carlsbad, Hobbs Lovington:
Zone 4-A - o - 12 miles from main post office
Zone 4-B - 12 - 22 miles from main post office
Zone 4-C - 22 - 40 miles beyond main post office
Zone 4-D - 40 miles and beyond main post office

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELEVATOR CONSTRUCTORS:					
Bernalillo, Catron, Colfax, Curry, DeBaca, Guadalupe, Harding, Lincoln, Los Alamos, McKinley, Mora, Quay, Rio Arriba, Roosevelt, Sandoval, San Juan, San Miguel, Santa fe, Socorro, Taos, Torrance, Union and Valencia Cos.:					
Elevator constructors	$12.98	1.195	.82	b+c	.035
Elevator constructors helpers	70%JR	1.195	.82	b+c	.035
Chaves, Hidalgo, Dona Ana, Eddy, Grant, Lea, Luna, Otera and Sierra Cos.:					
Elevator constructors	9.605	1.195	.82	b+c	.035
Elevator constructors helper	70%JR	1.195	.82	b+c	.035
GLAZIERS	11.39	.70	.30		.04

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
IRONWORKERS:					
ZONE I	$13.00	.90	1.45		.18
ZONE II					
Area 1	13.00	.90	1.45		.18
Area 2	14.25	.90	1.45		.18
Area 3	15.00	.90	1.45		.18
Area 4	15.25	.90	1.45		.18
ZONE III	12.20	.55	1.65		.15
ZONE IV	13.10	.65	1.65		.15

IRONWORKERS ZONE DEFINITIONS

ZONE I _ Bernalillo, Catron, Colfax, DeBaca, Guadalupe, Lincoln, Los Alamos, McKinley, Mora, Rio Arriba, Sandoval, Santa Fe, Socorro, Taos, Torrance, and Valencia Counties
ZONE II _ Farmington, San Juan County
Area 1 - Shall extend a distance of 6 road miles inclusive beyond the City Hall
Area 2 - Shall extend a distance of 8 road miles inclusive beyond the outer perimeter of area 1
Area 3 - Shall extend a distance of 10 road miles inclusive beyond the outer limits of area 2
Area 4 - Shall extend a distance of 27 road miles inclusive beyond the outer limits of area 3
Other areas not within Area 1, 2, 3, and 4 shall revert to the $15.00 per day subsistence rate.
ZONE III Dona Ana, county with the exception of that portion of the county that lies within the White Sands Missile Range; Chaves County, Eddy County Except that Potash Basin and defined as the area 10 road miles on Highway 62 and Highway 180, east of Carlsbad.
ZONE IV Curry, Harding, Quay, Union, Hidalgo, Grant, Lea, Luna, Otero and Sierra Counties; also Potash Basin, White Sands and McGregor Missile Ranges.

LABORERS: BUILDING					
Group I	$ 8.53	.63	.80		.10
Group II	8.83	.63	.80		.10
Group III	9.13	.63	.80		.10
Group IV	9.28	.63	.80		.10

LABORERS BUILDING CONSTRUCTION (FARMINGTON AREA - ONLY)
ZONE I - 0-15 miles from the City Hall in Farmington
ZONE II - 15-35 miles from the City Hall in Farmington
ZONE III - 35 miles and over from the City Hall in Farmington

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
FARMINGTON AREA ONLY					
LABORERS (BUILDING CONST.)					
ZONE I					
Group 1	$ 8.53	.63	.80		.10
Group 2	8.83	.63	.80		.10
Group 3	9.13	.63	.80		.10
Group 4	9.28	.63	.80		.10
ZONE II					
Group 1	9.78	.63	.80		.10
Group 2	10.08	.63	.80		.10
Group 3	10.38	.63	.80		.10
Group 4	10.53	.63	.80		.10
ZONE III					
Group 1	10.28	.63	.80		.10
Group 2	10.58	.63	.80		.10
Group 3	10.88	.63	.80		.10
Group 4	11.03	.63	.80		.10

BUILDING LABORERS CLASSIFICATION DEFINITION

GROUP I _ Unskilled; building and common laborers, carpenter tenders, concrete workers, chainmen - stakedrivers, concrete buggy operators
GROUP II _ Semi-skilled; air and power tool operator, asphalt rakers, demolition, gunite, rebound men, fog machine operator, power buggy operators, rodmen; sandblasters (potmen), window washers, wagon core diamond drillers, tender; outside scaler, grade setter
GROUP III _ Concrete burner, cement mason tenders, hod carriers, mortar mixers, plaster spreader operators, plaster tenders, gunite nozzlemen, pipelayers, pumpcrete nozzlemen
GROUP IV - Powdermen and blasteres

LABORERS (HEAVY CONSTRUCTION)
ZONE I - Statewide including 15 miles from Farmington Hall
ZONE II - 15 to 35 miles from Farmington Hall
ZONE III - 35 miles and over from Farmington Hall

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS (HEAVY CONSTRUCTION)					
ZONE I					
Group 1	$ 8.53	.63	.80		.10
Group 2	8.83	.63	.80		.10
Group 3	8.93	.63	.80		.10
Group 4	9.13	.63	.80		.10
Group 5	9.28	.63	.80		.10
ZONE II					
Group 1	10.03	.63	.80		.10
Group 2	10.33	.63	.80		.10
Group 3	10.43	.63	.80		.10
Group 4	10.63	.63	.80		.10
Group 5	10.78	.63	.80		.10
ZONE III					
Group 1	10.53	.63	.80		.10
Group 2	10.83	.63	.80		.10
Group 3	10.93	.63	.80		.10
Group 4	11.13	.63	.80		.10
Group 5	11.28	.63	.80		.10

HEAVY CONSTRUCTION LABORERS' CLASSIFICATION DEFINITIONS

GROUP I - Unskilled - Construction and general laborers, carpenter tenders, concrete workers, stakedrivers, concrete buggy operators
GROUP II - Semi-skilled - Air and power tool operators, asphalt rakers, cutting torch operators, demolition , gunite rebound men, rod and chainmen, grade setters, power buggy operators, sand blasters (pot men), nozzlemen, wagon core and diamond drillers' tenders, outside scalers, fog machine operators
GROUP III _ Wagon core, diamond drillers
GROUP IV _ Miscellaneous - concrete burner, cement mason tenders, hod carriers, mortar mixers, plaster spreader operators, plaster tenders, gunite nozzlemen, pipelayers, pumpcrete nozzleman
GROUP V _ Powdermen and blasters

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS RESIDENTIAL CONSTRUCTION					
Group I	$ 5.02	.63	.80		.10
Group II	5.32	.63	.80		.10
Group III	5.62	.63	.80		.10

RESIDENTIAL LABORERS' CLASSIFICATION DEFINITIONS

GROUP I - Unskilled - Building and common laborers, carpenter tenders, concrete workers, chainmen -stakedrivers, concrete buggy operators, hand
GROUP II - Semi-skilled - air and power tool operator, asphalt rakers, demolition, gunnite rebound men, fog machine operator, power buggy operator, rodmen, sand blasterers (pot men), window washers, wagon core and diamond drillers, tender outside
GROUP III - Concrete burner, cement mason tenders, hod carriers, mortar mixers, plaster spreader operators, plaster tenders, gunnite nozzleman, pipelayer, pumpcrete nozzleman

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LATHERS:					
Zone I	$12.35	1.10	1.40		.20
Zone II	13.85	1.10	1.40		.20
Zone III	14.60	1.10	1.40		.20

LATHERS BASING POINTS & ZONE DEFINITIONS:
Alamogordo, Albuquerque, Antosia, Bayard, Belen, Carlbad, Clovis, Deming, Espanola, Eunice, Farmington, Gallup, Grants, Hobbs, Las Cruces, Las Vegas, Lordobango, Lovington, Portales, Raton, Roswell, Ruidoso, Santa Fe, Silver City, Socorro, Taos, Tucumcari.

LATHERS ZONE DEFINITIONS

ZONE I _ Jobs within 15 miles of Base points

ZONE II - Jobs 15 to 35 miles

ZONE III Jobs 35 miles and more

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LEAD BURNERS					
Zone I	$13.25	.68	1.42		.16
Zone II	13.75	.68	1.42		.16
Zone III	15.00	.68	1.42		.16
Zone IV	13.88	.68	1.42		.16

LEADS BURNERS BASING POINT & AREA DEFINITIONS

BASING POINT CITIES OR TOWNS:
Albuquerque, Alamorgordo, Anthony, Artesia, Belen, Carlsbad, Clovis, Deming, Espanola, Farmington, Gallup, Grants, Hobbs, Las Cruces, Las Vegas, Lovington, Portales, Raton, Socorro, Roswell, Ruidoso, Santa Fe, Silver City, Santa Rosa, Taos, Tucumcari and Truth of Consequence
ZONE I - Shall include a distance of seven road miles inclusive beyond the city or town limits
ZONE II _ Shall extended a distance of 4 road miles inclusive beyond the outer perimeter of area I.
ZONE III Shall apply to all areas not within 1 or 2, or not within the specific areas.
Zone IV (SPECIFIC AREA) _ Los Alamos, White Rock, South Mesa, McGregor Range, White Sands Missile Range, and/or Proving Grounds

COMMERCIAL LINE WORK

Bernalillo, Colfax, Catron, Chaves, Curry, DeBaca, Grant, Guadalupe, Harding, Lincoln, Los Alamos, McKinley, Mora, Quay, Rio Arriba, Roosevelt, Sandova, San Juan, San Miguel, Santa Fe, Sierra, Socorro, Taos, Torrance, Union, Valencia and White Sands Missile Range and that portion of Fort Bliss in New Mexico

ZONE I
Cities and Towns Basing Points - Miles from Main Post Offices

Albuquerque - 15 miles
Santa Fe - 10 miles
Las Vegas - 8 miles
Farmington - 6 miles
Raton - 6 miles
Tucumcari - 6 miles
Aztec - 6 miles
Roswell - 12 miles
Ruidoso - 12 miles
Portales - 12 miles
Clovis - 12 miles
Gallup - 12 miles
*Pojoaque - 2 miles

COMMERCIAL LINE WORK CONTD:

*All areas adjacent to Pojoaque that are over two miles distant from the main post office in that town will be zoned out of Santa Fe.

ZONE II - Extending up to 20 miles beyond zone 1

ZONE III - Extending up to 30 miles beyond zone 1

ZONE IV - Anything beyond 30 miles from zone 1

COMMERCIAL LINE WORK	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE I					
Linemen - technicians	$13.95	.60	3%+.70		½%
Cable splicers	15.35	.60	3%+.70		½%
Equipment Operator (includes helicopter op.)	13.25	.60	3%+.70		½%
Equipment mechanic (includes Helicopter (mechanic)	12.14	.60	3%+.70		½%
Powderman	12.14	.60	3%+.70		½%
Groundman & Jackhammer Oprs.	9.90	.60	3%+.70		½%
ZONE II					
Linemen - technicians	15.07	.60	3%+.70		½%
Cable splicers	16.47	.60	3%+.70		½%
Equipment Opr. (includes helicopter op.)	14.37	.60	3%+.70		½%
Equipment mechanic (includes Helicopter mechanic	13.26	.60	3%+.70		½%
Powderman	13.26	.60	3%+.70		½%
Groundman & Jackhammer Oprs.	11.02	.60	3%+.70		½%
ZONE III					
Linemen - technicians	15.90	.60	3%+.70		½%
Cable splicers	17.30	.60	3%+.70		½%
Equipment Opr. (includes helicopter op.)	15.20	.60	3%+.70		½%
Equipment mechanic (includes helicopter mechanic)	14.09	.60	3%+.70		½%
Powderman	14.09	.60	3%+.70		½%
Groundman & Jackhammer Oprs.	11.85	.60	3%+.70		½%
ZONE IV					
Linemen - technicians	17.44	.60	3%+.70		½%
Cable splicers	18.84	.60	3%+.70		½%
Equipment Opr. (includes helicopter op.)	16.74	.60	3%+.70		½%
Equipment Mechanic (includes helicopter mechanic)	15.63	.60	3%+.70		½%
Powderman	15.63	.60	3%+.70		½%
Groundman & Jackhammer Oprs.	13.39	.60	3%+.70		½%

Las Alamos County - Use ZONE III rates

COMMERCIAL LINE WORK
Applies to switching stations and substations adjacent to power plants in Zone 1 and zone 2 in Luna, Dona Ana, Otero, and Hidalgo Counties, exclusive of White Sands Missile Range and that portion of Fort Bliss in New Mexico.

ZONE I
The area within 25 miles radius from the downtown Post Office of El Paso, Texas. Fort Bliss and Biggs Field; the area within a five mile radius of any city, town or municipality within which an employer establishes or maintains his place of business; the area within ten mile radius form the post office in Las Cruces, New Mexico, and within a five mile radius from the post office in Alamogordo, New Mexico,

ZONE II
All other areas of the jurisdiction except those specified in zone 1

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE I					
Linemen - technicians	$10.15	.60	3%		½%
Cable splicers	10.40	.60	3%		½%
Equipment opr. (includes helicopter oprs.)	9.64	.60	3%		
Equipment mechanic (includes helicopter mechanic)	8.93	.60	3%		½%
Powderman	8.93	.60	3%		½%
Groundman & Jackhammer Oprs.	7.21	.60	3%		½%
ZONE II					
Linemen - tehcnicians	11.60	.60	3%		½%
Cable splicers	11.85	.60	3%		½%
Equipment Opr. (includes helicopter opr.)	11.02	.60	3%		½%
Equipment Mechanic (includes helicopter mechanic)	10.21	.60	3%		½%
Powderman	8.24	.60	3%		½%
Oprs.					

COMMERCIAL LINE WORK
Applies to switching stations adjacent to power plants in Eddy and Lea Counties; the following zones listed shall be designated from main Post Office of Artesia, Carlsbad, Hobbs & Lovington,
Zone A - 0 12 miles
Zone B - 12 - 22 miles
Zone C - 22 to 40 miles
Zone D - 40 miles and beyond

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
COMMERCIAL LINE WORK CONTD:					
ZONE A					
Linemen - technician	$12.20	.60	3%		½%
Cable splicers	12.55	.60	3%		½%
Equipment Opr. (includes helicopter opr.)	11.59	.60	3%		½%
Equipment mechanic (includes helicopter mechanic)	10.74	.60	3%		½%
Powderman	10.74	.60	3%		½%
Groundman & Jackhammer Oprs.	8.66	.60	3%		½%
ZONE B					
Linemen - technician	12.55	.60	3%		½%
Cable splicers	12.90	.60	3%		½%
Equipment opr. (includes helicopter opr.)	11.94	.60	3%		½%
Equipment mechanic (includes helicopter mechanic)	11.09	.60	3%		½%
Powderman	11.09	.60	3%		½%
Groundman & Jackhammer Oprs.	9.01	.60	3%		½%
ZONE C					
Linemen - technician	12.70	.60	3%		½%
Cable splicers	13.05	.60	3%		½%
Equipment opr. (includes helicopter opr.)	12.09	.60	3%		½%
Equipment mechanic (includes helicopter mechanic)	11.24	.60	3%		½%
Powderman	11.24	.60	3%		½%
Groundman & Jackhammer Oprs.	9.16	.60	3%		½%
ZONE D					
Linemen - technician	12.95	.60	3%		½%
Cable splicers	13.30	.60	3%		½%
Equipment opr. (includes helicopter opr.)	12.34	.60	3%		½%
Equipment mechanic (includes helicopter mechanic)	11.49	.60	3%		½%
Powderman	11.49	.60	3%		½%
Groundman & Jackhammer Oprs.	9.41	.60	3%		½%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
MARBLE, TILE & TERRAZZO WORKERS	$10.55	.77			
MARBLE, TILE & TERRAZZO FINISHERS	8.74	.77			
MILLWRIGHTS & PILEDRIVERMEN:					
Zone 1	13.10	1.10	1.40		.20
Zone 2	14.60	1.10	1.40		.20
zone 3	15.35	1.10	1.40		.20

MILLWRIGHTS & PILEDRIVERMEN ZONE DEFINITIONS

BASING POINT - FROM ALBUQUERQUE CITY LIMITS:
Zone 1 - 0 to 15 road miles from basing point
Zone 2 - 15 to 35 road mies from basing point
Zone 3 - Over 35 road miles from basing point

PAINTERS: ZONE I					
Class-A	10.90	.70	.50		.05
Class-B	11.40	.70	.50		.05
Calss-C	11.15	.70	.50		.05
Class-D	11.48	.70	.50		.05
Class-E	11.23	.70	.50		.05
PAINTERS: ZONE II					
Class-A	9.344	.70	.50		.05
Class-B	10.30	.70	.50		.05
Class-C	9.95	.70	.50		.05
Class-D	10.15	.70	.50		.05
Class-E	10.88	.70	.50		.05
Class-F	10.63	.70	.50		.05
PAINTERS: ZONE II					
Class-A	8.43	.83			.02
Class-B	8.85	.83			.02
Class-C	8.575	.83			.02
Class-D	9.28	.83			.02

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS (cont'd)					
PAINTERS (ZONE IV)					
Residential Construction in Santa Fe, Taos and Rio Arriba Counties:					
Brush & roller	$ 8.60	.70	.50		.05
Spray and sandblast	9.25	.70	.50		.05
Paperhangers	8.82	.70	.50		.05
Drywall Finisher	10.63	.70	.50		.05
Drywall Finisher Toll	10.88	.70	.50		.05

PAINTERS' ZONE AND CLASSIFICATION DEFINITION

ZONE I - San Juan, McKinley, Bernalillo, Torance, Guadalupe, Quay, Catron. Socorro, Lincoln, DeBaca, Roosevelt, Chaves, Valencia, Sierrra, Grant, Hidalgo, Curry, Lea, Eddy and Sandoval, Counties, New Mexico.
Class A - Painters, roller and hand textures
Class B - Painters, Spray, sandblasting, painter on steel Bridges, tanks towers, pipe and structural
Class C - Paperhanger
Class D - Drywall finisher; ames tool operator
Class E - Hand finisher machine texture

ZONE II - Colfax, Harding, Los Alamos, Mora, San Miguel, Rio Arriba, Taos, Union and Santa Fe Counties
Class A - Painters and roller
Class B - Paperhangers
Class C - Spray, sandblast, steel, special coating applicator
Class D - Sing Painters
Class E - Drywall finisher tool and machine texture
Class F - Hand finisher

ZONE III - Luna, Otero, and Dona Ana Counties
Class A - Brush, paperhangers
Class B - Spray, sandblsting, swing stage, striping machine
Class C - Ames tool and steel brush after erection
Class D - Radio towers, water tanks smoke stake 70 - 100 ft.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLASTERERS	$12.01	.77	.70		.10
PLUMBERS-PIPEFITTERS:					
Area I	13.75	.73	1.57		.19
Area II	14.25	.73	1.57		.19
Area III	15.50	.73	1.57		.19
Specific Area	14.38	.73	1.57		.19
Residential	8.05	.68	.25		.16

PLUMBERS - PIPEFITTERS' ZONES DEFINITIONS

BASING POINT CITIES OR TOWNS:
Albuquerque, Alamogordo, Anthony, Artesia, Belen, Carlsbad, Clovis, Deming Espanola, Farmington, Gallup, Grants, Hobbs, Las Cruces, Las Vegas, Lordsburg, Lovington, Portales, Raton, Roswell, Ruidoso, Santa Fe, Silver City, Santa Rosa, Taos, Tucumcary, Truth of Consequence and Socorro, New Mexico,
Area I - Shall include adistance of seven road miles inclusive beyond the city or town limits.
Area II - Shall extend a distance of four road miles inclusive beyond the outer perimeter of area I.
Area III - Shall apply to all areas not within areas 1 or 2, or not within the specific area.
Specific Area - Los Alamos, White Rock, South Meas, McGregor Range, White Sands Missile Range and/or Proving Grounds, Atlas Missile Complex Sites in Chaves and Lincoln Counties, and the Oro Grande Range Camp and Dona Ana and Otero Co.

POWER EQUIPMENT OPERATORS					
RESIDENTIAL AND GENERAL BUILDING CONSTRUCTION					
Group 1	9.98	.70	.60		.15
Group 2	11.02	.70	.60		.15
Group 3	11.10	.70	.60		.15
Group 4	11.16	.70	.60		.15
Group 5	11.22	.70	.60		.15
Group 6	11.32	.70	.60		.15
Group 7	11.42	.70	.60		.15
Group 8	12.50	.70	.60		.15

HEAVY CONSTRUCTION (POWER EQUIPMENT OPERATORS AREA DEFINITIONS)
AREA I - Statewide, except San Juan County
AREA II - Farmington, San Juan County
Zone I - 0-15 miles from Farmington City Hall
Zone II - 15 to 35 miles from Farmington City Hall
Zone III - Over 35 miles from Farmington City Hall

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
HEAVY CONSTRUCTION (AREA I					
POWER EQUIPMENT OPERATORS:					
Group I	$ 9.93	.75	.60		.15
Group II	10.97	.75	.60		.15
Group III	11.05	.75	.60		.15
Group IV	11.11	.75	.60		.15
Group V	11.17	.75	.60		.15
Group VI	11.27	.75	.60		.15
Group VII	11.37	.75	.60		.15
Group VIII	12.45	.75	.60		.15
HEAVY CONSTRUCTION (AREA II					
POWER EQUIPMENT OPERATORS:					
GROUP I					
Zone 1	9.93	.75	.60		.15
Zone 2	11.43	.75	.60		.15
Zone 3	11.93	.75	.60		.15
GROUP II					
Zone 1	10.97	.75	.60		.15
Zone 2	12.47	.75	.60		.15
Zone 3	12.97	.75	.60		.15
GROUP III					
Zone 1	11.05	.75	.60		.15
Zone 2	12.55	.75	.60		.15
Zone 3	13.05	.75	.60		.15
GROUP IV					
Zone 1	11.11	.75	.60		.15
Zone 2	12.61	.75	.60		.15
Zone 3	13.11	.75	.60		.15
GROUP V					
Zone 1	11.17	.75	.60		.15
Zone 2	12.67	.75	.60		.15
Zone 3	13.17	.75	.60		.15
GROUP VI					
Zone 1	11.27	.75	.60		.15
Zone 2	12.77	.75	.60		.15
Zone 3	13.27	.75	.60		.15
GROUP VII					
Zone 1	11.37	.75	.60		.15
Zone 2	12.87	.75	.60		.15
Zone 3	13.37	.75	.60		.15
GROUP VIII					
Zone 1	12.45	.75	.60		.15
Zone 2	13.95	.75	.60		.15
Zone 3	14.45	.75	.60		.15

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS (Building Const.)	$10.25	.50			
ROOFERS (RESIDENTIAL CONST.)	7.69	.50			
sheet metal workers:					
Zone 1	14.77	.53	1.32		.23
Zone 2	17.02	.53	1.32		.23
Zone 3	15.77	.53	1.32		.23
Zone 4	17.62	.53	1.32		.23
Zone 5	11.57	3%+.51	.585		.06

SHEET METAL WORKERS ZONE DEFINITIONS

ZONE I
Bernalillo, Catron, Chaves, Colfax Curry, DeBaca Guadalupe, Harding Lincoln, McKinley, Mora, Quay, Rio Arriba, Roosevelt, Sandoval, San Miguel, Santa Fe, Socorro, Taos, Torrance, Union and Valencia Co. New Mexico

ZONE II
Any area except that described as zone I; Kirtland Air Force Base, East and West, Rio Rancho; Paradise Hills; and area including 10 miles each direction east and west of Interstate Highway 25 and extending north and south, terminating with but including Bernalillo and Belen; all area identified by corner reference points beginning at and including Pojoaque, to Chimayo, to Velarde to Abiquiu and back to Pojoaque

ZONE III
Los Alamos County

ZONE IV
San Juan County

ZONE V
Dona Ana, Eddy Grant, Hidalgo, Lea, Luna, Sierra and Otera Counties, including Holloman Air Force Base, White Sands and McGregor Ranges

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS
BUILDING, RESIDENTIAL, & HEAVY CONSTRUCTION

GROUP I _ Fireman, oiler, screedman, scale operator such as bin-a batch, rubber tired farm type tractor, tractors under 50 HP without attachments, breakman, concrete paving curing machine (bridge-type), helper; (mechanic, welder, grease truck)

GROUP II _ Rollers, sheepsfoot or pneumatic self propelled w/o dozer, concrete conveyor, service truck operator (head oiler), air compressor (300 CFM & over), pumps (6" and over), screening plants, concrete mixers (under 1 CY), concrete saw or grinder-span type, 1 drum hoist, air tugger, elevating belt type loaders, forklift, lumber stacker, tractor farm type (under 50 HP with attachments); motorman and industrial locomotive operator, winch truck, front end loaders, (under 2 CY), power plants which generate over 15 KW, welding machines

GROUP III _ Bituminous distributors, boilers, retort and hot oil heaters, concrete mixers (1 CY and over), concrete paver-single drum, drilling equipment, motor grades (rough), shaft and tunnel equipment; (refrigeration. slusher, jumbo forms), trenching machines (all types), pump crete adn gunite machines, slipform paver, mechanical bullfloats, concrete slab spreading machine, concrete slab finishing machine, asphalt plants, bituminous finisghing machines, crushing plants

GROUP IV _ Front end loaders (2 thru 10 CY), rollers steel wheeled-all types, bulldozers, scrapers (motor or towed), elevating graders, concrete batching plants, self-propelled rollers -- equipped with dozer, twin-bowl scrapers and quad 8 or 9 pushers (35¢ over basic rate, three bowl scraper (60¢ over basic rate)

GROUP V _ Hydraulic cranes-with less than 50 feet of boom (20 tons and under), concrete paver-double drum, cat cranes, hysters, side and swingboom cats, 2 drum hoist, auto fine grader

GROUP VI _ Mucking machines - all types, motor grader (finish) mechanic - welder

GROUP VII _ Steam engineers, loader (front end over 10 CY), concrete pump (snorkel type)

GROUP VIII _ All shovel type equipment; cranes, draglines, backhoes, derricks, guy & stiff leg, pipemobile (No.2 operator), piledriver, hydrualic cranes (20 tons & over), mine hoist, belt loader ("C.M.I." Type), booms & jibs 150 ft. through 199 ft. - 25¢ per hour above base pay 200 ft. and over - 50¢ per hour above base pay. Shove (wheel type), boring machine (tunnel or shaft mole), pipe mobile

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SPRINKLER FITTERS	$13.84	.84	1.20		.08
SOFT FLOOR LAYERS					
Statewide (Excluding Dona Ana Luna and Otero Co.)	10.60	.70	.50		.04

SOFT FLOOR LAYERS' ZONE DEFINITIONS

ZONE 1 - Dona Ana, Luna and Otero Counties, New Mexico
ZONE 2 - Statewide (excluding Dona Ana, Luna and Otero Counties)

SOUND INSTALLERS:					
SOUNDMAN					
Zone 1	11.25	.60	3%		½%
Zone 2	12.66	.60	3%		½%
Zone 3	15.47	.60	3%		½%
Zone 4	13.45	.60	.40		.01
TECHNICIANS					
Zone 1	9.00	.60	3%		½%
Zone 2	10.41	.60	3%		½%
Zone 3	13.22	.60	3%		½%
Zone 4	10.76	.60	.32		.01
SOUND INSTALLERS					
Zone 1	7.31	.60	3%		½%
Zone 2	13.22	.60	3%		½%
Zone 3	11.53	.60	3%		½%
Zone 4	8.74	.60	3%		½%

SOUND INSTALLERS ZONE DEFINITIONS

ZONE I — Thirty mile radius of main post office in Albuquerque
ZONE II — Remainder of Valencia, Sandoval, Santa Fe, Torrnce, and Socorro Counties, the hourly rates of pay shAll be increased to twelve and one-half (12½) percent of journeyaen rate of pay for Zone I.
ZONE III — Chavez, Curry, Roosevelt, Lincoln, Guadalupe. DeBaca, Quay, San Miguel, Mora, Harding, Union, Colfax, Taos, Rio Arriba, Catron, Sierra, Grant, Los Alamos, San Juan, McKinley Co's. the hourly rates of pay shall be increased by thirty-seven and one-half (37.5) percent of the journeyman rate of pay for Zone I.
ZONE IV — Lea and Eddy

TRUCK DRIVERS ZONE PAY BASING POINTS AND DEFINITIONS LISTED BELOW FOR BUILDING AND HEAVY CONSTRUCTION

BASING POINTS ARE AS FOLLOWS:
Alamogordo, Albuquerque, Artesia, Bayard, Belen, Carlsbad, Clovis, Deming, Espanola, Eunice, Farmington, Gallup, Grants, Hobbs, Las Cruces, Las Vegas, Lordsburg, Lovington, Portales, Raton, Roswell, Ruidoso, Santa Fe, Santa Rosa, Silver City, Socorro, Taos, Tucumcari

ZONE I _ Shall be jobs or projects within 15 road miles from the starting points listed above

ZONE II _ Shall be jobs or projects which are more than fifteen road miles, but less than thirty-five road miles from from base points, also, includes all of Los Alamos Co,

ZONE III _ Shall be those jobs or projects which are thirty-five road miles or more from the base points.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BUILDING CONSTRUCTION:					
TRUCK DRIVERS (ZONE I)					
Group 1	$ 8.96	.77	.77		
Group 2	9.08	.77	.77		
Group 3	9.16	.77	.77		
Group 4	9.28	.77	.77		
Group 5	9.33	.77	.77		
Group 6	9.43	.77	.77		
Group 7	9.53	.77	.77		
Group 8	9.67	.77	.77		
Group 9	9.82	.77	.77		
TRUCK DRIVERS (ZONE II)					
Group 1	10.71	.77	.77		
Group 2	10.83	.77	.77		
Group 3	10.91	.77	.77		
Group 4	11.03	.77	.77		
Group 5	11.08	.77	.77		
Group 6	11.18	.77	.77		
Group 7	11.28	.77	.77		
Group 8	11.42	.77	.77		
Group 9	11.57	.77	.77		
TRUCK DRIVERS (ZONE III					
Group 1	11.21	.77	.77		
Group 2	11.33	.77	.77		
Group 3	11.41	.77	.77		
Group 4	11.53	.77	.77		
Group 5	11.58	.77	.77		
Group 6	11.68	.77	.77		
Group 7	11.78	.77	.77		
Group 8	11.92	.77	.77		
Group 9	12.07	.77	.77		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
RESIDENTIAL CONSTRUCTION:					
TRUCK DRIVERS					
Group 1	$ 8.66	.77	.77		
Group 2	8.78	.77	.77		
Group 3	8.86	.77	.77		
Group 4	8.98	.77	.77		
Group 5	9.03	.77	.77		
Group 6	9.13	.77	.77		
Group 7	9.23	.77	.77		
Group 8	9.37	.77	.77		
Group 9	9.52	.77	.77		
HEAVY CONSTRUCTION:					
TRUCK DRIVERS (ZONE I					
Group 1	9.11	.77	.77		
Group 2	9.23	.77	.77		
Group 3	9.31	.77	.77		
Group 4	9.43	.77	.77		
Group 5	9.48	.77	.77		
Group 6	9.58	.77	.77		
Group 7	9.68	.77	.77		
Group 8	9.82	.77	.77		
Group 9	9.97	.77	.77		
TRUCK DRIVERS (ZONE II)					
Group 1	10.61	.77	.77		
Group 2	10.73	.77	.77		
Group 3	10.81	.77	.77		
Group 4	10.93	.77	.77		
Group 5	10.98	.77	.77		
Group 6	11.08	.77	.77		
Group 7	11.18	.77	.77		
Group 8	11.32	.77	.77		
Group 9	11.47	.77	.77		
TRUCK DRIVERS (ZONE III)					
Group 1	10.86	.77	.77		
Group 2	10.98	.77	.77		
Group 3	11.06	.77	.77		
Group 4	11.18	.77	.77		
Group 5	11.23	.77	.77		
Group 6	11.33	.77	.77		
Group 7	11.43	.77	.77		
Group 8	11.57	.77	.77		
Group 9	11.72	.77	.77		

TRUCK DRIVERS CLASSIFICATION DEFINITIONS (BUILDING, RESIDENTIAL CONSTRUCTION)

GROUP I - Pickup 3/4 ton and under, lubrication, light tire repair and washer, swamper, 2 or 4 and up.

GROUP II - Dump or batch truck under 8 C.Y.W.L.C.: flat bed (bobtail) 2 ton and under; warehouseman including material checker, fork lift under 5 tons MRC.

GROUP III - Dump trucks (including all highway and off highway) 8 up to 16 C.Y.W.L.C.; water, fuel or oil trucks less than 3,000 gal., flat bed (bobtail) over 2 tons

GROUP IV - Distributor driver; heavy tire repairman; lumber carrier driver; young buggy or similar equipment, transit mix or agitator 2 or 3 axle bobtail driver (flat-bed or van single axle); forklifts 5 ton and over MRC:

GROUP V - Dumpsters and dumpcrete driver; water, fuel or oil truck 3,000 to 6,000 gal; lowboys and light equipment driver; euclid type tank wagon under 6,000 gal.

GROUP VI - Vacuum truck; dump trucks (including all highway and off-highway 16 up to 22 C.Y.W.L.C.

GROUP VII - Trancit mix or agitator semi or 4 axle equipment driver; flaherty truck type spreader box driver; slurry truck driver; bulk cement driver; semi-doubles; 4 axle bobtail; winch truck and "A" frame; dump truck (including all highway and off-highway) 22 CY up to 35 C.Y.W.L.C.

GROUP VIII - Euclid diesel power turnarocker; terra coba-DW20-LeTourneau Pulls and similar diesel powered equipment when used to haul materials and assigned to a teamster-lowboy heavy equipment driver; water, fuel or oil trucks 6,000 gal. and over including tank wagon drivers, semi-trailer driver (flat-bed or van tandems); light equipment mechanic; dump trucks (including all highway and off-highway) 35 C.Y.W.L.C. and over; truck and trailer or semi-trailer (flatbed); eject all

GROUP IX - Lowboy (heavy equipment double gooseneck); heavy equipment mechanic; welder (body and fender men)

TRUCK DRIVERS CLASSIFICATION DEFINITIONS (HEAVY CONSTRUCTION)

GROUP I - Pickup 3/4 ton and under, lubrication, light tire repair and washer, swamper, teamster 2 or 4 and up

GROUP II - Dump or batch truck, under 8 C.Y.W.L.C. flat bed (bobtail) 2 ton and under, warehouseman including material checker, cardex man, expeditor, forklift under 5 ton M.R.C.

GROUP III - Dump trucks (including all highway & off-highway) 8 up to 16 C.Y.W.L.C., water,fuel or oil trucks less than 3,000 gals., flatbed (bobtail) over 2 tons

GROUP IV - Distributor driver, heavy tire repair, lumber carrier driver, yound buggy or similar equipment, transit mix or agitator 2 or 3 axle bobtail equipment, scissor truck, bulk cement bobtail 2 or 3 axles, semi-trailer flatbed or van single axle, forklift 5 ton and over M.R.C.

GROUP V - Dumpster and dumpcrete driver, water, fuel or oil truck, 3,000 to 6,000 gals., capacity, lowboy, light equipment driver, euclid type tank wagon under 6,000 gallons

GROUP VI - Vacuum truck, dump trucks (including all highway & off-highway) 16 up to 22 C.Y.W.L.C.

GROUP VII - Transit mix or agitator semi or 4 axle equipment driver, flaherty truck type spreader box driver, slurry truck driver, bulk cement driver, semi-doubles, 4 axle bobtail, winch truck & "A" frame, dump trucks (including all highway and off-highway) 22 C.Y. up to 35 C.Y.W.L.C.

GROUP VIII - Euclid diesel powered turnarocker, terra cobra, DW 10, DW 20, LeTourneau pulls and similar diesel powered equipment when used to haul materials and assigned to a teamster, lowboy heavy equipment driver, water, fuel or oil truck 6,000 gallons and over (including tank wagon drivers), semi-trailer driver (flatbed or van tandems) light equipment mechanic, dump trucks (including all highway and off-highway) 35 C.Y.W.L.C. and over, truck and trailer or semi-trailer (flatbed), ejectall

GROUP IX - Lowboy (heavy equipment, double gooseneck), heavy equipment mechanic, welder (body and fender man)

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day; G-Friday after Thanksgiving

FOOTNOTES:
a - Includes $.07 contribution to the Occupational Health Fund
b - 1st 6 months - none; 6 months to 5 years, 6%; over 5 years, 8% of basic hourly rate.
c - Holidays A through G

WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(ii).

SUPERSEDEAS DECISION

STATE: OHIO COUNTY: MEDINA
DECISION NUMBER: OH81-2015 DATE: Date of Publication
Supersedes Decision No. OH77-2061, dated April 15, 1977 in 42 FR 20047
DESCRIPTION OF WORK: Residential Construction Projects Consisting of single family homes and apartments up to and including 4 stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS	9.95				
CEMENT MASONS	9.19				
INSULATORS	7.00				
LABORERS	6.00				
PAINTERS	9.19				
PLUMBERS	9.85				
SOFT FLOOR LAYERS	8.00				
POWER EQUIPMENT OPERATORS:					
Backhoes	9.12				
Bulldozers	9.12				
TRUCK DRIVERS	6.25				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

SUPERSEDEAS DECISION

STATE: OHIO COUNTY: MUSKINGUM
DECISION NUMBER: OH81-2016 DATE: Date of Publication
Supersedes Decision No. OH77-2062, dated April 15, 1977 in 42 FR 20047
DESCRIPTION OF WORK: Residential Construction Projects Consisting of single family homes and apartments up to and including 4 stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
AIR CONDITIONING MECHANICS	$8.35	.77	.60		.03
BRICKLAYERS	6.50				
CARPENTERS	5.68				
CEMENT FINISHERS	7.00				
DRYWALL FINISHERS	10.00				
DRYWALL HANGERS	8.00				
ELECTRICIANS	7.00				
LABORERS	4.85				
PAINTERS	7.00				
ROOFERS	7.00				
SHEET METAL WORKERS	6.00				
TRUCK DRIVERS	5.50				
POWER EQUIPMENT OPERATORS:					
Bulldozers	8.24				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

SUPERSEDEAS DECISION

STATE: OHIO COUNTIES: KNOX & MORROW
DECISION NUMBER: OH81-2018 DATE: Date of Publication
Supersedes Decision No. OH77-2087, dated May 20, 1977 in 42 FR 26095
DESCRIPTION OF WORK: Residential Construction Projects Consisting of single family homes and apartments up to and including 4 stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BRICKLAYERS; Blocklayers	$8.41				
CARPENTERS	7.50				
CEMENT MASONS	6.00				
DRYWALL FINISHERS	7.85				
DRYWALL HANGERS	8.00				
ELECTRICIANS	6.73				
LABORERS	5.88				
PAINTERS	7.50				
PLUMBERS	7.50				
ROOFERS	6.00				
SHEET METAL WORKERS	7.50				
SOFT FLOOR LAYERS	6.19				
TRUCK DRIVERS	5.94				
POWER EQUIPMENT OPERATORS:					
Backhoes	5.94				
Bulldozers	5.94				
Front End Loaders	5.94				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

SUPERSEDEAS DECISION

STATE: OHIO
DECISION NUMBER: OH81-2012
COUNTIES: ASHLAND & RICHLAND
DATE: Date of Publication
Supersedes Decision No. OH77-2088, dated May 20, 1977 in 42 FR 26096
DESCRIPTION OF WORK: Residential Construction Projects Consisting of single family homes and apartments up to and including 4 stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BRICKLAYERS	$8.04				
CEMENT MASONS	8.50				
DRYWALL HANGERS	7.11				
DRYWALL TAPERS & FINISHERS	8.02				
ELECTRICIANS	6.50				
LABORERS	5.78				
PAINTERS	6.50				
PLUMBERS	10.00				
TRUCK DRIVERS	6.00				
POWER EQUIPMENT OPERATORS:					
Backhoes	6.00				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

SUPERSEDEAS DECISION

STATE: OHIO
DECISION NUMBER: OH81-2011
COUNTIES: CARROLL & HARRISON
DATE: Date of Publication
Supersedes Decision No. OH77-2090, dated May 20, 1977 in 42 FR 26097
DESCRIPTION OF WORK: Residential Construction Projects Consisting of single family homes and apartments up to and including 4 stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BRICKLAYERS	$7.00				
CARPENTERS	8.00				
CEMENT MASONS	5.25				
ELECTRICIANS	9.56				
LABORERS	4.25				
TRUCK DRIVERS	7.21	.74	.31		

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

SUPERSEDEAS DECISION

STATE: OHIO COUNTY: WAYNE
DECISION NUMBER: OH81-2017 DATE: Date of Publication
Supersedes Decision No. OH77-2091, dated May 20, 1977 in 42 FR 26097
DESCRIPTION OF WORK: Residential Construction Projects Consisting of single family homes and apartments up to and including 4 stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BRICKLAYERS; Blocklayers	$6.00				
CARPENTERS	6.00				
CEMENT MASONS	8.00				
ELECTRICIANS	7.97				
LABORERS	5.00				
PAINTERS	6.00				
PLUMBERS	6.46				
SHEET METAL WORKERS	6.25				
SOFT FLOOR LAYERS	5.25				
TILE SETTERS	5.25				
TRUCK DRIVERS	5.00				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

SUPERSEDEAS DECISION

STATE: OHIO COUNTIES: CALLIA & LAWRENCE
DECISION NUMBER: OH81-2013 DATE: Date of Publication
Supersedes Decision No. OH78-2063, dated June 16, 1978 in 43 FR 26225
DESCRIPTION OF WORK: Residential Construction Projects Consisting of single family homes and apartments up to and including 4 stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
AIR CONDITIONING MECHANICS	$8.50				
BRICKLAYERS	7.68				
CARPENTERS	6.73				
CEMENT MASONS	8.50				
DRYWALL FINISHERS	8.00				
DRYWALL HANGERS	7.00				
ELECTRICIANS	6.50				
LABORERS:					
Common	4.68				
Mason Tenders	5.37				
PAINTERS	5.38				
PLUMBERS	7.30				
ROOFERS	5.00				
SHEET METAL WORKERS	5.45				
SOFT FLOOR LAYERS	6.25				
TRUCK DRIVERS	6.08				
POWER EQUIPMENT OPERATORS:					
Backhoes	7.00				
Bulldozers	7.00				
Front End Loaders	7.00				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

SUPERSEDEAS DECISION

STATE: OHIO
DECISION NUMBER: OH81-2019
COUNTIES: *SEE BELOW
DATE: Date of Publication
Supersedes Decision No. OH78-2167, dated December 29, 1978 in 43 FR 61183
DESCRIPTION OF WORK: Residential Construction Projects Consisting of single family homes and apartments up to and including 4 stories

*DEFIANCE, FULTON, HENRY, & WILLIAMS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
AIR CONDITIONING MECHANICS	$7.50				
BRICKLAYERS; Blocklayers	7.00				
CEMENT MASONS	9.33				
DRYWALL HANGERS	9.00				
DRYWALL FINISHERS & TAPERS	7.00				
ELECTRICIANS	7.89				
LABORERS	4.72				
PLUMBERS	8.75				
SOFT FLOOR LAYERS; Carpet Layers	6.00				
TRUCK DRIVERS	5.93				
POWER EQUIPMENT OPERATORS:					
Backhoes	9.00				
Bulldozers	8.58				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

[FR Doc. 81-10634 Filed 4-9-81; 8:45 am]

SUPERSEDEAS DECISION

STATE: OHIO
DECISION NUMBER: OH81-2014
COUNTIES: ATHENS, MEIGS, & MORGAN
DATE: Date of Publication
Supersedes Decision No. OH78-2069, dated August 11, 1978 in 43 FR 35810
DESCRIPTION OF WORK: Residential Construction Projects Consisting of single family homes and apartments up to and including 4 stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
AIR CONDITIONING MECHANICS	$7.00				
BRICKLAYERS	8.04				
CARPENTERS	6.03				
CEMENT MASONS	6.00				
DRYWALL FINISHERS	6.58				
DRYWALL HANGERS	6.31				
ELECTRICIANS	6.31				
LABORERS	4.72				
PAINTERS	6.34				
PLUMBERS	6.29				
ROOFERS	6.00				
SHEET METAL WORKERS	6.25				
POWER EQUIPMENT OPERATORS:					
Backhoes	6.68				
Bulldozers	7.31				
Cranes	7.31				
Front End Loaders	6.52				
TRUCK DRIVERS	4.72				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

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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/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/FSQS		DOT/FAA	USDA/FSQS
DOT/FHWA	USDA/REA		DOT/FHWA	USDA/REA
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/NHTSA	LABOR		DOT/NHTSA	LABOR
DOT/RSPA	HHS/FDA		DOT/RSPA	HHS/FDA
DOT/SLSDC			DOT/SLSDC	
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.

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws.**

[Last Listing April 2, 1981; last cumulative listing for the 96th Congress (1980), January 7, 1981.]